



MINUTES OF ORDINARY MEETING OF COUNCIL

held on

Wednesday 25 August 2021

Commencing at 5.00pm

Shire of Donnybrook Balingup Council Chambers, Donnybrook

A handwritten signature in black ink, appearing to read 'BGR' followed by a flourish.

Ben Rose
Chief Executive Officer

2 September 2021

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SHIRE OF DONNYBROOK BALINGUP
MINUTES ORDINARY COUNCIL MEETING

Held at the Council Chambers
Wednesday, 25 August 2021 at 5.00pm

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Shire President – Acknowledgment of Country

The Shire President acknowledged the traditional custodians of the land, the Wardandi People of the Noongar Nation, paying respects to Elders, past, present and emerging.

The Shire President declared the meeting open at 5:03pm and welcomed the public gallery.

Recording of Proceedings:

The Shire President advised that the meeting is being digitally recorded to assist with minute taking in accordance with Council Policy 1.25. The Shire President further stated the following:

If you do not give permission for your participation to be recorded, please indicate this at the meeting. Members are reminded that no other visual or audio recording of this meeting by any other means is allowed without the permission of the Chairperson.

Shire of Donnybrook Balingup Meeting Procedures Local Law 2017 6.17 (4) “A person shall ensure that his or her mobile telephone, audible pager or other electronic communications device is not switched on or used during any meeting of the Council, unless required for emergency use and permission has been granted by the Presiding Member prior to the start of the meeting.”

2 ATTENDANCE

MEMBERS PRESENT

COUNCILLORS	STAFF
Cr Brian Piesse (President)	Ben Rose – Chief Executive Officer
Cr Jackie Massey (Deputy President)	Steve Potter – Director Operations
Cr Shane Atherton	Robin Garrett – Director Corporate and Community (Acting)
Cr Anita Lindemann	Archana Arun – Administration Officer – Executive Services
Cr Anne Mitchell	
Cr Chaz Newman	
Cr Chris Smith	
Cr Leanne Wringe	

PUBLIC GALLERY

Seven members of the public were in attendance.
One member of the Press was in attendance.

2.1 APOLOGIES

Nil.

2.2 APPROVED LEAVE OF ABSENCE

Nil.

2.3 APPLICATION FOR A LEAVE OF ABSENCE

Nil.

3 ANNOUNCEMENTS FROM PRESIDING MEMBER

I wish to take this opportunity to correct some misinformation which was tabled at a meeting in Balingup recently. The first referred to a statement that the cost of employees in the Shire was a figure of \$8.4 million. It wasn't qualified whether that was last year or for the budget year and so it left the people who heard that number somewhat confused. The number which was quoted was in fact last year's employment number which included all the salaried staff from Tuia Lodge and it also included the finalisation of their accrued leave and other emoluments and if you would have studied the figures you would have seen there was a corresponding reduction in the reserve account for such. So, while that was a figure for the last financial year that finished 30 June, which was including the transfer of staff to Hall and Prior, it was not stated at the meeting, that the figure that's included in the 21/22 budget.

The second comment that was made down at that meeting at Balingup was that Cr Mitchell and Cr Atherton had done something which appeared to be somewhat unethical. I will deal with the comments made towards Cr. Mitchell first. Cr Mitchell spoke on a motion before this Council and then voted against what she had spoken about, in terms of the way she voted for the proposition. Anyone who's been in Local Government or in fact any democratic organisation would know that just because you in fact move or second a motion doesn't mean to say that you actually have to support that motion when its finally put to the vote. In fact the rules of debate suggest, particularly in Local Government, is that the whole reason that you have speakers for and against is for people to put their opinions forward and if they are able to convince the majority or the other Councillors who are listening to the debate, it is quite proper for the person whoever they may be, Cr Mitchell or anyone else, and I have done it myself, to actually vote in the interest of the entire community in a different way to what you actually spoke. So, I just like to put the record straight, Cr Mitchell would appear not to be guilty to any misdemeanour in terms of what she did.

In terms of the comment about Cr Atherton, that he was in potential breach of the Local Government Act was also misleading and incorrect. In the particular motion relating to VC Mitchell Park, Cr Atherton signed an impartiality statement and I have got one in today myself and others might have too, relating to the agenda item. Cr Atherton, although he is a life member of the Donnybrook Football Club, is not in receipt of any financial benefit from the

Donnybrook Football Club. Therefore, what he did in signing an impartiality statement was correct and we have taken further advice of that and I suggest that was another bit of misleading information that was presented in Balingup on that particular occasion.

I wouldn't normally do this, but this is the only opportunity I have got to defend two of my Councillors and in fact defend the information that was presented at that forum.

4 DECLARATION OF 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.

Cr. B Piesse declared an impartiality interest in item *12.1.1 Request to Purchase Lot 58 (70) South Western Highway, Donnybrook (Bendigo Bank) Received 21 July 2021* as he is a shareholder of the Donnybrook-Capel Branch of Bendigo Bank.

Cr. J Massey declared an impartiality interest in *item 9.2.3 Adoption of the Statutory Budget 2021-2022* as she is a member of BPA which will receive some funds from budget.

Cr. L Wringe declared an impartiality interest in *item 9.2.3 Adoption of the Statutory Budget 2021-2022* as she is President and member of Kirup Progress Association as also Treasurer and member of Donnybrook Balingup Chamber of Commerce Inc.

Cr. L Wringe declared a proximity interest in *item 9.2.3 Adoption of the Statutory Budget 2021-2022* with regards to the new bridge on Upper Capel Road (\$1.3M) adjoining her property.
Note: The Shire received an email from the Minister Housing and Local Government - Legislative Department allowing Cr Wringe to participate as it is not regarded as financial interest but an interest in common.

Cr. A Mitchell declared an impartiality interest in *item 9.2.3 Adoption of the Statutory Budget 2021-2022* as she utilises one of the roads for access to her property.

Mr. B Rose declared an impartiality interest in item *12.1.1 Request to Purchase Lot 58 (70) South Western Highway, Donnybrook (Bendigo Bank) Received 21 July 2021* as his wife is Co-Chair of the Donnybrook-Capel Branch of Bendigo Bank.

5 PUBLIC QUESTION TIME

5.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5.2 PUBLIC QUESTION TIME

Lisa Glover

Now that the contract for the building of the Pump Track has been awarded, what is the process with regards to infrastructure. Is there a plan with regards to the building, lights, fences in the contract?

Chief Executive Officer Ben Rose

We have just completed a consultation exercise with school students from the Donnybrook District High School who had a wonderful array of design ideas for the Pump Track. We're working through those school students' ideas and we'll have a pretty firm idea, probably in the next 4-5 weeks, with regards to final design and therefore the implications for infrastructure for lights, buildings, fences etc.

Lisa Glover

The infrastructure that is there (building, lights and fence) belong to the sporting groups. Will you be able to let those groups know what's going to happen to their infrastructure once the Donnybrook High School have participated in the design of that particular facility?

Chief Executive Officer Ben Rose

We've already undertaken consultation with the local high school. Once we've developed a final design, then we'll know what should happen with the infrastructure. I very clearly understand that the infrastructure was fundraised to a large degree by local sporting groups.

Lisa Glover

With regards to the community consultation that happened last Tuesday, it was really great to see the design and plans and have the opportunity to ask questions. What happens to the written down questions that we had asked? How will those be answered and represented back to the community members who asked those questions?

Chief Executive Officer Ben Rose

We had about 68 people attend the consultation event, excluding staff and Councillors, and there were about 79 questions all up. The project management team and I will be going through the questions and providing answers and I'm hoping to have that available before the normal Council agenda cycle for the September Council Meeting.

Lisa Glover

So that will be in the Minutes or the Agenda or something in that way? Would that be right?

Chief Executive Officer Ben Rose

I could possibly have a report on the questions and answers before the next Council Agenda cycle, and this could be uploaded to the Shire website.

Michael King

My first question is, is anyone aware of a Councillor Donald Bourn?

Shire President Cr Brian Piesse

No.

Michael King

Has the Council or the Shire administration made any attempt to determine or consider the capacity of the residents of Balingup and Donnybrook to pay rates?

Shire President Cr Brian Piesse

As you would expect, the process, which is no different to the process which was endured when you had eight years on this Council, does take into consideration the matter of ratepayer capacity to pay.

Simon McInnes

How are road assets to be maintained and renewed into the future and is the road network solely reliant on grant funding from the State Government with no local government input?

Chief Executive Officer Ben Rose

There was a set of Asset Management Plans presented to Council recently which consider theoretical expenditure requirements on specific assets for the next 10 to 15 years. Those Plans are assistance documents to guide Council budgets, and are not detailed budgeting documents themselves.

Acting Director Corporate and Community Robin Garrett

The Shire's road network maintenance and renewal is based on a combination of an internal programme identifying required works and funded by grants and municipal funds.

Simon McInnes

Why is the maintenance side of building assets not being addressed?

