

DRAFT



Notice of Ordinary Council Meeting

To be held on Wednesday, 22 June 2016

Commencing 5.01pm at the Seniors Room
Donnybrook Community Library
Cnr Bentley and Emerald Street, Donnybrook

A handwritten signature in black ink, appearing to read "John Attwood".

John Attwood
Chief Executive Officer

10 June 2016

Disclaimer

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ORDINARY COUNCIL MEETING AGENDA

22 June 2016

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SHIRE OF DONNYBROOK-BALINGUP

ORDINARY COUNCIL MEETING AGENDA

**To be held at the Seniors Room, Donnybrook Community Library
Wednesday, 22 June 2016 at 5.00pm**

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
Bob Wallin – Principal Planner
Damien Morgan – Manager Works and Services
Leigh Guthridge – Manager Development and Environmental Services
Kate O’Keeffe – Executive Assistant

PUBLIC GALLERY

1 APOLOGIES

2 PUBLIC QUESTION TIME

Questions taken without notice at the Ordinary Council Meeting on 25 May 2016:

Jill Duncan

I deem it an honour to have worked with John Attwood as CEO over the past nineteen years, both as Deputy President and as a Councillor. He is a man of integrity and honesty with extensive local government knowledge, and is well-respected within the South West Local Government area. I deplore the actions from some of the Councillors to denigrate and ultimately remove a loyal and dedicated officer from his position. Thank-you John for everything.

My questions relate to the current alterations being made to the old Council Chambers to provide staff accommodation and to the Church for use as a Council Chamber. Are the current alterations/works being undertaken as part of future planning (of which ratepayers are

unaware) for a new Administration Centre OR as a band-aid job to justify some Councillors revised approach to their \$4.6 - \$6.00 million Taj Mahal?

President

We plan to go ahead with a new administration building. The Administration Building Working Group is drafting concept plans which incorporate an extension to the existing administration building.

Jill Duncan

What is the estimated total cost to ratepayers of the alterations tot eh ex-Council Chambers and the old Church, i.e. electricity, IT connections etc.?

CEO

The cost of upgrading the Council Chambers into office accommodation for up to 10 people is estimated at \$25,000. This includes the installation of internal walls and communication system. The cost of renovating the old Uniting Church, as a temporary measure, is estimated at \$20,000 however there is opportunity to carry out a more comprehensive upgrade utilising \$80,000 from Country Local Government Funds to provide a more worthwhile temporary Council Chambers. The Administration Building Working Group discussed the Old Church as part of the administration building development. The Working Group are in the process of drafting concept plans for community consultation.

Jill Duncan

Is there any positive future planning for an “updated modern Administration Centre” as espoused by some Councillors prior to the last election?

President

The Administration Working Group are working together towards plans for a modern Administration Building.

June Scott

With reference to the Mine Closure Plan which has been overdue since 2011, as the Department of Mines and Petroleum (DMP) has not responded can the Shire write to the Minister for Mines?

CEO

Yes. A follow-up letter will be issued to DMP. Further correspondence may be issued to the Minister.

June Scott

With reference to my question regarding DRTA your answer fobs me off to the organisation. Membership is a basic operational matter. Why can't the Shire delegated person take this up with DRTA.

President

You issue is not something the delegate is able to take up and should be referred back to DRTA Inc. It is not the delegates role to run the meeting.

June Scott

I requested membership from DRTA but did not receive a membership. If the Shire is funding an organisation that has a Shire representative and is not being run appropriately then can't the Shire intervene?

President

Your issue is regarding membership, you need to take this up with DRTA. This is not the role of the delegate to intervene.

June Scott

Can Service Agreements between the Shire and the Tourism bodies be formed to tidy up operations in these groups?

CEO

The groups are run on a voluntary basis. The Shire provides them with seed funding and the Shire delegate acts as a conduit between Council and the groups, not in a capacity to tell these groups what to do but to offer assistance should there be problems obstructing the groups from achieving their operational goals.

Helen Atwell

I refer to the Planner's comment about raised areas or brick paving, are these in use in Donnybrook?

Principal Planner

There are no examples in the Shire however they are used a great deal in Dalyellup and other larger residential areas.

Helen Atwell

Have Councillors and staff driven on the roads in Meldene Estate to assess the traffic and safety of pedestrians and children using the roads?

President

Yes, several of the Councillors, including myself, have driven through the estate to gain an understanding.

Helen Atwell

The Bushfire Management Plan indicates the minimum trafficable area must be 6 metres. Does this comply?

Principal Planner

This can be resolved during the subdivision stage and added to the Conditions to ensure the design complies with a low-traffic low-order road.

Helen Atwell

Does Orchid Court have enough width to accommodate pedestrian paths?

Principal Planner

The road reserve is 20 metre. There is adequate space for pedestrian paths.

Helen Atwell

There are houses that do not have 20 metres from road to verge.

Principle Planner

The setback to the houses in the estate are between 3, 6, and 12 meters depending on their location and leaves ample room for people to walk or ride.

June Scott

I see on recent minutes a declaration by a Shire's Community Development Recreation Team Leader in regard to their membership of the Balingup Tourist Association (BRTA). The Balingup Regional Tourism Association has a similar website to the Shires in that it is set up by the web designer Brandicoot. I'm seeking support for the DRTA to have a similar website as it makes sense for these tourism groups within the shire to have the same opportunities.

President

It is up to these community organisations how they set up their own websites.

CEO

The Shire endeavours to provide equal support to both tourism groups.

Drew Sutton

With regards to traffic volumes on Orchid Court and Leschenaultia Circle, I have spoken to the Department of Planning on the Liveable Neighbourhood Document of 2009 which indicates a maximum vehicle capacity of 1000 movements in a 10 hour period or 100 movements per hour. Does Orchid Court have the capacity for this volume of traffic and similarly, does Leschenaultia Circle have the capacity for this volume of traffic?

Principal Planner

Yes, the traffic volumes from the planning report are estimated at 10 vehicles per house per day. This is well below the upper limit described in the Liveable Neighbourhoods document.

Helen Atwell

You advised that a separate entrance off the Highway wasn't possible however Bridgestone Tyres further along the highway now has two entrances. Do you think MRWA would change their mind with a bit of pressure?

Principal Planner

MRWA are opposed to additional entry points to the residential estate. There is a big difference between a crossover and a subdivisional entry.

Helen Atwell

The proposal refers to 'run-off to Millbrook' - Could you please clarify where Millbrook is located?

Principal Planner

It's the role of the Department of Water to sign off on the proposal and address any associated water management issues.

Helen Atwell

Water supply; environmental constraints; lot design and size etc., will all of this be addressed prior to Council supporting the structure plan?

Principal Planner

The information provided supports the application. If the plan is approved and the subdivision goes ahead the developer will have to work with the various service providers (power, water, communications etc.) on the logistics of delivering these services to the new residential lots.

Helen Atwell

But the lot sizes have changed.

Principal Planner

Yes, the new design has more public open space which is a more attractive and safer option.

Helen Atwell

Can the services go through Bentley Street rather than opening up Orchid Court?

Principal Planner

This is worked out at the subdivision stage, not the structure plan stage. Once the subdivision is approved the developer would approach the service providers (water, power etc.) and work out any issues regarding the establishment of these services to the new subdivision.

Helen Atwell

Under what classification will the amendment be?

Principal Planner

I have discussed this with the Planning Commission, its considered a standard amendment.

Helen Atwell

Because of the zoning the planning commission advised that it is a complex amendment.

Principal Planner

The application fits with the Shire plans and policies and satisfies the criteria for a standard planning amendment.

Helen Atwell

What is the timeframe for the amendment process?

Principal Planner

Council has 60 days from the end of the advertising period to make a recommendation to the WAPC.

Helen Atwell

How long was the last amendment process?

Principal Planner

Just over 60 days. Approval for an extension has been requested.

Graeme Giudice

Why even go through Orchid Court?

Principal Planner

The proposed design is compliant with the Liveable Neighbourhoods document and utilises good linkage opportunities. It was always planned to be the access and there is no reason why it shouldn't be.

Robyn Giudice

Why can't Orchid Court and the new subdivision be a walk-through connection and link up a road connection from the highway?

Principal Planner

The developer has indicated that is not cost effective to build a road off Marginata Drive as a first stage. Orchid Court provides direct access to stage 1 and is a more viable option.

Helen Atwell

I was told in 2005 that Orchid Court would not be a thorough road.

Principal Planner

Records show that in 2006 an amendment was put through to use Orchid Court as an access road.

Helen Atwell

Orchid Court is curbed like a cul-de-sac. Why is it curbed that way if it was going to be an access road?

Principal Planner

There is no specific information available on the Shire records for this design. However, it is common for temporary roads to be provided with turn around areas to service rubbish trucks and other vehicles.

Leanne

You have been talking about the Liveable Neighbourhoods document, Has Council thought about how our kids can safely connect from Meldene Estate to their schools in town? The Riding or walking along the highway is not safe. The Golf Course is currently used however this is a far from safe option. What are Council's thoughts on a surfaced path connecting the town to the estate so that kids can get to school safely and other pedestrians can get to town without having to drive along the highway?

CEO

We are currently reviewing the cycle path plan for the whole shire. The Shire has been steadily increasing the paved footpath/cycle path network. The road that runs beside the Golf Course past Noneycup Creek is the most likely link and will be investigated.

Steve Russell

What was the staff turnover rate prior to the dismissal of the Tuia Lodge Board and what is the staff turnover rate now?

CEO

There has not been much change to the turnover rate, it was 4% per month prior and remains at 4% now. It should be noted that the Aged Care industry has a higher turnover rate than other industries because of the demands of the job. (CEO Correction – the Quarterly turnover rate for the Shire during Oct-Dec 2015 was 5.822%, and during Jan-March 2016 was 8.947%. Both quarters are lower than the average turnover rate for Western Australian Local Governments and Regional Councils, which is 19.5%.

Steve Russell

If the turnover rate remains the same how much weight should be given to staff complaints?

