



Ordinary Council Meeting

Minutes

Held on Wednesday, 28 October 2015

Commencing 5.01pm at Balingup Recreation Centre
Balingup WA 6253

John Attwood
Chief Executive Officer

29 October 2015

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ORDINARY COUNCIL MEETING MINUTES
28 October 2015
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SHIRE OF DONNYBROOK-BALINGUP

ORDINARY COUNCIL MEETING MINUTES

Held at the Balingup Recreation Centre, Balingup
Wednesday, 28 October 2015 at 5.01pm

MEMBERS PRESENT

COUNCILLORS

Cr Logiudice (President)
Cr Mills (Deputy)
Cr Bailey
Cr Crowley
Cr Dilley
Cr King
Cr Mitchell
Cr Tan
Cr Van Der Heide

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

PUBLIC GALLERY

Karyn Connnor
Nick Percival
Sharon Smith
Peta Knapton
Ric Roach
Pam Williamson
Jill Duncan
Douglas Gordon
Shelley Gillespie
John Lea
Geoff McMullen
Alison McMullen
Judy Allan
Joe Taylor

Peta Townsend
Wendy Mills
Ian Molyneux
June Scott
Jim Gerde
Minna Brown
Tony Scaffidi
Jodie Hornum
Rod Browton
Don Wilson
Helen Christensen
John Hockley
Mary Hockley
Douglas Gordon

Megan Baldock
Helen Matthews
Chris Knight
Frank Wachala
Marsha Wachala
Wendy Ayres
Noelene King
Chris Brain
Micheal Brain
Brian De Garis
Roz Benson
Peter Gubler
Judy Hawter

1 APOLOGIES

Damien Morgan, Manager Works and Services.

2 PUBLIC QUESTION TIME

Questions taken on notice at the Ordinary Council meeting held 28 October 2015.

Jill Duncan

I believe there have been questions raised about the validity of the Oath of Office sworn by Mr Mills last Tuesday?

What actions are being taken to address:

- *the issues raised including the subsequent vote for President as 5/4;*
- *his election as Deputy President;*
- *the possible infringements of several Acts of Parliament;*
- *the legal standing of Mr Mills at this time;*
- *and the validity of some of his election material?*

CEO

Legal opinion expresses the view that the declarations made by Cr Mills at the Special Council Meeting on 20 October 2015 are valid declarations. In relation to electoral material any person can lodge a complaint with the court of Disputed Returns within 28 days of the election.

Jill Duncan

What actions are being taken to address the planning and health issues associated with the ever-expanding Caravan Park on Cr Bailey's property, Lot 120, in the centre of town?

CEO

The Shire office recently received a formal written complaint that this property is being used for caravan park/camping ground. As a result of this complaint, preliminary investigations have started. This has included a site visit where it clearly evident that the rear of the property is being used for the storage of a number of camping tailers, a bus and vehicles. There is also circumstantial evidence that these vehicles may be used for accommodation purposes.

A letter has been sent to the owner requesting details of how the land is being used and advising of the need for approvals. It is unlikely that the owner has received this letter or had a chance to respond. Use of the land as a caravan park or camping grounds requires approval under the Local Planning Scheme No.7 and the Caravan Park and Camping Grounds Act 1995. These approvals are necessary to ensure that the use is appropriate for the locality and sufficient services and facilities are in place

It has also been requested that the owner relocate these vehicles and camping equipment to a less visible and prominent location. This request is consistent with recent approaches taken with other landowners within the Balingup Townsite.

Jill Duncan

What actions are being taken to address the problem of the effluent from the Mushroom Café's septic's entering the creek behind the building? Was the subsequent remedial trenching by the owner/occupier of the block considered a responsible action to take?

CEO

The Shire's Health Services received two complaints last week regarding an alleged failing effluent disposal system at 31 South Western Highway Balingup, known as The Mushroom Café. One of the complaints was received last Monday 19th October via the Department of Health WA, and the other complaint received on Tuesday 20th October.

Shire Staff inspected the property on Tuesday 20th October. The Department of Environment Regulation also received several complaints in the same time period and have also investigated the issue. A notice was issued by the Department of Environment Regulation on Tuesday 20th October.

