



# Ordinary Council Meeting

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## MINUTES

Held on

Wednesday 27 May 2015

Commencing at 5.01pm

Council Chambers

Cnr Bentley and Collins Streets, Donnybrook WA 6239

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**John Attwood**  
**Chief Executive Officer**

**3 June 2015**

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## ORDINARY COUNCIL MEETING

27 May 2015

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# SHIRE OF DONNYBROOK/BALINGUP

## ORDINARY COUNCIL MEETING MINUTES

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**Held in the Council Chambers on Wednesday, 27 May 2015 commencing at 5.01pm**

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### MEMBERS PRESENT

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#### COUNCILLORS

Cr Dilley (President)  
Cr Mitchell (Deputy)  
Cr Bailey  
Cr Crowley  
Cr Dawson  
Cr Duncan  
Cr King  
Cr Logiudice  
Cr McCabe

#### STAFF

John Attwood – Chief Executive Officer  
Greg Harris - Manager Finance and Administration  
Leigh Guthridge – Manager Development and Environmental Services  
Bob Wallin – Principal Planner  
Kate O’Keeffe – Executive Assistant

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### PUBLIC GALLERY

John Fry	Julie King	Megan Baldock	Rhonda Hutch
Robin Wright	Bill Swiggs	CB Knight	Michael Hutch
Lynda Harrison	Graham Sheridan	Damian Dronow	Pam Carroll
Ron Towie	Elaine Sheridan	Kevin Rowan	John Carroll
Berice Towie	Michelle Helliwell	Sue Turnbull	Geoff Box
Christopher King	Phill Helliwell	Meredith Chidlow	Rex Addison
Bob Smith	Terry Townsend	Jon Smith	Anthony Haygarth
Jodie McLaren	Troy Mifflin	Nikki Mak	S Hernan

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### 1 APOLOGIES

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### 2 PUBLIC QUESTION TIME

\*\* 5.03pm – Cr King arrived.

*Megan Baldock (Questions without notice)*

*As stated in my letter dated 20/04/2015, my apology to the Acting Manager on 20/08/2014 was made out of concern for her being visibly upset at the verbal attack made on her by another carer who has since resigned. I did not apologise to the Acting Manager for what I*

*had stated at the staff meeting by which I still very strongly stand by. Why was my apology misconstrued by Mr Harris in his letter dated 13/04/2015?*

CEO

This is a staff-related matter which cannot be dealt with by Council. Legal advice has been sought and you will be responded to in due course.

*Megan Baldock*

*All written and verbal evidence that was submitted to the CEO more than proves the allegations of alleged misconduct made against myself were totally unfounded. Why has not the resolution that was requested of me by the CEO, being which was simply a full retraction of the said letters of complaint against me and a written apology from the authors of said letters that was recorded in my rebuttal presented at the meeting last November, not been acted upon and forthcoming?*

CEO

This is a staff-related matter which cannot be dealt with by Council. Legal advice has been sought and you will be responded to in due course.

*Megan Baldock*

*Why have the allegations of alleged misconduct not been properly resolved? Surely I am entitled to be afforded the right of a formal resolution? I will not allow it to be swept under the carpet being that it was a formal allegation which surely entitles me to a formal resolution. I gave the requested rebuttal and desired resolution as recorded in the minutes of the meeting on 26/09/2014.*

CEO

This is a staff-related matter which cannot be dealt with by Council. Legal advice has been sought and you will be responded to in due course.

*Megan Baldock*

*I wish the Council to know that I originally approached the CEO in October 2013 and expressed to him my grave concerns about the management of Tuia Lodge and was basically just fobbed off. So he has been well aware for over a year and a half of issues that existed at the Lodge. I now ask the question of why has it taken so long to address such issues? This is why I have brought it to Council's attention. The rate payers of our shire now have to bear the cost of a legal representative to sort it all out when I truly believe that the CEO had, by November last year, all the proof from myself and a number of other staff he needed to do his job and sort the issues out as the overseer of the board of Tuia Lodge.*

CEO

This is a staff-related matter which cannot be dealt with by Council. Legal advice has been sought and you will be responded to in due course.

*CB Knight (Questions without notice)*

*I believe Mr Harris was responsible for finding and employing the Temporary Manager at Tuia Lodge. May I compliment his choice as her appointment has certainly proved to be a safety valve to the many unsettling issues at the Lodge. Why was this well-qualified Manager not given full and free charter to implement the long overdue restructuring of the facility necessary to function properly for the current 26 bed capacity thereby enabling the proposed increase to 40 bed capacity to be effectively achieved with a proper staffing structure and competent management?*

CEO

This is a staff-related matter which cannot be dealt with by Council.

*CB Knight*

*I acknowledge receipt of a response from the then Acting CEO to my question put on notice at the 22 April 2015 Council meeting. From this letter of 1 May 2015 whilst addressing that the report spoken of may have addressed other issues raised at the 17 Nov 2015 meeting it would seem that the primary purpose of the meeting which was receive the rebuttal and requested desired resolution to the alleged misconduct was not addressed or equally resolved by the Tuia Board. Why?*

CEO

This is a staff-related matter which cannot be dealt with by Council.

*CB Knight*

*As Council has now been approached it is hoped that with the information previously withheld by the CEO supplied to you all and the legal report sought that Council will be enabled to fully resolve all issues at Tuia Lodge. Can I be assured that a full and complete copy of the legal report will be given to all Councillors?*

CEO

No. This is a confidential report.

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### **3 APPLICATION FOR LEAVE OF ABSENCE**

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Cr McCabe requested a leave of absence from the Council meeting scheduled for 24 June 2015 and 22 July 2015.

**Moved: Cr Duncan**

**Seconded: Cr Dawson**

**That Cr McCabe be granted a leave of absence from the Council meetings scheduled for 24 June 2015 and 22 July 2015.**

**Carried 9/0**

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### **4 DECLARATION OF FINANCIAL/IMPARTIALITY INTEREST**

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Cr McCabe declared a Financial Interest in Agenda Item 11.5.3 – *Donnybrook Netball Association* as his wife is an office bearer.

Cr Mitchell declared an Interest affecting Impartiality with Agenda Item 11.4.4 - *Request for Review of Road Upgrading Requirements for Subdivision WAPC 149592 Upper Capel Road, Donnybrook* as she is related to the applicant.

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### **5 PETITIONS/DEPUTATIONS/PRESENTATIONS**

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Mr Robin Wright, property owner, presented in relation to agenda item number 11.4.3 – *Planning Application for a Garage and Rain Water Tank with Setback Variation to State Forest*. The presentation commenced 5.15pm, and concluded 5.25pm.

**\*\* 5.22pm – Cr Mitchell left the meeting.**

**\*\* 5.25pm – Cr Mitchell returned.**

Mr John Fry, property owner, presented in relation to agenda number 11.4.4 - *Request for Review of Road Upgrading Requirements for Subdivision WAPC 149592 Upper Capel Road, Donnybrook*. The presentation commenced 5.25pm, and concluded 5.31pm.

Ms Julie King, property owner, presented in relation to agenda number 11.4.1 – *Request for Final Approval Structure Plan Modification for Perseverance Boulevard, Donnybrook*. The presentation commenced 5.37pm, and concluded 5.39pm.

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### **6 LATE ITEMS**

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Nil



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## 7 CONFIRMATION OF MINUTES

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### 7.1 Ordinary Council Meeting – 22 April 2015

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Moved: Cr Duncan

Seconded: Cr McCabe

That the minutes of the ordinary meeting held on 22 April 2015 be confirmed as a true and accurate record.

Carried 9/0

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## 8 ELECTED MEMBERS MOTIONS

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8.1.1

**SUBJECT: MITIGATION OF BUSHFIRE RISK ON RAIL CORRIDOR LAND IN THE SHIRE OF DONNYBROOK-BALINGUP**

**Location:** WA  
**Applicants:** Cr John Bailey  
**Zone:** N/A  
**File Ref:** CNL 34G  
**Author:** John Attwood, CEO (*Leigh Guthridge – Mgr Development and Environmental Services*)  
**Report Date:** 15 May 2015  
**Attachments:** Nil

Cr Bailey has proposed the following notice of motion:

### Notice of Motion

**Council advise Brookfield Rail to carry out fire hazard reduction on the land under their control throughout the Shire. This work is to be completed by the 1st of December 2015.**

### Cr Bailey Comment

The letter attached indicates that Brookfield are interested in developing appropriate mitigation strategies and want the local authority to nominate any specific locations of rail corridor that need investigations.

Brookfield are a commercial operation that want to use Shire and volunteers resources to fix their problem, I suggest any area that has not had hazard reduction in the past 6 years needs attention, not just areas presenting a significant risk to property  
Advising Brookfield of their obligations now will give them plenty of time to carry out work needed before the due date of 1st December.