Chief Executive Officer Ben Rose

The Shire has approximately 144 building assets - some are town halls, a Council Chamber, others are public toilets etc. The Shire finds itself in a position quite similar to most other regional local governments, where the funding required to preserve those buildings to a high standard is simply not available. Longer term, this is likely to require the Shire to rationalise its building assets, whilst seeking external funding for asset works where it can.

Simon McInnes

Will that impact on the Footy club?

Chief Executive Officer Ben Rose

Yes, it has impacted on the football club, and many other sporting facilities.

Simon McInnes

Why was the decision made to concentrate on drainage and car parks this year? Which car parks are to be renewed and what areas will have their drainage problems addressed?

Chief Executive Officer Response

As I mentioned before, there was a set of Asset Management Plans presented to Council recently which consider theoretical expenditure requirements on specific assets (including roads, car parks etc) for the next 10 to 15 years. Those Plans are assistance documents to guide Council budgets, and are not detailed budgeting documents themselves.

Lisa Glover

My question is around the \$547,000 spending on the car park.

Chief Executive Officer Ben Rose

The Asset Management Plan certainly assumed that there was some \$547,000 to be applied across a number of carparks for 2021-22 – based on theoretical asset expenditure modelling. The Works and Services team here at the Shire undertake site/asset inspections before actually proposing any Draft budget allocations, rather than solely relying on the theoretical asset expenditure modelling. They undertook an assessment of the car parks and recommended that they don't need the expenditure and therefore you won't find that level of funding in the actual budget.

Simon McInnes

I have looked at the amounts for road and transport in budgets and asset plans over the last 2 years and I have not seen the same figure twice. Why are these numbers so varied? Why is it so confusing?

Shire President Cr Brian Piesse

It's a fact of reality that the numbers are different; the works are varied and therefore the estimated costs are varied.

Simon McInnes

With the capital works, how many projects are completed and to what value and how many projects in the 20/21 budget were not completed and to what value and how many have been carried over to this year and to what value?

Shire President Cr Brian Piesse

This question is taken on notice.

Simon McInnes

Town planning scheme number 7 is currently three years out of date. When will this basic piece of housekeeping, on which many budgetary decisions are based, be updated?

Chief Executive Officer Ben Rose

I will just make a couple of corrections. Local Planning Scheme 7 not out of date and it is not a basic piece of housekeeping. The review of a Local Planning Scheme is probably one of the most complex and challenging legislative processes in Local Government. The Shire has already undertaken to review Local Planning Scheme 7 and that will be undertaken over the next 18 to 24 months.

Simon McInnes

So it'll be five years out of date when it's finally reviewed?

Chief Executive Officer Ben Rose

I'll have to correct you again Mr McInnes. It is not out of date. It will be reviewed over the next 18 to 24 months.

Lisa Glover

Is the Shire responsible for the \$35.00 internet charges that are happening at the Goods Shed? Why is that fee being charged to the Shire?

Chief Executive Officer Ben Rose

The payment of \$35 to an internet provider is towards operation of the interactive display boards (the digital boards with the touch screens). They operate via the internet and it is the Shire's obligation to manage the interactive displays.

Lisa Glover

So that will be an ongoing monthly ongoing bill or an account that the Shire is picking up for that centre?

Shire President Cr Brian Piesse

I would say yes and any maintenance on those in terms of that technology will also be to the Shire's expense.

Rod Atherton

Has the current Council achieved even one positive outcome for the Donnybrook Balingup Shire Council community in the past four years?

Shire President Cr Brian Piesse

I have some of the achievements to share with the gallery in answer to your question. Reporting on the achievements of the Council in the last financial year (the more obvious ones):

- Outsourcing the management of Tuia Lodge:
 - Over 7.5\$m benefit to the community over 21 years
 - Plus rates
 - Expanded services and size of facility
 - All employees transitioned with employment (~40 FTE or ~55 Headcount)
- Goods Shed Heritage Interpretive Centre:
 - Delivered within the Council-approved budget
 - Delivered during the height of COVID
- Secured more grant funding than this Shire or community has ever had access to previously (last 5 years ~\$54M, being an increase of almost 70% from the previous 5 years)
- Delivered close to \$1m worth of community infrastructure projects through the Drought Communities Program, without requiring a co-contribution
- Re-surfaced the entire Donnybrook Pool giving it somewhere between 10-15 years further life
- Secured and invested about \$400k in bushfire Mitigation Activity Funding for fire mitigation works around high bushfire risk areas
- Delivered the Beerlerup Bush Fire Brigade building
- Major shared pathway linking Meldene, Golf Course and towards the schools
- Secured \$945K with the Shires of Collie and Dardanup and we are delivering blackberry weed management with that funding across our three Shires.
- Refurbished the public toilets in Balingup, Kirup and Donnybrook
- Negotiated an arrangement with MRWA for the better part of \$1m worth of fill (from the Thomsons Hill Road Project) to cap the Donnybrook Tip in the future, saving the Shire the better part of a \$1million

- Led the tourism promotion with the SBS Trail Towns series and the GWN7 WA Caravan and Camping Show
- Hosted the Premier and key Ministers in Donnybrook for a community lunch event
- Broke ground with Minister MacTiernan on the Bridge Street Affordable Housing Project.

Chief Executive Officer Ben Rose

- Overhauled the Community Grants Funding Scheme
- Undertook a major review of the Strategic Community Plan
- Undertook a major review of our Long Term Financial Plan
- Updated and improved our Asset Management Plans
- Introduced new internal systems to manage things like Gravel Stockpiles and Bulk Fuels to improve fraud controls, error controls and accounting processes
- Spearheaded the development of the WBAC Climate Impact Working Group, following an Annual Electors Meeting motion
- Delivered an unqualified audit, with a modest year end cash position surplus of ~\$45k (during a global pandemic)
- Advocated very strongly with the State Government to secure funding for upgrades to Glen Mervyn Dam as an eco-tourism and visitor hub
- Partnered with other southwest local governments in the sub-regional town planning review, seeking better outcomes for rural and regional centres such as Kirup, Balingup and Donnybrook
- Applied for a lot more funding which we weren't successful with
- Fostered constructive and productive relationships with many community groups like the BPA, GVTP, Mens Shed, Community Garden, Tourism Associations, the Chamber of Commerce and many more
- Developed a professional/constructive relationship with all sides of govt, incoming and outgoing, State and Federal
- Held the 'ship' together during a turbulent COVID period, still delivering projects, services and sound financial management

Shire President Cr Brian Piesse

Positive Implications:

- Compared to many regional Shires, this Shire is not suffering from the 'ghost town' effect
- Property values are increasing
- Number of businesses is increasing
- Number of vacant shops decreasing
- Tourism is increasing.

6 PRESENTATIONS

6.1 PETITIONS

Nil.

6.2 PRESENTATIONS

Nil.

6.3 DEPUTATIONS

Nil.

COUNCIL RESOLUTION 131/21

ADOPTION BY EXCEPTION

Moved Cr Mitchell Seconded Cr Smith

That the following items be adopted ‘en bloc’:

7.1 Confirmation of Minutes Ordinary Meeting of Council – 28 July 2021

9.2.2 Monthly Financial Report – July 2021

**12.1.1 Confidential - Request to purchase Lot 58 (70) South Western Highway,
Donnybrook**

12.1.2 Confidential – Works and Services Business Unit Review

CARRIED 8/0

7 CONFIRMATION OF MINUTES

7.1 ORDINARY MEETING OF COUNCIL – 28 JULY 2021

Minutes of the Ordinary Meeting of Council held 28 July 2021 are attached (attachment 7.1 (1)).

EXECUTIVE RECOMMENDATION

That the Minutes from the Ordinary Meeting of Council held 28 July 2021 be confirmed as a true and accurate record.

COUNCIL RESOLUTION 132/21

Moved Cr Mitchell Seconded Cr Smith

That the Minutes from the Ordinary Meeting of Council held 28 July 2021 be confirmed as a true and accurate record.

CARRIED 8/0 by En bloc Resolution

8 REPORTS OF COMMITTEES

Nil.

9 REPORTS OF OFFICERS

9.1 DIRECTOR OPERATIONS

9.1.1 REQUEST TO TEMPORARILY RESIDE IN A CARAVAN WHILST CONSTRUCTING A DWELLING IN THE DONNYBROOK TOWNSITE – 24A MARMION STREET, DONNYBROOK

Location	24A Marmion Street, Donnybrook
Applicant	J & W Loweke
File Reference	A4932
Author	Steve Potter, Director Operations
Responsible Manager	Steve Potter, Director Operations
Attachments	9.1.1(1): Written Request
Voting Requirements	Simple majority

Recommendation

That Council:

1. **Acknowledges the written request dated 22 July 2021 made by J and W Loweke to temporarily reside in a caravan at 24A Marmion Street, Donnybrook whilst constructing a dwelling on the property for the dates 30 August – 30 November 2021;**
2. **Determines that it does not support the request for the following reasons:**
 - 2.1 **The proposal does not comply with the Shire’s Building Policy 5.7 *Owner Builder Occupation of Town Site Land* which states that Council will not support residential occupation of town site lots during the construction phase of a dwelling;**
 - 2.2 **The proposal would likely have an unacceptable impact on neighbouring residential landowners and the amenity of the locality, and potentially establish an undesirable precedent.**

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	2.1	An attractive and maintained built environment
Strategy	2.1.2	Provide efficient and effective regulatory services
Action	2.1.2.2	Provide efficient and effective building services

EXECUTIVE SUMMARY

The Shire has received a request from a landowner of vacant land located within the Donnybrook town site to temporarily reside at the property in a caravan for a period of three months whilst constructing a dwelling.

