



Ordinary Council Meeting

Held on

Wednesday 22 July 2015

Commencing at 5.00pm

Council Chambers

Cnr Bentley and Collins Streets, Donnybrook WA 6239

John Attwood
Chief Executive Officer

29 July 2015

Disclaimer

The advice and information contained herein is given by and to the Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to the Council giving entire reasons for seeking the advice or information and how it is proposed to be used.



ORDINARY COUNCIL MEETING MINUTES

22 JULY 2015

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SHIRE OF DONNYBROOK-BALINGUP

ORDINARY COUNCIL MEETING MINUTES

Held in the Council Chambers on Wednesday, 22 July 2015 at 5.00pm

The Deputy President opened the meeting, advised that the Shire President was on a leave of absence, and welcomed the members of the Public Gallery.

MEMBERS PRESENT

COUNCILLORS

Cr Mitchell (Deputy)
Cr Bailey
Cr Crowley
Cr Dawson
Cr Duncan
Cr King
Cr Logiudice

STAFF

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

PUBLIC GALLERY

Anne Margetts
Basil Carter
Gwendoline Nidd
Marilyn Hickman
Vern Smithers

Geoff Box
Julie King
Janette Knight
CB Knight

Trish Moore
Lacey Moore
June Scott
Megan Baldock

1 APOLOGIES

Cr Dilley (President)
Cr McCabe
Mr Collin Sharp

2 PUBLIC QUESTION TIME

Questions taken on notice from the Ordinary Council Meeting held 24 June 2015:

Mr Simon McInnes

How many people are currently employed in Donnybrook Stone Extraction within the Donnybrook Shire?

Council Response

There are 5 established Donnybrook Stone Extraction sites identified in the Shire's Local Planning Strategy. It is noted that some of these sites may not be extracting sand stone at this point in time. Unfortunately, the Shire does not have details on the specific number of employees working these sites. It should be noted that 2 sites are located on reserved land and any approvals relating to these operations are monitored and enforced by the Department of Mines and Petroleum.

It can be assumed that the number of employees is not static. It will vary from time to time depending on demand for sand stone. It can also be assumed that sand stone extraction would not be a major employer within the wider context of businesses located in the Shire. However, Donnybrook Stone is an iconic material and its extraction is a legitimate business activity. The Shire through its approval process seeks to ensure that the business operates in an acceptable manner and complies with relevant legislation, guidelines and codes of practice.

Mr Simon McInnes

What area in hectares is affected by the Shire's 500 metre buffer zone policy around established and unproven deposits of Donnybrook Stone?

Council Response

Firstly, I would to clarify that Special Control Area No.4 (SCA4) only relates to "established" sandstone quarry sites. It does not relate to "unproven" or "possible sites". In noting this, SCA4 covers an area of approximately 3000ha in total. Of this total area, the majority of SCA4 overlays land that is used for broad acre farming activities or on reserved land. It is estimated that between 80 to 85ha of the total SCA4 overlays land zoned "Rural Residential".

Mr Simon McInnes

Will the Shire consider at its next meeting, removing all references to Donnybrook Stone from its LPS7 policy and creating a stand-alone policy on Donnybrook Stone?

Council Response

Council can consider requests to amend Local Planning Scheme No.7 (LPS7). However, it will not be in a position to consider such an item at its next meeting. Any requests to amend LPS7 will need to clearly show the proposed changes are necessary and will result in improved management and land use planning outcomes. If a proposed change shows merit, Council will consider initiating the amendment.

At this point in time, Council is satisfied that using the Special Control Area mechanism represents the best means of ensuring a fair, transparent and consistent process for assessing land use planning and for the locality. This process ensures that Council is well informed and in a position to make the best decisions possible in the interests of all landowners.

June Scott

Has the Shire Registered for the Tourism Development Grants presently available?

Council Response

The Shire has reviewed the grants and been and contacted both of the Visitors Centres about applying. Both have indicated that they intend to apply. On this basis, the Shire will not be applying. The Shire does not want to compete against the Visitors Centres for limited pot of grant money. Instead, it will assist the Visitors Centres as deemed appropriate.

June Scott

Does Condition 3 of the planning approval for the proposed sandstone extraction from Pt Lot 1 McCutcheon Road and Lot 1000 Meotti Road, Donnybrook cover matters such as health issues (silica dust), road accidents and loss of property value?

Council Response

In response to this, it is helpful to consider Condition 3 in the context of all the conditions imposed as well as the purpose of the approval.

A planning approval is issued in this case prior to an extractive industry license being issued. This approval is essential to ensuring that the operation will occur in a way that is in line with the legal town planning and environmental framework. In short, the conditions seek to reflect and address community, environment and economic values and concerns.

In this case, you will note that there are conditions to ensure compliance with matters related to vehicle movements, hours of operation, extent of approval period, noise levels, dust levels and water management. It is up to the applicant to satisfy all these conditions before they can start work.

The operator will need to convince Council and relevant Government departments that it has prepared plans that can be implemented and comply with relevant legislation and guidelines. In assessing documents, Council staff will talk with and obtain advice from relevant Government departments who have the technical skills, expertise and experience to provide quality and relevant feedback.

In looking at the scope of what Condition 3 can cover, it helps to look at context and think about what a planning approval can legally cover and address. Relevant planning matters are listed in clause 10.2 of Local Planning Scheme No.7. This does not include elements such as potential to reduce land prices or compensation for zoned land.

It is also helpful to look at Condition 3 and read it in conjunction with Condition 19. Condition 19 seeks to indemnify the Shire to the amount of \$10,000,000 for any one claim relating to the extraction operation.

The intent of Conditions 3 and 19 is to ensure that whatever happens on the property or on the roads within the context of this extractive industry business, it will be the responsibility of the operator. Council will not be responsible.

Questions taken without notice at the Ordinary Council Meeting on 22 July 2015:

June Scott

At last month's Ordinary Council meeting I asked if the Shire had registered their interest in the Tourism Demand Driver Infrastructure Grant, having previously provided the details of the grant from the Tourism Council of Western Australia to the CEO. Registration of Interest closed on 17 June 2015. I also spoke with the Shires Councillor representative on the Donnybrook Regional Tourism Association Inc. committee whom appeared to have no knowledge of the grant.

I believe this response received would relate to the current REGIONAL Visitor Centre Sustainability Grant, a grant potentially the Donnybrook and Balingup Visitor Centres may be applying for.