Arsonists have started the last three fires I have attended. Good access to the rail reserve makes the area an ideal target for arsonists

### **Policy/Statutory/Voting Implications**

Policy

N/A

Statutory

N/A

Voting

Simple Majority

### **Officer's Comment**

*Brookfield Rail* have confirmed that it has a preparedness to mitigate the risk of bushfire for land that it leases from the WA Government to include maintenance of access roads and firebreaks alongside railway reserves, fuel reduction, and weeds management. Based on historical levels of bushfire management by Brookfield Rail (and other custodians of railway reserves) since the use of the railway reserves have ceased for the purposes of rail transport, this commitment is welcomed.

The control mechanism for a Local Government to ensure that land owners within its district manage fire hazards and associated fire risks on their land in preparation for the fire season is administered through the *Bush Fires Act 1954*. The *Act* does not bind the Crown so therefore the Shire cannot enforce fire hazard management on rail reserves through the *Bush Fires Act 1954*.

Therefore the approach that Brookfield Rail is proposing, by engaging with stakeholders including local government and targeting areas of high risk and managing these accordingly, is supported. The detail on identifying the high risk areas, the level of local government support and resources provided, and other strategies of fire risk management are to be detailed in a Memorandum of Understanding to be approved at a future meeting of Council.

### **Cr Bailey's Notice of Motion**

**Moved: Cr**

**Seconded: Cr**

**That Council advise Brookfield Rail to carry out fire hazard reduction on the land under their control throughout the Shire. This work is to be completed by the 1st of December 2015**

Cr Bailey provided an amended notice of motion via email prior to the commencement of the meeting.

**Cr Bailey's Amended Notice of Motion**

**Moved: Cr Bailey**

**Seconded: Cr Logiudice**

Council invite Brookfield, the public transport authority and DFES to attend meetings with the Donnybrook-Balingup Shire Council and Brigade Fire Control Officer's to discuss the responsibility and methods of fire hazard reduction within the rail reserves throughout the Shire of Donnybrook-Balingup including a Memorandum of Understanding outlining:

1. Who is responsible for the fire hazard reduction;
2. Who will carry out the fire hazard reduction;
3. The types of fire hazard reduction employed.

This must be completed by 30 October 2015 to allow time for the fire hazard reduction to be carried out by 1 December 2015.

**Carried 9/0**

**Officers Recommended Resolution**

That Council invite Brookfield Rail to enter into discussions with the Shire of Donnybrook – Balingup and include other fire management agencies to formalise a Memorandum of Understanding on future fire risk mitigation within railway reserves areas under Brookfield Rails control within the Shire of Donnybrook – Balingup local government area.

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<b>8.1.2</b>	<b>SUBJECT:</b>	<b>FOREST INDUSTRY ADVISORY COUNCIL STRATEGIC DIRECTIONS PAPER</b>
	<b>Location:</b>	<b>N/A</b>
	<b>Applicants:</b>	<b>Crs Anne Mitchell and Bernie Dawson</b>
	<b>Zone:</b>	<b>N/A</b>
	<b>File Ref:</b>	<b>CNL 34B and CNL 34I</b>
	<b>Author:</b>	<b>John Attwood CEO (<i>Lucy Bourne, Governance Officer</i>)</b>
	<b>Report Date:</b>	<b>15 May 2015</b>
	<b>Attachments:</b>	<b>Nil</b>

Crs Mitchell and Dawson have proposed the following Notice of Motion:

That Council send a submission to the Forest Industry Advisory Council, in response to their paper Meeting Future Market Demands, highlighting the need to:

- Upgrade South Western Highway and the Donnybrook-Kojonup Road to support the future of the timber and other industries; and

- **Provide commodity funding to allow local government to maintain, to a minimum standard, those roads under its control that are used strategically by the timber industry.**

### **Crs Mitchell and Dawson Comment**

The Forest Industry Advisory Council (FIAC) released its paper, *Meeting Future Market Demands*, in March 2015. The FIAC's role is to provide information and advice to the Minister for Agriculture on issues affecting the forest products sector.

The paper invites submissions on a number of questions, including:

- What infrastructure will be required to respond to future demand for Australian forest products?
- What can be done to ensure better recognition and understanding of the sector's infrastructure needs?

Given the lack of rail transport, South Western Highway is an integral part of the exporting of South West timber industry products. The South-Western Highway and the Donnybrook – Kojunup Road are seeing increased traffic volumes. As well as timber industry trucks, grain and other commodities are being transported along these roads in unprecedented capacities (e.g. by agribusiness Bunge).

It is critical that shires which have large areas of state forest and plantation timber reserves are supported by commodity funding to maintain these routes at a minimum standard.

Council has an opportunity to make a submission by the closing date of Friday 5 June, 2015. A full copy of the report can be viewed or downloaded from the Department of Agriculture website ([www.agriculture.gov.au/fiacissuespaper](http://www.agriculture.gov.au/fiacissuespaper)).

### **Policy/Statutory/Voting Requirements**

#### Policy

N/A

#### Statutory

N/A

#### Voting

Simple majority

**Crs Mitchell and Dawson Notice of Motion**

**Moved: Cr Mitchell**

**Seconded: Cr Bailey**

**That Council send a submission to the Forest Industry Advisory Council, in response to their paper Meeting Future Market Demands, highlighting the need to:**

- **Upgrade South Western Highway and the Donnybrook-Kojonup Road to support the future of the timber and other industries; and**
- **Provide commodity funding to allow local government to maintain, to a minimum standard, those roads under its control that are used strategically by the timber industry.**

**Carried 9/0**

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<b>8.1.3</b>	<b>SUBJECT:</b>	<b>COMMENTS ON ADMINISTRATION CENTRE REDEVELOPMENT</b>
	<b>Location:</b>	<b>WA</b>
	<b>Applicants:</b>	<b>Cr Mike King</b>
	<b>Zone:</b>	<b>N/A</b>
	<b>File Ref:</b>	<b>CNL 34H</b>
	<b>Author:</b>	<b>John Attwood, CEO</b>
	<b>Report Date:</b>	<b>15 May 2015</b>
	<b>Attachments:</b>	<b>Nil</b>

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*Cr King has proposed the following Notice of Motion:*

**The Shire request Kent Lyon review the cost of an Administration Complex on a greenfields site, which is comparable in area, services and amenities to the KL Option H proposal, to allow a fully informed decision on the cost estimates of each alternative.**

The Shire officers have spent the last year and close to \$30,000 trying to make a silk purse (the proposed Administration Centre) out of a pigs ear (the existing Administration Office) They have failed to achieve the original requirements which justified the request for the office redevelopment

This agenda item argues that it would make more sense both aesthetically and financially to locate a completely new Administration Centre of a similar size to the proposed office on a greenfields site (possibly the land between Victory Lane and back towards the existing Church building, or some completely alternative location), and either utilize the existing office for another required purpose, or sell it.

The indicative cost provided by Kent Lyons (the RBB estimate) with the on costs (regional loading, design and construction contingency, professional fees, and escalation - which total 40%) added are:-

• Alterations and additions to the existing Building	\$ 588,000
• Cost of the New building structure	\$ 980,000
• Refurbishment of the Church	\$ 140,000
• External works	<u>\$ 289,000</u>
TOTAL	\$ 1,997,000

There are no offices in the "new" building area of Option H (other than the reception/foyer area), and the improved staff morale will be transitory. This design proposes spending \$588,000 (\$420,000 plus overheads and contingencies) redesigning and upgrading the existing office area, without seriously addressing the major deficiencies of the present design.

The Kent Lyon Option H Total Project Estimate is \$1.997 million, but it is not difficult to envisage that in subsequent years there will be substantial additional expenditure (the carpark with 17 bays is smaller than the existing carpark, and despite the requirement for additional toilet facilities only one additional universal access toilet is included in the design etc). When a fit for purpose redeveloped Administration office is finally complete it could easily cost between \$2.5-3.0 million.

A number of new, modern office designs have recently been constructed at between \$2500 to \$3000/m2. These include the Capel Shire office extensions, Tuia Lodge extensions and the CHC building on the Bussell Highway opposite the Crosslands shopping centre.

The Kent Lyons proposal has a floor plan area of approximately 880m2. Given the prices being quoted and achieved for new buildings (above) it should be possible to construct a completely new Administration Centre building office based on tilt panel construction of at least 880m2, with an open, airy, well lit office design as is a characteristic of many modern offices for \$3.0 million, inclusive of all services and fittings.

The indicative Cost of a new 880m2 Administrative Building on a greenfields site is:-

• Council Chambers and office block at \$3000/m2	\$ 2,640,000
• External works	<u>\$ 224,000</u>
TOTAL	\$ 2,864,000

- Council retains the Existing building and Church for use or sale  
This building has been valued (April 2014) at fair market value \$ 543,000  
Therefore the NETT GREENFIELDS ADMIN OFFICE COST \$ 2,231,000

Should Council support a \$2 million project which does not achieve the requirements and outcomes required, or alternatively support a project which achieved these outcomes for an additional 10%. A new Green field site will have the advantage of:

- Little disruption to the office staff during construction.
- New modern design – open and airy – with perhaps the required distinct design and aura.