John McIver

You have said that the developer will not build a road from Marginata drive because it costs too much. Shouldn't the developer have the money to build the required access roads upfront?

Principle Planner

In larger subdivisions the process is to ensure staging occurs in the an orderly and proper manner. This is to ensure that new works do not impact significantly on existing neighbours and that new residents have access to relevant services and infrastructure such as power, water, open space, paths.... The developer will need to comply with the Liveable Neighbourhoods requirements with regards to the proposed staging plan.

Christine Benson

How do we stop developers from suiting themselves in terms of what facilities they provide?

Sabine McIver

We will be impacted as a result of this subdivision for the next thirty years.

Principal Planner

It depends on what is considered a reasonable and unreasonable impact.

Lyll Todd

Why is there such a fixation on the entry and exit from Marginata Drive? Why haven't people looked at the Railway Crossing.? Marginata will not cope with the traffic volume should there be an emergency requiring evacuation

Principal Planner

The amendment was referred to DFES for comment who indicated the estimated risk is of an acceptable level.

Lyll Todd

You say MRWA don't support a separate entry off the highway but may change their mind.

Principal Planner

MRWA were quite clear that they would not support another entry point.

President

Can we ask for MRWA to meet with Council and the residents?

Principal Planner

It's a risk; the 60-day timeframe has expired. MRWA is unlikely to change their position. It is likely that the developer will request that the proposal be referred directly to the State Government for assessment.

Graeme Giudice

A road should be pushed in at the bottom. The traffic is only going to grow.

Principal Planner

Council can only make recommendations. The Planning Commission will make the final decisions. Council's opinion may not have an impact on the final decision.

Helen Atwell

When I spoke to the Planning Commission I was told that all of the submissions would be considered during the assessment process.

President

Would you be happy for the proposal to go forward on the basis that the submissions will be considered?

Heather Todd

I am concerned for the children's safety - there are no footpaths or cycle paths for them to use. Why are there no paths in Meldene Estate?

CEO

Meldene Estate commenced twenty years ago; different conditions were imposed back then compared to now.

Heather Todd

Why are we not getting footpaths prior to the new subdivision?

CEO

The footpaths in the new subdivision will be paid for by the developer. Footpaths installed in Meldene Estate will be installed by the Shire and subject to budget constraints.

Drew Sutton

I live in Stage 1 at Meldene Estate. We have no internet, no street lighting and no footpaths which is different to Stage 2. I hope this doesn't happen in the new subdivision.

Question taken on notice at the Ordinary Council Meeting on 25 May 2016:

Steve Russell

I would like an update on the operational costs of Tuia Lodge, how much extra cost is being incurred under the new structure?

CEO

March 2016 saw a loss of \$25,914 however April 2016 reported a profit of \$3,332. Projections indicate Tuia Lodge consistently operating at a profit by 30/06/2017 as a result of new admissions, back-pay and ongoing payments from the higher accommodation supplement.

3 APPLICATION FOR LEAVE OF ABSENCE

4 DECLARATION OF FINANCIAL/IMPARTIALITY INTEREST

5 PETITIONS/DEPUTATIONS/PRESENTATIONS

A petition with 153 signatures was received requesting Council reconsider allocating budget for roadwork's and sealing of Farley Road up to No. 609 Farley Road to accommodate the increase in traffic and to create a safe and memorable experience for visitors and residents to Farley Road. The Petition reads:

We the undersigned would like to see Farley Road sealed so that our cars aren't covered in dust and we don't have to experience the rough road conditions to get to Oakway Estate's Cellar door.

On the presentation of a petition Council are required to decide on the following:

- (a) That the petition shall be accepted; or
- (b) That the petition not be accepted; or
- (c) That the petition be accepted and referred to a committee for consideration and report; or
- (d) That the petition be accepted and be dealt with by the full council.

Council Decision

Moved: Cr

Seconded: Cr

That the petition be accepted

It should be noted that Farley Road is not included in the 2016/17 Capital Works programs as it was considered a low priority.

6 LATE ITEMS

7 CONFIRMATION OF MINUTES

7.1 Ordinary Council Meetings

Council Decision

Moved: Cr

Seconded: Cr

That the minutes of the ordinary meeting held on 25th May 2016 be confirmed as a true and accurate record.

8 DEFERRED ITEMS

9 ELECTED MEMBERS MOTIONS

10 MINUTES OF PREVIOUS MEETINGS

10.1 Committee Minutes

Council Decision

Moved: Cr

Seconded: Cr

That the following Committee minutes be received:

- Legislative (Local Laws) Committee Meeting– 31 May 2016
 - Bushfire Advisory Committee Meeting – 2 June 2016
 - Donnybrook-Balingup Road Safety Committee Meeting – 7 June 2016
 - Balingup Townscape Committee Meeting – 8 June 2016
 - Donnybrook Townscape Committee Meeting – 8 June 2016
-

11 REPORTS OF COMMITTEES

11.1 Legislative (Local Laws) Committee

11.1.1	SUBJECT:	STANDING ORDERS LOCAL LAW
	Location:	SHIRE OF DONNYBROOK-BALINGUP
	Applicants:	SHIRE OF DONNYBROOK-BALINGUP
	Zone:	N/A
	File Ref:	CNL25
	Author:	John Attwood CEO (<i>Lucy Bourne – Governance Officer</i>)
	Report Date:	20 May 2016
	Attachments:	NIL

Background

Council is required to review local laws every 8 years. Although the Standing Orders Local Law was not due for review until 2016, work on it began in 2015. It was included in the list of local laws to be reviewed, for which submissions were invited between April and June 2015. No submissions regarding the Standing Orders Local Law were received.

In September 2015 the Legislative Committee recommended a Councillor workshop be held in early 2016 to look at the Standing Orders Local Law.

The workshop was held on 22 March 2016. The following options were looked at:

Option 1 – do nothing	Leave the Standing Orders exactly as they are.
Option 2 – make changes to the existing Local Law	Update and amend current Standing Orders.
Option 3 – introduce a new Standing Orders Local Law. based on the WALGA model. This would automatically repeal the current local law.	This new local law would be based on the WALGA model. It would automatically repeal the current local law.

Comment

All Councillors have received copies of the current local law (option 1), notes on option 2 and a copy of the model local law (option 3).

Option 1:

This option would require no further action.

Option 2:

The current local law contains old-fashioned and, sometimes, inconsistent terminology. It does not concur with WALGA training provided to Councillors on meeting procedures. Any amendments require a new (amendment) local law to be made, following the complete process as set out in the Act.

Option 3:

Adopt a new Standing Orders Local Law based on the WALGA model. It is contemporary, tested and accords with training available to Councillors. In 2014 & 2015, 10 local governments adopted Standing Orders (or Meeting Procedure) local laws based on the model; three amended their existing local laws. As with Option 2, this option would involve following the complete process for introducing a new local law.

Four councillors attended the workshop in March and feedback from all Councillors was subsequently sought via email. One response was received, in favour of option 3.

This matter was brought before Council in April, but a decision was deferred until Councillors had had more time to consider the matter. It is anticipated that a recommendation from this Committee can be brought to the June Council meeting.

Consultation

WALGA

Policy/Statutory Implications

Local Government Act 1995 Section 3.16.

Financial Implications

N/A

Strategic Implications

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

Officer's Recommended Resolution

Moved: Cr

Seconded: Cr

That Council proceed with the review based on Option 3, introducing the WA Local Government Standing Orders model local law.

11.2 Bushfire Advisory Committee

11.2.1	SUBJECT:	FIRE BREAK ORDER
	Location:	Shire Donnybrook-Balingup
	Applicants:	Shire Donnybrook-Balingup
	Zone:	N/A
	File Ref:	FRC 04/2 FIRE BREAK ORDER
	Author:	Leigh Guthridge – Manager Development and Environmental Services (<i>Paul Robins – Senior Ranger</i>)
	Report Date:	1 May 2016
	Attachment:	Nil

Background

A review of the Shire of Donnybrook-Balingup's Fire Break Order is undertaken annually. A copy is attached for consideration and comment.

Comment

Normal modifications including date changes, updating changes to Fire Control Officer details and rectifying grammar or errors will be required.

There are two other matters requiring consideration and/or modifications to the Fire Break Order including:

- Specifying fire hazard mitigation controls of occupiers of rail corridor land; and

- Determining if gas guns should be deemed equipment that cannot be used during a total fire ban.

Rail Corridor Land

Rail corridor land is Crown land. The Shire has received legal advice that the *Bush Fires Act 1954* (the Act) does not have jurisdiction over the Crown or government agencies that are deemed owners of Crown land, however the provisions of the Act do apply to occupiers of Crown land. The current custodian of rail corridor land is Brookfield Rail and is deemed to be occupiers of the rail corridor land.

The Shire can include provisions in its Fire Break Order on what the Shire requires from occupiers of rail corridor land for fire hazard mitigation on rail corridor land.

Brookfield Rail advise that they manage rail corridor land in the following manner:

- On track spraying of weeds to produce a 7m weed free swath (Line 75).
- Maintenance of firebreaks at the edge of the rail corridor.
- Slashing of vegetation at certain locations close to and within rural town sites.
- Off track control of noxious weeds (bamboo, cotton bush and blackberry at certain locations throughout the Shire).

Bushfire Risk Assessment – A Tenure Blind and Integrated Approach

Following the recommendations made by the Perth Hills Bush Fire Review 2011 (Keelty Report) the *State Emergency Management Plan for Fire (Westplan Fire)* requires an integrated Bushfire Risk Management Plan (BRMP) be developed for each local government outlining a strategy to treat bushfire related risk across all land tenures.

The Shire of Donnybrook Balingup has recently appointed a Bushfire Risk Management Planning Coordinator (DFES funded) and is currently developing its BRMP in accordance with the requirements of *Westplan Fire* and the *Bushfire Risk Management Planning - Guidelines for Preparing a Bushfire Risk Management Plan* (BRMP Guidelines).