- 1. Did the Shire of Donnybrook-Balingup register an interest in the Tourism Demand Driver Infrastructure Grant ROI, that closed on 17 June 2015 as a potential opportunity to access funding to assist development of the Railway Heritage Precinct tourism and cultural development buildings? If not, why not?*

CEO's Response

The Shire did not register an interest in the Tourism Demand Driver Infrastructure Grant. An assessment of the grant criteria identified that the proposal for the WA Apple Interpretive Centre as it currently stands was not suitable.

The Shire held a meeting with Balingup and District Tourism Association (BADTA) and Donnybrook Regional Tourism Association (DRTA) on 16 July 2015 to discuss ways of working together on the Regional Visitor Centre Sustainability Grant and the implications and opportunities for accreditation. BADTA has decided to proceed and will be submitting a grant application. DRTA won't be applying for this round of funding as they feel they are not in a position to fulfil the requirements of the grant.

- 2. Over recent time various heritage matters have been raised within this shire, the last time the Heritage Advisory Committee met appears to be some years ago. When will the Heritage Advisory Committee meet again and is there any opening for interested parties to become a community representative on the same?*

CEO's Response

The Local Heritage Advisory Committee was formed to assist Council with the review of the Municipal Local Heritage Inventory. The Committee has not met since the adoption of the Local Heritage Inventory at the Ordinary Council Meeting on 27 November 2013.

Membership for the committee will be invited in August/Sep 2015 to coincide with the biennial election cycle - noting that the Local Heritage Inventory review is not due until 2018.

- 3. The Balingup Streetscape Committee appears to have a reasonable number of community representatives; can you please advise why the Donnybrook Streetscape Committee has had only one community representative for a number of years with a senior point of view of streetscape matters?*

CEO's Response

Council advertised for Committee Membership and received one nomination. The result may be different when Council calls for nominations this August 2015; it is up to the community to register their interest.

Lacey Moore and Megan Baldock wished to ask questions in relation to Tuia Lodge. As the questions related to staff and legal review the questions were not accepted. The Deputy President advised that as a group Council would consider the current review process and respond accordingly.

CB Knight

Is the CEO an employee of the Council? And is the Council subject to direction by the CEO?

Deputy President's Response

Yes, the CEO's role is to provide advice to Council.

Geoff Box

Could the Council purchase a PA system for the Council Chambers as it is hard to hear the Councillors during public meetings?

Manager Finance and Administration's Response

The cost of purchasing a PA system is being reviewed as part of the 2015/16 draft Budget.

Julie King

Is there a database of emails for Shire Residents?

Manager Finance and Administration's Response

No, a database for committee's and community groups currently exists. We are investigating the development of a database of email addresses for Shire residents.

3 APPLICATION FOR LEAVE OF ABSENCE

Nil

4 DECLARATION OF FINANCIAL/IMPARTIALITY INTEREST

Cr Dawson declared a Financial Interest in Agenda Item 10.2.1 – *General Plant and Machinery Hire* as he currently hires machinery to the Shire.

5 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

6 LATE ITEMS

6.1.1	SUBJECT:	FIRE HAZARD MANAGEMENT ON RAIL CORRIDOR
	Location:	WA
	Applicants:	Cr Bailey
	Zone:	N/A
	File Ref:	CNL 34G
	Author:	John Attwood, CEO (<i>Leigh Guthridge – Manager Development and Environmental Services</i>)
	Report Date:	21 July 2015
	Attachments:	Nil

Cr Bailey has proposed the following notice of motion:

Notice of Motion

That Council instruct the CEO to write to the Public Transport authority seeking written advice on who is responsible for:

- 1. The fire hazard reduction on the rail reserve within the Shire of Donnybrook/Balingup?**
- 2. Who has the duty of care to protect the residents from the danger posed by the lack of fire hazard reduction in the rail corridor?**

Policy/Statutory/Voting Implications

Policy
N/A

Statutory
N/A

Voting
Simple Majority

Officer's Comment

By way of background Council at its May 2015 meeting resolved the following:

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.

The meeting between stakeholders following Council's May 2015 resolution occurred on the 30th June 2015. Staff are preparing a Memorandum of Understanding (MoU) to include the objectives of the Council resolution and general outcomes from the meeting.

Council is advised that it will not be prejudicial to write to the Public Transport Authority (PTA) as per the notice of motion. However the following comments are made in respect to the questions proposed:

By requesting the PTA's view on who is responsible for hazard reduction on rail corridor land, advice that the Shire may receive will not change the intent that a MoU will be prepared and signed by Brookfield Rail and the Shire that will use a collaborative approach to manage areas of high risk within rail corridor with the Shire.

The second question of the notice of motion is by nature a legal question. It is unknown if the PTA would have its own legal advice on this matter and if they did, would the PTA share it with local government and what is the Shire of Donnybrook- Balingup going to do with the information if it is received. Perhaps there may be leverage to 'lobby' government if it is confirmed that obligations are on others to manage areas of high fire hazards on rail reserve land.

At the time of preparing this report Mr John Kowal - Manager Community Law, Safety and Emergency Management from the City of Bunbury confirmed that the City was due to receive formal legal advice to determine if the powers of the *Bush Fire Act 1954* bind the Crown and/or agencies or custodians that manage Crown land. Verbal advice from its solicitors 'Cornerstone Legal' confirm that the Bush Fire Act does not bind the Crown or agencies or groups that use Crown land.

In the absence of having the powers to issue orders in accordance with the *Bush Fire Act 1954* the best tool available is a MoU where the commitment to manage fire risk is made by agreement between Brookfield Rail and the Shire as no legislative instrument to do otherwise are available to local government.

Cr Bailey's Notice of Motion

Moved: Cr Bailey

Seconded: Cr Logiudice

That Council instruct the CEO to write to the Public Transport authority seeking written advice on who is responsible for:

- 1. The fire hazard reduction on the rail reserve within the Shire of Donnybrook/Balingup?**
- 2. Who has the duty of care to protect the residents from the danger posed by the lack of fire hazard reduction in the rail corridor?**

Lost 3/4

7 CONFIRMATION OF MINUTES

7.1 Ordinary Council Meeting – 24 June 2015

Moved: Cr Duncan

Seconded: Cr Crowley

That the minutes of the ordinary meeting held on 24 June 2015 be confirmed as a true and accurate record with the inclusion of the following question received during Public Question Time: CB Knight – Is the CEO an employee of Council – Yes.