- State of the Art IT cabling, electrics and power facilities.
- New Mechanical services requiring little maintenance for many years.
- New off street parking and pathways are included.
- Not having spent a considerable amount of capital on demolishing and reinstating the western wall to separate the building from the Soldiers Memorial hall, and renovation of the old Council Chambers area installing windows, doors, glazed office partitioning, and reinstating the roof line, carpets, ceiling and painting, resulting in the loss of 20m<sup>2</sup> of office area.

### **Original requirements and outcomes for the Administration Office Redevelopment**

Councillors (and soon the Public) have been asked to comment on plans for the Administration Centre Redevelopment as shown in the Kent Lyon Option H Proposal for the Redevelopment.

The original requirements and objectives for the Administration Centre redevelopment were set out by the Shire staff during the OCM of the 26<sup>th</sup> of March 2014, Agenda item 11.5.9.

The reasons redevelopment was required were :

1. The original office was built in 1956, and has been renovated and the internal layout modified on several occasions since construction. A Building Audit Report by Tungsten Group in 2005 suggested the cost of further upgrades to the building would be substantial and only effective in the short term. They suggest it is not feasible to effectively modify this building again.
2. The present internal layout is extremely inefficient, and imposes major constraints on logical rationalization within the existing structure.
3. Most office areas are restrictive, and poorly designed with poor lighting.
4. Mechanical services are dated and inefficient, with poor energy efficiency.
5. There are insufficient conference and meeting rooms.
6. Perhaps the major justification was that the Shire's Corporate Business Plan (CBP) forecasts an increase from the existing 31 office personnel to 41 by 2017.

The objectives to be achieved in the redevelopment included:

1. Civic Function – A complex of Council Chambers, and areas for receptions and community events, creating an "Aura" befitting the Centre of Governance for the Donnybrook Balingup district.
2. A business transaction centre with public toilets (the present arrangement is a security risk).
3. The modernisation of staff toilets and other facilities will improve staff morale.

After some initial discussions on completely new, stand-alone designs with ballpark estimates of \$3.8 million and above, Council then set a limit of \$2.0 million for the redevelopment - which after several iterations has resulted in the present Option H - Proposed Plans and elevations.

The initial costs for four options presented (not by Kent Lyons, but by another Architectural firm) ranged from \$3.8 million to \$6.2 million, but these were in some cases grandiose proposals involving much larger floor plan areas than the 880m<sup>2</sup> now proposed, and an allowance for 67 parking bays, a separate community centre building, multiple meeting rooms etc (HMA option 4). These estimates cannot be compared with the present design estimates.

### **Reviewing Option H plans and taking the requirements and objectives outlined above into consideration.**

#### **Office layout**

The Shire described the present offices as extremely inefficient, restrictive and poorly designed and with inadequate lighting. Option H is essentially the present office arrangement with a few structural alterations (the W&S office area), reassignment of the existing staff room to a meeting room, and cosmetic changes in the present foyer/reception area, with additional offices of similar design to be placed in the existing Council Chambers area.

The character of the office arrangements is essentially the same. The spatial layout of many of the offices has not changed. This criticism of the internal layout of the existing offices was a major justification for redevelopment. The Option H plan is a continuation of the design features described as extremely inefficient, and imposing major constraints on logical rationalization.

The present office arrangements featured some very small and dysfunctional workspaces and this has been addressed in the KL design, but the enclosed boxy nature of many areas remains, as do the extensive corridors. Toilets are essentially the same (with a new fitments), and one new UAT toilet for an additional 30 % staff, and to service visitor's needs.

The design does not introduce an open, airy, well lit office design as is a characteristic of many modern offices. Basically it is still the same dog box offices with multiple passages design, reminiscent of a rabbit warren. Redevelopment reasons 2, 3, and 4 (above) are not achieved.

#### **Forecast Increased Office Staff**

Probably the major justification for the Administration Offices redevelopment was to provide increased work stations for the additional 10 office staff by 2017 forecast in the Corporate Business plan (CBP).

The economy has changed dramatically since development and endorsement of the CBP and the associated workforce plan – but it seems there is no recognition of this.

The Bunbury City Council was reported (in the Southwest Times 16<sup>th</sup> April 2015) as reviewing and adjusting their CBP to include:-

- Bunbury City Council will not hire any new staff.
- Bunbury City Council will restrict wages growth to 1.5 % per year.
- Anecdotally the Bunbury City Council is also committed a low rate increase in 2015.



When DBSC eventually reviews their CBP and Workforce plan, will it arrive at a similar conclusion, thus negating this major justification for the additional office space.

**Are there alternatives to increasing the office area?**

The CEO's comments on the present office arrangement not allowing efficient work areas are not disputed, and in fact are endorsed. However there are many alternatives to relieve this situation for less than \$588,000. These include:-

- Adding a 20m by 10m transportable office to the rear of the existing building.
- Building extensions to the Sandhills Rd office and transferring W&S to this area.
- Relocating some Shire staff, perhaps the Rangers and CDO's to other facilities.
- Reviewing the CBP and Workforce plans to ensure that Shire do actually require 10 additional office staff by 2017.

**Will this design modernise the office facilities and thereby improve staff morale?**

Option H extends a similar design philosophy into the existing Council Chamber area and is effectively a repeat and extension of the existing office environment which the CEO previously described as extremely inefficient and restrictive, imposing major constraints on logical rationalization and poorly designed with poor lighting.

The cost of the new building area, the Council Chambers, staff room, café/kitchen area, foyer/reception area, a total 252m<sup>2</sup> is \$980,000, this is mostly open area with limited utilisation. The m<sup>2</sup> cost is \$3889/m<sup>2</sup>

The existing Church will require approximately \$140,000 of renovations , and utilization will be mainly for civic functions if at all.

**Mechanical services are dated and inefficient, with poor energy efficiency**

A large proportion of the \$588,000 estimated to be spent on alterations and additions to the existing Administration building will be spent on alterations and refurbishment required to separate the existing Council Chambers from the Soldiers Memorial Hall.

The problems with the mechanical services will be addressed within the \$100,000 (RBB *Indicative Cost Estimate item 28 with on costs* – which is part of the above \$588,000 estimate), but since no detail is given they may still be basically the same dated and inefficient units with additions to service the new building areas.

**Toilets**

Option H adds one toilet to those previously available, which will service the foyer and business transaction area during normal office hours. However when civic events occur the *proposal is that visitors use a temporary/back entrance to the normal staff toilets, with locked doors providing security for the staff. This only works when staff are absent (after hours), otherwise staff security is compromised. What happens when the function is held during normal staff hours. Shire has one toilet for a function centre full of visitors.*

Essentially there are now the same staff toilet facilities for staff numbers that have increased by 30%, and one universal access toilet (I read this as wheelchair access, unisex toilet) for the new Council Chambers and any Civic Functions conducted during working hours.

**Does Option H achieve the Civic Function requirements – creating an “Aura” befitting the Centre of Governance for the Donnybrook Balingup district?**

The Southern Elevation (which will be the most prominent view when approaching from Collins St south) includes the Church façade which is to be extended with modern building design into an imposing glass (???) wall. Does this present any “Aura”.

The Eastern Elevation and Shire Foyer entrance will be difficult to see from a vehicle in Collins St, particularly behind a row of parked cars. The perspective views given remind me of the entrance to Pentridge Prison (now a museum) in Melbourne. It is hardly inviting! The birds eye view is more appealing, but few ratepayers will fly in.

The Northern elevation is basically the existing Shire office façade, which is quite acceptable. The Western Elevation is against the Soldier Memorial Hall wall and will not be seen easily.

**Conclusion**

The Shire has expended between \$25-30,000 attempting to achieve a design that meets their requirements and objectives at a project cost estimate of \$2 million. Unfortunately the outcomes and requirements have not been achieved. This design falls far short of the outcomes required by Council or for the Shire staff work areas.

Perhaps the constraint put on the Shire officers and through them the Architects, to redevelop the facility within a \$2 million budget, has constrained and restricted the architect's proposals, to the point where the outcomes do not achieve the Shire's original objectives.

The Shire is not restricted by a lack of available open land, the area between Victory Lane and Bentley Street could accommodate a new Administration Office building in addition to the existing, which might then be sold or utilised for CHC activities, or some other required use.

A stand-alone building of 880m<sup>2</sup> which would meet all the desired outcomes could be delivered for around \$3.0 million, with the existing building available for use in another capacity, or as a saleable asset, realizing \$543,000 and perhaps even more..

This would result in an Administration Redevelopment cost of \$2.3-\$2.5 million project. If required the existing Council Chambers and offices could be sold or continue to be utilised with the remainder of the building rented.