The risk management processes used to develop the BRMP is consistent with the key principles of *AS/NZS ISO 31000:2009 Risk management – Principle and Guidelines* as described in the Second Edition of the *National Emergency Risk Assessment Guidelines* (NERAG 2014).

The BRMP will be a strategic document that identifies assets at risk from bushfire and their priority for treatment. The Treatment Schedule will set out a broad program of coordinated multi-agency treatments to address risks identified in the BRMP. Government agencies and other land managers with responsibility for implementing treatments will participate in the BRMP process to ensure treatment strategies are collaborative and efficient; regardless of land tenure. It is 'tenure blind'. This is effectively a new approach for fire management agencies on how they will manage the threat of fire taking into account fire risk, protection of assets and resourcing etc.

Whilst the planning for the BRMP is yet to be completed advice has been sought from Greg Hamlyn – Bushfire Risk Management Officer from DFES to apply risk management principles to determine what is a reasonable expectation of occupiers of rail corridor land in respect to fire hazard mitigation on rail corridor land.

The level of Bushfire threat for an asset is calculated within Bushfire Risk Management System (BMRS) using a quantified bushfire threat assessment model. The model uses the methodology set out in *AS 3959-2009 - Construction of Buildings in Bushfire Prone Areas* that is used to undertake a Bushfire Attack Level (BAL) assessment. The methodology is based on a set of bushfire behaviour and radiant heat flux prediction models, incorporating bushfire research findings. Basically, likelihood vs consequence = **Risk**.

Within the BRMS there are four asset definitions:

- Human Settlement;
- Economical;
- Environmental; and
- Cultural.

The BRMP Guidelines confirm that the 'railway lines' asset is categorised as 'economic' and on assessing an economic asset, the consequence rating is evaluated by the level of impact (local/regional/state) and the recovery costs (high/moderate/low).

Under the economic category for rail corridor land to have a forested area with fuel loads that create a hazard higher than low under the Bushfire Risk Management Guidelines the level of impact would need to rate in the 'regional' category. In most cases rail corridors would not meet the impact to fit in this category.

In general terms of risk however, land tenure should not be looked at individually to determine the risk. Combined land parcels can have an enormous effect on the severity of the 'consequence'. In the event a fire was to start on a rail corridor, which is a low risk given it is an inactive rail line at present the consequence may increase depending on the adjoining land parcels and fuel loads noting a maximum rate of spread is not possible until a fire has run a minimum of 100 metres.

If all land owners were to comply with an effective firebreak order the risk of large fire runs will be reduced and access for response will be improved. With this in mind any consideration to changes of the firebreak orders should apply a tenure blind approach.

In analysing risk for fire for rail corridor land the following is considered:

- Risk of ignition within the rail corridor – rail line is currently inactive within the Shire;
- The low importance of the rail infrastructure in respect to the effect on the community if asset losses on the rail corridor are incurred from fire as compared to other major infrastructure in the locality, region or state;

- The land configuration of the rail corridor land and inconsistent vegetation patterns and associated fuel loads within the corridor. The BRMP Guidelines state that continuous high level fuels within a minimum net area of 1 hectare represents a high fire risk;
- Fuel loads on adjoining lands and associated different tenures; and
- What the Shire requires of adjoining land owners/managers of rail corridor land and the need to be consistent across all tenures.

The Shire's Bushfire Risk Management Plan will not be completed before the Shire sets its fire break order for the 2016/17 bushfire season. In the interim the Shire can specify what fire hazard controls it wants to place on occupiers of rail corridor land for the 2016/2017 fire season via its Fire break Order based on the information that it has to date based on the position that rail corridor does not pose a high risk to the community.

It is recommended that the following additional provisions be inserted in the Fire break Order that aligns with what the Shire requires of adjoining land owners of rail corridor land (where the Shire has jurisdiction) namely rural, rural residential and townsite land.

Rail Corridor Land

The occupier shall:

- *Provide and maintain a firebreak of no less than two metres wide (where machine accessible) within the rail corridor reserve on one side of the rail infrastructure formation; and*
- *Maintain the track free from fire hazards/weeds to produce a 7m weed free swath from the centre of the rail track line (line 75); and*
- *Maintain all flammable material to a minimum height at ground level of 100mm within the entire length and width of the rail reserve 100 metres from either end and within the town sites of Donnybrook, Balingup, Kirup, Mullalyup and Noggerup.*

Total Fire Ban - Gas Guns

A member of the public lodged a complaint with Council stating that gas guns should be prohibited from being used if a total fire ban is declared within the Shire.

Gas guns are acoustical bird scaring devices and are generally used by orchardists within the Shire to scare birds. The issue of the potential fire risk from the use of gas guns is subject of evaluation by Council.

The Shires Fire Break order currently specifies the following with respect to gas guns:

"A cleared area of all flammable material of at least a 3 metre radius shall be provided around an operational gas gun and that the owner of the gas gun shall ensure that the gas gun is secured in an upright position"

Typically, gas guns are placed at ground level within the orchard. Many commercial orchards are irrigated so the fruit growing trees and the understory are green. In this instance the risk of fire ignition from a gas gun is considered low.

However where gas guns are used in areas where there is no green understory (non-irrigated areas) where dry matter is likely to exist, the risk of fire ignition is higher. In this instance it is recommended that gas guns be prohibited during a total fire ban.

It is recommended that the Shire modify its Fire Break Order and declare that gas guns are prohibited equipment during a declared total fire ban unless they are used in low fire risk areas such as irrigated orchards with a green understory.

Policy/Statutory/Voting Implications

Policy

N/A

Statutory

Section 33 of the Bush Fire Act 1954-79 provides Council with the controls to adopt a Fire Break Order to ensure that land owners maintain their properties to protect the district from fire risk.

Voting

Simple majority

Financial Implications

N/A

Strategic Implications

Outcome 2.7 - Improving fire prevention and hazard reduction activities.

Officer's Recommended Resolution

Moved: Cr

Seconded: Cr

That Council effect the following modifications to its Fire Break Order for fire season 2016/2017:

- 1. Update the annual date changes and Fire Control Officers; and**
- 2. Add an additional provision to "Section 1 – Rural Land" as follows:**

"(e) If a total Fire Ban is declared by the Department of Fire and Emergency Services in accordance with the Bush Fires Act 1954 the use of gas guns are prohibited unless they are used in low fire risk areas such as in orchards with irrigated green understory as determined by the local government.

3. Add an additional “Section 8 – Rail Corridor Land” as follows:

The Occupier shall:

- ***Provide and maintain a firebreak of no less than two metres wide (where machine accessible) within the rail corridor reserve on one side of the rail infrastructure formation; and***
- ***Maintain the track free from fire hazards/weeds to produce a 7m weed free swath from the centre of the rail track line (line 75); and***
- ***Maintain all flammable material to a minimum height at ground level of 100mm within the entire length and width of the rail reserve 100 metres from either end and within the town sites of Donnybrook, Balingup, Kirup, Mullalyup and Noggerup***

The Officer’s recommendation was not supported as the risk of creating a fire from gas gun use is considered high. The members of the meeting proposed to break down and amend the resolution:

Committee’s Recommended Resolution

Moved: Cr

Seconded: Cr

That Council effect the following modifications to its Fire Break Order for fire season 2016/2017:

- 1. Update the annual date changes and Fire Control Officers; and**
- 2. Add an additional provision to “Section 1 – Rural Land” as follows:**

“(e) If a total Fire Ban is declared by the Department of Fire and Emergency Services in accordance with the Bush Fires Act 1954 the use of gas guns are prohibited within the Shire of Donnybrook-Balingup.”

Justification:

1. The rail corridor has a low bushfire risk in accordance with Bushfire Risk Management planning
2. The committee preferred the Shire work collaboratively with occupiers of rail corridor land to manage and address areas of higher bushfire risk rather than a ‘big stick’ approach through the legislative framework of a firebreak order.
3. Did not wish to single out a Government Service Provider

11.2.2	SUBJECT:	PROPOSED NAME CHANGE FOR THE UPPER BALINGUP BUSHFIRE BRIGADE
	Location:	Shire of Donnybrook – Balingup
	Applicants:	Upper Balingup Bush Fire Brigade
	Zone:	N/A
	File Ref:	FRC 02/1
	Author:	Leigh Guthridge – Manager Development and Environmental Services
	Report Date:	20 April 2016
	Attachment:	Nil

Background

A proposed name change for the Upper Balingup Bush Fire Brigade was discussed by the Bushfire Advisory Committee and subsequently Council at its ordinary meetings held in October and November 2015.

Council at its November 2015 meeting resolved the following:

“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.”

Comment

The 2015/2016 fire season has now passed and review of any radio confusion can be considered as part of any decision to change the name of the Upper Balingup Bushfire Brigade to Munroe Bushfire Brigade.

Staff are asked for comment from all the Brigades via their Fire Control Officers on the 7th April 2016.

Comments received were as follows:

Brigade Name	Radio Confusion - 2015/2016 Season yes/no	Comment
Argyle/Irishtown	No	Stated that at the Morgan Road Fire tested this issue and no confusion occurred
Upper Balingup	Yes	Supports the name change because of the general safety issue of radio confusion
Kirup/Brazier	No	Stated that at the Morgan Road Fire tested this issue and no confusion occurred
Beelerup	No	Has not observed any issues via radio
Balingup	N/A	The Secretary of the Balingup Brigade requested comment from Mr Douglas Gordon - a retired electrician and has apparent experience with radio

		communications who supports the name change for reasons of safety, speed and simplicity of communications
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Based on the number of comments received there does not appear to be a clear position on whether the existing name of the Upper Balingup Bushfire Brigade and associated use of the two-way radio creating confusion and a safety issue amongst the collective brigade network as 6 brigades did not provide comment. This can be further evaluated during discussion at the Bushfire Advisory Committee (BAC) meeting.

In the absence of the Brigade network supporting the name change, the fact remains that the Upper Balingup Bushfire Brigade name has had association in the 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 'Upper Balingup' for obvious reasons delivers an accurate description or sense of place for the area where typically brigade names align with locality names.