Carried 7/0

** 5.35pm – Trish Moore, Lacey Moore and Megan Baldock left the meeting

8 ELECTED MEMBERS MOTIONS

8.1.1 SUBJECT: REVIEW OF WORKS & SERVICES DEPARTMENT

Location: WA
Applicants: Cr Bailey
Zone: N/A
File Ref: CNL 34G
Author: John Attwood, CEO
Report Date: 15 May 2015
Attachments: Nil

Cr Bailey has proposed the following notice of motion:

Notice of Motion

Council as a whole conduct a full review of the Shire's Works and Services Department, including:

- Loss of staff;**
- How the CEO will manage the 2015-2016 work plan on time and on budget;**

- **Productivity;**
- **Workplace culture;**
- **Possible savings;**
- **Copies of the work plans for all areas of the Shire; and**
- **any other aspects of the works and services area that would give Councillors and the residences of the Shire a better understanding of the running and costs for this very visual service.**

Policy/Statutory/Voting Implications

Policy

N/A

Statutory

N/A

Voting

Simple Majority

CEO Comment

Advice from the Department of Local Government is that this motion requests details that are administrative in nature and should be best addressed as part of the budget process. It could be reasonably argued that the information requested relates to day-to-day operational matters and the employment and management of staff, which are the responsibility of the CEO. The *Local Government (Rules of Conduct) Regulations 2007* prohibit the involvement of elected members in administrative tasks.

Cr Bailey's Notice of Motion

Moved: Cr Bailey

Seconded: Cr King

That Council as a whole conduct a full review of the Shire's Works and Services Department, including:

- **Loss of staff;**
- **How the CEO will manage the 2015-2016 work plan on time and on budget;**
- **Productivity;**
- **Workplace culture;**
- **Possible savings;**
- **Copies of the work plans for all areas of the Shire; and**
- **any other aspects of the works and services area that would give Councillors and the residences of the Shire a better understanding of the running and costs for this very visual service.**

Lost 3/4

Cr Dawson declared a Financial Interest in Agenda Item 10.2.1 – *General Plant and Machinery Hire* as he currently hires machinery to the Shire.

** 5.55pm – Cr Dawson left the meeting.

10.2 Manager Works & Services

10.2.1	SUBJECT:	GENERAL PLANT AND MACHINERY HIRE
	Location:	Works and Services Department
	Applicants:	Submissions by Advertised Tender
	Zone:	Twilight
	File Ref:	RFT 02/2015
	Author:	Manager Works and Services
	Report Date:	3 July 2015
	Attachments:	10.2.1(1) - Regional Price Preference 10.2.1(2) - Copy of Advertised Tender 10.2.1(3) - Analysis of Tenders 10.2.1(4) - Schedule 4 Prices Submitted (Confidential)

Background

From time to time, the Works and Services Department requires top up or additional plant and equipment to complete its programme of works and scheduled maintenance.

While the total cost of equipment hire for any particular project or task may not exceed the tender threshold (\$100K), the total value of additional works using outsourced plant and equipment is greater than the tender threshold necessitating the implementation of the formal tender process.

A tender process also assists to ascertain the price of hire equipment in the form of wet (with an operator) or dry (without an operator) hire by reducing the time required to source and receive quotations for the gear.

The Request for Tender (RFT) was advertised through the WALGA web site and in the press. Service providers who had previously expressed an intention to tender were notified of the advertisements. A copy of the tender documentation is attached.

Comment

The tenders were reviewed by the Manager of Works and Services, the Acting Senior Technical Officer and the Engineering Administration Officer.

Thirty tenders were received by the advertised closing time. None of the tenders were deemed to be non-compliant however the standard of the documentation varied in accordance with the apparent size and sophistication of the provider organization.

Five tenders were from local providers for whom the Shire of Donnybrook-Balingup's Regional Price Preference Policy needs to apply.

The range of prices submitted should remain commercial in confidence. A copy has been provided for Councillors information in Attachment 10.2.1(4). A review of the submitted prices shows that most providers are comparable and what can be considered as "within the recognized market range" for equipment of comparable purpose.

Some of the larger providers achieve an economy of scale through their capacity to purchase more equipment than smaller providers. However, the majority of the larger providers are not within the Shire of Donnybrook-Balingup and this factor is neutralized to some extent when the Shire's Regional Price Preference Policy is applied.

Three of the tenders received from local providers were considered by the review team to be excellent in presentation and documentation.

Council delegation to authorise the CEO to select and use the provider that represents the best value to ratepayers on a fit for purpose basis is recommended.

Choice of provider based on the job to be undertaken, the schedule of rates submitted for the tender process and the availability of the required equipment is an appropriately transparent process to meet compliance with the Shire of Donnybrook-Balingup's policy and procedures.

Consultation

All local contractors were advised of the requirement to resubmit all requested documentation relating to the advertised tender.

The Works Supervisor and the Senior Technical Officer were consulted with regards to the equipment requirements of the Shire.

Policy/Statutory/Voting Implications

Policy

Administration Policy 2.21 Regional Price Preference

Statutory

Local Government (Functions and General) Regulations 1996 Part 4 and Section 3.57 of the Local Government Act 1995

Voting

A simple majority is required.

Risk Assessment (Optional)

All equipment must comply with safety certification. Certified equipment must conform to Worksafe Standards and Registration.

Financial Implications

The judicious appointment of plant and equipment will enable the works programme to be delivered within planned budget parameters.

Strategic Implications

The ability to hire and utilise specialised equipment as required is an efficient methodology to enable the completion of the capital and operational works programmes.

Outcome 4.7 – Maintain and enhance shire assets

Council Decision (Officer's Recommended Resolution)

Moved: Cr Crowley

Seconded: Cr Duncan

The Council, in accordance with its Regional Price Preference Policy 2.21:

- 1. Accepts all providers and tendered prices submitted for the General Plant and Equipment Hire RFT 02/2015.**
- 2. Delegates the authority to the CEO to appoint a provider from the RFT Provider List that represents the best value and efficiency to the Shire's ratepayers based on the requirements of the job or project being undertaken, on a case by case basis.**
- 3. Notifies all providers of the decision to award equipment hire contracts on a case by case basis depending on the complexity of the job and as the Shire's needs dictate.**

Carried 6/0

** 5.59pm – Cr Dawson returned.

10.3 Manager Development and Environmental Services

10.3.1	SUBJECT:	YABBERUP HALL BUILDING DAMAGE – FLOOR SUBSIDENCE
	Location:	Yabberup Hall
	Applicants:	The Shire of Donnybrook – Balingup
	Zone:	Priority Agriculture
	File Ref:	A2994
	Author:	Leigh Guthridge – <i>Manager Development and Environmental Services</i>
	Report Date:	13 July 2015
	Attachments:	Nil

Background

The section of the Yabberup Hall that contains the kitchen has indicators of building stress relating to floor (and ground) subsidence. This part of the building is a later addition to the hall (Circa 1973), and is of brick veneer construction with a timber framed internal wall and floor.