Shire staff have been in contact with the Department of Environment Regulation, the Department of Health, the business owner, and the property owner's representative regarding the legislative requirements for increasing the capacity of the existing effluent disposal system, and are continuing to monitor progress. At present, staff are awaiting the submission of an application to increase capacity from the property owner's representative.

June Scott

The 1842 heritage and history of the first European settlement of the Donnybrook Region has been removed from promotional media by the Shire of Donnybrook Balingup funded Tourist Organisation in Donnybrook. Can this history please be returned to its rightful place in marketing and promotion of Donnybrook?

CEO

The information you refer to was removed from the Donnybrook Regional Tourism Association's website. You will need to direct your enquiry to the DRTA.

June Scott

*The proposed contemporary art piece currently known as the "Migrant Memorial" is an opportunity to display a period of the South West's history relating to significant migration, is it possible to overcome the current concern of discrimination by considering the central precinct and Railway Heritage Precinct as a continuing dedication to all country's migrants and immigrants, consigned or free via numerous art pieces and monuments ?
i.e.: Is the Memorial Committee funded Art Piece "Proposed Migrant Memorial" just one item or dedication in an inclusive Cultural Precinct ? Is the Waugyl Sculpture just one item or dedication in an inclusive cultural precinct? Will the item or dedication art piece/monument/memorial wall as proposed to be included in the surrounds of development proposed "Apple Interpretive Centre " be just one item of dedication in an inclusive Cultural Precinct?*

CEO

The idea suggested represents one possible way of resolving concerns about the exclusive nature of the proposed the Migrant Memorial project. However, for the idea to work, it needs to be anchored to a speculative framework and assumptions about possible future directions for the development of the Donnybrook townsite. Council is required to assess applications within an established framework. While the idea of an “inclusive Cultural Precinct” may have merit, it is not something that has been given any previous detailed thought and deliberation or been tested in a democratic forum.

A more straightforward solution could be to remove the “offending” criteria. This resolves concerns about “exclusivity” while allowing the art piece to be erected and the cultural heritage of the region to be celebrated and commemorated. This view reflects Council’s decision when it considered agenda item 11.4.1 - *Request for Council to Approve the Location and Use of Portion of Lot 101 South Western Highway Donnybrook for Public Art - Migrant Memorial.*

Questions taken Without Notice at the Ordinary Council Meeting held 28 October 2015

Wendy Ayres

The Balingup CWA received a green organics bin. Can it please be removed as the CWA does not use it?

President

This question will be taken on notice. A response will be provided in writing.

Megan Baldock

With the appointment of new members and a changeover of council we feel it is relevant to request, yet again, a meeting between councillors and concerned staff and independents regarding Tuia Lodge.

President

Cr Logiudice acknowledged that this request had been raised before and advised that he and the Councillors would consider the request and provide a response in writing.

Jodie Hornum

What professional and public consultation has been undertaken regarding the proposed relocation of the Balingup Library?

CEO

The Shire recently received correspondence from the Principal of the Balingup Primary School. I am not aware of any other consultation process being undertaken.

Rod Browton

Is it possible to use a PA system during the Ordinary Council Meetings to make it easier to hear the proceedings?

President

It is an opportunity Council will consider.

3 APPLICATION FOR LEAVE OF ABSENCE

Nil

4 DECLARATION OF FINANCIAL/IMPARTIALITY INTEREST

Nil

5 PETITIONS/DEPUTATIONS/PRESENTATIONS

A petition with 153 signatures received in relation to the proposed subdivision west of Meldene Estate was presented to Council by Cr Crowley. The Petition reads:

We the undersigned, being the residents of Meldene Estate and Donnybrook-Balingup Shire respectfully request the Donnybrook-Balingup Shire Council to consider the concerns of the residents in relation to the proposed subdivision west of Meldene Estate.

The proposal of entry/ exiting of the new subdivision via Marginata Drive, Leschenaultia Circle and Orchid Court will be unsafe for the existing residents due to the increased volume of traffic generated from the new subdivision. The lack of footpaths/ cycleway, minimal street lighting and present road width, combined with a school bus route make the proposal unacceptable. Currently children through to the elderly use these roads for recreational purposes on a daily basis.

Extra traffic generated from the new subdivision will also increase safety issues on the South Western Highway and Meldene Estate intersection.