Staff recommend that Council does not support the request as it does not comply with the adopted Policy and it is considered will result in unacceptable impacts on surrounding landowners and the amenity of the locality and set an undesirable precedent that will make refusing such requests in the future difficult.

BACKGROUND

24A Marmion Street is a vacant lot zoned 'Residential' located within the Donnybrook townsite. The owners have made application and received Planning approval for the construction of a dwelling / ancillary dwelling and the installation of septics on the property and a Building application is currently under consideration.

In early July, the Shire Rangers became aware of signs of occupancy of a caravan on the property and alerted the Shire's Principal Environmental Health Officer (PEHO) who is responsible for enforcing the provisions of the *Caravans and Camping Grounds Act* (Act) and associated *Regulations* (Regulations). This resulted in the PEHO placing a letter on the door of the caravan advising the landowners that in accordance with the Regulations, they were only permitted to camp on the property for a maximum of three days in any 28 consecutive day period.

After further liaison between the Shire and the landowner, a formal request was received on 22 July 2021 (refer Attachment 9.2.1(1)) from the landowners seeking approval from the Shire to live in the caravan on the property for the period 30 August – 30 November 2021, whilst constructing a dwelling.

The applicant has also submitted an 'application form' for a temporary caravan / camping ground licence which is included in the attachment. However, it is noted this form is not relevant to the matter under consideration as it generally applies to events where a temporary licence under the Act may be sought to use an oval or other area as a temporary caravan park / camping ground.

FINANCIAL IMPLICATIONS

Nil

POLICY COMPLIANCE

Council's Building Policy 5.7 is relevant to this matter and states the following:

Objective

To prevent and mitigate unauthorised occupancy of land within the town sites.

Policy

Council will not approve the residential occupation of town site lots during the course of construction of buildings thereon unless an approved Class 1 residential dwelling has already been completed to the satisfaction of Shire of Donnybrook Balingup.

STATUTORY COMPLIANCE

Relevant provisions of the Caravan and Camping Grounds Regulations 1997 (Regulations) are provided as follows:

Part 2, Regulation 11

11. Camping other than at caravan park or camping ground

- (1) *A person may camp —*
 - (a) *for up to 3 nights in any period of 28 consecutive days on land which he or she owns or has a legal right to occupy and may camp for longer than 3 nights on such land if he or she has written approval under subregulation (2) and is complying with that approval....*
- (2) *Written approval may be given for a person to camp on land referred to in subregulation (1)(a) for a period specified in the approval which is longer than 3 nights —*
 - (a) *by the local government of the district where the land is situated, if such approval will not result in the land being camped on for longer than 3 months in any period of 12 months; or*
 - (b) *by the Minister, if such approval will result in the land being camped on for longer than 3 months in any period of 12 months; or*
 - (c) *despite paragraph (b), by the local government of the district where the land is situated —*
 - (i) *if such approval will not result in the land being camped on for longer than 12 consecutive months; and*
 - (ii) *if the person owns or has a legal right to occupy the land and is to camp in a caravan on the land while a permit has effect in relation to the land.*

In the event that Council resolves not to support the request in line with the officer's recommendation, the applicant has the option of making a further request to the Minister in accordance with Regulation 11(2)(b). As a decision may be made by either party under the Regulation, an approval by the Minister would effectively overturn the Council decision in this circumstance.

CONSULTATION

Nil

OFFICER COMMENT / CONCLUSION

Whilst acknowledging that under subregulation (2) of the Regulations the local government has the authority to approve a period longer than the maximum 3 nights in any period of 28 consecutive days, staff are of the opinion that the proposal should not be supported. Council has a long standing Policy which was established in 1993 and which is understood to have been consistently applied over time.

It is noted that Council has a separate but related policy (Building Policy 5.8 *Owner Builder Occupation of Rural Land*) that provides an opportunity for owner builders to live in caravans on rural land located outside of town site boundaries during the construction phase of a dwelling, subject to the provision of a number of minimum health and amenity requirements (toilets, basins, showers, laundry troughs etc.).

Staff consider the existence of the two separate policies clearly indicates that the Shire has an established position on where proposals of this nature may be accommodated and where they are deemed to be inappropriate. It is also noted that a number of other local governments have similar policies restricting temporary accommodation of caravans within town sites during residential construction including some of the neighbouring local government authorities.

In light of the above, it is recommended that the request be denied in accordance with the officer recommendation.

COUNCIL RESOLUTION 133/21

Moved Cr Wringe Seconded Cr Atherton

That Council:

- 1. Acknowledges the written request dated 22 July 2021 made by J and W Loweke to temporarily reside in a caravan at 24A Marmion Street, Donnybrook whilst constructing a dwelling on the property for the dates 30 August – 30 November 2021;**
- 2. Determines that it does not support the request for the following reasons:**
 - 2.1 The proposal does not comply with the Shire's Building Policy 5.7 *Owner Builder Occupation of Town Site Land* which states that Council will not support residential occupation of town site lots during the construction phase of a dwelling;**
 - 2.2 The proposal would likely have an unacceptable impact on neighbouring residential landowners and the amenity of the locality, and potentially establish an undesirable precedent.**

CARRIED 8/0

9.2 DIRECTOR CORPORATE AND COMMUNITY

9.2.1 ACCOUNTS FOR PAYMENT

The Schedule of Accounts Paid (9.2.1(1)) under Delegation (No 3.1) is presented to Council for information.

9.2.2 MONTHLY FINANCIAL REPORT – JULY 2021

The Local Government (Financial Management) Regulations requires a complying monthly financial report to contain a year to date budget to actual comparison. By extension, this means presentation of a complying monthly financial report can only occur after the adoption of the annual budget. For this reason, the July 2021 monthly financial report will be prepared to be presented to the Ordinary Council Meeting in September 2021.
presented

EXECUTIVE RECOMMENDATION

That Council note the July Monthly Financial Report will be presented to the September Ordinary Council Meeting for compliance purposes.

COUNCIL RESOLUTION 134/21

Moved Cr Mitchell Seconded Cr Smith

That the July Monthly Financial Report will be presented to the September Ordinary Council Meeting for compliance purposes.

CARRIED 8/0 by En bloc Resolution

9.2.3 ADOPTION OF THE STATUTORY BUDGET 2021-2022

Location	Shire of Donnybrook Balingup
Applicant	Shire of Donnybrook Balingup
File Reference	FNC 04/1
Author	Robin Garrett, Acting Director Corporate and Community
Responsible Manager	Robin Garrett, Acting Director Corporate and Community
Attachments	9.2.3(1) – 2021-2022 Annual Draft Budget (Management) 9.2.3(2) – 2021-2022 Annual Draft Budget (Statutory) including 2021-2022 Schedule of Fees and Charges
Voting Requirements	Absolute Majority

Recommendation	
1.	Pursuant to Section 6.2 of the Local Government Act 1995, Council adopts the 2021-2022 Annual Budget, as attached.
2.	Pursuant to Section 6.16 of the Local Government Act 1995, Council adopts the Schedule of Fees and Charges for 2021-2022, as attached.
3.	<p>Pursuant to Section 6.32 of the Local Government Act 1995, Council adopts the following rates in the dollar and minimum payments for the 2021-2022 financial year on all ratable land:</p> <p style="padding-left: 40px;">General rate multiplied by each valuation dollar:</p> <p style="padding-left: 40px;">Unimproved Value (UV) = 0.006412</p> <p style="padding-left: 40px;">Gross Rental Valuation (GRV) = 0.097461</p> <p style="padding-left: 40px;">Minimum payment level:</p> <p style="padding-left: 40px;">UV = \$1,316</p> <p style="padding-left: 40px;">GRV = \$1,316</p> <p>Note 1: Given, the above rates in the dollar now include the previous Waste Management Levy, direct comparison to the previous years' Rates Assessments is not appropriate.</p> <p>Note 2: As per Note 1, the decision to amalgamate the Waste Management Levy into Rates enables concessions for eligible persons. The <i>Rates and Charges (Rebates and Deferrals) Act 1992</i> sets out eligible persons for concessions of local government rates and other prescribed charges. Eligible persons are those that hold:</p> <p style="padding-left: 40px;">(i) a seniors' card (25%); or</p> <p style="padding-left: 40px;">(ii) a pensioner concession card; or</p> <p style="padding-left: 40px;">(iii) a State concession card; or</p> <p style="padding-left: 40px;">(iv) a Commonwealth seniors health card.</p>

Note 3: As per Note 1, above, the effective rate increase for a property with the average Gross Rental Valuation is 5.26%.