This needs to be balanced against the apparent level of confusion that occurs during two way radio use and the wishes of the Upper Balingup Bushfire Brigade to change the name to Munroe Bushfire Brigade.

Consultation

No formal consultation having occurred with this application. If the name change is approved by Council staff will:

- *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

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

If the name change is approved by Council there will be costs involved to modify all relevant brigade information including mapping, signage on the appliance and shed at Prowse Road.

Strategic Implications

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

Officer's Recommended Resolution

Moved: Cr

Seconded: Cr

That Council not approve the name change of the Upper Balingup Bush Fire Brigade to the Munroe Bush Fire Brigade.

11.2.3

SUBJECT: APPOINTMENT OF FIRE CONTROL OFFICERS

Location: Donnybrook - Balingup
Applicants: Upper Balingup and Kirup Brazier Bushfire Brigades
Zone: N/A
File Ref: FRC 05
Author: Leigh Guthridge - Manager Development and Environmental Services (*Paul Robins - Senior Ranger*)
Report Date: 5 May 2016
Attachments: Nil

Background

The Upper Balingup, Upper Capel, Lowden and Kirup/Brazier Bushfire Brigades recently held their Annual General Meeting and have nominated changes to personnel that hold the position of Fire Control Officer (FCO) within their Brigades.

Council is required to appoint FCO's for its Bushfire Brigades in accordance with the Shire of Donnybrook – Balingup Bush Fire Brigade Local Law and *Bush Fires Act 1954*.

Comment

Details of the nominations are as follows:

Upper Balingup

Mr Mathew Aldridge has been nominated as FCO for the Upper Balingup Bushfire Brigade. Mr Aldridge has been a volunteer bushfire member for 7 years, holds the position of Captain at the Upper Balingup Bushfire Brigade and has the adequate training and experience to proceed to the position of FCO.

Kirup/Brazier

Mr Chris Wringe has been nominated as FCO for the the Kirup/Brazier Bushfire Brigade. Mr Wringe has been a volunteer bushfire member for 16 years, holds the position of Captain at the Kirup/Brazier Bushfire Brigade and has the adequate training and experience to proceed to the position of FCO.

Upper Capel

Mr Bevan Dix has been nominated as FCO for the Upper Capel Bushfire Brigade. Mr Dix has been a volunteer bushfire member for 9 years, holds the position of Lieutenant at the Upper Capel Bushfire Brigade and has the adequate training and experience to proceed to the position of FCO.

Lowden

Mr Michael Anderson has been nominated as FCO for the Lowden Bushfire Brigade. Mr Anderson has been a volunteer bushfire member for 16 years, holds the position of Captain for the Lowden Bushfire Brigade and has the adequate training and experience to proceed to FCO.

The Shire in conjunction with the Department of Fire and Emergency Services will be conducting training for Fire Control Officers prior to the 2016/2017 fire season.

Consultation

Nil

Policy/Statutory/Voting Implications

Statutory

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

Voting

Simple Majority.

Financial Implications

Nil

Strategic Implications

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

Officer's Recommended Resolution

Moved: Cr

Seconded: Cr

That Council appoints:

1. **Mr Matt Aldridge as Fire Control Officer for the Upper Balingup Bush Fire Brigade;**
2. **Mr Chris Wringe as Fire Control Officer for the Kirup/Brazier Bush Fire Brigade;**
3. **Mr Bevan Dix as Fire Control Officer for the Upper Capel Bush Fire Brigade; and**
4. **Mr Michael Anderson as Fire Control Officer for the Lowden Bush Fire Brigade.**

11.3 Donnybrook-Balingup Road Safety Committee

11.3.1 ITEMS FOR DISCUSSION

Childcare Restraint Check Station

- August 2016
- Propose a Thursday from 10.30am – at the Community Library Donnybrook
- Coincides with Story Time and 3+ program held on the school grounds.
- Format of the event to be determined.

The committee resolved to lock in the Childcare restraint Check Station in August 2016 on a Thursday at 10.30am at the Donnybrook Community Library.

Driver/Reviver Stop

- Proposed date Monday of the October Long Weekend
- Community run – would require volunteers

The committee resolved to hold the Driver Reviver on the long weekend in September 2016 (24-26 September 2016) subject to St John's Ambulance coordinating the set up.

Note: The Trailer will need to be collected from Bunbury.

Bin Stickers & Community Speed Promise

- Combine above 2 projects for grant funding through Office of Road Safety.
- 1000 Bin Stickers & Bumper Stickers with Community Promise
- Balingup Primary School and St Mary's Primary School, Donnybrook have provided letters of support.

A draft list was developed and endorsed by the Townscape Committee, with a requirement for the Committee to finalise the list within 7 working days of the meeting.

Comment

The Townscape Committee at its meeting held on the 13th April 2016 endorsed the following:

Committee’s Decision

The Committee resolved to:

- 1. Agree to the following draft list and to provide the Shire with a formal list within seven (7) working days of the meeting for funding approval in preparation of the Shire of Donnybrook-Balingup Budget for the 2016/17 Financial Year;**

Priority	Project (Denote C/O if carryover)	Estimated Cost
1.	Carried Over: Lift the Foot Bridge	\$25,000
2.	Bridge Path (concept) to marry in with the raised bridge	\$5,000
3.	Tree and removal along Balingup Brook (transit Park)	\$5,000

And

- 2. Complete the following projects before the end of the 2015/16 Financial Year:**
 - a) Brackets for Scarecrows on Main Street**
 - b) Plant trees on ‘old’ Fire Shed Site**
 - c) New path for Koolyir Mia Bridge**
 - d) Complete decking of the Balingup Pedestrian Bridge**

Subsequent email correspondence between the Balingup Townscape Chairperson and the Manger of Works and Services has resulted in a modified list that now requires the Balingup Townscape endorsement.

The modified list of projects for 2016/17 is:

Priority	Project (Denote C/O if carryover)	Estimated Cost
1.	Village Green toilet floors sealing	\$5,000 (est)
2.	Various upgrades to town entrances	\$10,000 (est)
3.	Lighting poles on the village green	\$5,000 (est)
4.	Tree removal and plant new along Balingup Brook (transit Park)	\$5,000

5.	Koolyir Mia Park Path (Shire to co-ordinate)	\$8,000 C/O
6.	Re-seal path approaches to Balingup Pedestrian Bridge	\$5,000 C/O

The Committee should be aware that there is a possibility that the Townscape budget for 2016/17 **may** be reduced from previous years for Council to achieve a balanced budget.

The projects the Committee intends to carry over should also be documented on the final endorsed list.

Consultation

The Balingup Townscape Committee is formally constituted by the Council and authorised to make recommendations for approval by the Council.

Policy/Statutory/Voting Implications

Policy

Consistent with Council policy.

Statutory

Consistent with Council's formal budget process.

Voting

A simple majority is required for recommended items in priority order.

Financial Implications

The Council typically approves an annual amount in the vicinity of \$25,000 for the setting of priorities by the Balingup Townscape Committee.

From time to time, part of this annual budget is carried over where approved projects cannot be delivered within the budgeted period.

The Council will assess the impact of the Balingup Townscape Committee's priority recommendations on the budget during its overall consideration of the full budget consistent with the 10-Year Financial Plan.

Strategic Implications

Funding forms the basis of the Works Program for the financial year and approved projects will ensure delivery.

**9.00am – Cr Bailey left the meeting.

Officer’s Recommended Resolution

Moved: Cr

Seconded: Cr

That Council resolve to:

- 1. Endorse the following list of priority projects for consideration by the Donnybrook-Balingup Council through the Budget process for the 2016/17 Financial Year**

Priority	Project (Denote C/O if carryover)	Estimated Cost
1.	Village Green toilet floors sealing	\$5,000 (est)
2.	Various upgrades to town entrances	\$10,000 (est)
3.	Lighting poles on the village green	\$5,000 (est)
4.	Tree removal and plant new trees along Balingup Brook (transit Park)	\$5,000
5.	Koolyir Mia Park Path (Shire to co-ordinate)	\$8,000 C/O
6.	Re-seal path approaches to Balingup Pedestrian Bridge (Shire to co-ordinate)	\$5,000 C/O
7.	Install fencing along Balingup Brook	\$7,320 C/O

- 2. Complete the following projects before the end of the 2015/16 Financial Year:**
 - a) Brackets for Scarecrows on Main Street**
 - b) Plant trees on ‘old’ Fire Shed Site**
 - c) Complete decking of the Balingup Pedestrian Bridge**

11.5 Donnybrook Townscape Committee

11.5.1	SUBJECT:	MRWA-PROPOSED UPGRADE WORKS, SOUTH WEST HIGHWAY, FROM NONEYCUP CREEK CROSSING TO BRIDGE STREET INTERSECTION
	Location:	Donnybrook Townsite
	Applicants:	Donnybrook Townscape Committee
	Zone:	N/A
	File Ref:	TP 07/3
	Author:	Damien Morgan, Manager Works and Services
	Report Date:	31st May 2016
	Attachment:	Nil

Background

At the Donnybrook Townscape Committee meeting on the 14 October 2015, an update was provided by two MRWA officers in relation to the upgrade works on the Northern approach to Donnybrook, of South Western Hwy (SWH). Discussion also took place regarding the section of South Western Highway between Noneycup Creek and Bridge Street within the townsite.

The discussion on the Noneycup Creek to Bridge Street section was in relation to the desired streetscape that the Shire would like to achieve for this section of South Western Highway.

MRWA has recently provided verbal advice to Shire officers that these works appear likely to proceed next financial year, and wish to seek conformation from the Shire of our preferred streetscape for this section of South Western Highway.

Comment

MRWA advised that their scope of works is to renew the pavement and surface of the existing road for the full length of this section, whilst considering improved traffic management at intersections as well as access to properties and businesses. Any upgrade to adjoining Shire intersections, are only proposed to be new or improved turning pockets, along with new linemarking treatments. As discussed at the October 2015 meeting, on-street parking within this section of road is not considered viable due to restricted width of the existing road reserve, along with the amount of business and residential crossovers within this section of road.