The residents of Meldene Estate are not opposed to the new subdivision, we have major concerns regarding the use of existing residential roads for access to the new proposed estate.

Council Decision

Moved: Cr Crowley

Seconded: Cr Mitchell

That the petition be received and:

- 1. Acknowledge that Council has resolved to initiate a rezoning for the land to the west of Meldene Estate at the Ordinary Council meeting on 25th March 2015;**
- 2. Acknowledge that this rezoning proposal has not yet progressed to a point for public advertising;**
- 3. That Council have regard to the points raised in the petition when making a recommendation to the Western Australian Planning Commission following the completion of the public advertising process.**

Carried 9/0

6 LATE ITEMS

Nil

7 CONFIRMATION OF MINUTES

7.1 Ordinary Council Meetings

Council Decision

Moved: Cr Bailey

Seconded: Cr Crowley

That the minutes of the ordinary meeting held on 23 September 2015 be confirmed as a true and accurate record.

Carried 9/0

Council Decision

Moved: Cr Dilley

Seconded: Cr Van Der Heide

That the minutes of the special meeting held on 20 October 2015 be confirmed as a true and accurate record.

Carried 9/0

8 ELECTED MEMBERS MOTIONS

Nil

9 MINUTES OF PREVIOUS MEETINGS

9.1 Committee Minutes

Council Decision

Moved: Cr Bailey

Seconded: Cr King

That the following Committee minutes be received:

- **Local Emergency Management Committee Meeting – 29 September 2015**
- **Balingup Townscape Committee Meeting – 14 October 2015**
- **Donnybrook Townscape Committee Meeting – 14 October 2015**
- **Donnybrook Cultural Planning Advisory Committee Meeting – 15 October 2015**
- **Bushfire Advisory Committee Meeting – 15 October 2015**

Carried 9/0

10 REPORTS OF COMMITTEES

10.1 Balingup Townscape Committee Meeting

10.1.1. OTHER BUSINESS

In-Ground Sleeves to Support Scarecrow Structures

Mr Mills provided a sample of a PVC sleeve design to accommodate the installation of Scarecrow structures. The design is a PVC pipe with a screw top cemented into the ground. The screwed collar is used to lock the star picket in place. The sleeves will be in placed in various locations on road reserves in Balingup.

Council Decision (Committee's Recommended Resolution)

Moved: Cr King

Seconded: Cr Bailey

That Council endorse the utilisation of the in-ground sleeves design to support Scarecrow structures as presented to the Balingup Townscape meeting by Mr F. Mills.

Carried 9/0

Note: Location map for sleeves to be provided to Shire staff.

Information Boards Detailing Scarecrow as Balingup's Signature/Emblem

Cr King has requested that consideration be given to providing an Information Display board detailing the Scarecrow as Balingup's official signature Emblem in a permanent location in the Village Green area.

Council Decision (Committee's Recommended Resolution)

Moved: Cr King

Seconded: Cr Bailey

That the Balingup Townscape Committee progress the design, detail and construction of an Information Board detailing the history of the Scarecrows signature Emblem.

Carried 9/0

10.2 Donnybrook Townscape Committee Meeting

10.2.1	SUBJECT:	UPGRADING RESERVE 47816 (CORNER OF SOUTH WESTERN HIGHWAY AND VICTORY LANE)
	Location:	Donnybrook
	Applicants:	N/A
	Reserve:	Public Purpose
	File Ref:	A4012
	Author:	Bob Wallin (Principal Planner)
	Report Date:	9 September 2015
	Attachments:	10.2.1(1) - Location Plan 10.2.1(2) - Upgrading Options

Background

Reserve 47816 is located at the corner of South Western Highway and Victory Lane (Attachment 10.2.1(1)). The land is reserved "Public Purpose" under Local Planning Scheme No.7 (LPS7) and is vested with the Shire for "Tourist Purposes".

The land abuts Public Transport Authority (PTA) land to the west and "Commercial" zoned land to the north. The site is in poor condition and is used mainly by patrons of the adjoining petrol station. Current use and access by trucks is creating an untidy appearance and damage to kerbing and landscaping.

Comment

The present condition of the reserve is creating a less than appealing outcome. Further, it is encouraging traffic movements that present safety concerns and disruption to other road users.

Four solutions are presented for consideration in Attachment 10.2.1(2).