**Policy/Statutory/Voting Implications**

Policy

N/A

Statutory

N/A

Voting

Simple Majority

**CEO's Comments**

Building a new stand-alone Administration Centre is an attractive alternative however budget constraints prevent it from being viable. Kent Lyon Architects have estimated that the cost of building a new Administration Centre, of a similar size to Floorplan H – 1000m<sup>2</sup>, on a greenfield site would be in the vicinity of \$4,607,000. This estimate does not include the expense of connecting to existing services such as power, water, gas, or Telstra. Nor does it include the cost of building a new 40-50 bay carpark. With that in mind a more realistic External Works cost would be higher than suggested.

Modifications to improve the design layout of the existing Administration Building have been minimal in order to focus the budget on the extension. However, what was allowed for but is not transparent within the schematic design is the installation of skylights throughout the existing office space which will allow for natural light to penetrate these spaces. In addition to this light enhancement, allowance has been made within the majority of existing office space to replace all of the brown strammit board ceiling tiles with new ceiling tiles, plaster and paint all exposed internal brickwork, paint the existing walls, and replace the existing floor finishes. This will greatly improve the overall aesthetic of the internal spaces.

The existing number of toilet facilities within the administration centre according to the BCA is adequate to address existing staff numbers. Due to the tight budget it was sensible to improve the condition of the existing toilet facilities rather than increase the overall number. With regards to the public toilet, one unisex universal access toilet for the public complies with the BCA, however during the previous meeting with Kent Lyon it was advised that funding would allow an additional unisex universal access toilet for the public and this could easily be designed within the current floorplan.

The proposed \$140,000 to update and utilise the space within the existing church is a far better use of the budget than to create a larger extension to create this space. The existing church is 80sqm. It would cost approximately \$1,750 per square meter to address and update the existing condition of the church however it would cost approximately \$100,000 more to re-create this space as an addition. The budget provides for issues such as replacing the roof and floor, and addressing insulation and acoustic issues. Timber flooring has been suggested as the floorcovering in this space and retaining the existing pressed tin ceiling has been allowed for.

**Cr King's Notice of Motion**

**Moved: Cr King**

**Seconded: Cr Bailey**

**The Shire request Kent Lyon review the cost of an Administration Complex on a greenfields site, which is comparable in area, services and amenities to the Kent Lyon Option H proposal, to allow a fully informed decision on the cost estimates of each alternative.**

**Procedural Motion**

**Moved: Cr Crowley**

**Seconded: Cr McCabe**

**That Council move to the next item of business.**

**Lost 4/5**

Cr Bailey asked for standing orders to be suspended in order to provide opportunity to debate the item.

**Motion**

**Moved: Cr Bailey**

**Seconded: Cr Logiudice**

**That Council suspend Standing Orders.**

**Lost 3/6**

**Cr King's Notice of Motion**

**Moved: Cr King**

**Seconded: Cr Bailey**

**The Shire request Kent Lyon review the cost of an Administration Complex on a greenfields site, which is comparable in area, services and amenities to the Kent Lyon Option H proposal, to allow a fully informed decision on the cost estimates of each alternative.**

**Lost 3/6**

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<b>8.1.4</b>	<b>SUBJECT:</b>	<b>FUNDING OF TOURISM MARKETING</b>
	<b>Location:</b>	<b>WA</b>
	<b>Applicants:</b>	<b>Cr Mike King</b>
	<b>Zone:</b>	<b>N/A</b>
	<b>File Ref:</b>	<b>CNL 34H</b>
	<b>Author:</b>	<b>John Attwood, CEO (<i>Deb Vanallen, Community Development Recreation Team Leader</i>)</b>
	<b>Report Date:</b>	<b>15 May 2015</b>
	<b>Attachments:</b>	<b>Nil</b>

Cr King has proposed the following Notice of Motion:

**That Shire staff assemble a profile and estimation of required funding for each alternative representative organisation, together with their analysis and recommendations to Council, for presentation prior to the Budget Workshop scheduled for the 10<sup>th</sup> of June.**

**Cr Kings Comment**

At present there are a plethora of organisations seeking to represent Donnybrook Balingup Shire in the Tourism market, and also seeking shared funding of their organisation from the Shire. Council needs to review which organisations, events and attractions it wishes to support.

In the area of tourism, there have been proposals to represent the Donnybrook Balingup area from the following organizations:-

1. The Southern Forest Alliance.
2. The Southern Forest and Valleys.
3. The Blackwood Valley Marketing Association.
4. The Bunbury Wellington Alliance (inclusive of Boyup Brook).

There may well be others. On a local level both the Donnybrook and Balingup Visitors Centres, and the Donnybrook Community Resource Centre (to support the cost of publishing the Preston Press) receive financial assistance from the Shire.

The initial 4 groups are actively seeking endorsement and funding with an initial request of up to \$5000, but probably with the expectation of an annual funding requirement.

This is quite a confusing array of would be Tourism Marketing representatives, each enthusiastic and energetic, but would our tourism development expenditure be better served by one organisation with the focus and backing of all stakeholders within the region. Having so many organizations for what is essentially one region is recognized as inefficient and less effective.

There are several questions which require research and information to allow Council to make an informed decision on our support to Tourism development.

- Is our present inclusion in the Bunbury Wellington regional tourism alliance in our best interest. Perhaps we might be within two alliances/ with two expenditure regimes?
- Should we align Donnybrook-Balingup Shire within the Blackwood River Valley region.
- Should DBSC support a larger regional tourism association, such as one of the Southern Forest groups, which are in turn supported by WA Tourism or a similar umbrella group. .

The information available to Councillors at present is insufficient to enable an informed decision. At a minimum a profile of each organization and its objectives is required, the benefits to Donnybrook Balingup Shire, with an estimate of the level of support and funding each organization, would be required.

### **Policy/Statutory/Voting Implications**

#### Policy

N/A

#### Statutory

N/A

#### Voting

Simple Majority

### **Officer's Comment**

Tourism in the south west of Western Australia is experiencing a period of transformation as it strives to capitalise on the growth of the Chinese/Asian market, and the significant advancement in on-line marketing and social media.

Through the Bunbury Wellington Alliance, the Shire is currently engaged with the Bunbury Wellington & Boyup Brook Regional Tourism Strategy Project. The Shire made a financial contribution to this Project, and depending on the recommendations of the Project, it is anticipated that there could be an expectation that the Shire will contribute annually to a Sub-Regional Tourism Group. This Group would act as a marketing body for the sub-region which incorporates seven Shires including the City of Bunbury, and the Shires of Donnybrook Balingup, Harvey, Collie, Dardanup, Capel and Boyup Brook. One of the issue being debated through this Project, is the viability of these seven local government areas forming a tourism alliance and working together in the future on a sub-regional tourism strategy.

Similarly, the Warren Blackwood Alliance of Councils has also reinitiated its review of the viability of forming a Sub-Regional Tourism Group. Due to Balingup and Boyup Brook's involvement in the Blackwood River Region, this Project has invited participation from the Shires of Donnybrook Balingup and Boyup Brook along with the Shires of Bridgetown-Greenbushes, Manjimup and Nannup. This Project has a similar purpose to that of the Bunbury Wellington & Boyup Brook Regional Tourism Strategy Project, and prompts

consideration and discussion of where the Shire of Donnybrook Balingup is best aligned in regard to tourism.

The Blackwood River Valley Marketing Association is an incorporated body which was formed some years ago to promote the Blackwood River Valley. It incorporates the four Shires of Donnybrook Balingup (representing Balingup & Mullalyup only), Nannup, Bridgetown-Greenbushes and Boyup Brook. This organisation seeks membership from the four Shires, the Visitors Centre's in each Shire (Balingup only), the South West Development Commission and local tourism operators. This organisation is aware of the two Projects referred to above and is participating in the debate.

The Southern Forests is a region defined by Tourism WA. Accredited tourism businesses can join and receive the benefits offered through this state government funded body. At present, neither the Donnybrook or Balingup Visitors Centre's are accredited and as such are not eligible to join. Further investigation and discussion by the Shire of Donnybrook Balingup is required to ascertain the potential synergies or overlaps between the services offered by, and pro's and con's of being aligned with Tourism WA through the Southern Forests promotion.

Currently Council only contributes annually to the Blackwood River Valley Marketing Association as part of the Bunbury Wellington Group of Councils (BWGC): a one-off \$5,000 contribution to the BWGC Regional Tourism Project. Until this strategy is complete it would be premature to join/contribute to any other Tourism Groups. It would be prudent to budget for tourism generally as an item.