The window to the kitchen has subsequently been damaged and the internal wall fibro cladding is pulling away from the scotia at the ceiling level. This appears to be symptoms of the internal timber frame sinking with the floor.

Given the existing brick veneer construction and the fact that the floor level is set marginally above the ground level, the floor boards will need to be removed to evaluate and repair this issue.

Comment

This report seeks a Council resolution to obtain funds prior to Council adopting its 2015/16 budget to enable staff to investigate and repair the subsiding floor. It is proposed that Council approve up to \$10,000 for this purpose.

Consultation

Nil

Risk

In accordance with Risk administrative procedures action has been instigated to commence repair work.

Policy/Statutory/Voting Implications

Voting

Absolute majority decision required for unbudgeted expenditure.

Financial Implications

The recommendation authorises up to \$10,000 to be made available for the investigations and repair of the subsiding floor at the Yabberup Hall.

Strategic Implications

The Shire of Donnybrook – Balingup Community Strategic Plan States:

Outcome 2.3.6: Continue to support the local community groups that manage and maintain local halls.

Council Decision (Officer's Recommended Resolution)

Moved: Cr Crowley

Seconded: Cr Logiudice

That Council approve \$10,000 to account 124820 – Public Hall Yabberup for the purposes of resolving the floor subsidence in the kitchen area of the Yabberup Hall.

**Carried 7/0
By Absolute Majority**

6.03pm – Manager Development and Environmental Services left the meeting.

10.4 *Principal Planner*

10.4.1	SUBJECT:	REQUEST TO INITIATE AN AMENDMENT TO LOCAL PLANNING SCHEME NO.7.
	Location:	Lot 71 Grimwade Road, Balingup
	Applicants:	Mr B Webb
	Zone:	General Agriculture
	File Ref:	TP 17 AMD 5
	Author:	Bob Wallin (Principal Planner)
	Report Date:	7 July 2015
	Attachments:	10.4.1 – Location Plan

Background

A request has been received to initiate an amendment to Local Planning Scheme No.7 (LPS7) to rezone a 2ha portion of Lot 71 Grimwade Road, Balingup from “General Agriculture” to “Rural Residential” (see Attachment 10.4.1).

The subject site is located immediately to the north of Residential zoned land and west of existing Rural Residential zoned land.

The site has been identified for “Rural Residential” in the Growing Donnybrook-Balingup Growth Plan.

The rezoning process involves the following key steps:

- Step 1 Council to resolve to initiate an amendment to LPS7;
- Step 2 Applicant to prepare documents;
- Step 3 Council to grant consent to advertise;
- Step 4 Council to consider any submissions received during advertising and make recommendation for final approval;
- Step 5 Council to refer recommendation to WAPC;
- Step 6 WAPC to make recommendation for final approval;
- Step 7 Minister for Planning to grant final approval; and
- Step 8 Publication in Government Gazette.

This request is at the start of the process. The purpose of this initiation request is to work out if Council believes that the proposal is a good idea in general terms. This then enables the applicant to proceed with some certainty before committing to the expense of preparing legal documents and preparing technical studies.

Comment

The site is not identified in the Shire’s Local Planning Strategy (LPS) which was recently approved (September 2014). The LPS is intended to provide the Shire with a 10 to 15 year strategic vision for how the Shire is to develop.

The LPS provides limited opportunities for expansion of the Rural Residential zone to reflect State Government philosophies. As a compromise, infill of existing Rural Residential zoned land was supported in the LPS. This was seen as a way of enabling a more efficient use of existing Rural Residential zoned land and providing additional lots to satisfy market demand for this form of living.

Since this time, the Shire has prepared a Growth Plan which provides a longer strategic vision for the Shire. This site has been included in the Growth Plan maps (see Attachment 10.4.1). The site is of a small scale and provides a logical rounding off of existing Rural Residential areas and provides a transition between Residential and Agricultural land uses.

The Growth Plan is not a statutory document and was never intended to have any legal status. Its purpose is to work out long term planning requirements and potential without worrying about constraints imposed by the Western Australian Planning Commission (WAPC). On this basis there is a risk that the WAPC may not support any initiative to progress a rezoning.

As this proposal is consistent with the Growth Plan vision, is small in scale and only represents a minor departure from the LPS, it is recommended that Council support this request to initiate a rezoning.

Policy/Statutory/Voting Implications

Statutory

The amendment process will need to follow the requirements and processes described in the Planning and Development Act 2005 and supporting Planning Regulations.

Voting

Simple Majority

Financial Implications

N/A. The applicant is responsible for preparing all documents and paying an application fee to cover administrative costs.

Strategic Implications

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

Outcome 1.1 – Continue to grow the Shire’s population

Outcome 1.5 - - Our rural lifestyle is maintained

Outcome 2.8 – Our town sites are attractive, well presented and maintained.

Council Decision

(Officer’s Recommended Resolution)

Moved: Cr Duncan

Seconded: Cr Bailey

That Council resolve to:

- 1) Grant consent to initiate an amendment to rezone a 2ha portion of Lot 71 Grimwade Road, Balingup to “Rural Residential”;**
- 2) Require the preparation of an amendment document to be prepared and presented to Council for consent to advertise;**
- 3) Require the amendment document to include a subdivision concept plan and be supported by a land capability study and landscape impact analysis.**
- 4) Advise the applicant that an amendment assessment fee of \$2,750.00 will be required when submitting documents requesting consent to advertise.**

Carried 7/0

** 6.13pm – Principal Planner left the meeting and returned at 6.16pm.

10.5 Chief Executive Officer

10.5.1	SUBJECT:	ADMINISTRATION CENTRE REDEVELOPMENT
	Location:	Cnr Collins & Bentley Street, Donnybrook
	Applicants:	Administration
	Zone:	Public Purpose
	File Ref:	FNC 08/12M
	Author:	John Attwood – CEO
	Report Date:	9 July 2015
	Attachment:	10.5.1(1) – Advertised Plan 10.5.1(2) – Schedule of Submissions

Background

At the Council meeting held on the 17 December 2014 Council resolved the following:

That Council award the Architectural Services contract for the proposed expansion to the Shire of Donnybrook-Balingup Administration Centre to Kent Lyon Architects Pty Ltd at the price of \$148,000 (GST inclusive) and delegate authority to the CEO to obtain:

- 1. Confirmation that Kent Lyons Architect Pty Ltd provides evidence of the required level of insurance as required in the contract; and*
- 2. Kent Lyon confirming that should the building contract exceed \$1.5M Kent Lyons Architectural fees will be limited to a percentage increase based on their current tender (ie \$1.5M \$148,800 - \$1.7M \$168,400).*
- 3. And should conditions above not be realised the CEO can commence negotiations with the next preferred tenderer Holton Connor Pty Ltd.*

Kent Lyon Architects were instructed to provide a proposed floor plan for the Administration Building incorporating the existing building, retaining the heritage value of the old Uniting church, and adding an extension for a new Civic reception area within the allocated budget of \$2m. The feature survey was conducted during the last week in January 2015.