These solutions involve a number of steps. It enables staging or ramping up if it turns out that the initial low key solutions do not resolve matters.

It is noted that all these solutions focus on retaining use of the reserve for car/truck parking. They do not consider possible longer term alternative uses that may create a better streetscape outcome and higher value for ratepayers.

Thinking about longer term and ultimate end land uses will require more detailed consideration and will need thinking about at a separate time.

The purpose of this item is to provide some interim solutions to the existing problems.

Option 1

After observing the turning of trucks entering and leaving the site via Victory Lane it is evident that:

- a) Trucks cut across the existing garden bed on the edge of the cross over; and
- b) Mount the central traffic Island.

This damages the existing landscaping, kerbing and drags materials onto the road.

To address this, a simple option would be to modify the existing cross over to reflect the alignment of existing turning. It would also be possible to modify a section of the central traffic Island by creating a flush section. This would enable trucks with improved turning space and reduce potential damage to road infrastructure. It could be possible to include material treatments to ensure visual prominence and legibility is maintained. This may include line painting or use of different materials and colours (i.e.: bricks or coloured concrete).

It could be possible to stage this option into two parts to see how modifications to the cross over play out.

This option would be relatively in-expensive. It is estimated that costs would be approximately \$4000.00. This can be confirmed with quotes obtained in accordance with Council policy. The estimated cost includes such items of traffic management, materials and landscaping.

Option 2 – Close off existing cross over to Victory Lane

This proposal would require the removal of the existing cross over and installation of landscaping treatments that inhibit access. This may include rock or retaining features and plantings. This would require access to be restricted to the South Western Highway cross over. This cross over could be modified to improve turning and access. Observations on-site show that there is sufficient turning space to access and exit in a forward gearing using this access for even the longest truck and trailer.

Option 3 – Relocate existing Victory Lane cross over closer to rail crossing

This option would enable improved space for turning and accessing the reserve for trucks. It will require some investigation from servicing agencies and the PTA.

Option 4 – closing all vehicular access to the reserve

This option would enable the site to be landscaped and used for recreational purposes and provide an improved level of streetscape presentation to the locality. Truck access and parking could be retained on the adjoining "Commercial" zoned property and the on-street parking out front to be restricted for trucks only.

This option would promote the parking of trucks at the rear of the service station or at the existing petrol bowsers. A circular route could be established by removal and relocation of the existing cold room and shed from the northern extent of the site.

This would ensure that all traffic generated by the business is retained on-site and prevent the existing public land from being monopolised by a business at the general expense and cost of rate payers.

Policy/Statutory Implications

N/A

Financial Implications

Option 1 is estimated to cost approximately \$4,000.00. This option could be funded through Townscape funds or alternatively by accessing 'Roads 2 Recovery' funds for the 2016/17 financial year. The 'Roads 2 Recovery' funding could also be used to resolve drainage issues in the locality.

Strategic Implications

Outcome 2.8 – Our townsites are attractive, well presented and maintained.
Outcome 4.7 – Maintain and enhance Shire assets.

Officer's Recommended Resolution

Moved: Cr

Seconded: Cr

That Council:

- 1. Subject to formal approval through the budget process, allocates \$4,000 from the 2016/17 Financial Year "Roads 2 Recovery" funding to implement Option 1 which involves:
 - **Modifying the existing cross over to reflect the alignment of existing turning.**
 - **Modifying a section of the central traffic Island by creating a flush section to provide trucks with improved turning space to reduce potential damage to road infrastructure and includes material treatments to ensure visual prominence and legibility is maintained; and****
- 2. Investigates the cost of resolving drainage issues in the locality.**

Following discussion with representatives from Main Roads WA the committee decided on the following resolution.

Council Decision (Committee's Recommended Resolution)

Moved: Cr Dilley

Seconded: Cr Crowley

That Council:

- 1. Refer the proposed options to Main Roads WA for consultation.**
- 2. Investigate the cost of resolving drainage issues in the locality**

Carried 9/0

10.2.2	SUBJECT:	OUTDOOR PING PONG TABLE
	Location:	Donnybrook
	Applicants:	N/A
	Reserve:	Public Purpose
	File Ref:	A3532
	Author:	Bob Wallin (Principal Planner)
	Report Date:	24 September 2015
	Attachments	10.2.2(1) - Location Plan 10.2.2(2) - Design of Tables

Background

A member of the community has presented the idea of locating an outdoor Ping-Pong table behind the Station Masters building on the “old paved chess board” (Attachment 10.2.2(1) – Location Plan).