Note 4: As per Note 1, above, the effective rate increase for a property with the average Unimproved Valuation is 8.06%, impacted by the recent UV property revaluations across the Shire.

- 4. Pursuant to Section 6.45 of the Local Government Act 1995, Council sets due dates for the payment of rates and charges as follows:**

Payment in Full

Full Payment	14 October 2021
---------------------	------------------------

Two Instalments

1st Instalment	14 October 2021
2nd Instalment	11 February 2022

Four Instalments

1st Instalment	14 October 2021
2nd Instalment	13 December 2021
3rd Instalment	11 February 2022
4th Instalment	12 April 2022

- 5. Pursuant to Section 6.51 of the Local Government Act 1995, Council adopts an 7% rate of penalty interest on overdue rates and charges that remain unpaid past the due date.**
- 6. Pursuant to Section 6.45 of the Local Government Act 1995, Council adopts an interest rate of 5.5% where the owner has elected to pay rates and charges through an instalment option.**
- 7. Pursuant to Section 6.45 of the Local Government Act 1995, Council adopts an instalment administration charge where the owner has elected to pay rates and charges through an instalment option being \$11.00 payable on the 2nd (and each subsequent) instalments:**

\$11.00 total fee for two (2) instalment option.
\$33.00 total fee for four (4) instalment option.

- 8. Pursuant to Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, Council adopts a material variance for reporting of \$10,000 for 2021-2022.**

9. Pursuant to section 67 of the Waste Avoidance and Resource Recovery Act 2007, Council sets the 2021-2022 Waste Receptacle Charges.

Bin Service - 3 Bin Service	\$250.00
Bin Service - 2 Bin Service	\$203.00
Optional Bin - Rubbish (Fortnightly)	\$79.00
Optional Bin - Rubbish (Weekly)	\$155.00
Optional Bin - Recycling	\$48.00
Optional Bin - Organics	\$124.00
Aged Care Bin Service - 3 Bin Service	\$84.00
Aged Care Bin Service – Optional Organics	\$42.00

10. Pursuant to regulation 53 of the Building Regulations 2012, Council adopts the annual Swimming Pool Barrier Inspection fee of \$14.61 per swimming pool.

11. Council note the advice received, subsequent to the statutory 2021-2022 Annual Budget preparation, from the WA Local Government Grants Commission confirming payment amounts for the 2021-2022 financial year and instruct the Chief Executive Officer to address the resulting \$120,823 shortfall in the budget review process.

12. That Council note the Chief Executive Officer has arranged for a public/community Budget Information Session on 8 September 2021.

ABSOLUTE MAJORITY VOTE REQUIRED

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	4.2	A respected, professional and trusted organisation
Strategy	4.2.1	Effective and efficient operations and service provisions
Action	4.2.1.4	Demonstrate sound financial planning and management, including revenue / expenditure review diversification strategies and long term financial planning

EXECUTIVE SUMMARY

The Executive recommendations are required to adopt the 2021-22 Annual Budget and associated fees and charges.

BACKGROUND

Council has reviewed the proposed Annual Budget through detailed workshops leading up to the presentation of this report.

The 2021-2022 Annual Budget has regard to the Perth Consumer Price index forecast (1.47%) and more specifically the Perth Local Government Cost Index forecast (3.2%) in determining increases affecting service provision to the community by the Shire.

In accordance with Council resolution 110/21, this budget has been prepared on the basis that no Waste Management Levy is being imposed from the 2021-2022 financial year. This levy has been replaced with a corresponding increase in rates which facilitates beneficial outcomes for the Shire and also for pensioners/seniors in its community through the State Government's Rates and Charges (Rebates and Deferments) Act 1992.

Significant capital works are included in this Annual Budget which include:

Donnybrook Public Hall	\$51,000
Balingup Recreation Centre	\$108,000
Donnybrook Recreation Centre	\$210,000
VC Mitchell Park Redevelopment	\$6,025,000
Apple Fun Park Redevelopment (finalisation)	\$1,075,000
Egan Park Pump Track	\$396,000
Hockey Training Facility	\$250,000
Donnybrook Weir	\$238,000
Roadworks construction	\$4,954,000

Significant grant funding is also included:

VBFB ESL Operating Grant	\$211,000
Bushfire Mitigation	\$327,000
Drought Funding	\$512,000
VC Mitchell Park Redevelopment*	\$4,511,000
Apple Fun Park Redevelopment (finalisation)	\$1,075,000
Egan Park Pump Track	\$396,000
Donnybrook Public Hall	\$50,000
LRCI (Round 2 & 3)	\$1,380,000
Roads, Bridges and Paths	\$3,572,000

*Note: borrowings of \$2.5M are proposed to fund the works (not covered by grants) required for the VC Mitchell Park Project for 2021-22, of which ~\$980K will remain unspent and recognised as restricted cash to be allocated to the project in 2022-23.

The Draft Statutory Budget (Attachment 9.2.3(2)) has been produced in accordance with provisions of the Local Government Act 1995 (with additional supplementary budget papers) and will be provided under separate cover.

Unimproved Valuation (UV) properties are most commonly defined as ‘rural/farming’ properties, whilst Gross Rental Valuation (GRV) properties are all remaining properties not defined as UV.

FINANCIAL IMPLICATIONS

This report will adopt the Annual Budget 2021-2022 as required by the *Local Government Act 1995* and facilitate the provision of services and facilities to the community in accordance with identified needs.

POLICY COMPLIANCE

Not applicable.

STATUTORY COMPLIANCE

Section 6.2 of the Local Government Act requires that:

“Not later than 31st August in each financial year, or such extended time as the Minister allows, each local government is to prepare and adopt, in the form and manner prescribed, a budget for its municipal fund for the financial year ending on the next following 30 June.”

Note: The form and manner prescribed is detailed in Part 3 of the Local Government (Financial Management) Regulations 1996.

CONSULTATION

Detailed Councillor consultation has been undertaken through the development of the budget, including multiple reports to Council in the preceding 8-9 months on matters for inclusion or consideration in the budget.

OFFICER CONCLUSION

The Executive recommendations set out in the item comprise the resolution to adopt the 2021-2022 Annual Budget in statutory format.

OUTCOME OF MEETING

Cr Mitchell declared an impartiality interest in the item and remained in the Chamber for the duration of the discussion and vote on the matter.

Cr Massey declared an impartiality interest in the item and remained in the Chamber for the duration of the discussion and vote on the matter.

Cr Wringe declared a proximity and impartiality interest in the item and I and remained in the Chamber for the duration of the discussion and vote on the matter with approval from Minister.

Moved Cr. Mitchell Seconded Cr. Lindermann

- 1. Pursuant to Section 6.2 of the Local Government Act 1995, Council adopts the 2021-2022 Annual Budget, as attached.**
- 2. Pursuant to Section 6.16 of the Local Government Act 1995, Council adopts the Schedule of Fees and Charges for 2021-2022, as attached.**
- 3. Pursuant to Section 6.32 of the Local Government Act 1995, Council adopts the following rates in the dollar and minimum payments for the 2021-2022 financial year on all ratable land:**

General rate multiplied by each valuation dollar:

Unimproved Value (UV) = 0.006412

Gross Rental Valuation (GRV) = 0.097461

Minimum payment level:

UV = \$1,316

GRV = \$1,316

Note 1: Given, the above rates in the dollar now include the previous Waste Management Levy, direct comparison to the previous years' Rates Assessments is not appropriate.

Note 2: As per Note 1, the decision to amalgamate the Waste Management Levy into Rates enables concessions for eligible persons. The *Rates and Charges (Rebates and Deferrals) Act 1992* sets out eligible persons for concessions of local government rates and other prescribed charges. Eligible persons are those that hold:

- (i) a seniors' card (25%); or**
- (ii) a pensioner concession card; or**
- (iii) a State concession card; or**
- (iv) a Commonwealth seniors health card.**

Note 3: As per Note 1, above, the effective rate increase for a property with the average Gross Rental Valuation is 5.26%.

Note 4: As per Note 1, above, the effective rate increase for a property with the average Unimproved Valuation is 8.06%, impacted by the recent UV property revaluations across the Shire.

4. Pursuant to Section 6.45 of the Local Government Act 1995, Council sets due dates for the payment of rates and charges as follows:

Payment in Full

Full Payment	14 October 2021
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Two Instalments

1st Instalment	14 October 2021
2nd Instalment	11 February 2022

Four Instalments

1st Instalment	14 October 2021
2nd Instalment	13 December 2021
3rd Instalment	11 February 2022
4th Instalment	12 April 2022

5. Pursuant to Section 6.51 of the Local Government Act 1995, Council adopts an 7% rate of penalty interest on overdue rates and charges that remain unpaid past the due date.
6. Pursuant to Section 6.45 of the Local Government Act 1995, Council adopts an interest rate of 5.5% where the owner has elected to pay rates and charges through an instalment option.
7. Pursuant to Section 6.45 of the Local Government Act 1995, Council adopts an instalment administration charge where the owner has elected to pay rates and charges through an instalment option being \$11.00 payable on the 2nd (and each subsequent) instalments:

\$11.00 total fee for two (2) instalment option.