Kent Lyon Architects prepared three options (Options A, B and C). The plans were circulated to Councillors and staff for comment. A meeting was held with Councillors and representatives from Kent Lyon Architects on 9 February 2015 to review the floor plans and the comments. From these proposals Option C was the most preferred.

Kent Lyon Architects provided further drafts of floor plan Option C in response to Councillor and staff feedback. The architects Quantity Surveyor was approached to provide a cost estimate on Floor Plan Option C - Revision G.

A meeting was held with Councillors and representatives from Kent Lyon Architects on 8 April 2015 to review the floor plan and cost estimate. Further revisions were made to the floor plan to bring the cost estimate in line with the budget which resulted in the development of Option C - Revision H.

In order to gauge public opinion of the proposed plan, Floor plan Option C – Revision H was circulated for public comment during June 2015. The plan was displayed on shire noticeboards, the shire website, and the local newspaper requesting public comment by 30 June 2015. During this period Kent Lyon Architects updated the floor plan (Option C – Revision I) to increase the number of public toilet facilities.

Comment

This project design provides Council with the chance to invest in its future. It is evident that staff and Councillors feel strongly in the positive role that Council plays in the community and it is essential to continue this good work. Providing a suitable home for Council's staff to work is essential to continuing this quality of service.

The new building will provide existing staff with improved working conditions, space for future positions and improve customer experiences. It can also play a marketing role in attracting and retaining good staff.

In thinking about this building, it is important to note that the accommodation proposed will not be luxurious. It will be fit for purpose. Facilities will be practical and reflect contemporary building requirements and standards. The existing building presently leaves staff with sub-standard conditions that would not be tolerated in many office environments (think the toilets).

The building design is of a scale and style that reflects the needs of the community and staff. It is sympathetic to the history and fabric of the site. It incorporates the old church building which adds a unique character and shows a reverence to the locality through its proud display of local Donnybrook Stone.

The internal layout contains a large number of flexible and open rooms. This reflects and is respectful of the open, adaptive and friendly qualities of the staff that will work within.

Consultation

A public consultation process has been completed. The plan was displayed on shire noticeboards, the shire website, and the local newspaper for public comment by 30 June 2015.

A total of 17 submissions have been received. Attachment 10.5.1(2) provides details on submissions received and suggested responses to points raised.

The following is a broad summary of the main points raised to assist with understanding feedback received. The comments received are strongly opposed to the proposal for a number of reasons. The responses to the comments raised attempt to show there are a number of ways of looking at this project. It is not just as case of looking at the "other side of the coin", but also looking at why we have a coin in the first place.

Difficulty to justify staff increases in current economic climate

This point is not directly on topic. However, it is a question that is commonly asked and viewed important from a ratepayer perspective. On this basis, it may be helpful to keep in mind the following points:

- Staff numbers are a direct function of population growth, demands for a “suitable level of service” and the need to meet changing and increasing regulatory requirements;
- The Shire’s population is growing at a steady rate. Added to this, there is increasing expectations about what is considered an acceptable level of service. Staff numbers have not materially changed over a number of years and pressures will soon reach a thresh-hold or tipping point that will result in reduced service;
- There is a current and real lack of space for existing staff. This is managed on an ad-hoc basis with “hot desking” and finding temporary spacing created by sick staff or staff on holiday. This approach creates problems with service continuity and operational efficiency; and
- The economy has historically worked in cycles and is always in flux. It is never fixed or constant. At present, there is uncertainty and pessimism, but this is unlikely to remain the case over the life of this building.

It is noted that Council has been mindful of the wider economic climate and has responded by restricting new staff positions. This employment austerity has occurred over a number of years while demands and expectations have increased significantly.

Increases in Rates have occurred beyond CPI and are not sustainable

Rate increases are a wider and separate issue. The extent to which this project will play in rate increases is minor. Added to this, the following should also be acknowledged that:

- a) A significant portion of the project will be funded using grants and existing reserves. The remaining balance is approximately \$850,000. In considering any discussion about rates increases, it is this amount that should be used to frame the discussion; and
- b) There is potential to repay all or a significant portion of this amount through the subdivision of the old depot site in short term.

Need to consider a green-field development

A number of submissions express the view that the best and most efficient solution would be to start with a fresh green field site. It is suggested that this approach will be cheaper, better value for money, open up design options and reduce transitional impacts on staff during construction.

This option has been investigated in the past and was proven unviable. The costs of this option were not palatable and Council resolved to explore a different path. There has been no change in circumstances that can reasonably justify looking at a green field option again.

It is acknowledged that retrofitting an existing building is not always ideal. In this case, it can be viewed as a pragmatic compromise between demand for office space and budget constraints. At this point, there is no practical alternative within the set budget constraints.

There is limited value for \$2 million in terms of office space

A common thread of many submissions is that there not much additional floor area or office space achieved for \$2 million.

There are a number of ways of looking at this point. It may not be entirely helpful to look at this point by restricting attention to “new office” space. It is important to firstly think of what role a Council administrative building plays in the community.

Council plays a significant role in the community. It provides a leadership function, it provides community facilities and it provides a regulatory function that helps the community get on with each other and be good neighbours.

The administrative building itself plays a symbolic role and that the design of the building should be fitting of this purpose. The proposed building is not excessively extravagant in nature. Neither is it a temporary assembly of transportable structures. It is a building that incorporates history and depth of time in its façade and is of a scale that reflects that of its community.

There is a narrative or story that the building needs to play. In order to be respected by the community, it is necessary for the building itself to be grounded, permanent, respected and valued. This creates a home in which Council staff can continue to earn the respect of the community through their actions.

This symbolic role and commitment to the future of the shire needs to be considered in any costing. To put this in context, in the past we created civilisations, in the 1980's we created shopping malls, now we create transportable dongers and on line shopping sites. This project has the potential to start a new narrative and show a commitment to civic pride and civilisation.