This idea is intended to help activate and engage the public with the locality.

The table is constructed in steel, weighing 700kg. It includes a welded net, securing footings and bat and ball holder. It comes in a single colour and has potential to include art work prepared by a local artist. Attachment 5.1.2(2) shows an example.

The table is costed at \$7,875.00, plus delivery (estimated at \$450.00) and GST (Total \$9,157.50).

It has been advised that other Local Governments have been successful in obtaining funds from LotteryWest.

Discussion with LotteryWest has indicated that requests for grants need to be packaged in terms of broad strategic vision that shows active engagement with the community and wider stakeholders and funding bodies. One-off items are viewed less favourably as they are ad-hoc and time consuming for LotteryWest to administer and consider.

An example provided by LotteryWest is a project undertaken by the Shire of Capel for the redevelopment of its civic precinct that includes linkages to existing parks.

Comment

An outdoor ping pong table represents an innovative concept for adding fun, colour and vibrancy to the local area. However, to get the most value out of this idea, it needs to be framed within a wider strategic idea and context.

The order of events and focus needs to be considered correctly much the same way as organising a landscaping project. The best results are achieved when a plan and vision is worked out first, rather than buying a nice plant and then designing around it. The focus needs to be on the vision, not individual objects.

There is potential that thinking about the “ping pong” table could be the spark that ignites the imagination and starts a creative process for how to make the main centre of town more of an integrated “precinct”.

Policy/Statutory Implications

N/A

Financial Implications

There is potential to fund this project from the townscape budget. It is likely that additional funds will be required to ensure that the site is appropriate for supporting the table, enabling defects in the surface are fixed and that the surrounding wall is removed to limit potential for tripping over in the heat of a game.

Strategic Implications

Outcome 2.8 – Our townsites are attractive, well presented and maintained.
Outcome 4.7 – Maintain and enhance Shire assets.

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

Moved: Cr King

Seconded: Cr Tan

That the Chief Executive Officer:

- 1. Review options to integrate the “Apple Fun Park”, the “Rail Precinct” and “Main Street” to improve vibrancy, community spirit and activity; and**
- 2. Assess the feasibility of developing a grant funding proposal.**

Carried 8/1

10.3 Bushfire Advisory Committee Meeting

10.3.1	SUBJECT:	PROPOSED NAME CHANGE FOR THE UPPER BALINGUP BUSHFIRE BRIGADE
	Location:	Shire of Donnybrook – Balingup
	Applicants:	Upper Balingup Bushfire Brigade
	Zone:	N/A
	File Ref:	FRC 02/1
	Author:	Leigh Guthridge – Manager Development and Environmental Services
	Report Date:	1 October 2015
	Attachment:	10.3.1 - Map of the Munroe Bush Fire Brigade Area

Background

The Upper Balingup Bushfire Brigade (UBBFB) has made an application to Council to change the name of the UBBFB to the Munroe Bushfire Brigade. The rationale provided by the UBBFB for the proposed name change is the apparent confusion with the call signs over the radio with the Balingup Bushfire Brigade.

The UBBFB advise that the name Munroe is proposed as the alternative name due to the historical connection with the Munroe Fire Tower in the area.

Comment

It is prudent to review the name of a brigade if there is confusion in radio communication between other brigade names. However it is difficult to evaluate the merits of this application in terms of what effect it may have on the operations of bushfire management amongst the Brigades in the Shire generally.

It is understood that the Munroe Brigade name has had association in this area for in excess of 50 years both when it was a brigade in its own right and when it was amalgamated to form part of the Balingup Brigade in 2006. The name Munroe for obvious reasons delivers an accurate description or sense of place for the area covered by the brigade. Typically brigade names align with locality names.

The question for Council to consider is whether a name change of a brigade is a matter for the local brigade only, or if there are there other stakeholders that need to be consulted including residents in the area, other Brigades in the Shire of Donnybrook – Balingup and government agencies that are part of the overall planning and response to bushfire emergencies.