#### **Cr King's Notice of Motion**

**Moved: Cr King**

**Seconded: Cr Bailey**

**That Shire staff assemble a profile and estimation of required funding for each alternative representative organization, together with their analysis and recommendations to Council, for presentation prior to the Budget Workshop scheduled for the 10<sup>th</sup> of June.**

**Carried 5/4**

<b>8.1.5</b>	<b>SUBJECT:</b>	<b>FUNDING OF EVENTS AND ATTRACTIONS</b>
	<b>Location:</b>	<b>WA</b>
	<b>Applicants:</b>	<b>Cr Mike King</b>
	<b>Zone:</b>	<b>N/A</b>
	<b>File Ref:</b>	<b>CNL 34H</b>
	<b>Author:</b>	<b>John Attwood, CEO</b>
	<b>Report Date:</b>	<b>15 May 2015</b>
	<b>Attachments:</b>	<b>Nil</b>

Cr King has proposed the following notice of motion:

**That Shire allocate an equal annual grant within the Shire Budget (commencing in 15/16 a nominal grant of not more than \$2000 with indexation is suggested) to each of the nominated Events or Attractions to assist them in the hire of Shire assets for the event and in meeting recurrent costs associated with their events or attraction.**

#### **Cr Kings Comment**

Over a period of time Donnybrook Balingup Shire has provided limited support to a number of iconic, not for profit events and attractions which substantially benefit the Shire's residents. Such events and attractions include:

- Donnybrook Apple Festival
- Donnybrook Art and Wine Festival
- Balingup Small Farm Field Day
- Balingup Medieval Carnival
- Balingup Telling Tales
- Golden Valley Tree Park

This support often takes the form of a grant of equal value to the hire of Shire assets required to stage the event, in some cases a community grant, and provision of Shire officers such as the Shire rangers and health officers.

Rather than having multiple applications for funding assistance from these organisations should Council assign a fixed annual grant to each approved organisation, should Council allocate a fixed contribution to each event within the annual budget. Such grants to be indexed to CPI. The award of this grant would preclude the organisation for applying for a Community Grant Award.

It is proposed that other similar not for profit events could apply to be considered for inclusion on the listing.

#### **Policy/Statutory/Voting Implications**

Policy

N/A



Statutory

N/A

Voting

Simple Majority

**CEO Comment**

Council has a history of supporting these local events, and it is reasonable to expect future applications for funding and in-kind assistance will be received from these organisations. These applications may be handled in a number of ways:

- Council may wish to consider, as part of the 2015/16 Budget Review, the establishment of an Events/Promotional budget to cater for all annual and bi-annual events in the shire
- Assess applications as part of the Community Grant Scheme as well as in-kind support via Shire Staff where practicable;
- Offer in-kind support but do not fund the events;
- Do not support the events financially or in-kind.

**Cr King's Notice of Motion**

**Moved: Cr King**

**Seconded: Cr Bailey**

**That Shire allocate an equal annual grant within the Shire Budget (commencing in 15/16 a nominal grant of not more than \$2000 per entity with indexation is suggested) to each of the nominated Events or Attractions to assist them in the hire of Shire assets for the event and in meeting recurrent costs associated with their events or attraction.**

**Procedural Motion**

**Moved: Cr Logiudice**

**Seconded: Cr King**

**That the motion lie on the table for more information to be presented to the 2015/16 Draft Budget Meeting.**

**Carried 5/4**

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**9 MINUTES OF PREVIOUS MEETINGS**

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**9.1 Committee Minutes**

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**Moved:** Cr Duncan **Seconded:** Cr Logiudice

**That the following Committee minutes be received:**

- Donnybrook Recreation Centre Advisory Committee Meeting – 29 April 2015
- Bushfire Advisory Committee Annual General Meeting – 30 April 2015
- Community Awards and Grants Committee Meeting – 7 May 2015

Carried 9/0

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**10 REPORTS OF COMMITTEES**

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**10.1 Bushfire Advisory Committee Annual General Meeting**

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**Council Decision – En Bloc Resolution No. 1**

**Moved:** Cr Duncan **Seconded:** Cr Mitchell

**That the resolutions 10.1.1,10.1.3 and 10.1.4 from agenda item 10.1 Bushfire Advisory Committee Annual General Meeting of 30 April 2015 be moved en bloc.**

Carried 9/0

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**10.1.1 SUBJECT: APPOINTMENT OF FIRE CONTROL OFFICER  
BALINGUP BUSH FIRE BRIGADE**

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**Location:** Balingup  
**Applicants:** Mr W.J. Bailey  
**Zone:** N/A  
**File Ref:** FRC 05  
**Author:** E. Thomas- Acting Manager Development & Environmental Services (*B. Jeffreys- Senior Ranger*)  
**Report Date:** 13 April 2015  
**Attachments:** N/A

**Background**

At the Annual General Meeting of the Balingup Bush Fire Brigade held on the 16<sup>th</sup> March 2015, Fire Control Officer (FCO) Mr Paul Davis stepped down and Mr Walter John Bailey was elected as FCO for the Balingup area.

## **Comment**

Council is required to appoint FCO's for its Bush Fire Brigades in accordance with the *Bush Fires Act 1954*. The appointment of a FCO for Balingup will ensure that position is filled for the 2015/2016 fire season.

Mr Bailey has been involved with fire suppression activities for approximately 20 years and has completed modules 1-9 of Bush Fire Fighting training and a Fire Control Officers Course in 2013.

It is recommended that Council appoint Mr Bailey as FCO for the Balingup Bush Fire Brigade.

## **Consultation**

Staff have liaised with the Balingup Bush Fire Brigade.

## **Policy/Statutory/Voting Implications**

### Policy

N/A

### Statutory

Council may appoint persons to the position of Fire Control Officer under the provisions of the *Bush Fires Act 1954*.

### Voting

Simple Majority.

## **Risk Assessment (Optional)**

Not undertaken.

## **Financial Implications**

Nil.

## **Strategic Implications**

The FCO appointment will assist the Shire to achieve Outcome 2.7.3 of the Shire's *Strategic Community Plan*: Continue to support and encourage participation in local bushfire brigades.

## **Council Decision**

**(Committee's Recommended Resolution)**

**That Council appoints Mr Walter John Bailey as Fire Control Officer for the Balingup Bush Fire Brigade.**

**Carried by En Bloc Resolution No 1**

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<b>10.1.2</b>	<b>SUBJECT:</b>	<b>APPLICATION FOR THE FORMATION OF THE UPPER BALINGUP BUSH FIRE BRIGADE</b>
	<b>Location:</b>	<b>Upper Balingup</b>
	<b>Applicants:</b>	<b>Balingup Bush Fire Brigade</b>
	<b>Zone:</b>	<b>N/A</b>
	<b>File Ref:</b>	<b>FRC 01</b>
	<b>Author:</b>	<b>E. Thomas- Acting Manager Development &amp; Environmental Services (B. Jeffreys- Senior Ranger)</b>
	<b>Report Date:</b>	<b>13 April 2015</b>
	<b>Attachments:</b>	<b>Nil</b>

### **Background**

Application was previously made to the Shire of Donnybrook-Balingup by the Balingup Bush Fire Brigade (BBFB) to split into two separate brigades, being the Balingup Town Bush Fire Brigade (BTBFB) and the Upper Balingup Bush Fire Brigade (UBBFB).

At the Bushfire Advisory Committee meeting held on the 24<sup>th</sup> April 2014 the following was resolved in regards to the agenda item on the application:

*“That this matter be considered at the next meeting of the Bushfire Advisory Committee meeting to be held in April 2015”.*

### **Comment**

In 2006 Council approved an amalgamation of the then UBBFB and the BTBFB following an application by both brigades to:

- Reduce administrative burden for the brigades;
- Allow flexibility in the use of Emergency Services Levy (ESL) funds; and
- Benefit from the perceived advantages in resource sharing.

As part of the amalgamation the UBBFB retained a Fire Control Officer (FCO), fire response vehicle and storage shed located at Prowse Road in Upper Balingup which operates under the auspices of the BBFB. This arrangement is currently in place.

The justification by the BBFB in their application for the re-creation of the Upper Balingup (*nb: Upper Capel incorrectly stated in Agenda item*) brigade area is summarised as follows:

- There is an increase in new residents in Upper Balingup to form and manage the UBBFB;
- ESL funding is now administered by local government and not at brigade level;
- The UBBFB has always retained its identity and equipment and continues to be a functional unit; and
- The formation of a new brigade will allow the upgrade of equipment and procurement of a second firefighting appliance more suited to the forest environment.

As part of consideration of the application in 2014, Shire staff referred the proposal to the Department of Fire and Emergency Services (DFES) for comment, given that the ongoing

distribution of ESL funds by local governments requires DFES approval. This is now called the Local Government Grant Scheme (LGGS).

In summary DFES advised that:

- DFES is reviewing its State-wide Resources Replacement Program in how it will distribute the LGGS funding to local governments, based on the principles of standardising assets and reviewing suitability of assets commensurate with the level of risk faced by the community;
- If additional appliances or resources are requested by the Shire there will be a requirement for the application to comply with the risk to resources process. Issues that will need to be considered and addressed in putting forward a business case include known risks in the area, number of incidents and response times from existing resources; and
- DFES note that the BBFB has a new three bay facility and 3.4 Urban Tanker that can service the Upper Balingup area, along with appliances from other brigades within the Shire located in close proximity.