The Donnybrook Townscape Committee should consider the following streetscape for this section of road:

From Noneycup Creek up to near the property boundary of 12/14 SWH:

- Kerbed edges with approx. 1.2m sealed shoulders. (Same as recently upgraded section at Noneycup Creek.
- 3.5m traffic lane width with 1m painted island (Same as recently upgraded section at Noneycup Creek.

Near to the property boundary of 12/14 SWH, the Shire requires a pedestrian crossing with an appropriate protected pedestrian refuge.

From the pedestrian crossing through to Bridge Street the following treatments are considered:

- Kerbed edges with approx. 1.2m sealed shoulders. (Same as previous section.
- 3.5m traffic lane width with a painted island gradually increasing in width to match the streetscape treatment from Bridge Street onwards.
- Within this section the Shire would like MRWA to consider the installation of central double outreach streetlighting consistent with what is installed from Bridge Street onwards. If not able to be installed with this project, ensure design allowance is made to minimize any future disruption to the road pavement.
- Installation of Turning pockets at Bridge, Reserve and Dawson Intersections
- Sufficient width is allowed for a car to queue within painted island whilst waiting to access significant businesses in this area.

MRWA have advised that the inclusion of streetlighting within these works is highly unlikely; however possible consideration for this future requirement can be given within the design process.

This will give the Shire opportunities in to seek funding for the undergrounding of power within this section in the future, thus maximizing the available verge area in the already constrained road reserve.

Staff also recommends that the Townscape consider requesting MRWA as part of their scope of works to establish the strategic path link from the end of the existing path, up to the golf course access road, utilising the gravel hardstand shoulder recently established.

MRWA advised this request would more likely be considered if the Shire provided a contribution towards the path works.

Consultation

MRWA previously consulted with the Donnybrook Townscape Committee at its October 2015 meeting.

Policy/Statutory/Voting Implications

Policy

Consistent with Council policy.

Statutory

N/A

Voting

Simple majority

Financial Implications

The Council typically approves an annual amount in the vicinity of \$25,000 for the setting of priorities by the Donnybrook Townscape Committee.

It's recommended the Townscape Committee considers using this allocation from the 2016/17 financial year, along with requesting the Council provide an additional \$25,000 to make a total Council contribution of \$50,000 towards this strategic path link. The additional \$25,000 could be sourced from the Roadwork's reserve account.

If MRWA agree to including the path link within their scope of works based on a Shire contribution of \$50,000, this will result in a significant cost saving to the Shire, plus deliver the project within a quicker timeframe.

Strategic Implications

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

Outcome 1.7 – A well-used and efficient transport network

Outcome 4.2 – Maintain long term financial viability

Outcome 4.7 – Maintain and enhance Shire Assets

Officer's Recommended Resolution

Moved: Cr

Seconded: Cr

The Committee resolves to:

- 3. Request MRWA design the streetscape for the section of South Western Highway between Noneycup Creek Crossing and Bridge Street consistent with the following points:**
 - a. From Noneycup Creek up to near the property boundary of 12/14 SWH:**
 - **Kerbed edges with approx. 1.2m sealed shoulders. (Same as recently upgraded section at Noneycup Creek.**
 - **3.5m traffic lane width with 1m painted island (Same as recently upgraded section at Noneycup Creek.**
 - b. Near to the property boundary of 12/14 SWH, the Shire requires a pedestrian crossing with an appropriate protected pedestrian refuge.**
 - c. From the pedestrian crossing through to Bridge Street the following treatments are considered:**
 - **Kerbed edges with approx. 1.2m sealed shoulders. (Same as previous section.**

- 3.5m traffic lane width with a painted island gradually increasing in width to match the streetscape treatment from Bridge Street onwards.
 - Within this section the Shire would like MRWA to consider the installation of central double outreach streetlighting consistent with what is installed from Bridge Street onwards. If not able to be installed with this project, ensure design allowance is made to minimize any future disruption to the road pavement.
 - Installation of Turning pockets at Bridge, Reserve and Dawson Intersections
 - Sufficient width is allowed for a car to queue within painted island whilst waiting to access significant businesses in this area.
4. Request MRWA to present the near complete design to the Donnybrook Townscape Committee for formal final comment prior to approving the design for construction.
 5. Request Council allocates \$50,000 within the 2016/17 Budget for MRWA to incorporate the strategic path link from the end of the existing path at the boundary of 12 and 14 South Western Highway, through to the Golf Course entrance, within their South Western Highway project, subject to their agreement.
-

12 REPORTS OF OFFICERS

12.1 *Manager Finance and Administration*

12.1.1 ACCOUNTS FOR PAYMENT

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

Moved: Cr

Seconded: Cr

That accounts authorised and paid under delegation No. 3.2 by the Chief Executive Officer represented by cheques CCP93150-CCP3170, EFT9274a - EFT9606, 51878 - 51937, DD20731, Trust 3371 – 3679, EFT9443a totalling \$1,371,243.43 be confirmed for payment.

12.1.2 MONTHLY FINANCIAL REPORT

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

Moved: Cr Seconded: Cr

**That the monthly reports for the period ended 30 April 2016 and 31 May 2016
be received.**

12.2 Manager Works & Services

12.2.1	SUBJECT:	MRWA PROPOSED UPGRADE SOUTH WESTERN HIGHWAY KIRUP.
	Location:	Shire of Donnybrook-Balingup
	Applicants:	MRWA
	Zone:	N/A
	File Ref:	WRK 06/1, TP 07/4
	Author:	Damien Morgan, Manager Work & Services
	Report Date:	7 JUNE 2016
	Attachments:	12.2.1(1) - MRWA Correspondence (ICOR52908) 12.2.1(2) - Indicative Design Drawings, North and South Bound

Background

Main Roads WA (MRWA) has planned to improve its road network within the Kirup Townsite, and has written to the Shire to advise their intention to upgrade South Western Highway (SWH) between the railway crossing and southern townsite boundary (Attachment 12.2.1(1)).

As part of these works, MRWA have agreed (subject to receiving a contribution) to construct truck parking areas near the Kirup Service Station, to facilitate requests raised by the Kirup Progress Association (KPA) and the Shire over a number of years.

MRWA requests Councils agree to the contribution amount and accept ongoing ownership and maintenance responsibility of the truck parking assets to allow these works to proceed.

Comment

The KPA has identified for a number of years the need to provide formalised truck parking on the SWH near the Kirup service station, for the economic benefit of the town, and to address safety concerns. Previous officers of the Shire have discussed this proposal with MRWA over

the years, requesting MRWA to accommodate this when undertaking future upgrade works on this section of SWH.

MRWA recently advised that they plan to proceed with upgrade works on SWH within the Kirup townsite in their 16/17 works program, and could consider the truck parking within the project scope, if Council agreed to contribute to the works, and accept ownership and on-going maintenance responsibility of the truck parking asset.

Concept plans (Attachment 12.2.1(2)) provided by MRWA demonstrate that they could accommodate parking for a single maximum 19m long vehicle on the service station side of SWH, and on the opposite side, parking could be provide for a single B-Double vehicle of maximum length 27m.

This information has been passed onto the Secretary/Treasurer of the KPA, who has provided verbal support for the proposal. There may be some concerns that this is only benefiting an individual business, and it may be worthwhile approaching the Service Station owners.

It should be noted that historically the Shire has consistently considered the provision of parking along MRWA Highways within townsites, to enhance the economic benefits to communities, and the safety of all users.

Consultation

MRWA, Shire of Donnybrook-Balingup staff, various Councillors, and the Kirup Progress Association have all been involved in discussions about this project over a number of years.

Policy/Statutory Implications

N/A

Financial Implications

To facilitate the construction of the proposed truck parking areas MRWA have advised that the Shire would be required to contribute \$15,000 to the project.

It is proposed that these works be funded from the annual Kirup Townscape Development budget allocation, including a \$10,000 carryover from the 15/16 budget, plus an additional \$5000 from the typical allocation within the 16/17 budget.

The Shire will also have to accommodate the annual on-going maintenance and replacement costs within future budgets as required.

Strategic Implications

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

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

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

Outcome 4.7 – Maintain and enhance Shire assets.

Officer's Recommended Resolution

Moved: Cr

Seconded: Cr

That Council endorse:

- 1. The construction of the truck parking areas on South Western Highway within the Kirup townsite by Main Roads Western Australia consistent with the concept plans provided by Main Roads WA;**
- 2. The contribution of \$15,000, funded by the Kirup Townscape Development Budget (\$10,000 from 2015/16 FY and \$5,000 from 2016/17FY) towards Main Roads Western Australia construction of the truck parking areas;**
- 3. That once the truck parking areas are constructed, Council accepts the ownership and ongoing maintenance responsibility for the truck parking areas beyond the Southwest Highway edge linemarking.**

Note: Council to seek contribution from the owners of the Kirup Service Station.

12.3 *Manager Development and Environmental Services*

Nil

12.4 Principal Planner

12.4.1	SUBJECT:	PLANNING APPLICATION FOR SEA CONTAINER IN RESIDENTIAL ZONE
	Location:	Lot 2 (No.12) Allnutt Street, Donnybrook
	Applicants:	Mr Andrew and Mrs Shaelea Bayley
	Zone:	Residential
	File Ref:	A724
	Author:	Bob Wallin (Principal Planner)
	Report Date:	30 May 2016
	Attachments:	12.4.1(1) – Site Plan 12.4.1(2) – Schedule of Submission

Background

The proposal is for a second hand transportable structure (donger) with dimensions of 3m x 12m at Lot 2 Allnutt Street, Donnybrook (Attachment 12.4.1(1)).

The land is zoned “Residential” with a density code of R30 and has an area of 1012m².

This item requires Council approval as it varies with Town Planning Policies 9.16 - Transportable Structures and 9.4 - Outbuilding Control.