If Council take the view that there are other stakeholders that should be consulted then it would be appropriate to consult prior to approving a name change to the UBBFB.

Consultation

Staff are not aware of any consultation having occurred with this application. If Council concludes that consultation is necessary then the following resolution is suggested:

That Council conduct a consultation process regarding the proposed name change of the 'Upper Balingup Bushfire Brigade' to the 'Munroe Bushfire Brigade' for a period of one month using the following media:

- *Place a notice in the Donnybrook–Bridgetown Mail newspaper;*
- *Place a notice on the Shire Website;*
- *Write to all other Brigades in the Shire of Donnybrook – Balingup; and*
- *Write to the local offices of the Department of Parks and Wildlife and Department of Fire and Emergency Services.*

Policy/Statutory/Voting Implications

Policy

Nil

Statutory

The *Shire of Donnybrook – Balingup Bush Fire Brigades Local Law* provides authority for the Shire to name brigades in its district.

Voting

Simple Majority

Financial Implications

There will be costs involved to modify maps and other brigade information resources in event that a name change is resolved by Council.

Strategic Implications

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

Officer's Recommended Resolution (Motion):

Moved: Cr Bailey

Seconded: Cr King

That Council approve the name change of the Upper Balingup Bushfire Brigade to the Munroe Bush Fire Brigade inclusive of the boundaries within the existing Upper Balingup Bush Fire Brigade area.

The following Procedural Motion was passed by the Committee at the Bushfire Advisory Committee meeting held on Thursday, 15 October 2015 however was not voted on by Council.

Bushfire Advisory Committee's Procedural Motion

Moved: Cr

Seconded: Cr

That the motion lay on the table until the next Bushfire Advisory Committee meeting scheduled for April 2016 and that the name 'Upper Balingup Bushfire Brigade' remain unchanged until the end of the approaching fire season where the Firebreak Order and associated Brigade details has been released to the community and to allow further monitoring of the issue of radio confusion.

Cr Dilley moved an amendment calling for consultation to take place prior to the brigade name change.

Amendment

Moved: Cr Dilley

Seconded: Cr Crowley

That the motion be amended to read:

"Prior to the name change of the Upper Balingup Bushfire Brigade to the Munroe Bushfire Brigade inclusive of the boundaries within the existing Upper Balingup Bushfire Brigade area, Council conduct a consultation process regarding the proposed name change for a period of one month using the following media:

- **Place a notice in the Donnybrook–Bridgetown Mail newspaper;**
- **Place a notice on the Shire Website;**
- **Write to all other Brigades in the Shire of Donnybrook – Balingup; and**
- **Write to the local offices of the Department of Parks and Wildlife and Department of Fire and Emergency Services."**

Amendment Lost 4/5

Cr Van Der Heide requested the vote be recorded:

For: Crs Dilley, Mitchell, Van Der Heide, Crowley.

Against: Crs King, Tan, Bailey, Mills, Logiudice.

The original motion was then put.

Officer’s Recommended Resolution (Council Decision)

Moved: Cr Bailey

Seconded: Cr King

That Council approve the name change of the Upper Balingup Bushfire Brigade to the Munroe Bush Fire Brigade inclusive of the boundaries within the existing Upper Balingup Bush Fire Brigade area.

Carried 5/4

Cr Van Der Heide requested the vote be recorded:

For: Crs King, Tan, Bailey, Mills, Logiudice.

Against: Crs Dille, Mitchell, Van Der Heide, Crowley.

10.3.2	SUBJECT:	APPOINTMENT OF FIRE CONTROL OFFICER FOR THE UPPER BALINGUP (MUNROE) BUSHFIRE BRIGADE
	Location:	Shire of Donnybrook – Balingup
	Applicants:	Upper Baliungup (Munroe) Bushfire Brigade
	Zone:	N/A
	File Ref:	FRC 02/1
	Author:	Leigh Guthridge – Manager Development and Environmental Services
	Report Date:	1 October 2015
	Attachment:	10.3.2 - Minutes of the Upper Balingup (Munroe) Bushfire Brigade Meeting dated 13 June 2015

Background

Council at its May 2015 meeting resolved the following:

That Council support the formation of the Munroe Bushfire Brigade.