The adopted Shire of Donnybrook-Balingup *Bush Fire Response Plan* (Plan) is reviewed annually through the Bushfire Advisory Committee and Council. Section 2.6 of the Plan states:

*“Amalgamations and Rationalisation*

*The recent amalgamation of some Brigades has reduced the number of Brigades from 16 to 11. It is imperative that Council continually reviews Brigade structure and that future amalgamations be kept under consideration.”*

The Plan supports amalgamations of brigades when there is an opportunity to more efficiently manage the number of brigades in terms of administrative effort and resources procurement, whilst still maintaining service levels.

Should the BBFB wish to improve the quality and number of fire response vehicles and improve facilities at the Prowse Road location in the Upper Balingup area, it can do this through the LGGS application process for the BBFB as per the practice since amalgamation of the two brigades in 2006.

Based on the information in this report, it is recommended that the formation of the UBBFB not be supported by the Shire.

However it is recommended that the requested additional needs of the BBFB for the Upper Balingup Prowse Road facilities be listed in the ten year replacement program of the Shire’s Bush Fire Response Plan. Application can be made through the LGGS process where risk to resource justification and a business case will need to be provided as per DFES requirements.

## **Consultation**

Shire staff referred the proposal to the Department of Fire and Emergency Services for comment in 2014 and presented the item for consideration to the Bushfire Advisory

Committee meeting held on the 30<sup>th</sup> October 2014 (nb: 24<sup>th</sup> April 2014 incorrectly stated in Agenda) where it was deferred.

### **Policy/Statutory/Voting Implications**

#### Policy

The Shire of Donnybrook-Balingup *Bush Fire Response Plan* advocates that further amalgamation of existing brigades should be considered.

#### Statutory

Part 2, Division 1, Section 2.1 of the Shire of Donnybrook Balingup *Bush Fire Brigades Local Law 2000* states:

- (1) The local government may establish a bush fire brigade for the purpose of carrying out normal brigade activities.
- (2) A bush fire brigade is established on the date of the local government's decision under subclause (1).

#### Voting

Simple Majority.

### **Risk Assessment (Optional)**

Not undertaken.

### **Financial Implications**

Management of an additional brigade has financial implications for the Shire in terms of administrative functions, including the Local Government Grant Scheme.

### **Strategic Implications**

Outcome 2.7 of the Shire's *Strategic Community Plan: Improving Fire Prevention and Hazard Reduction* facilities.

### **Officer's Recommended Resolution**

**Moved: Cr**

**Seconded: Cr**

**That Council not support the formation of the Upper Balingup Bush Fire Brigade as the proposal does not comply with the direction of the Shire of Donnybrook-Balingup Bush Fire Response Plan, where further amalgamation of existing brigades should be considered.**

**Council Decision  
(Committee's Recommended Resolution)**

**Moved: Cr Mitchell**

**Seconded: Cr Bailey**

**That Council support the formation of the Upper Balingup Bush Fire Brigade.**

**Carried 7/2**

*Notes: The Officer's recommended resolution was not seconded. Lengthy discussion took place. R Roach spoke for the alternate motion. Reasons stated include sense of identity for the local community, dynamics of Upper Balingup area have changed, different fire appliance needs for Upper Balingup (rural) compared to Balingup (town), increase in volunteers recently. P Thomas (DFES) advised that there is little difference if the brigades are kept together or split in terms of applying for additional fire appliance funding through the LGGS as the same risk to resource justification and business case requirements apply. Cr A Mitchell advised that the discussion will be passed on to the Councillors at the next meeting. B Jeffreys suggested for the Committee to consider recommending that a risk to resources study by a third party be commissioned by the Shire.*

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<b>10.1.3</b>	<b>SUBJECT:</b>	<b>APPOINTMENT OF FIRE CONTROL OFFICER- DONNYBROOK BUSHFIRE BRIGADE</b>
	<b>Location:</b>	<b>Donnybrook</b>
	<b>Applicants:</b>	<b>N/A</b>
	<b>Zone:</b>	<b>N/A</b>
	<b>File Ref:</b>	<b>FRC 05</b>
	<b>Author:</b>	<b>Emma Thomas – Acting Manager Development &amp; Environmental Services (Bob Jeffreys – Senior Ranger)</b>
	<b>Report Date:</b>	<b>29 April 2015</b>
	<b>Attachments:</b>	<b>Nil</b>

**Background**

Mr Graham Chester has fulfilled the position of Fire Control Officer (FCO) for the townsite of Donnybrook for the last 11 years, as he has sold his property in Irishtown he has agreed to step down from the position to allow David Tooke to nominate.

**Comment**

Council is required to appoint FCO's for its Bush Fire Brigades in accordance with the *Bush fires Act 1954*.

Council is advised to appoint Mr Tooke for the Donnybrook area.

## **Consultation**

Nil

## **Policy/Statutory/Voting Implications**

### Statutory

Council may appoint persons to the position of Fire Control Officer under the provisions of the *Bush Fires Act 1954*.

### Voting

Simple Majority

## **Financial Implications**

Nil

## **Strategic Implications**

The appointment of a Fire Control Officer for Donnybrook area will ensure that the Fire Control Officer position is filled for the 2015/2016 fire season and supports Outcome 2.7 – Improving fire prevention and hazard reduction activities from the Strategic Plan.

## **Committee's Recommended Resolution**

**Moved: Cr**

**Seconded: Cr**

**That Council appoint Mr David Tooke as a Fire Control Officer for the Donnybrook area.**

## **Council Decision**

**(CEO's Recommended Resolution)**

**That Council appoint Mr David Tooke as a Fire Control Officer for the Donnybrook townsite and the appointment of Mr Graham Chester as Fire Control Officer for the Donnybrook townsite be cancelled.**

**Carried by En Bloc Resolution No 1**



<b>10.1.4</b>	<b>SUBJECT:</b>	<b>APPOINTMENT OF FIRE CONTROL OFFICER- ARGYLE-IRISHTOWN BUSHFIRE BRIGADE</b>
	<b>Location:</b>	<b>Argyle/Irishtown</b>
	<b>Applicants:</b>	<b>N/A</b>
	<b>Zone:</b>	<b>N/A</b>
	<b>File Ref:</b>	<b>FRC 05</b>
	<b>Author:</b>	<b>Emma Thomas – Acting Manager Development &amp; Environmental Services (<i>Bob Jeffreys – Senior Ranger</i>)</b>
	<b>Report Date:</b>	<b>29 April 2015</b>
	<b>Attachments:</b>	<b>Nil</b>

### **Background**

At the Annual General Meeting of the Argyle-Irishtown Bush Fire Brigade held on the 12 April 2015, David Tooke, Fire Control Officer (FCO) for the Argyle-Irishtown area, stepped down and Ian Ralph was elected.

### **Comment**

Council is required to appoint FCO's for its Bush Fire Brigades in accordance with the *Bush fires Act 1954*.

Mr Ralph has been involved with fire suppression activities for approximately 11 years and has completed modules 1-12 of Bush Fire Fighting and a Fire Control Officers Course in 2013.

Council is advised to appoint Mr Ralph for the Argyle-Irishtown Bush Fire Brigade.

### **Consultation**

Nil

### **Policy/Statutory/Voting Implications**

#### Statutory

Council may appoint persons to the position of Fire Control Officer under the provisions of the *Bush Fires Act 1954*.

#### Voting

Simple Majority

### **Financial Implications**

Nil

### Strategic Implications

The appointment of a Fire Control Officer for Argyle-Irishtown will ensure that the Fire Control Officer position is filled for the 2015/2016 fire season and supports *Outcome 2.7 – Improving fire prevention and hazard reduction activities* from the Strategic Plan.

### Council Decision (Committee's Recommended Resolution)

**That Council appoint Mr Ian Bruce Ralph as a Fire Control Officer for the Argyle-Irishtown Bush Fire Brigade.**

**Carried by En Bloc Resolution No 1**

\*\* 6.35pm – Megan Baldock, and Manager Development and Environmental Services left the meeting.

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### 10.2 Community Awards and Grants Committee Meeting

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<b>10.2.1</b>	<b>SUBJECT:</b>	<b>COMMUNITY GRANTS SCHEME</b>
	<b>Location:</b>	<b>N/A</b>
	<b>Applicants:</b>	<b>Various</b>
	<b>Zone:</b>	<b>N/A</b>
	<b>File Ref:</b>	<b>FNC 08/6</b>
	<b>Author:</b>	<b>G Harris (<i>Helen Gamble &amp; Deb Vanallen</i>)</b>
	<b>Report Date:</b>	<b>28 April 2015</b>
	<b>Attachments:</b>	<b>10.2.1 Summary of Applications</b>

### Background

The Community Grants Policy was developed in January 2008. One round of grants are advertised each year, and applications received will be prioritised using a standard assessment form. The Community Grants Committee will submit recommendations to Council for endorsement in the financial year Budget.

