



Notice of Ordinary Council Meeting

TO:

ALL COUNCILLORS

To be held on

22 November 2017

Commencing at 5.00pm

In the Seniors Room, Donnybrook Community Library
Collins Street, Donnybrook

A handwritten signature in black ink, appearing to read 'Ben Rose'.

Ben Rose
Chief Executive Officer

17 November 2017

Disclaimer

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



NOTICE OF ORDINARY MEETING

22 November 2017

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SHIRE OF DONNYBROOK BALINGUP

NOTICE OF ORDINARY MEETING OF COUNCIL

To be held at the Seniors Room, Donnybrook Community Library
on Wednesday, 22 November 2017 at 5.00pm

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

The Shire President to declare the meeting open at _____ pm and welcome the public gallery and advise them of the meeting procedures.

2 ATTENDANCE

MEMBERS PRESENT

COUNCILLORS

Cr Piesse (Chair)
Cr Atherton
Cr King
Cr Lindemann
Cr Mills
Cr Mitchell
Cr Tan
Cr Van Der Heide

STAFF

Ben Rose – Chief Executive Officer
Greg Harris – Manager Finance and Administration
Damien Morgan – Manager Works and Services
Leigh Guthridge – Manager Development and Environmental Services
Bob Wallin – Principal Planner
Kate O’Keeffe – Executive Assistant

PUBLIC GALLERY

2.1 APOLOGIES

Cr Wringe

2.2 APPROVED LEAVE OF ABSENCE

Cr Wringe was granted a Leave of Absence for the November 2017 Ordinary Council Meeting at the Ordinary Council Meeting held on 25 October 2017.

3 ANNOUNCEMENTS FROM THE PRESIDING MEMBER

4 DECLARATION OF FINANCIAL / IMPARTIALITY INTEREST

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Councillors to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

5 PUBLIC QUESTION TIME

5.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Peta Townsing

There are six properties, zoned Rural Residential, immediately downstream from the site of a proposed marron farm at 155 Grimwade Road, Balingup. I am one of the six residents who, to varying levels, have concerns. There are a number of unknowns that could affect our properties including flooding, problems with the dam walls, polluted stream flows. We are worried that the amenity of our properties could be compromised by this development with a resultant dramatic fall in value. We ask for the shire to assess the situation – what can the Shire do about the marron farm?

Chief Executive Officer

Your question regarding the marron farm can be broken down into two parts. The first relates to dam construction. The second relates to use of the dams for marron production.

I will address the issue of dam construction first. Dams are exempt from the need for planning approval unless any part of the dam is within 20 metres of a property boundary. If it can be proved that any part of the recently constructed dams are within 20 metres of a boundary, the Shire can become involved.

In some instances, the Department of Water and Environmental Regulation has an interest in dams. Informal discussion with this agency has indicated that:

- The site is not located within a proclaimed water source area. This limits the Department's ability to play a role in this specific case; and
- The Department's role is not to control or regulate dam construction methods. It has a focus on water volumes. In this instance, it will be necessary to prove that the dam is having a significant impact on overall flows. This may be very difficult to prove without reliable baseline data.

Should you require further information relating to dams I suggest you contact the Department of Water and Environmental Regulation's Bunbury office on (08) 9726 4111.

The specific use of the dam is a separate matter for consideration. Marron farms fall under the land use category of "Rural Pursuit". This is listed as a "P" (Permitted as a right) use for land zoned "General Agriculture" under Local Planning Scheme 7 (LPS7). It does not require planning approval from the Shire.

Please note that marron farming is regulated by the Department of Primary Industries and Regional Development. Discussion with this department has indicated that the method of marron extraction is a detail that is considered as part of the license approval process.

While the Shire has potentially no legal avenue to become involved, I will arrange for the Principal Planner (Mr Bob Wallin) to contact the landowner and provide suggestions to improve the functioning/design of the dam to minimise environmental impacts.

5.2 PUBLIC QUESTION TIME

6 PRESENTATIONS

6.1 PETITIONS

6.2 PRESENTATIONS

6.3 DEPUTATIONS

Glenn Ossy-Orley has requested to provide Council a deputation on Industrial Hemp.

Fiona Richardson from Promote Preston has requested to provide a deputation on Promote Preston's Strategic Plan.

6.4 DELEGATES' REPORTS

7 CONFIRMATION OF MINUTES

7.1 ORDINARY MEETING OF COUNCIL

RECOMMENDATION

That the Minutes from the Ordinary Meeting of Council held on 25 October 2017 be confirmed as a true and accurate record.

7.4 COMMITTEE MINUTES

Nil

8 REPORTS OF COMMITTEES

Nil

9 REPORTS OF OFFICERS

9.1 MANAGER FINANCE AND ADMINISTRATION

9.1.1 ACCOUNTS FOR PAYMENT

For information: The following accounts have been authorised and paid under Delegation 3.2 by the Chief Executive Officer represented by cheques CCP3263-CCP3265, EFT12621-EFT12812a, 52755- 52794, DD22362, DD22400.11, Trust 3538 - 3554, EFT12729, totalling \$1,444,057.81.

9.1.2 MONTHLY FINANCIAL PAYMENT

RECOMMENDATION

That the monthly report for the period ended 30 September 2017 be received.

9.2 MANAGER WORKS AND SERVICES

9.2.1 PROPOSED SPEED ZONING – HURST AND GEMMEL ROAD

Location	Shire of Donnybrook Balingup
Applicant	Main Roads WA
File Reference	RD 0020, RD 0086
Author	Damien Morgan – Manager Works and Services
Attachments	9.2.1(1) – Map of Hurst Road and Gemmel Road 9.2.1(2) – Hurst Road Safe Curve Speed Assessment
Voting Requirements	Simple Majority
Executive Summary	Council recommended to endorse the installation of 80km/hr speed zoning on Hurst and Gemmell Roads: <ul style="list-style-type: none"> • MRWA have assessed the road/s and recommended a posted speed limit of 80 km/hr • Shire Executive concur with MRWA's assessment

STRATEGIC ALIGNMENT

The proposal aligns with the following objective within the Corporate Business Plan:

Outcome 2.1.1 - Maintain, renew and improve infrastructure within allocated resources.

BACKGROUND

The Shire of Donnybrook Balingup received advice from Main Roads WA (MRWA) that they are proposing to install 80km/hr speed zoning on Hurst and Gemmell Roads.