Town Planning Policy 9.16 - Transportable Structures sets out criteria for assessing sea containers. “Table 1 – Transportable Structure Applications that will not be Approved” states the following:

Zoning	Criteria
Residential	<ul style="list-style-type: none"> Any transportable structure

Town Planning Policy 9.4 outlines a maximum total outbuilding floor area of 70m² for lots below 1200m².

The property contains two existing historical outbuildings. These are old buildings and may predate records. Based on aerial mapping, the outbuildings are approximately 7m x 9m (63m²) and 5m x 11m (55m²). The total floor area of the existing outbuildings is 118m². The proposed new structure will have a floor area of 36m². The total outbuilding floor area will be 154m².

Comment

There are two separate issues to be decided on in this proposal. One relates to the total floor area of outbuildings and the other relates to the form of the new building – second hand transportable structure (donger).

This report will start with looking at the issues associated with building form first. The position of the policy is clear. Transportable structures will not be approved. In

understanding this position, there is a need to look deeper. This position is based on aesthetic appeal. Such structures are not designed for general residential use and have a style more appropriate for an industrial setting.

In this case, it is the applicant's intent to dress up the structure including landscaping treatments. These treatments can be conditioned and can effectively remove concerns about adverse impacts on local amenity. The ability to ensure that works are completed can be addressed through a bond consistent with the policy.

This proposal also benefits from being screened from the street and only being visible from the rear of the property. In short, there is a very real prospect of being able to address policy concerns through conditions requiring the structure to be screened, clad and painted to ensure a suitable building outcome.

The structure will impact on the amenity of the adjoining property. This element is covered in more detail in the consultation section.

It is now possible to move attention to issues associated with the number and extent of existing outbuildings on the property.

The policy is silent on the purpose of setting floor area limits. However, it is not unreasonable to assume that it is to ensure that residential areas retain a residential flavour and make sure that streetscapes are not dominated by large bulky shed structures.

When forming an opinion on this proposal, it may be helpful to be mindful of the following:

- a) A Local Planning Policy is not about absolute positions. Local Planning Policies are set up to guide decisions and assist decision makers in their duty. There is scope to make decisions that vary from policies; if there are good planning reasons or justifications that can support such a stance.
- b) Existing streetscape and amenity. Clause 5.17 of Local Planning Scheme No.7 (LPS7) requires Council to have regard to impacts of a development on the locality in terms of its bulk, scale, materials and architectural styling and features. The proposal is unlikely to have significant impact on streetscape outcomes for Allnutt Street. The building will be mostly setback behind the existing building.
- c) The degree of acceptableness. It is established that sheds are acceptable within residential areas when they are limited to 70m². This proposal will result in outbuildings with a combined floor area of approximately 154m². This is more than double that envisaged by the policy. Council needs to be aware that at some point on a spectrum a proposal moves from being generally acceptable to unacceptable. Sometimes a degree of flexibility is provided, perhaps 10%. This grey area skirts around the edge where a variation is not seen as jeopardising the intent of the policy

or streetscape outcomes. In this case, the proposal will result in an outcome that substantially departs from intent of the policy.

- d) The cumulative impact of the proposal. At present, the site contains two outbuildings. Adding a third on an ad-hoc basis creates a potential site that is littered with shed structures. Further, the shed structures have no underlying theme in terms of architectural structure, colour or other unifying and harmonising features.
- e) The potential for setting an undesirable precedent. If approved, it may be possible to view it as a departure from the policy position. This may make any future decisions to refuse applications more difficult to defend due to inconsistency of enforcement. It is noted that it is easier to defend a policy position that has been consistently applied. However, there may be specific and unique circumstances in this case limiting potential to be used as a precedent.
- f) Impact on landowner choice. In this instance, a landowner has made a decision to put a transportable structure in their backyard. Its existence will likely impact only one adjoining neighbour.
- g) The need to explain “why” the application should be refused. If Council takes the view that refusal is justified, it will be necessary to come up with some defensible logical position. The question or the “the “why” needs to be answered soundly. A tautological or circular argument based around “...because the policy says...” is unlikely in this specific case to provide a reasonable, sound or sustainable position for refusing the application.

Consultation

The proposal has been advertised in accordance with Shire policy. Two submissions have been received raising objections (see Attachment 12.4.1(2)).

The issues raised by the submissions relate to:

- Impacts on outlook;
- Over shadowing;
- Bulk of structure; and
- Impacts on land values.

The first three points are valid town planning considerations. The proposal, when considering the combined impact of the existing outbuilding structures and the length of the building will have an adverse impact on the amenity of the adjoining block.

Impact on land values is not a matter that Council can take into account when considering this application.

A possible solution would be to re-orientate the proposed structure and join it to the rear of the existing dwelling. Works could then be undertaken to blend the structure so that it forms a coordinated extension to the house rather than another outbuilding.

This solution addresses the impacts on local amenity and resolves conflicts with Council policy in relation to transportable structures and outbuilding floor limits.

Summary and Conclusion

This proposal is about the meeting point between the rights of the general versus the individual. The Shire's policy position is to ensure that residential amenity is protected and that sheds and outbuildings have a limited impact on streetscape amenity. Such a position protects and benefits the general community from undesirable impacts on streetscape and local amenity. Rules are set in place to limit individual freedoms so that all members of society can enjoy and expect a certain standard of development and amenity.

In this case, the proposal as presented is not considered acceptable. It is recommended that the proposal be modified to form an extension to the existing house. Improvement works will need to be undertaken to ensure that the end structure blends and complements the existing house in terms of cladding materials, colour schemes.

Policy/Statutory/Voting Implications

Policy

9.16 – Transportable Structures

9.4 – Outbuilding Control

Statutory

The land is zoned Residential under LPS7.

Clause 10.2 of LPS7 outlines a range of matters to be considered by Council. The proposal does not raise any specific issues contained within Clause 10.2.

Clause 5.17 of LPS7 requires Council to consider impacts of built form on the streetscape setting. The proposed shed does will not be out of character or scale in the locality when having regard to the local streetscape setting.

Voting

Simple majority

Financial Implications

N/A

Strategic Implications

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

Officer's Recommended Resolution

Moved: Cr

Seconded: Cr

That the Council grant Planning consent for the location of a transportable structure at No.12 Allnutt Street, Donnybrook subject to the following conditions:

General Conditions

1. The development hereby permitted must be substantially commenced within two (2) years from the date of this decision letter.
2. The plans showing the proposed location depicted in blue form part of this approval and the development hereby approved must at all times be consistent with the approved plans. *(DRAFT WORDING)*
3. Provision of a \$5,000.00 bond prior to the issue of a building license.
4. The approved structures are to be assembled, upgraded and maintained in the following manner:
 - a. External and internal walls, fixtures and fittings to be made good;
 - b. Doors and windows to be installed and working;
 - c. All internal and external plumbing to be completed and connected;
 - d. All electrical connections to be installed to the requirements of Western Power and shall be functional;
 - e. The structures to have a high quality external finish/cladding completed in a tradesman-like manner that matches with the existing fabric and qualities of the existing dwelling in terms of colours, materials and finishes; and
 - f. Floors to be reinstated.
5. Any business activity on site to be in accordance with the criteria described in Schedule 1 of Local Planning Scheme No.7 for the use "Home Business".

ADVICE TO THE APPLICANT

Note 1: If the applicant is aggrieved by this decision, as a result of approval or by a determination of refusal, there may be a right of review under the provisions of Part 14 of the *Planning and Development Act 2005*.

A review must be lodged with the State Administrative Tribunal, and must be lodged within 28 days of the decision being made by the local government.

Note 2: An application for a Building Permit to construct the development hereby permitted is required to be submitted and approved by the local

government prior to any construction works commencing on-site in relation to this determination.

Note 3: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.

12.4.2	SUBJECT:	PLANNING APPLICATION FOR A SHED WITH A WALL HEIGHT OVER 3.5M
	Location:	No.17 Smith Street, Donnybrook
	Applicants:	Mr David Farley
	Zone:	Residential R20
	File Ref:	A95
	Author:	Bob Wallin (Principal Planner)
	Report Date:	27 May 2016
	Attachments:	12.4.2 – Site and Elevation Plan

Background

This proposal is to construct a shed at the rear of No.17 Smith Street, Donnybrook. The shed will be located on a recently constructed retaining wall and will have floor area of 75m². The shed will have a wall height ranging between 3.85m and 5.83m. The shed is intended to house a caravan and access is proposed via the laneway (Attachment 12.4.2).

Council is required to make a decision on the following points:

- a) Wall height (above 3.5m). The proposed walls range from 4.2m abutting the laneway to 5.83m. It is noted that the shed will sit on a retaining wall which has a maximum height of 1.1m and tappers back to the street;
- b) Maximum floor area of building (required 70m² total for all outbuildings). The proposed floor area is 75m² for the new shed. There is also an existing garden shed with a floor area of approximately 20m². The proposed total floor area of the site will be 95m²; and
- c) The Residential Design Codes requires a 1.5m setback – a setback of less than 1m proposed (along rear laneway).

Comment

Town Planning Policy 9.4 Outbuilding Control outlines that outbuildings:

- a) shall have a maximum combined floor area of 70m² on “Residential zoned land with a site area below 1200m² (proposed 95m²);

- b) Have a maximum wall height of 3.5m (proposed 5.3m to over 6m when including the retaining wall).

The applicant has advised that the height is to accommodate a caravan and provide ventilation.

In assessing the suitability of this proposal, the following points should be considered:

Bulk and scale

The shed will have a height almost double that envisaged by the policy. It is effectively the height of double storey dwelling. Further, a shed lacks the usual architectural features that soften bulk and scale. Added to this, the shed will require reduced setbacks to the rear lane. The applicant contends that the built form will not be visible from Smith Street and that the roof line will be in line or below that of the existing buildings. This is true. However, it is looking at the proposal from a limited perspective. A more holistic analysis would need to acknowledge the fall of the land. When factoring this feature into the design, the overall impact of the shed will be out of scale and character with the locality. Attachment 12.4.2 has been annotated to show a 1.8m person to assist in understanding scale and perspective for the site. This illustrates that the shed will be out of context and scale with a residential setting.