\$33.00 total fee for four (4) instalment option.

8. Pursuant to Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, Council adopts a material variance for reporting of \$10,000 for 2021-2022.

9. Pursuant to section 67 of the Waste Avoidance and Resource Recovery Act 2007, Council sets the 2021-2022 Waste Receptacle Charges.

Bin Service - 3 Bin Service	\$250.00
Bin Service - 2 Bin Service	\$203.00
Optional Bin - Rubbish (Fortnightly)	\$79.00
Optional Bin - Rubbish (Weekly)	\$155.00
Optional Bin - Recycling	\$48.00
Optional Bin - Organics	\$124.00
Aged Care Bin Service - 3 Bin Service	\$84.00
Aged Care Bin Service – Optional Organics	\$42.00

10. Pursuant to regulation 53 of the Building Regulations 2012, Council adopts the annual Swimming Pool Barrier Inspection fee of \$14.61 per swimming pool.
11. Council note the advice received, subsequent to the statutory 2021-2022 Annual Budget preparation, from the WA Local Government Grants Commission confirming payment amounts for the 2021-2022 financial year and instruct the Chief Executive Officer to address the resulting \$120,823 shortfall in the budget review process.
12. That Council note the Chief Executive Officer has arranged for a public/community Budget Information Session on 8 September 2021.

Amendment (Withdrawn)

Moved Cr. Wringe Seconded Cr. Smith

That Council:

1. Pursuant to Section 6.2 of the Local Government Act 1995, Council adopts the 2021-2022 Annual Budget, as attached.
2. Pursuant to Section 6.16 of the Local Government Act 1995, Council adopts the Schedule of Fees and Charges for 2021-2022, as attached.
3. Pursuant to Section 6.32 of the Local Government Act 1995, Council adopts the following rates in the dollar and minimum payments for the 2021-2022 financial year on all ratable land:

General rate multiplied by each valuation dollar:

Unimproved Value (UV) = 0.006412

Gross Rental Valuation (GRV) = 0.097461

Minimum payment level:

UV = \$1,316

GRV = \$1,316

Note 1: Given, the above rates in the dollar now include the previous Waste Management Levy, direct comparison to the previous years' Rates Assessments is not appropriate.

Note 2: As per Note 1, the decision to amalgamate the Waste Management Levy into Rates enables concessions for eligible persons. The *Rates and Charges (Rebates and Deferments) Act 1992* sets out eligible persons for concessions of local government rates and other prescribed charges. Eligible persons are those that hold:

- (i) a seniors' card (25%); or**
- (ii) a pensioner concession card; or**
- (iii) a State concession card; or**
- (iv) a Commonwealth seniors health card.**

Note 3: As per Note 1, above, the effective rate increase for a property with the average Gross Rental Valuation is 5.26%.

Note 4: As per Note 1, above, the effective rate increase for a property with the average Unimproved Valuation is 8.06%, impacted by the recent UV property revaluations across the Shire.

Note 5 :

	GRV 2022	UV 2022
Minimum Payment	1316.00	1316.00
Waste Management Levy	NIL	NIL
Total 2022	1316.00	1316.00

	GRV 2021	UV 2021
Minimum Payment	1104.00	1104.00
Waste Management Levy	146.71	114.36
Total 2022	1250.71	1218.36

Minimum Payment	GRV	UV
Actual Increase p.a.	\$65.69	\$98.14
Actual Increase p. week	\$1.26	\$1.88
Actual increase %	5.25	8.06

4. Pursuant to Section 6.45 of the Local Government Act 1995, Council sets due dates for the payment of rates and charges as follows:

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8. Pursuant to Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, Council adopts a material variance for reporting of \$10,000 for 2021-2022.
9. Pursuant to section 67 of the Waste Avoidance and Resource Recovery Act 2007, Council sets the 2021-2022 Waste Receptacle Charges.

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11. Council note the advice received, subsequent to the statutory 2021-2022 Annual Budget preparation, from the WA Local Government Grants Commission confirming payment amounts for the 2021-2022 financial year and instruct the Chief Executive Officer to address the resulting \$120,823 shortfall in the budget review process.
12. That Council note the Chief Executive Officer has arranged for a public/community Budget Information Session on 8 September 2021.

COUNCIL RESOLUTION 135/21

Moved Cr Mitchell Seconded Cr Lindemann

That Council:

1. Pursuant to Section 6.2 of the Local Government Act 1995, Council adopts the 2021-2022 Annual Budget, as attached.
2. Pursuant to Section 6.16 of the Local Government Act 1995, Council adopts the Schedule of Fees and Charges for 2021-2022, as attached.
3. Pursuant to Section 6.32 of the Local Government Act 1995, Council adopts the following rates in the dollar and minimum payments for the 2021-2022 financial year on all ratable land:

General rate multiplied by each valuation dollar:

Unimproved Value (UV) = 0.006412

Gross Rental Valuation (GRV) = 0.097461

Minimum payment level:

UV = \$1,316

GRV = \$1,316

Note 1: Given, the above rates in the dollar now include the previous Waste Management Levy, direct comparison to the previous years' Rates Assessments is not appropriate.

Note 2: As per Note 1, the decision to amalgamate the Waste Management Levy into Rates enables concessions for eligible persons. The *Rates and Charges (Rebates and Deferments) Act 1992* sets out eligible persons for concessions of local government rates and other prescribed charges. Eligible persons are those that hold:

- (i) a seniors' card (25%); or**
- (ii) a pensioner concession card; or**
- (iii) a State concession card; or**
- (iv) a Commonwealth seniors health card.**

Note 3: As per Note 1, above, the effective rate increase for a property with the average Gross Rental Valuation is 5.26%.

Note 4: As per Note 1, above, the effective rate increase for a property with the average Unimproved Valuation is 8.06%, impacted by the recent UV property revaluations across the Shire.

- 4. Pursuant to Section 6.45 of the Local Government Act 1995, Council sets due dates for the payment of rates and charges as follows:**

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4th Instalment	12 April 2022

- 5. Pursuant to Section 6.51 of the Local Government Act 1995, Council adopts an 7% rate of penalty interest on overdue rates and charges that remain unpaid past the due date.**

6. Pursuant to Section 6.45 of the Local Government Act 1995, Council adopts an interest rate of 5.5% where the owner has elected to pay rates and charges through an instalment option.
7. Pursuant to Section 6.45 of the Local Government Act 1995, Council adopts an instalment administration charge where the owner has elected to pay rates and charges through an instalment option being \$11.00 payable on the 2nd (and each subsequent) instalments:

\$11.00 total fee for two (2) instalment option.

\$33.00 total fee for four (4) instalment option.

8. Pursuant to Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, Council adopts a material variance for reporting of \$10,000 for 2021-2022.
9. Pursuant to section 67 of the Waste Avoidance and Resource Recovery Act 2007, Council sets the 2021-2022 Waste Receptacle Charges.

Bin Service - 3 Bin Service	\$250.00
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Aged Care Bin Service – Optional Organics	\$42.00

10. Pursuant to regulation 53 of the Building Regulations 2012, Council adopts the annual Swimming Pool Barrier Inspection fee of \$14.61 per swimming pool.
11. Council note the advice received, subsequent to the statutory 2021-2022 Annual Budget preparation, from the WA Local Government Grants Commission confirming payment amounts for the 2021-2022 financial year and instruct the Chief Executive Officer to address the resulting \$120,823 shortfall in the budget review process.

12. That Council note the Chief Executive Officer has arranged for a public/community Budget Information Session on 8 September 2021.

**CARRIED 7/1
ABSOLUTE MAJORITY VOTE ATTAINED**

Foreshadow / Alternate motion - Cr Massey

1. Pursuant to Section 6.2 of the Local Government Act 1995, Council adopts the 2021-2022 Annual Budget, as attached, subject to the following amendments:
 - a. Reduce the proposed general rate increase from 8.6 percent to 6.8 percent resulting in a reduction of rate revenue of \$101,300.
 - b. Reduce the transfer to Building Maintenance Reserve by \$71,300 and reduce the transfer to Parks and Reserves Reserve by \$30,000 to offset the rate revenue reduction.
 - c. Authorise the Chief Executive Officer to incorporate any other adjustments necessary to recognize the impact of the above changes throughout the 2021-2022 Annual Budget document, as attached.
2. Pursuant to Section 6.16 of the Local Government Act 1995, Council adopts the Schedule of Fees and Charges for 2021-2022, as attached.
3. Pursuant to Section 6.32 of the Local Government Act 1995, Council adopts the following rates in the dollar and minimum payments for the 2021-2022 financial year on all ratable land:

General rate multiplied by each valuation dollar:

UV = 0.006305

GRV = 0.095846

Minimum payment level:

UV = \$1,294

GRV = \$1,294

Note 1: Given, the above rates in the dollar now include the previous Waste Management Levy, direct comparison to the previous years' Rates Assessments is not appropriate.