The Upper Balingup (Munroe) Bushfire Brigade (UBBFB) has subsequently submitted a copy of the minutes from an extraordinary meeting that details its nominations for office bearers for the new brigade.

For the purposes of confirming the new appointments in accordance with the *Shire of Donnybrook–Balingup Bushfire Brigades Local Law* (Local Law) this meeting is treated as the UBBFB first annual general meeting since establishment of the Brigade.

Comment

Section 2.2 of the Local Law states in part:

On establishing a bushfire brigade under clause 2.1(1) the local government is to appoint:

- *Bushfire Control Officer;*
- *Captain;*
- *First Lieutenant;*
- *Second Lieutenant;*
- *Additional Lieutenants if the local government considers it necessary;*
- *Equipment Officer;*
- *Secretary; and*
- *Treasurer; or*
- *Secretary/Treasurer combined.*

Section 3.7 of the Local Law states:

At the annual general meeting of a bush fire brigade, one brigade member is to be nominated to the Bushfire Advisory Committee to serve as the bush fire control officer for the brigade area until the next general meeting;

Section 3.8 of the Local Law states:

When considering persons for the position of a bushfire control officer, the local government is to have regard to those persons nominated by the Bushfire Advisory Committee, but is not bound to appoint the persons nominated.

The minutes from the extraordinary meeting of the UBBFB (Attachment 6.1.2) confirm that Mr Ric Roach has been nominated as the Fire Control Officer for the newly established UBBFB. As per the Local Laws this appointment is required to be ratified by the Bushfire Advisory Committee and then Council.

All the other appointments for office bearers only need to be ratified by the Council (and not the Bushfire Advisory Committee), but have been included this report for the purposes of streamlining the appointment process.

Consultation

Nil

Policy/Statutory/Voting Implications

Policy

Nil

Statutory

The *Shire of Donnybrook – Balingup Bushfire Brigades Local Law* details the appointment process for newly established brigades.

Voting

Simple Majority

Financial Implications

Nil

Strategic Implications

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

Note: Motion number 10.3.1 resolved to change the name from the Upper Balingup Bushfire Brigade to the Munroe Bushfire Brigade which has which has resulted in the motion below:

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

Moved: Cr Bailey

Seconded: Cr King

That Council appoint the following office bearers to the newly established Upper Balingup (Munroe) Bushfire Brigade:

Title	Appointee
Bush Fire Control Officer	Ric Roach
Captain	Matt Aldridge
First Lieutenant	Tas Thomo
Second Lieutenant	Rod Wych
Equipment Officer	Jason Rogers
Secretary	Natalie Aldridge
Treasurer	Trevor Payne

Carried 9/0

10.3.3	SUBJECT:	SHIRE OF DONNYBROOK-BALINGUP BUSHFIRE RESPONSE PLAN
	Location:	Shire of Donnybrook-Balingup
	Applicants:	N/A
	Zone:	N/A
	File Ref:	FRC 01
	Author:	Leigh Guthridge- Manager Development & Environmental Services
	Report Date:	6 October 2015
	Attachments:	N/A

Background

Shire staff have undertaken the annual review of the Shire of Donnybrook-Balingup Bushfire Response Plan (the Response Plan).

Comment

There are several modifications proposed to the Response Plan as part of the review as follows:

- The Upper Balingup (Munroe) Bushfire Brigade will be recognised as a Brigade in its own right following Council's resolution to support the establishment of the Brigade at its May 2015 Council meeting;
- Update the training status for each brigade;
- Reflect changes of government agency name changes, brigade membership call signs and personnel contact details;
- Vehicle condition updates;
- Update the schedule of existing equipment;
- Update the ten year replacement program; and
- Update the register of building improvements.
- Training Requirements

The Response Plan current stipulates that the minimum training requirements for volunteer bush fire brigade members is:

- Induction
- Introduction to Fire Fighting
- Bushfire Fighter

The Department of Fire and Emergency Services (DFES) has added the Australasian Interagency Management System (AIMS) to Introduction to Fire Fighting and Bush fire fighter as part of its requirement for bushfire training and called it Volunteer Fire Fighter 1 (VFF1).

It is proposed that the Response Plan incorporate this training as a recommended requirement for members of a volunteer bushfire brigade.

Consultation

Nil

Policy/Statutory/Voting Implications

Policy

N/A

Statutory

Bush Fires Act 1954.