Setbacks

The R-Codes requires a rear setback of 1.5m for boundary walls greater than 9m in length. The proposed wall will be setback less than 1m (the width of a limestone retaining wall block). The wall will be devoid of features and character. A setback of at least 1m should be required for this elevation.

Floor Area Limits

The floor area limits are not a key issue in relation to this proposal. The existing garden shed has a low profile and matches with the existing fence design. It has limited visibility or impact from the street or side boundaries. On this basis, and given the small departure in floor area proposed for this new shed, this element of the proposal is considered acceptable.

Intent of Outbuildings

The term “outbuilding” implies a secondary status and purpose to the main residential function of the land. This secondary status is usually expressed in terms of scale, materials and design. In this instance, the “shed” has a greater bulk than the house due to height of walls and absence of architectural features such as vertical and horizontal stepping and interest in façade elements.

Needs for a Caravan

Research into caravan dimensions has indicated that a door clearance of less than 3.2m is more than adequate. Some allowance can be made to accommodate slope or access that will tilt the vehicle and may result in the need for some additional internal clearance. The proposed 3.85m door clearance is well above that required for housing a caravan.

Precedent

This relates to the “slippery slope argument”. If this shed is approved, it will create a precedent for Council and require support of other similar sized sheds within the Shire. There is nothing unique or specific to this site that would reduce the potential for a precedent to be established. The policy has been crafted with limits to shed size to protect residential amenity and streetscape. This proposal embodies significant departures from the policy. If approved, it places Council in a very difficult position if it is ever required to rely on the policy in future or provide landowners with certainty about what can be built on their land or their neighbours.

The policy to date has provided clear guidance and protected streetscape appeal by ensuring that sheds do not dominate and erode residential character.

It is also worth noting that Amendment No.4 to Local Planning Scheme No.7 (currently being advertised) will strengthen controls on outbuildings within the Residential zone. The amendment will remove discretion and flexibility about wall heights and maximum floor areas for outbuildings.

When taking these above points into account, the proposed shed is not considered to be reasonable and will have potential for undue adverse impacts on local amenity and create an undesirable precedent.

Consultation

Adjoining neighbours have been contacted by mail and provided with a chance to comment on the proposal. No submissions have been received.

Summary and Conclusion

The proposed shed is of a scale beyond that considered desirable under the Shire’s Local Planning Policy and would establish an undesirable precedent for similar development within the Shire.

It is recommended that approval be granted to an amended plan to limit the wall height to 3.5m and require a minimum setback of 1m from the rear boundary.

Policy/Statutory/Voting Implications

Policy

9.4 Outbuilding Control

This policy requires support to vary floor areas and wall heights.

Statutory

Proposed TPS7 Map 7 identifies the land as “Residential R20”.

Voting

Simple Majority

Financial Implications

N/A

Strategic Implications

The following outcomes from the Strategic Community Plan relate to this proposal:
Outcome 2.8 – Our town sites are attractive, well presented and maintained.

Officer's Recommended Resolution

Moved: Cr Seconded: Cr

That the Council grant Planning consent for the erection of a shed at No.17 Smith Street, Donnybrook subject to the following conditions:

General Conditions

- 1. The development hereby permitted must be substantially commenced within two (2) years from the date of this decision letter.**
- 2. The approved plans form part of this approval and the development hereby approved must at all times be consistent with the approved plans as marked in red.**
- 3. A maximum wall height of 3.5m.**
- 4. All drainage being retained on site to the satisfaction of the Manager Works and Services.**
- 5. Providing evidence by a qualified and competent professional that the existing retaining wall will be able to accommodate the proposed structure, factoring into account the intended storage functions.**
- 6. A minimum boundary setback of 1m from the rear boundary.**
- 7. The shed being finished in a colour that matches the existing fence.**

ADVICE TO THE APPLICANT

Note 1: If the applicant is aggrieved by this decision, as a result of approval or by a determination of refusal, there may be a right of review under the provisions of Part 14 of the *Planning and Development Act 2005*.

A review must be lodged with the State Administrative Tribunal, and must be lodged within 28 days of the decision being made by the local government.

Note 2: An application for a Building Permit to construct the development hereby permitted is required to be submitted and approved by the local government prior to any construction works commencing on-site in relation to this determination.

Note 3: If the development the subject of this approval is not substantially commenced within a period of 2 years, or such other period as specified in the approval after the date of the determination, the approval shall lapse and be of no further effect. Where an approval has so lapsed, no development shall be carried out without the further approval of the local government having first been sought and obtained.

Note 4: The applicant is advised that there are no plans to upgrade the laneway and that maintenance will occur on an irregular basis. Any upgrading will require a contribution from adjoining land owners and consideration as part of a future budgeting process.

Note 5: In relation to condition 3, slight variations in this wall height can be considered if a gable profile is proposed.

Note 6: In relation to condition 4, it is noted that there is drainage runoff occurring from the site that is causing erosion of the laneway surface. This will require addressing. Drainage solutions are to be presented at the building license stage for assessment.

12.4.3	SUBJECT:	SALE OF LOT 71 MEAD STREET, DONNYBROOK
	Location:	Lot 71 Mead Street, Donnybrook
	Applicants:	N/A
	Zone:	Residential R30
	File Ref:	PWF 14K
	Author:	Bob Wallin (Principal Planner)
	Report Date:	3 June 2016
	Attachments:	Nil

Background

Council subdivided Lot 500 Mead Street to create 6 lots. Lot 500 was formally a public open space reserve which had limited value for recreational purposes. The land has been subdivided and funds raised will be set aside in a trust for future spending on open space improvements.

One of the lots now has a purchaser – Lot 71.

The Local Government Act requires a number of steps to be followed when disposing of property. Section 3.58 sets out the details. This includes:

- a) Giving public notice;
- b) Establishing market value; and
- c) Requires Council's decision to be recorded in the minutes of the meeting.

This item has been prepared to address point c) above.

An independent market evaluation has been undertaken by LMW Hegney. This confirms a value of \$140,000.00 for Lot 71.

The proposal has been advertised in the Donnybrook-Bridgetown Mail. No submissions have been received.

Comment

The proposed sale price of \$140,000.00 is consistent with the market evaluation provided.

Consultation

The proposal has been advertised in accordance with Section 3.58 of the Local Government Act 1985.

Policy/Statutory/Voting Implications

Policy

N/A

Statutory

Section 3.58 of the Local Government Act. This sets out the process for the disposal of land by a local government.

Voting

Absolute Majority

Financial Implications

The property will be sold for the value of \$140,000.00. Money received (minus expenses) will be set aside in a separate trust fund for the purpose of public open space improvements – consistent with Section 154 Planning and Development Act and Section 6.9 of the Local Government Act.

Strategic Implications

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

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

Officer's Recommended Resolution

Moved: Cr Seconded: Cr

That the Council approve the disposal of Lot 71 Mead Street, Donnybrook for the value of \$140,000.00 and set aside funds for future public open space improvements.

12.4.4	SUBJECT:	REVIEW OF COUNCIL BRIEFING SESSIONS
	Location:	Shire of Donnybrook-Balingup
	Applicants:	Shire of Donnybrook-Balingup
	Zone:	N/A
	File Ref:	CNL 06
	Author:	Bob Wallin – Principal Planner
	Report Date:	31 May 2016
	Attachments	Nil

Background

During the breakfast meeting on 4th November 2015 Council discussed the concept of implementing briefing sessions to replace the monthly breakfast meetings.

Council at its November 2015 meeting resolved to:

- 1) *Trial the process of conducting Agenda Briefings and Concept Forums as set out in the Briefing Guidelines for a period of 3 meetings; and*
- 2) *Commence Agenda Briefings prior to the February 2016 Ordinary Council meeting.*

The intended purpose of these meetings was to:

- a) allow elected members and officers to meet and discuss matters relating to the operation and affairs of their local government outside the formal council meeting framework;
- b) provide opportunity for Councillors to receive additional information and ask questions regarding the topic of discussion;
- c) allow ordinary meetings to focus on the decision making needs of the local government;
- d) assist with openness and accountability; and
- e) lead to a more effective and efficient local government.

Four briefing meetings have now been held and this report has been prepared to assist Council in reviewing the future of these meetings.

Comment

This report will attempt to assist Council in evaluating the success of the briefing sessions with regard to meeting the above stated purposes. A good place to start is looking at the data. Attachment 12.4.3 provides details on the impacts on efficiency. It is clear that the process has not reduced meeting attendance times for staff or elected members. It is clear that actual total meeting times have increased during this trial process. This may have been due to contentious issues on Council agendas. Further, when taking account the wider preparation time and staff resources needed to hold the meeting it places a significant added burden (and opportunity cost) on staff time.

This added burden may be a reasonable cost but only if it assists in meeting the other stated objectives of the briefing meetings. It may be reasonable to argue that the process has provided opportunity for Councillors to receive additional information and ask more questions. It may also be possible to truthfully state that it provides an informal forum to discuss issues and ideas.

What is less obvious is the ability of the briefing forums to:

- a) allow ordinary meetings to focus on the decision making needs of the local government;
- b) assist with openness and accountability; and
- c) lead to a more effective and efficient local government.

In respect to a) above, the meetings, based on time and content have not changed significantly in structure or focus since introducing the forum. This situation may be partly attributed to the relatively low turn-out of elected members.

In respect of b), it is questionable if the forum improves openness and accountability. While the forum is open to the public, the public does not get to see the draft agenda, know the content of the agenda or participate in the discussion. There is also a very low public attendance to the forums.

In respect to c), refer to Attachment 12.4.3 in terms of time outcomes. In addition, the agenda cycle is shortened between meetings. This leads to delays in getting items to Council for decisions. This runs contrary to the goal of increasing efficiency. In terms of creating a more effective decision making process, it is unclear if there is any way to measure this. It is difficult to establish what causes a certain decision to be made or extracting primary or secondary determinates from the decision making process. For instance, political alliances rather than process or content may be the primary factors driving the direction and outcomes of decisions. If this is the case, the inclusion or absence of the forum concept has little influence in the actual decision making outcome.