Note 2: As per Note 1, the decision to amalgamate the Waste Management Levy into Rates enables concessions for eligible persons. The Rates and Charges (Rebates and Deferments) Act 1992 sets out eligible persons for concessions of local government rates and other prescribed charges.

Eligible persons are those that hold:

- (i) a seniors' card (25%); or**
- (ii) a pensioner concession card; or**
- (iii) a State concession card; or**
- (iv) a Commonwealth seniors health card.**

Note 3: As per Note 1, above, the effective rate increase for a property with the average Gross Rental Valuation is 3.51%.

Note 4: As per Note 1, above, the effective rate increase for a property with the average Unimproved Valuation is 6.25%, impacted by the recent UV property revaluations across the Shire.

- 4. Pursuant to Section 6.45 of the Local Government Act 1995, Council sets due dates for the payment of rates and charges as follows:**

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- 5. Pursuant to Section 6.51 of the Local Government Act 1995, Council adopts an 7% rate of penalty interest on overdue rates and charges that remain unpaid past the due date.**
- 6. Pursuant to Section 6.45 of the Local Government Act 1995, Council adopts an interest rate of 5.5% where the owner has elected to pay rates and charges through an instalment option.**
- 7. Pursuant to Section 6.45 of the Local Government Act 1995, Council adopts an instalment administration charge where the owner has elected to pay rates and charges through an instalment option being \$11.00 payable on the 2nd (and each subsequent) instalments:**

\$11.00 total fee for two (2) instalment option.

\$33.00 total fee for four (4) instalment option.

- 8. Pursuant to Regulation 34(5) of the Local Government (Financial Management) Regulations 1996, Council adopts a material variance for reporting of \$10,000 for 2021-2022.**

- 9. Pursuant to section 67 of the Waste Avoidance and Resource Recovery Act 2007, Council sets the 2021-2022 Waste Receptacle Charges.**

Bin Service - 3 Bin Service	\$250.00
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Optional Bin - Rubbish (Fortnightly)	\$79.00
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Aged Care Bin Service - 3 Bin Service	\$84.00
Aged Care Bin Service – Optional Organics	\$42.00

- 10. Pursuant to regulation 53 of the Building Regulations 2012, Council adopts the annual Swimming Pool Barrier Inspection fee of \$14.61 per swimming pool.**

- 11. Council note the advice received, subsequent to the statutory 2021-2022 Annual Budget preparation, from the WA Local Government Grants Commission confirming payment amounts for the 2021-2022 financial year and instruct the Chief Executive Officer to address the resulting \$120,823 shortfall in the budget review process.**

- 12. That Council note the Chief Executive Officer has arranged for a public/community Budget Information Session on 8 September 2021.**

LAPSED AS SUBSTANTIVE MOTION CARRIED

9.2.4 ANNUAL CONCESSIONS ON SPLIT LOCAL GOVERNMENT BOUNDARIES

Location	Shire of Donnybrook Balingup
Applicant	Not applicable
File Reference	A2491, A4390, A2671, A1394
Author	Robin Garrett, Director Corporate and Community
Responsible Officer	Robin Garrett, Director Corporate and Community
Attachments	Nil
Voting Requirements	Absolute Majority

Recommendation
<p>That Council:</p> <ol style="list-style-type: none"> 1. Grant concession of 41% on Rates on A2491, Lot 4522, 3853 Donnybrook-Boyup Brook Road, Noggerup due to: <ol style="list-style-type: none"> 1.1 The land parcel being dissected by the Shire of Donnybrook Balingup and Shire of Boyup Brook boundary. 1.2 41% of the land parcel is located in the Shire of Boyup Brook. 2. Grant concession of 53% on Rates on A4390, Lot 11859, Walker Road, Wilga West due to: <ol style="list-style-type: none"> 2.1 The land parcel being dissected by the Shire of Donnybrook Balingup and Shire of Boyup Brook boundary. 2.2 53% of the land parcel is located in the Shire of Boyup Brook. 3. Grant an annual concession of 79% on Rates on A2671, Lot 3804, 3905 Donnybrook-Boyup Brook Road, McAlinden due to: <ol style="list-style-type: none"> 3.1 The land parcel being dissected by the Shire of Donnybrook Balingup and Shire of Boyup Brook boundary. 3.2 79% of the land parcel is located in the Shire of Boyup Brook. 4. Grant an annual concession of 58% on Rates on A1394, Lot 8314 Greenbushes Grimwade Road, North Greenbushes due to: <ol style="list-style-type: none"> 4.1 The land parcel being dissected by the Shire of Donnybrook Balingup and Shire of Bridgetown Greenbushes boundary. 4.2 58% of the land parcel is located in the Shire of Boyup Brook. 5. Apply an effective commencement date of 1 July 2021 for all concessions approved within resolutions 1 – 4, above. <p style="text-align: right;"><i>ABSOLUTE MAJORITY VOTE REQUIRED</i></p>

STRATEGIC ALIGNMENT

The outcome will meet the following objectives of the Shire of Donnybrook Balingup Strategic Community Plan.

Outcome 4.2.1 Effective and efficient operations and service provision.

**Absolute Majority Vote Required*

2. *Grant an annual concession of 53% on Rates on A4390, Lot 11859 Walker Road, Wilga West due to:*
 - a. *The land parcel being dissected by the Shire of Donnybrook Balingup and Shire of Boyup Brook boundary.*
 - b. *53% of the land parcel is located in the Shire of Boyup Brook.*

**Absolute Majority Vote Required*

3. *Not grant a rates concession on A4389, Lot 12087, 199 Walker Road, Wilga where the land parcel is dissected by the Shire of Donnybrook Balingup and Shire of Boyup Brook boundary, as a significant percentage of land mass and built structures reside in the Shire of Donnybrook Balingup.*
4. *Not grant a rates concession on A1393, 118 Walker Road, Wilga West, where the land parcel is dissected by the Shire of Donnybrook Balingup and Shire of Boyup Brook boundary due to:*
 - a. *The assessment comprises three contiguous lots.*
 - b. *One lot (Lot 8578) is situated entirely in the Shire of Donnybrook Balingup.*
 - c. *The assessment is group valued and Lot 8578 would ordinarily be subject to the minimum rate in its own right.*
 - d. *No rating concession was previously granted.*
5. *Apply applications for Waste Management Levy concessions on properties where the Shire Boundary dissects a land parcel in accordance with Policy 6.5 Waste Management Levy Exemption.*
6. *All concessions approved within resolutions 1 – 5, above, have an effective commencement date of 1 July 2019.*
7. *Instruct the Chief Executive Officer to undertake preliminary consultation with the Shire of Boyup Brook (by no later than December 2019) regarding boundary adjustment on properties where the Shire Boundary dissects a land parcel, in preparation for a future report to Council for its consideration.*

Carried by Absolute Majority 9/0

DETAILS

Assessments to be considered in this application for concession on Rates and Waste Management Levy for 2021-2022 financial year are:

A2491	LOT 4522 (3853) BOYUP BROOK RD	NOGGERUP WA 6225
A4390	LOT 11859 WALKER RD	WILGA WEST WA 6243
A2671	LOT 3804 (3905) BOYUP BROOK RD	NOGGERUP WA 6225
A1394	LOT 8314 GREENBUSHES GRIMWADE RD	BALINGUP WA 6253

The Valuer General has recognised the problem of the shire boundary dissecting a land parcel by apportioning the total property valuation pro rata, based on the portion of land area in each respective Shire.

Assessment	Lot	Area (ha)			Valuation 2021/22		
		Donnybrook Balingup	Other Shire	Total Area (ha)	Donnybrook Balingup	Other Shire	Total Valuation
A2491	4522	8.1	5.6	13.7	57,000	49,000	106,000
A4390	11859	30.8	34.4	65.2	63,000	75,500	138,500
A2671	3804	12.1	44.8	56.9	47,000	135,000	182,000
A1394	8314	48.5	67.9	116.4	137,000	217,000	354,000

Therefore, each Shire raises rates and charges only on the portion of land (and portion of the valuation) that is applicable in each respective Shire. The property is essentially treated as two separate smaller lots of land for rating purposes rather than a single large lot.

Council rates the properties in accordance with s6.28(4) of the Local Government Act 1995 (the Act) where it is required to apply the valuations supplied by the Valuer General.

6.28. Basis of rates

- (1) The Minister is to —
 - a. determine the method of valuation of land to be used by a local government as the basis for a rate; and
 - b. publish a notice of the determination in the *Government Gazette*.
- (2) In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be —
 - a. where the land is used predominantly for rural purposes, the unimproved value of the land; and
 - b. where the land is used predominantly for non-rural purposes, the gross rental value of the land.
- (3) The unimproved value or gross rental value, as the case requires, of rateable land in the district of a local government is to be recorded in the rate record of that local government.
- (4) Subject to subsection (5), for the purposes of this section the valuation to be used by a local government is to be the valuation in force under the *Valuation of Land Act 1978* as at 1 July in each financial year.
- (5) Where during a financial year —
 - a. an interim valuation is made under the *Valuation of Land Act 1978*; or
 - b. a valuation comes into force under the *Valuation of Land Act 1978* as a result of the amendment of a valuation under that Act; or
 - c. a new valuation is made under the *Valuation of Land Act 1978* in the course of completing a general valuation that has previously come into force, the interim valuation, amended valuation or new valuation, as the case requires, is to be used by a local government for the purposes of this section.