### Comment

Grant applications were called for from the 3<sup>rd</sup> of March 2015 and closed on the 27<sup>th</sup> of April 2015. A total of 22 applications have been received for consideration in the 2015/2016 Budget totalling \$40288.

These consisted of:

- 11 applications for the Minor Community Grants Scheme, totalling \$5,132
- 11 applications for the Community Grants Scheme, totalling \$27,656
- 1 application for Youth Grants, totalling \$5,000

- 1 application for Donnybrook Amphitheatre events, totalling \$2,000
- 1 application for the Support for the Arts, totalling \$500.
- 2 applications were received for the Request for Facility Maintenance/Improvement

Attachment 10.2.1 provides a summary of the applications received. In addition three applications have been received to date for ongoing sponsorship, totalling \$61,500. In line with the Community Grants Guidelines and Community Grants Scheme Policies, these applications are to be considered by Council during the draft budget meetings.

### **Consultation**

N/A

### **Policy/Statutory/Voting Implications**

Simple majority

### **Financial Implications**

\$12,500 is allocated each year for the Community Grants Scheme.

\$2,500 is allocated each year for the Minor Community Grants Scheme.

An annual allocation of \$10,000 is made in the Budget to support youth activities. Up to \$5,000 is available through the grants scheme.

These are indicative figures only and are subject to variation by Council during Budget deliberations.

### **Strategic Implications**

The Community Grants policy assists Council to achieve Outcome 2 of the Shire Strategic Plan "the welfare needs of the community are met" and Outcome 9 "community participation in recreation, leisure and cultural activities".

### **Council Decision**

**(Committee's Recommended Resolution)**

**Moved: Cr Duncan**

**Seconded: Cr Dawson**

**That Council accept the prioritised recommendations of the Community Grants Committee in respect to the 2015/16 year Community Grants Scheme to be endorsed during considerations of the 2015/16 year budget. Refer Attachment 10.2.1.**

**Carried 9/0**

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**11 REPORTS OF OFFICERS**

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**11.1 Manager Finance and Administration**

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**11.1.1 ACCOUNTS FOR PAYMENT**

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**Council Decision**  
**(Officer's Recommended Resolution)**

**Moved: Cr Duncan                                  Seconded: Cr Mitchell**

That accounts authorised and paid under delegation No. 3.2 by the Chief Executive Officer represented by cheques CCP3056 – CCP3064, EFT7371 – EFT7546, 51157 – 51238 Trust EFT7449A, 3260 – 3268 totaling \$1,676,171.55 be confirmed for payment.

**Carried 9/0**

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**11.1.2 MONTHLY FINANCIAL REPORT**

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**Council Decision**  
**(Officer's Recommended Resolution)**

**Moved: Cr Dawson                                  Seconded: Cr Mitchell**

That the monthly reports for the period ended 31 March 2015 be received.

**Carried 9/0**

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**11.1.3                                  SUBJECT:                  COUNCIL PAYROLL – OUTSOURCING**

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<b>Location:</b>	<b>Administration</b>
<b>Applicants:</b>	<b>Administration</b>
<b>Zone:</b>	<b>N/A</b>
<b>File Ref:</b>	<b>PSN 12</b>
<b>Author:</b>	<b>Greg Harris, Manager Finance &amp; Administration</b>
<b>Report Date:</b>	<b>19 May 2015</b>
<b>Attachments:</b>	<b>Nil</b>

**Background**

As part of an ongoing review of Council's Workforce plan and the functions undertaken by administrative staff, consideration has been given to the concept of outsourcing Council's payroll service. To ascertain the cost effectiveness of this concept comparative quotations have been obtained from two companies to undertake this service on Council's behalf.

## **Comment**

The outsourcing of payroll is being considered in two parts i.e. the Tuia Lodge payroll and secondly the remaining payroll for the Shire staff.

Due to the nature of the operation Tuia Lodge has by far the most complex payroll and certainly requires much more time to process and requires greater knowledge and expertise from the payroll officer. As the facility operates on a 24/7 basis, staff incur a range of complex penalty rates and allowances which take some time to calculate.

With the possibility that Tuia Lodge will be operating as a separate entity from Council in the near future it is an appropriate time for Council to consider outsourcing the payroll. Outsourcing the payroll will certainly assist the Shire's operations but will also assist the Tuia Lodge Board in the transition to independent operations.

Council's remaining payroll, albeit less complex from an award perspective, has the requirement for the work undertaken by Council staff to be allocated to a number of different cost centres. This information needs to be reflected within Council's costing ledgers on a regular basis so that accurate and up-to-date information is available to management. Some investigative work is still required to establish a process that will enable this to occur in a manner that is effective both in terms of time and cost.

This agenda item is presented to Council to seek authorisation to allow the administration staff to progressively outsource the payroll function to a suitable company. Whilst the decision as to how the payroll function is performed is administrative and the responsibility of the CEO and his team, Council must be comfortable with the philosophical position of outsourcing a function that was normally performed in-house by its own employees.

In this regard it should be noted that the proposal will not result in a reduction of staff. A certain amount of work will still be required by the administrative staff as timesheets will need to be checked, collated and forwarded to the payroll bureau. Following the fortnightly pay journal entries will need to be processed to record the payroll entries in Council's costing and general ledgers. The remaining hours currently worked by the payroll officer will then be re-allocated and will assist shire staff to meet ever increasing workload and compliance requirements.

Two other issues need to be considered when assessing this matter. These are Risk and Financial Implications. Please see the relevant sections within this agenda item.

## **Consultation**

Full consultation will be required with staff as the outsourcing of payroll is implemented. Some change will be required to the pay close off date however this will be managed in a way that provides the least impact on staff.

## **Policy/Statutory/Voting Implications**

### Policy

N/A

### Statutory

N/A

### Voting

Simple Majority.

## **Risk Assessment**

No formal risk management assessment has been done in respect to this agenda item however the processing of fortnightly payroll is an extremely important function. Staff rely on their pay to be processed in a timely and accurate manner.

Risks associated with payroll include:

- The requirement to have trained staff at all times.
- The risk that the payroll officer may fall sick and not be in a position to process the payroll.
- The risk of computer failure (low risk due to available IT support)
- The difficulty in scheduling leave for the payroll officer due to the need to process payroll on a continuous fortnightly cycle.

Due to the absolute requirement for each fortnight payroll to be processed on time and accurately this area of administration present a significant risk to business continuity.

## **Financial Implications**

As it is proposed to retain the same number of working hours for the payroll officer the outsourcing of the payroll service will incur additional costs.

The most advantageous quotation received provides for the payroll to be processed at a cost of \$4.50 per employee per fortnight. Some other additional costs are incurred in setup and additional services provided that will assist both the Shire and its employees.

The total estimated annual cost to undertake the payroll service is:

Tuia Lodge (41 employees) - \$8,845

Other Shire employees (50 employees) - \$10,335

The above costs include web services for staff to access personal payroll and leave accrual information. These services are desirable but not absolutely necessary. Costs are \$1,722 per annum for Tuia Lodge and \$2,100 for all other Shire staff.

Costs associated with the Tuia Lodge payroll will be charged directly to this service and will therefore have no net impact on Council's budget.

The cost of processing other staff payroll is an additional cost that must be met from the annual budget, on the basis that existing staff hours are not reduced.

Should the proposal to outsource be accepted by Council any additional costs will be included in the 2015/16 budget.

### **Strategic Implications**

Outcome 4.2 – Maintain long term financial viability.

Strategy 4.2.2 – Seek efficiencies in planning and operations

Outcome 4.3 – An open and accountable local government that is respected, professional and trusted.

Strategy 4.3.5 – Implement risk management.

### **Officer's Recommended Resolution**

**Moved: Cr**

**Seconded: Cr**

**That Council authorise the CEO to engage a suitable company to undertake the processing of Council's fortnightly payroll for all employees of Council. Implementation date to be at the discretion of the CEO.**

### **Council Decision**

**Moved: Cr Mitchell**

**Seconded: Cr Dawson**

**That Council authorise the CEO to engage a suitable company to undertake the processing of Council's fortnightly payroll for Tuia Lodge employees. Implementation date to be at the discretion of the CEO.**

**Carried 9/0**

Note: Outsourcing of the Shire Council's fortnightly payroll processes to be discussed as part of the 2015/16 Budget Review.

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## 11.2 Manager Works & Services

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11.2.1	<b>SUBJECT:</b>	<b>MAIN ROADS WA LAND ACQUISITION DONNYBROOK-KOJONUP RD, CHARLEY CREEK</b>
	<b>Location:</b>	<b>Shire of Donnybrook/Balingup</b>
	<b>Applicants:</b>	<b>MRWA</b>
	<b>Zone:</b>	<b>Charley Creek</b>
	<b>File Ref:</b>	<b>WRK 06/1</b>
	<b>Author:</b>	<b>Peter Caccioppola, A/Manager Works and Services</b>
	<b>Report Date:</b>	<b>8 May 2015</b>
	<b>Attachments:</b>	<b>11.2.1 Drawing 201502-0134-2</b>

### Background

Main Roads WA (MRWA) has planned to improve its road network within the Shire of Donnybrook-Balingup.