Voting

Simple Majority

Financial Implications

Changes to the ten year replacement program in the Shire's Bushfire Response Plan will need to be budgeted for accordingly. This includes securing funding from the Local Government Grant Scheme in accordance with the application requirements of the Department of Fire and Emergency Services.

Strategic Implications

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

Council Decision

(Officer's Recommended Resolution)

Moved: Cr Bailey

Seconded: Cr Crowley

That Council endorse the modifications proposed to the Shire of Donnybrook-Balingup Bushfire Response Plan as follows:

- 1. The Upper Balingup (Munroe) Bushfire Brigade will be recognised as a Brigade in its own right;**
- 2. Update the training status for each brigade;**
- 3. Reflect that Volunteer Fire Fighter 1 be the recommended training requirement for new members of a volunteer bushfire brigade.**
- 4. Reflect changes of government agency name changes, brigade membership call signs and personnel contact details;**
- 5. Vehicle condition updates;**
- 6. Update the schedule of existing equipment;**
- 7. Update the ten year replacement program; and**
- 8. Update the register of building improvements.**

Carried 9/0

11 REPORTS OF OFFICERS

11.1 *Manager Finance and Administration*

11.1.1 ACCOUNTS FOR PAYMENT

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

Moved: Cr Crowley

Seconded: Cr Bailey

That accounts authorised and paid under delegation No. 3.2 by the Chief Executive Officer represented by cheques EFT8182a - EFT8363, 51495 - 51541, Trust: 3298 – 3304, EFT8278a totalling \$770,477.64 be confirmed for payment.

Carried 9/0

11.1.2 MONTHLY FINANCIAL REPORT

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

Moved: Cr Dilley

Seconded: Cr King

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

Carried 9/0

11.1.3 SUBJECT: CHANGE TO DONNYBROOK GROSS RENTAL VALUE BOUNDARY

Location: Shire of Donnybrook/Balingup
Applicants: Administration
Zone: N/A
File Ref: RAT 04
Author: Greg Harris – Manager Finance & Administration (Kathy Linthorne – Rates Officer)
Report Date: 5 October 2015
Attachments: Nil

Background

In accordance with the provisions of the Local Government Act 1995, the Minister for Local Government must determine the method of valuation to be used by a local government for the basis of calculating rates.

Two methods of rating are current used in local government in this state. Valuations are either determined on an Unimproved Valuation basis (UV) or a Gross Rental Valuation basis (GRV).

As a general principle land used predominately for rural purposes is to be valued and rated on UV and land used predominately for non-rural purposes is to be valued and rated on a GRV basis.

The Shire must apply to the Minister for Local Government if it wishes to seek approval to change the basis of valuation for any particular parcel or parcels of land. In practice what normally occurs is that as land is developed and moves from being utilised for rural purposes to non-rural purposes the Shire will seek approval to change the valuation method from UV to GRV. This practice is in accordance with the general principles outlined in section 6.28 of the Local Government Act 1995.

Following the issue of the 2015/16 rates one of the land owners of property in Trigwell Street contacted the Shire office and brought it to the attention of staff that their property was being rated on an UV basis. The property owner was of the opinion that this was not fair given that the minimum rate on her property as a UV rated property was higher than that of the minimum rate that would apply under a GRV rating basis.

Whilst the property in question will move from a minimum rated property under UV to a non-minimum rated property under GRV, it is appropriate for Council to consider making application to the Minister for Local Government to have this lot plus two other adjoining lots changed from UV to GRV. The following information is therefore provided for Council information.

Three lots located on Trigwell St in the Donnybrook townsite, known as lots 295, 296 297 zoned R20 residential and are currently being rated Unimproved Value (UV) and are outside the Gross Rental Value (GRV) boundary. Land abutting these lots on Thomson St is currently rated by GRV.

The 3 Lots size are 1020 m². The lots on Thomson St range from 1280 m² to 2286 m². All lots are currently used for Residential purposes.

Comment

Section 6.28 of the Local Government Act 1995 states in part:

“(1) The Minister is to –

- (a) Determine the method of valuation of land to be used by a local government as the basis for a rates; and*
- (b) Publish the notice of the determination in the Government Gazette.*

(2) In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land it to be -