[Section 6.28 amended: No. 1 of 1998 s. 20.]

The Act also provides the authority for Council to grant discounts or concessions to rates and other amounts owing.

6.47. Concessions

Subject to the *Rates and Charges (Rebates and Deferments) Act 1992*, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

* Absolute majority required.

6.12. Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —
 - a. when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or

- b. waive or grant concessions in relation to any amount of money; or
- c. write off any amount of money, which is owed to the local government.

* Absolute majority required.

FINANCIAL IMPLICATIONS

Although the 2021-2022 budget has not been adopted at the time of writing, calculations have been based on 2021-2022 proposed figures. With the Officer Recommendation applied, there would be a reduction in revenue of \$3,039.96.

	Based on 2021/22 Figures		Proposed Concession		Reduction in Revenue
	Valuation	Budgeted Rates Levied	Rates Concession %	Rates Concession \$	Total Concession \$
A2491	\$57,000	\$1,316.00	41%	\$539.56	\$539.56
A4390	\$63,000	\$1,316.00	53%	\$697.48	\$697.48
A2671	\$47,000	\$1,316.00	79%	\$1039.64	\$1039.64
A1394	\$137,000	\$1,316.00	58%	\$763.28	\$763.28
				\$3,039.96	\$3,039.96

POLICY COMPLIANCE

Not applicable.

STATUTORY COMPLIANCE

S6.28 of the Local Government Act 1995 (the act) requires a Local Government to rate in accordance with the valuation provided by the Valuer General.

6.28. Basis of rates

- (1) The Minister is to —
 - a. determine the method of valuation of land to be used by a local government as the basis for a rate; and
 - b. publish a notice of the determination in the *Government Gazette*.
- (2) In determining the method of valuation of land to be used by a local government the Minister is to have regard to the general principle that the basis for a rate on any land is to be —
 - a. where the land is used predominantly for rural purposes, the unimproved value of the land; and
 - b. where the land is used predominantly for non-rural purposes, the gross rental value of the land.
- (3) The unimproved value or gross rental value, as the case requires, of rateable land in the district of a local government is to be recorded in the rate record of that local government.
- (4) Subject to subsection (5), for the purposes of this section the valuation to be used by a local government is to be the valuation in force under the *Valuation of Land Act 1978* as at 1 July in each financial year.
- (5) Where during a financial year —
 - a. an interim valuation is made under the *Valuation of Land Act 1978*; or

- b. a valuation comes into force under the *Valuation of Land Act 1978* as a result of the amendment of a valuation under that Act; or
- c. a new valuation is made under the *Valuation of Land Act 1978* in the course of completing a general valuation that has previously come into force, the interim valuation, amended valuation or new valuation, as the case requires, is to be used by a local government for the purposes of this section.

Valuations as supplied by Landgate (the Valuer General) are required to be applied to a property without amendment.

Council has the authority to resolve to grant discounts and concessions per s6.47 and s6.12 of the Act.

6.47. Concessions

Subject to the *Rates and Charges (Rebates and Deferrals) Act 1992*, a local government may at the time of imposing a rate or service charge or at a later date resolve to waive* a rate or service charge or resolve to grant other concessions in relation to a rate or service charge.

** Absolute majority required.*

6.12. Power to defer, grant discounts, waive or write off debts

(1) Subject to subsection (2) and any other written law, a local government may —

- a. when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
- b. waive or grant concessions in relation to any amount of money; or
- c. write off any amount of money,
- d. which is owed to the local government.

** Absolute majority required.*

CONSULTATION

Not applicable.

OFFICER COMMENT/CONCLUSION

It is not recommended that an arbitrary 50% concession be granted due to the varying proportion of the subject land parcels that reside with side of the boundary.

Assessment	Lot	Area (ha)		
		Donnybrook Balingup	Other Shire	Total Area (ha)
A2491	4522	59%	41%	100%
A4390	11859	47%	53%	100%
A2671	3804	21%	79%	100%
A1394	8314	42%	58%	100%

Assessment	A2491
Address	3853 Donnybrook-Boyup Brook Road, Noggerup
Lot	Lot 4522

According to Landgate (the Valuer General) the land area of the assessment is divided per the following;

	Shire of Donnybrook Balingup	Shire of Boyup Brook	Total
Land Area (ha)	8.1ha	5.6ha	13.7ha
Land Area (%)	59%	41%	100%

As 41% of the land parcel (as calculated by the Valuer General) is located in the Shire of Boyup Brook, it is recommended that a 41% rates concession be granted until such time a boundary adjustment is enacted.

Assessment	A4390
Address	Lot 11859 Walker Road, Wilga West
Lot	Lot 11859

According to Landgate (the Valuer General) the land area of the assessment is divided per the following;

	Shire of Donnybrook Balingup	Shire of Boyup Brook	Total
Land Area (ha)	30.8ha	34.4ha	65.2ha
Land Area (%)	47%	53%	100%

As 53% of the land parcel (as calculated by the Valuer General) is located in the Shire of Boyup Brook, it is recommended that a 53% rates concession be granted until such time a boundary adjustment is enacted.

Assessment	A2671
Address	3905 Donnybrook-Boyup Brook Road, Noggerup
Lot	3804

According to Landgate (the Valuer General) the land area of the assessment is divided per the following;

	Shire of Donnybrook Balingup	Shire of Boyup Brook	Total
Land Area (ha)	12.1 ha	44.8 ha	56.9 ha
Land Area (%)	21%	79%	100%

As 79% of the land parcel (as calculated by the Valuer General) is located in the Shire of Boyup Brook, it is recommended that a 79% rates concession be granted until such time a boundary adjustment is enacted.

Assessment	A1394
Address	Lot 8314 Greenbushes Grimwade Road, Balingup
Lot	8314

According to Landgate (the Valuer General) the land area of the assessment is divided per the following;

	Shire of Donnybrook Balingup	Shire of Bridgetown Greenbushes	Total
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Land Area (ha)	48.5 ha	67.9 ha	116.4 ha
Land Area (%)	42%	58%	100%

As 58% of the land parcel (as calculated by the Valuer General) is located in the Shire of Bridgetown Greenbushes, it is recommended that a 58% rates concession be granted until such time a boundary adjustment is enacted.

COUNCIL RESOLUTION 136/21

Moved Cr Lindemann

Seconded Cr Atherton

That Council:

1. **Grant concession of 41% on Rates on A2491, Lot 4522, 3853 Donnybrook-Boyup Brook Road, Noggerup due to:**
 - 1.1 **The land parcel being dissected by the Shire of Donnybrook Balingup and Shire of Boyup Brook boundary.**
 - 1.2 **41% of the land parcel is located in the Shire of Boyup Brook.**
2. **Grant concession of 53% on Rates on A4390, Lot 11859, Walker Road, Wilga West due to:**
 - 2.1 **The land parcel being dissected by the Shire of Donnybrook Balingup and Shire of Boyup Brook boundary.**
 - 2.2 **53% of the land parcel is located in the Shire of Boyup Brook.**
3. **Grant an annual concession of 79% on Rates on A2671, Lot 3804, 3905 Donnybrook-Boyup Brook Road, McAlinden due to:**
 - 3.1 **The land parcel being dissected by the Shire of Donnybrook Balingup and Shire of Boyup Brook boundary.**
 - 3.2 **79% of the land parcel is located in the Shire of Boyup Brook.**
4. **Grant an annual concession of 58% on Rates on A1394, Lot 8314 Greenbushes Grimwade Road, North Greenbushes due to:**
 - 4.1 **The land parcel being dissected by the Shire of Donnybrook Balingup and Shire of Bridgetown Greenbushes boundary.**
 - 4.2 **58% of the land parcel is located in the Shire of Boyup Brook.**
5. **Apply an effective commencement date of 1 July 2021 for all concessions approved within resolutions 1 – 4, above.**

**CARRIED 8/0
ABSOLUTE MAJORITY VOTE ATTAINED**

9.2.5 ART ACQUISITION AWARD AND ART COLLECTION

Location	Shire of Donnybrook Balingup
Applicant	Shire of Donnybrook Balingup
File Reference	Not applicable
Author	James Jarvis, Manager Community Development
Responsible Manager	Robin Garrett, Acting Director, Corporate and Community
Attachments	9.2.5(1) - Letter from Claire Connolly, The Colour Exhibition, Coordinator. 9.2.5(2) - Australia Council for the Arts – The Arts in Regional Australia: A Research Summary. 9.2.5(3) - Volunteer Sue Dennis - Curatorial Report and Recommendations for the Shire of Donnybrook Balingup Art Collection. 9.2.5(4) - A sample of 16 Cataloguing Worksheets for artworks identified by Sue Dennis.
Voting Requirements	Simple Majority

Recommendation

That Council authorise the Chief Executive Officer to:

- 1. Allocate the 2021/2022 Art Acquisition budget of up to \$1,000 to acquire an art item exhibited at The Colour Exhibition held in September 2021 and delivered by the Donnybrook Art and Craft Group Inc. in accordance with the following conditions of acquisition that the art item:**
 - a. Is assessed by The Colour Exhibition judging panel to be of an adequate standard and value;**
 - b. Was created by a local artist based in the Shire of Donnybrook Balingup; and**
 - c. Will be presented for public viewing, in an accessible place for one year, at the Donnybrook Community Library.**

- 2. Review the Curatorial Report and Recommendations provided by art volunteer, Sue Dennis, to assist in the development of an Arts Acquisition and Art Collection Policy that will support:**
 - a. The identification, valuation and cataloguing of the current Shire of Donnybrook Balingup art collection;**
 - b. Identification of potential locations for the public to view the art collection; and**
 - c. The establishment of a process which ensures fair and equitable considerations of annual art acquisitions.**

- 3. Write to Sue Dennis to thank her for the volunteer hours that were gifted to the Shire to provide an initial assessment and cataloguing of the Shire's art collection.**

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	3.1	An engaged, supportive and inclusive community.
Strategy	3.1.1	Facilitate, encourage and support a diverse range of festivals, community events, arts, and cultural activities.
Action	3.1.1.2	Continue to encourage and support community-led events.