In order to improve safety for road users, MRWA has written to the Shire to advise of their requirement to:

Acquire land from two land owners on the Donnybrook-Kojonup Road (Attachment 11.2.1) in the vicinity of Thomson Road to provide consistent predictable geometry for road users.  
Location: Donnybrook-Kojonup Road, Charley Creek 4.20 to 5.60 SLK

### Comment

A motion is required to obtain the Shire's support for the road realignment and to satisfy statutory requirements for the dedication of the land.

The projects are scheduled to commence in the Financial Year 2016/17. Obtaining the Shire's support is part of the forward planning for the job.

MRWA has not yet contacted affected ratepayers. The Shire of Donnybrook-Balingup Council's support for the dedication is required to allow formalities to proceed.

A copy of the Council's resolution with direct reference to Section 56 of the Land Administration Act (1997) is required by MRWA to proceed with these jobs.

### Consultation

The A/Manager Works and Services has received correspondence on the proposed works.

MRWA will engage in consultation closer to the job. At this stage, community consultation is not required.



MRWA has initiated action with the Dept of Parks and Wildlife to allow sufficient time for excision of the nominated land for acquisition.

### **Policy/Statutory Implications**

*This is a motion which requires the Shire's approval to progress.*

### **Strategic Implications**

The following outcomes from the Strategic Community Plan relate to this proposal:

Outcome 1.7 - A well-used and efficient transport network.

Outcome 4.2 – Maintain long term financial viability

Outcome 4.3 – An open and accountable Local Government that is respected, professional and trusted.

Outcome 4.7 – Maintain and enhance Shire assets.

### **Council Decision**

#### **(Officer's Recommended Resolution)**

**Moved: Cr Logiudice**

**Seconded: Cr Bailey**

**To improve the safety of the Main Roads South West network, the Shire of Donnybrook-Balingup supports the acquisition of land:**

**Subject to successful negotiations with the two land owners on the Donnybrook-Kojonup Road (Main Roads Drawing 201502-0134-2) in the vicinity of Thomson Road to provide consistent predictable geometry for road users.**

**Location: Donnybrook-Kojonup Road, Charley Creek 4.20 to 5.60SLK**

**Carried 9/0**

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### **11.3 Manager Development and Environmental Services**

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Nil

\*\* 6.52pm – Megan Baldock returned.

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## 11.4 Principal Planner

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11.4.1	<b>SUBJECT:</b>	<b>REQUEST FOR FINAL APPROVAL STRUCTURE PLAN MODIFICATION FOR PERSEVERANCE BOULEVARD, DONNYBROOK</b>
	<b>Location:</b>	<b>Lot 809 Perseverance Boulevard, Donnybrook</b>
	<b>Applicants:</b>	<b>Ms Fiona Cooper</b>
	<b>Zone:</b>	<b>Rural Residential</b>
	<b>File Ref:</b>	<b>A4495</b>
	<b>Author:</b>	<b>Bob Wallin (Principal Planner)</b>
	<b>Report Date:</b>	<b>22 April 2015</b>
	<b>Attachments:</b>	<b>11.4.1(1) Proposed Structure Plan 11.4.1(2) Schedule of Submissions</b>

### Background

The proposal is to modify an existing structure plan located on Perseverance Boulevard, Donnybrook. The existing lot has been subdivided in accordance with this structure plan that created lots in the immediate locality with a minimum size of 2ha. This proposal is to enable a fresh subdivision of Lot 809 to create 4 lots ranging in size from 5015m<sup>2</sup> to 5218m<sup>2</sup> (see Attachment 11.4.1(1)).

Council at its meeting February 2015 resolved to:

*“Grant consent to advertise the structure plan modification for Lot 809 Perseverance Boulevard for a period of 21 days.”*

Advertising included a letter drop to all residents on Howett, Gemmell and Perseverance Roads (total of 73 properties). A strong response of objection resulted with a total of 41 submissions being received.

Local Planning Scheme No.7 (LPS7) requires a structure plan amendment when lots below 1ha are proposed (clause 5.52.3). It is noted that no modification is required to a subdivision where a proposal is to create one additional new lot and a minimum lot size of at least 1ha is achieved.

The structure planning process requires:

- a) advertising;
- b) considering submissions;
- c) making a final decision; and
- d) referral to the Western Australian Planning Commission (WAPC) for Final Approval.

If Final Approval is granted by the WAPC a subdivision application consistent with the amended structure plan can be supported.

## Consultation

73 properties on Howett, Gemmell and Perseverance Roads were given letters advising of the proposal and given 21 days to respond. A strong response of objection resulted with a total of 41 submissions received. Attachment 11.4.1(2) provides a summary of points raised and suggested responses.

Given the level of community concern and detail provided, it is proposed to respond to these issues in the Comment section below. This commentary provided is intended to assist in the decision making process. It is also intended to assist those members of the public that have taken the time and effort to make a submission. It is important that the public understands the complex and detailed nature of considerations that Council needs to weigh up to make an informed and legally sustainable decision.

## Comment

### Geneology of ideas and values and evolution over time

A number of submissions raise the point that their decision to purchase in the area was based on the knowledge that the lot sizes were fixed and there would be no opportunity for further subdivision.

This is likely to be one of many factors in determining a purchasing decision. It is unlikely to be the only or possibly the most significant. Other factors in determining a place to live would be proximity to work opportunities, access to community facilities, schools, location of friends and family, range of shops, recreational space as well as more specific locational aspects such as the feel of the area, views, topography, lot orientation, road conditions, stands of vegetation and water features.

The importance and significance of these qualities will change through time. For instance, children grow up and no longer need to go to school, friends and family move, vegetation grows and dies, jobs change, people retire, people start new families or need to look after elderly family members or find that the large space that once provided peace and solitude is now becoming a burden. Nothing is static. The original reason for moving to an area may no longer be relevant or important. This changing nature requires thought and contemplation when making a decision.

### "Value Action Gap"

The "Value Action Gap" expresses the difference between the stated principles and intentions expressed and actual behaviours. In short, it does not follow that someone will do exactly what they say they will.

In this instance, there are a number of submissions that object to the proposal. However, this does not necessarily stop or imply that at some time in the future, they will not wish to or benefit from subdivision opportunities.

As life and circumstances evolve, there are potential good reasons for changing opinions and views towards subdivision. This may include the want to down size a property, set up a member of the family or help towards funding a comfortable retirement. It may also cover

changes in personal circumstances beyond their control. For instance, a person may suffer a loss of income or job or need to cope with illness and desperately want to remain in the locality.

#### Postmodernist Interpretation and Relativeness of Perspectives

Any decision needs to acknowledge that there are multiple views and perspectives. Postmodernism articulates that there can never be one singular or right perspective or answer to an issue. There are many ways to view an issue and this is evident in our pluralist society.

In this case 56% (41) of landholders sent a letter by Council objected to the proposal. This represents a slight majority of views for the present time. This leaves the balance of landowners with potential alternative views that may or may not be less valid. It could be reasonable to conclude that these other landowners are either not offended by the proposal, passively support the proposal and may even wish to subdivide themselves at some time.

As already mentioned above, this level of objection will not be static over time. The only reasonable conclusion that can be made is that the 56% of the landowners object to the proposal at this point in time. This level of objection may reduce over time as needs or circumstances change and priorities change. At some future point in time, the value of retaining a 2ha parcel of land may not hold the highest priority and level of importance for some existing landowners. There may come a tipping point where other lifestyle considerations or obligations override this land quality. At this point, a smaller lot may become more desirable and offer wider, improved "lifestyle" choice.

#### Relance of morality, motivations and outcomes associated with the proposal

A number of submissions raise moral objections. They take issue with the financial motivations behind the proposal. For the purpose of this application, the motives and moral values are not relevant points to consider. This application needs to be considered from a functional or *outcome point of view*. Clause 10.2 of LPS7 lays out the relevant planning considerations available for Council to consider. This does not include scope to view or judge the background motivations behind a proposal. On this basis it is necessary to restrict consideration on this point to a functional town planning outcomes.

To expand on this theme, an application to subdivide can be motivated for any number of reasons. This may include making money, funding a holiday or retirement or helping out a family member. While there may be a different moral worth attached to each motivation, it is not relevant to the planning decision. Further, Council does not have the power, right, or knowledge to judge on background motivations. The decision on this proposal must be restricted planning outcomes. Council cannot become distracted and make judgements based on moral motivations.

#### What does subdivision mean for lifestyle

A significant number of the submissions make broad statements about lifestyle impacts resulting from this proposal. In analysing this statement, it is worth being mindful of the qualities that make up a lifestyle.