The next point to consider is the enhancements to the existing office environment. The redevelopment includes improvements to the quality of the existing office environment. The \$2 million is not just about new floor area and places for new staff. It is also about the qualities of the retrofitted spaces and facilities. Space is one quality, but it is not the only quality that matters. There are also features such as lighting, air conditioning, colours, materials, clean and convenient toilets and staff rooms.

Finally, in terms of the metrics of space itself, the redevelopment allows for a total building floor area of 980sqm. This includes re-configuring of existing offices and layouts to improve efficiencies and encourage practical use of the existing asset. The new layout allows for:

- a) An increase of 340 sqm in total floor area;
- b) An increase of 22 open plan workstations;
- c) Supports future staff growth;
- d) Provides additional meeting and function rooms which is essential for the functioning of Council; and
- e) Provides improved staff facilities (lunch room and toilets).

The ability to provide 980 sqm of total floor area for \$2 million dollars may be considered as reasonable value. It does represent significantly better value than pursuing a greenfield development.

Potential to relocate Works and Services to Sandhills Depot Site

This option has been raised in a number of submissions. This option does not give appropriate value or show a clear understanding of how Council operates. The function of the Works and Services section is not restricted to activities relating to the “outdoor crew”. The Works and Services section is integral to the delivering information and managing interdisciplinary projects. Staff interaction between departments is essential. It ensures the services that have shire wide implications are delivered in a coordinated way. Constant interaction is required with the rest of the administration staff. This ensures good working relationships, good outcomes and great service. It is not practical or desirable to isolate this section of the Council staff on this basis.

It is necessary to ensure that the administrative office layout best ensures a good and efficient working environment between staff. Care needs to be given when considering staff locations. It is important to ensure that the community gets the level of service they deserve. A well designed administrative building helps with achieving this.

Potential for Cost overruns

A number of submissions raise the point about cost overruns. A contingency of 10% has been costed in. This reflects well established practice within the construction industry. Further, it reflects advice received from qualified people within the construction field. If there is a discrepancy of opinion on cost overruns, it is suggested that more weight be afforded to advice and opinion provided by qualified people that operate within the construction field. The 10% contingency reflects professional opinion and practice of experts currently employed in the construction field.

Summary and conclusion

It is often politically expedient to use the term “administration building” to conjure feelings of “paper shuffling”, “bureaucratic excess” and “waste”. This is not helpful or truthful in this case. The staff accommodated in this building provide a whole range of services that directly benefit the community. This includes running community events, providing health services, vehicle licence testing, as well as resolving compliance and neighbourhood disputes.... These services assist in creating a safe and harmonious community.

The value of these services needs to be acknowledged and the staff that perform these roles, appropriately accommodated. This will help them perform and continue to benefit the community.

This project is more than just a way of providing additional office space for staff. It is part of a bigger story about the Shire. It is a physical representation of the Shire’s place in the community and its commitment to the community now and in the future.

The project has value as a marketing tool that shows that the Shire is willing to commit and invest in its community. This can send a clear message to other businesses to start doing the same. Also, the Shire expects quality development within its boundary by others. This project needs to be judged according to the same high standards.

The building will ensure that there is space to accommodate existing and future staff. It has a flexible design that allows for multiple functionality and adaptation of space. It may help in retaining good staff and attracting new staff that can work at making this Shire a great place to live and work.

In terms of costs, the majority of the project is funded using existing reserves and grant money. The balance of \$850,000 is effectively the scale of two residential mortgages, shared between a community of 6,000 people. Further, this cost has potential to be repaid in the short term through the creation of residential lots on the old depot site.

There is a real and pressing accommodation problem in the existing building and this project presents a realistic and practical solution.

Policy/Statutory/Voting Implications

Statutory

N/A

Voting

N/A

Financial Implications

The \$2 million budget assigned for the administration centre redevelopment will be financed through existing reserves, Royalties for Regions grant funding and loan.

Strategic Implications

Outcome 4.7 Maintain and enhance Shire assets
Outcome 4.8 Attract and retain staff
Outcome 4.8.2 Improve the Shire office accommodation for staff

Council Decision

(Officer's Recommended Resolution)

Moved: Cr Dawson

Seconded: Cr Crowley

That Council endorse floor plan Option C – Revision I and approve Kent Lyon to proceed with design and quantity surveying to provide a pre-tender cost-estimate.

Carried 4/3

Note: Cr's Bailey, King, Logiudice requested their names be recorded as voting against the resolution

** 6.37pm – Anne Margetts, Geoff Box, Julie King, Gwendoline Nidd and Marilyn Hickman left the meeting.

10.5.2	SUBJECT:	BUNBURY WELLINGTON ECONOMIC ALLIANCE
	Location:	Collie
	Applicants:	Administration
	Zone:	N/A
	File Ref:	28/1
	Author:	John Attwood, Chief Executive Officer
	Report Date:	6 July 2015
	Attachments:	Nil

Background

The Bunbury Wellington Economic Alliance (BWEA) was incorporated in 1999 comprising of the local governments of Capel, Collie, Donnybrook Balingup, Harvey, Dardanup and the City of Bunbury. In addition to the local governments this year the South West Development Commission and a number of other companies and organisation representing business in the South West were a part of the membership.

The broad objectives of the association include:

- To provide a bureau of information relevant to the needs and interests of individual corporations;
- Provide strategic introductions of investors and potential investors in the region;
- Lobby government at all levels for the provision of government services, infrastructure, concessions and incentives which encourage and facilitate the development of the region;
- Identify and promote opportunities for investment in the region and to introduce and promote those opportunities to potential investors;
- Provide non-financial assistance to potential investors in the region; and
- Promote the region as a destination for recreation and commercial industry visitors.

Local Government membership was based on originally the City of Bunbury's contribution of \$20,000 and the Shire of Donnybrook- Balingup 33% of the Bunbury contribution. Originally that contribution was \$6,460 in 1999 and is now \$7,350.