Notwithstanding the above, the forum concept could still play an important role in the decision making process. If this is the case, to justify the forum, a separate set of goals and objectives for the forum need to be established or the process itself refined to improve efficiency and effectiveness - or both.

It is understood that a number of Councillors find benefit in the forum concept as it aids them in establishing and being comfortable with positions on issues.

To ensure that this benefit does not result at a more significant economic cost (time that can be used by staff to other essential operational activities) it is necessary to consider a revised forum.

One option would be to have the forum immediately before the Council meeting. The benefit of this approach would be:

- a) potential for higher elected member turn out as it does not involve additional travel time;
- b) enables more time for staff to prepare agenda items;
- c) removes additional preparation times associated with getting agendas and facilities ready; and
- d) providing more incentive for the public to attend as they will also have access to the agenda, follow questions and discussion points more easily and not have to attend two separate meetings.

On the negative side, Councillors may not have time to digest information obtained at the forum to assist with decision making. If this was the case, the forums could be held on the Monday prior to the Council meeting. This would reduce staff workloads by only sending out one agenda and the public would also have access to the agenda papers.

An alternative option would be to have forums on a needs only basis. Need would be established where it is clear that either staff or elected members consider items may be complicated or controversial. It is unknown if Councillors would support “ad-hoc meetings” in lieu of set briefing times and dates. In these instances there could be clear benefit to having added time to review content, context and alternatives that could be played with in a more informal setting.

Consultation

N/A

Policy/Statutory/Voting Implications

Local Government Act 1995

Local Government Operational Guidelines Number 05 – Council Forums

Financial Implications

N/A

Strategic Implications

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

The BWGC appointed Markettrade/Evolve Strategic Solutions as per the brief, to develop the Strategy which was developed throughout 2015 in consultation with the TWG.

The BWGC received the final Strategy (in full) in early December 2015, as well as a Summary Report and the Regional Action Plan/Regional Marketing Plan.

At the December 2015 meeting, Council recommended to :

Receive the three draft reports:

- Bunbury Wellington and Boyup Brook Regional Tourism Strategy 2015;
- Bunbury Wellington and Boyup Brook Regional Tourism Development Summary Report; and
- Regional Action Plan and Regional Marketing Plan

That Council release the reports for consultation through respective tourism stakeholders and request feedback by 29 February 2016.

That Council refer the stakeholder feedback to the steering committee for review and report back to the Bunbury Wellington Group of Councils by 31 March 2016.

The Draft Regional Action Plan and Regional Marketing Plan was referred to the respective tourism stakeholders throughout the region. A total of 11 individual written and verbal responses were received from stakeholders within the Shire of Donnybrook Balingup. Shire Officers' feedback was incorporated into a summary document which was submitted to the Steering Committee for review. The TWG met on 5th April 2016 in Donnybrook to consider all the submissions received from the tourism industry stakeholders, noting that seven (7) collated submissions were received. Minor changes were recommended and have been incorporated into the Strategy and Action Plan. It was recommended to the BWGC to consider a budget and identify accommodation for the proposed appointment of a Regional Marketing Manager to commence the project in the 2016/17 financial year with a commitment for 3 years based on a budget of \$130,000.

Comment

Tourism is a major and growing industry in the region providing important economic and social benefits for the Shire of Donnybrook-Balingup. Although not the primary industry, it is a key driver for the growth of the region. Tourism also assists in the growth of the Shire by exposing potential new residents to the extensive benefits of living in the Shire.

The Bunbury Wellington Group of Councils (BWGC) has reviewed the Draft Bunbury Wellington and Boyup Brook Regional Tourism Development Strategy (RTS) and resolved as follows:-

That the Bunbury Wellington Group of Councils:-

- 1. Note that seven (7) submissions were received (one of which was a collated report from the Shire of Donnybrook Balingup)*

2. *Agree to the proposed amendments to the Strategy and Action Plan as outlined in the report from the South West Development Commission from the submissions received be adopted and the Strategy documents be amended to reflect these changes.*
3. *Upon receipt of the updated report, that each member local government present the report to their respective Councils for consideration and endorsement, noting the group agrees to:*
 - a) *Approach the South West Development Commission requesting the Commission accept coordination and the lead role for implementation of the Bunbury Wellington and Boyup Brook Regional Tourism Development Strategy, as this is features highly in the SW Blueprint and Regional Growth Plan.*
 - b) *Recommend each Local government request their Council consider an allocation in the 2016/17 budget for implementation of regional tourism initiatives.*
 - c) *Support any submissions and joint applications for funding through Royalties for regions and other programs to fund workshops, marketing and implement projects contained within the report.*
 - d) *That each Council participate in each initiative as they determine.*
4. *Agree that upon adoption by each respective Council, that the Bunbury Wellington and Boyup Brook Regional Tourism Development Strategy Steering Committee cease.*

The recommendation from the BWGC is that the South West Development Commission (SWDC) take on the role of implementing the Regional Tourism Strategy (RTS) and that each Council consider allocating some funding starting from the 2016/17 budget to assist with any of the initiatives included within the RTS that may be progressed as a group.

Consultation

The BWGC engaged Markettrade/Evolve Strategic Solutions to undertake the study which produced this Report. Consultation was undertaken with representatives and key stakeholders from each of the local governments in the Bunbury Wellington District and Boyup Brook region, including an analysis of tourism facility requirements, current industry trends, demographic projections, strategic planning processes. Other nominated stakeholders such as South West Development Commission, Regional Development Australia, Tourism WA and Australia's South West also participated throughout.

As indicated in the 'Background' section of this report, the draft Regional Tourism Strategy has been provided to all tourism stakeholders for comment and some changes were made to the document as a result of this consultation. Two local governments within the alliance have made commitments of \$10,000 each for this project.

Policy/Statutory/Voting Implications

Policy

N/A

Statutory

N/A

Voting

Simple Majority.

Financial Implications

The Shire will be required to make a financial commitment to this Project if it agrees to work collaboratively as part of a regional tourism strategy. This will be funded in the 2016/2017 budget with the view to making a three year commitment.

Strategic Implications

Outcome 1: A strong, diverse, resilient economy that is an attractive place to live, work and invest.

Objective 4: A progressive, actively engaged community working in partnership to achieve our aspirations.

Officer's Recommended Resolution

Moved: Cr

Seconded: Cr

That Council

1. Endorse the Bunbury Wellington Group of Councils recommendations in relation to the Bunbury Wellington and Boyup Brook Regional Tourism Development Strategy as follows:-
 - a) Note that seven (7) submissions were received (*one of which was a collated report from the Shire of Donnybrook Balingup*)
 - b) Agree to the proposed amendments to the Strategy and Action Plan as outlined in the report from the South West Development Commission and the submissions received be adopted and the Strategy documents be amended to reflect these changes.
 - c) The Bunbury Wellington and Boyup Brook Regional Tourism Development Strategy be adopted with recommended changes, noting the group agrees to:

- i) Approach the South West Development Commission requesting the Commission accept coordination and the lead role for implementation of the Bunbury Wellington and Boyup Brook Regional Tourism Development Strategy, as this is featured highly in the SW Blueprint and Regional Growth Plan.**
 - ii) Recommend each Local government request their Council consider an allocation in the 2016/17 budget for implementation of regional tourism initiatives.**
 - iii) Support any submissions and joint applications for funding through Royalties for Regions and other programs to fund workshops, marketing and implement projects contained within the report.**
 - iv) That each Council participate in each initiative as they determine.**
 - d) Agree that upon adoption by each respective Council, the Bunbury Wellington and Boyup Brook Regional Tourism Development Strategy Steering Committee cease.**
- 2. Allocate up to \$10,000 per annum, for a period of three years commencing in the 2016/2017 to the Bunbury Wellington and Boyup Brook Regional Tourism Development Strategy regional initiatives.**
 - 3. In the event that other participating Councils do not commit towards the implementation of the Regional Tourism Strategy or commit at a lower level, then Council's commitment to the Strategy may be reassessed.**
 - 4. Inform the tourism stakeholders in the Shire of the outcome of the Bunbury Wellington and Boyup Brook Regional Tourism Development Strategy project.**
-

12.6 Recall Items

12.7.1	SUBJECT:	2016 ASSOCIATIONS HONOURS
	Location:	Shire of Donnybrook-Balingup
	Applicants:	Administration
	Zone:	N/A
	File Ref:	DEP 22/4D
	Author:	John Attwood CEO (Kate O’Keeffe, Executive Assistant))
	Report Date:	14 April 2016
	Attachments:	Nil

Background

Council considered the confidential report – 2016 Associations Honours at the Ordinary Council meeting held on 25 May 2016.

Comment

In accordance with the *Local Government Act 1995* Section 5.23 (2) (f) and Admin Regulations 4A the above report remained confidential as “a matter that if disclosed could be reasonably expected to impair the effectiveness of any lawful method or procedure for preventing, detecting, investigating or dealing with any contravention or possible contravention of the law”.

Once the information in the report is no longer sensitive the item is required, under the Act, to be included in the next occurring Council agenda.

This matter has now been finalised.

Consultation

N/A

Policy/Statutory/Voting Implications

Policy

N/A

Statutory

The *Local Government Act 1995* Section 5.23 (2) (f) and Admin Regulations 4A

Voting

Simple Majority

Financial Implications

N/A

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

Moved: Cr

Seconded: Cr

That

- (a) In accordance with Section 5.23 (2) and Admin Regulations 4A, agenda item 12.7.1 remains confidential as sensitive information is detailed in the report.**
 - (b) When the information in the report is not sensitive the item will be included in the next occurring council agenda.**
-

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

Moved: Cr

Seconded: Cr

That the meeting be reopened to the public.

13 CLOSURE OF MEETING

The Chairperson to advise that the next Ordinary Council Meeting will be held on Wednesday, 27th July 2016 commencing at 5.00pm in Donnybrook at a location to be advised.

The Shire President to declare the meeting closed at _____ pm.