Comment

BWEA have been reviewing fees and resolve to refer the issue of fees to the CEO's of BWEA for discussion. The CEO's met on 29 June 2015 to review the current funding and at present the funding is based roughly around the following contributions:

<u>Local Government Authority</u>	<u>2014/15 Contribution</u>
City of Bunbury	\$ 22,050
Shire of Harvey	\$ 16,540
Shire of Capel	\$ 11,025
Shire of Dardanup	\$ 11,025
Shire of Collie	\$ 11,025
Shire of Donnybrook-Balingup	\$ 7,350
TOTAL	\$79,015

It was recommended that the current arrangements remain in place for 2015/16 and allow for a review to be undertaken for future years. Whilst a number of options were reviewed, it was considered that a revised funding arrangement be implemented for the 2016/17 Financial Year. It's suggested that it should be based around a base contribution by each Local Government and then the balance based around population, for example:

Local Government Authority	Fixed 40%	Population 60%	Total Fee
City of Bunbury	5,267.50	15,028	20,296
Shire of Harvey	5,267.50	11,757	17,025
Shire of Capel	5,267.50	7,490	12,758
Shire of Dardanup	5,267.50	6,210	11,478
Shire of Collie	5,267.50	4,314	9,582
Shire of Donnybrook-Balingup	5,267.50	2,607	7,875
TOTAL	31,605	47,406	79,011

In addition to the funding issues, there was a general consensus that there is a need to undertake an assessment of the current and future directions for the BWEA. This should be undertaken by March 2016 to allow Local Governments the opportunity to consider the longer term view of the relevance of the Alliance and whether ongoing membership will be considered.

Consultation

Consultation between the BWEA members and the CEO's of the Local Government BWEA Members.

Policy/Statutory/Voting Implications

Voting

Absolute Majority.

Financial Implications

Council's proposed budget allocation for the 2015/16 Financial Year is 7,350 and will form part of the budget consideration for this year.

Strategic Implications

4.6.3 – Maintain membership of regional groups and the Bunbury Wellington Economic Alliance (BWEA).

Following a geotechnical report, Alliance Housing has developed a concept plan for 13 one and two-bedroom strata housing units for over 55s (Attachment 10.5.3). The estimated cost of the development is \$3m, including land remediation.

The land is currently zoned to accommodate the proposed 13 units.

The South West Development Commission has suggested the Shire submit a concept proposal to the Royalties for Regions Southern Investment Initiative. While much of the SII funding has been allocated, the SWDC likes to have project-ready proposals on hand, should other projects fail to eventuate.

Comment

This project is in line with Shire, Regional and State Planning strategies to increase the range of affordable housing options for older people. Alliance Housing is a nominated Regional Growth Provider and works with joint venture partner Stella Living to develop affordable housing products throughout the South West Region.

Studies demonstrate that there is continuing demand in the South West for 1 and 2 bedroom units to allow people to 'age in place'. People are living longer, some with a disability, some without employment or with little superannuation. It is envisaged that tenants would be drawn from local waiting lists (Langley Villas and Minninup Cottages) and from the public housing waiting list.

Similar proposals have been supported in Dardanup, Boyanup, Northcliffe, and Pemberton.

There are a number of ways the project could be managed, including:

1. Council to provide the Land and become a partner with Alliance Housing provider with the units being a straight-out rental arrangement;
2. Council provide the land and perhaps some budget and become a joint venture with Alliance Housing then the housing presented could be a lease, rental or sale;
3. Council could sell the land to Alliance Housing and allow them to develop as they see fit;
4. Council could gift the land to Alliance Housing and have no further input into the development and allow Alliance Housing provider to take all the risk and gain all the profit.

Initial discussions with the SWDC have been positive. They have requested the Shire provide a Southern Investment Initiative concept proposal ready for submission to the SWDC Board Meeting on 28 August, followed by a full Business Case ready for submission by October.

Consultation

South West Development Commission
Alliance Housing

Policy/Statutory/Voting Implications

Policy

N/A

Statutory

N/A

Voting

Absolute Majority

Financial Implications

Up to \$10,000 to study feasibility and develop Business Case.

Strategic Implications

Community Strategic Plan objective 3.1 – Improve and increase the range of aged care and disability services, facilities and housing.

Council Decision

(Officer's Recommended Resolution)

Moved: Cr Crowley Seconded: Cr Dawson

That Council

Agree in principle to the concept of an affordable housing project on Lot 142 Bridge Street, Donnybrook and authorise staff to work with Alliance Housing, Stella Living and the South West Development Commission to lodge an application for funding to assist with the proposed development; and Allocate up to \$10,000 from the Aged Housing Reserve to assess the feasibility of the proposal and develop a business case.

**Carried 7/0
By Absolute Majority**

10.5.4	SUBJECT:	STRATEGIC COMMUNITY PLAN
	Location:	Shire of Donnybrook/Balingup
	Applicants:	Administration
	Zone:	N/A
	File Ref:	FNC 13
	Author:	John Attwood – CEO
	Report Date:	9 July 2015
	Attachments:	10.5.4 - Strategic Community Plan

Background

The Strategic Community Plan, adopted by Council 24 June 2013, was developed through the community engagement process to identify strategic objectives for each of the four key areas of community interest. Desired outcomes to achieve the objectives were identified along with key performance indicator requirements to measure the success of the objectives. Council are required to undertake a desktop review of the Strategic Community Plan on a two-yearly basis. A desktop review was undertaken in 2015. This included the biannual community survey in May 2015.

Comment

A Strategic Community Plan Status Report summarizing the current status for each of the strategies was circulated to Councillors during the Strategic Community Planning Workshop on 20 May 2015. Councillors were given opportunity to review the plan and reconvened at a Workshop held on 22 June 2015 where Councillors and staff completed the desktop review.

The updated draft of the Strategic Community Plan is now provided to Council for adoption.

Consultation

Shire staff and Councillors reviewed the status of the strategies in the Strategic Community Plan.

Policy Implications

N/A

Statutory

Local Government (Administration) Regulations 1996

Voting Implications

Absolute Majority

Financial Implications

N/A

Strategic Implications

Outcome 4: *“Open and accountable local government”*

Outcome 8: *“Effective and responsible administrative and financial management”*

Council Decision (Officer’s Recommended Resolution)

Moved: Cr Duncan

Seconded: Cr Dawson

That Council adopt the reviewed Strategic Community Plan.

Carried 5/2

** 7.03pm – June Scott left the meeting

10.5.5	SUBJECT:	WA LOCAL GOVERNMENT ASSOCIATION ANNUAL GENERAL MEETING
	Location:	Perth Convention Exhibition Centre, Perth
	Applicants:	Western Australian Local Government Association (WALGA)
	Zone:	N/A
	File Ref:	DEP 22/4D
	Author:	John Attwood – CEO (<i>Kate O’Keefe, Executive Assistant</i>)
	Report Date:	6 July 2015
	Attachments:	10.5.5 – Consideration of Motions

Background

Council has been provided with a copy of the agenda for the 2015 Annual General Meeting for the WA Local Government Association which will be held at the Local Government Convention on Wednesday, 5 August 2015 at the Perth Convention Exhibition Centre.

At the Ordinary Council Meeting held on 27 May 2015 Councillors Dilley and Duncan were nominated as voting delegates to represent Council at the Annual General Meeting.

Comment

The following matters for decision will be considered:

4.1 Eradication of Trachoma in Australian Populations (05-030-02-0009 AH)

MOTION

That WALGA advocate to the Federal and Western Australian State Government a Nationwide program for the eradication of Trachoma in Indigenous Populations, especially in Western Australia.

4.2 Prescribed Burning Program (05-024-02-0044 AH)

MOTION

That WALGA lobby the Minister for Regional Development to negotiate conditions on the use of Royalties for Regions funds for enhancement of the State Government's prescribed burning program to ensure that these additional funds are used only for prescribed burns for asset preservation and protection around towns and settlements and that the funds not be used for broad scale prescribed burning of forests and national parks distant from towns and settlements.

4.3 Bushfire (Planning) Regulations – Local Government Impacts (05-024-02-0056 AH)

MOTION

- 1. That WALGA move to seek that the Fire and Emergency Services Commissioner recognises existing Local Government bushfire risk assessment processes that demonstrate sufficient rigour and accept that Local Government's Bushfire Risk Mapping in the application of the new Bushfire (Planning) Regulations.*
- 2. That appropriate support be provided to Local Government, to offset the costs and delays that will be incurred as a result of implementing the new Regulations into the development application processes. This would include (but not limited to) training in bushfire risk assessment - Bushfire Attack Level (BAL). A media campaign to explain the new Regulations and its impacts would assist in deflecting some of the negative reaction that may be incurred by Local Governments.*
- 3. That WALGA request the State Government to assist with the implications of State owned lands providing risk to developments. Rather than insist on construction requirements to increase resilience for new structures, it may be more beneficial to treat the risk. This would be especially important where existing structures are also impacted. Currently, the Bush Fires Act (1954) does not bind the Crown.*

4.4 Integrated Response by Local Governments to Hoarding (05-026-03-0016 AH)

MOTION

That WALGA:

- 1. Acknowledge that hoarding is a complex problem for Local Governments to address in Western Australia.*
- 2. Facilitate the development of an integrated response to the problem of hoarding by using consistent best practice standards which can be applied by all Local Governments in Western Australia.*

4.5 Shark Hazard – Local Government Expectations (05-017-02-0006 AH)

MOTION

- 1. That WALGA move to seek that the State Government declare Shark Attack as a 'hazard' within the Emergency Management Regulations (2006) and assign an Hazard Management Agency, for the development and maintenance of Hazard Management Arrangements. This agency would then also be responsible for the provision of community information and advice, to enable the community to make informed decisions with their use of the marine environment.*
- 2. That WALGA recommend the adoption of the South West Local Government Response Flowchart and Responsibility Matrix, as the basis for Local Government response to any credible risk from sharks in local waters.*
- 3. That WALGA act on behalf of WA Local Governments in the negotiation with the Department of Fisheries, to ensure that Local Government Officers are not expected to make any response decisions, where they do not have the Subject Matter Expertise, nor jurisdiction (i.e. when to open a beach after sighting, or when to close a beach etc.) for those decisions.*

4.6 Inland Waterway Shoreline Management (05-064-01-0001 MB)

MOTION

That WALGA lobby for a single State Government agency to be responsible for inland waterway shoreline management in the same manner as the Department of Transport' current role to administer the State Government's policy directly relating to coastal management.

4.7 Planning for Waste Management Facilities (05-025-03-0003 MB)

MOTION

That WALGA request the State Government as a matter of urgency:

- Develop a waste management infrastructure plan for Western Australia*
- Progress regulatory reforms to establish a framework for planning and siting of landfills.*
- Implement a moratorium on new private landfill approvals until adoption of a durable planning framework.*

4.8 Management of Narrow Leafed Cotton Bush (05-046-03-0010 MB)

MOTION

That WALGA Lobby the Minister for Agriculture and Food seeking support for a multi-tiered approach to the management of Narrow Leafed Cotton Bush including:

- Training Local Government staff who can assist with infringing any land-owners not managing cotton bush and other declared pests.*
- Provide funding to regional biosecurity groups of \$100,000 per annum to ensure their survival.*
- Make Changes to the Biosecurity and Agriculture Management Act 2007 (BAM) to ensure any pest rate raised stays within the district*
- Request cabinet address the issue of cotton bush and the inaction of state departments in managing their own land.*

4.9 Illegal Camping (05-034-01-0007 JMc)

MOTION

That WALGA is to investigate legislation changes to allow Local Governments to recover fines issued to illegal campers through vehicle hire companies (as a majority of offenders are from overseas using hire vans/vehicles), as an example, to try and assist Local Governments to control this activity and recover costs incurred in policing illegal camping.

4.10 Non-rateable Properties: Charitable use of Land (05-034-01-0007)

MOTION

That WALGA increases its lobbying for an amendment to the Local Government Act 1995 Section 6.26(2)(g) to allow land used for charitable purposes to be rateable if it is used for housing.

4.11 Financial Limits for Tenders (05-034-01-0001 JMc) c)

MOTION

That the Local Government (Functions and General) Regulations 1996 (as amended from time to time) be amended so the minimum threshold for the purchase of a good or service, be altered to match the threshold level from time to time gazetted under the State Supply Policies for State Government Departments and instrumentalities.

Policy/Statutory/Voting Implications

Policy

N/A

Statutory

N/A

Voting

Simple Majority

Financial Implications

N/A

Strategic Implications

N/A

Council Decision

(Officer's Recommended Resolution)

Moved: Cr Duncan

Seconded: Cr Logiudice

That Council Vote as follows:

Yes for agenda item 4.1

Yes for agenda item 4.2

Yes for agenda item 4.3

Yes for agenda item 4.4

Yes for agenda item 4.5

Yes for agenda item 4.6

Yes for agenda item 4.7

Delegate decision for agenda item 4.8

Yes for agenda item 4.9

Yes for agenda item 4.10

Yes for agenda item 4.11

Carried 7/0

****7.22pm – The remaining Public Gallery left the meeting.**

12 CLOSURE OF MEETING

The next Ordinary Council Meeting will be held on Wednesday, 26 August 2015 commencing at 5.00pm at the Council Chambers, Donnybrook.

The Shire’s Deputy President declared the meeting closed at 7.25pm.

These Minutes were confirmed by the Council as a true and accurate record at the Ordinary Council Meeting held on 26 August 2015.		
Shire President		Presiding Member