EXECUTIVE SUMMARY

The Shire of Donnybrook Balingup has been asked to support The Colour Exhibition via an art acquisition process and to develop its arts collection. The Shire has budgeted for an arts award and art acquisition each financial year but has not used that funding since 2012-2013.

The renewed interest in community art generated by the Donnybrook Art and Craft Group via The Colour Exhibition has led to the Shire identifying the absence of an art register/collection, associated valuations, and policies that may guide art acquisition and collection management.

An opportunity has been presented by The Colour Exhibition to systematise the acquisition of art using an existing budget allocation and mobilising local art curatorial skills to develop an art collection that is accessible to the public.

BACKGROUND

The second annual Colour Exhibition presented in Donnybrook in September 2020 led to a series of art related activities in partnership between key art stakeholders and the Shire's Community Development Team, including:

1. A recognition that the Shire of Donnybrook Balingup had an existing collection of unknown value and stored in various locations across the Shire asset base in places not accessible to the public;
2. Identification of an arts enthusiast and Shire resident, Sue Dennis, who demonstrated significant art curatorial experience and who agreed to volunteer time to the Shire to undertake an initial assessment and cataloguing of the Shire art collection (see attached report and 16 catalogue examples); and
3. An exploration of a systemised method of activating the unused arts acquisition budget within the Community Development team budget allocation.

On 18 March 2021, Claire Connolly wrote to the Chief Executive Officer seeking support from the Shire to implement an art acquisition process linked to the annual Colour Exhibition, that is presented by the Donnybrook Art and Craft Group Inc. and encouraging the Shire to develop its art collection. (Attachment 9.2.5(1)). The letter included a research summary attachment from the Australia Council for the Arts that highlights the importance of art in regional Australia. (Attachment 9.2.5(2)).

The Colour Exhibition is requesting the Shire commit to using its annual arts award and art acquisition budget allocation to purchase art that has been submitted by local Shire residents

as part of The Colour Exhibition held in October each year. They have suggested an annual amount of \$500 to \$1000 as a starting point in acquiring art. The Colour Exhibition 2021 theme is “Do you see what I see?” and is open to residents of the Bunbury-Geographe region.

FINANCIAL IMPLICATIONS

The Shire have regularly allocated \$500, under General Ledger account number 113820, for an Arts Awards and Art Acquisition. This annual budget allocation has not been used since the 2012-2013 financial year when an allocation was made to Artjam. In anticipation of the request by The Colour Exhibition, an allocation of \$1000 has been recommended in the 2021-2022 draft Shire budget.

POLICY COMPLIANCE

The Shire does not have policies relating to the acquisition of art, nor policies that relate to the management of a Shire art collection.

STATUTORY COMPLIANCE

Not applicable.

CONSULTATION

In May 2020, Sharon Williams, Art Curator at the City of Busselton, contacted the Shire to gather information about Local Governments in the southwest and the status of their art collections. This consultation revealed the lack of a Shire art register, or associated policies and the non-use of the Art Award and Art Acquisition budget.

Sue Dennis, volunteer art curator, and former employee at the Stirling Arts Centre in Bunbury was approached to undertake an initial assessment and cataloguing of the Shire’s art portfolio stored primarily in the Shire’s Administration building. (Refer attachments 9.2.5(3) and 9.2.5(4)).

Claire Connolly, Judith Morrissey and Colleen Castledine from The Colour Exhibition have held several discussions focused on further developing and growing The Colour Exhibition into a signature event to rival other significant art events in regional Western Australia.

OFFICER COMMENT/CONCLUSION

Research from the Australia Council for the Arts highlights that people living in regional Australia are increasingly recognising the positive impacts of the arts on their daily lives and communities. The Shire has an emerging and vibrant art sector that is dynamic and willing to be innovative. They have forged strong connections with the business and tourism sectors in the Shire and are exploring ways to harness the energy created by the Donnybrook Artisan’s store, The Colour Exhibition, the Preston Valley Art Trail, and the most recent Donnybrook Apple Festival Open Studio Art trail.

The Shire has an opportunity to support The Colour Exhibition that is delivered annually through the Donnybrook Art and Craft Group Inc. The Colour Exhibition is open to residents of the Bunbury Geographe region; however, the Shire could limit its acquisition of art to artists who live in our Shire. In supporting The Colour Exhibition, the Shire has a responsibility to ensure that its own small, but important art collection is organised, valued, and presented in an accessible way to the public.

Moved Cr Lindermann

Seconded Cr Newman

- 1. Allocate the 2021/2022 Art Acquisition budget of up to \$1,000 to acquire an art item exhibited at The Colour Exhibition held in September 2021 and delivered by the Donnybrook Art and Craft Group Inc. in accordance with the following conditions of acquisition that the art item:**
 - a. Is assessed by The Colour Exhibition judging panel to be of an adequate standard and value;**
 - b. Was created by a local artist based in the Shire of Donnybrook Balingup; and**
 - c. Will be presented for public viewing, in an accessible place for one year, at the Donnybrook Community Library.**

- 2. Review the Curatorial Report and Recommendations provided by art volunteer, Sue Dennis, to assist in the development of an Arts Acquisition and Art Collection Policy that will support:**
 - a. The identification, valuation and cataloguing of the current Shire of Donnybrook Balingup art collection;**
 - b. Identification of potential locations for the public to view the art collection; and**
 - c. The establishment of a process which ensures fair and equitable considerations of annual art acquisitions.**

- 3. Write to Sue Dennis to thank her for the volunteer hours that were gifted to the Shire to provide an initial assessment and cataloguing of the Shire's art collection.**

Amendment Cr Wringe Seconded Cr Atherton

- 1. Allocate the 2021/2022 Art Acquisition budget of up to \$1,000 to acquire an art item exhibited at The Colour Exhibition held in September 2021 and delivered by the Donnybrook Art and Craft Group Inc. in accordance with the following conditions of acquisition that the art item:**
 - a. Is assessed by The Colour Exhibition judging panel to be of an adequate standard and value;**
 - b. Was created by a local artist based in the Shire of Donnybrook Balingup; and**

- c. Will be presented for public viewing, in an accessible place for one year, at the Donnybrook Community Library.
2. Review the Curatorial Report and Recommendations provided by art volunteer, Sue Dennis, to assist in the development of an Arts Acquisition and Art Collection Policy that will support:
 - a. The identification, valuation and cataloguing of the current Shire of Donnybrook Balingup art collection;
 - b. Identification of potential locations for the public to view the art collection; and
 - c. The establishment of a process which ensures fair and equitable considerations of art acquisition and divestment.
3. Write to Sue Dennis to thank her for the volunteer hours that were gifted to the Shire to provide an initial assessment and cataloguing of the Shire's art collection.

CARRIED 6/2

COUNCIL RESOLUTION 137/21

Moved Cr Lindemann

Seconded Cr Newman

That Council:

1. In order to support local arts development, acknowledge the 2021/2022 Art Acquisition budget of up to \$1,000 to acquire an art item exhibited at The Colour Exhibition held in September 2021 and delivered by the Donnybrook Art and Craft Group Inc. in accordance with the following conditions of acquisition that the art item:
 - a. Is assessed by The Colour Exhibition judging panel to be of an adequate standard and value;
 - b. Was created by a local artist based in the Shire of Donnybrook Balingup; and
 - c. Will be presented for public viewing, in an accessible place for one year, at the Donnybrook Community Library.
2. Review the Curatorial Report and Recommendations provided by art volunteer, Sue Dennis, to assist in the development of an Arts Acquisition and Art Collection Policy that will support:
 - a. The identification, valuation and cataloguing of the current Shire of Donnybrook Balingup art collection;
 - b. Identification of potential locations for the public to view the art collection; and
 - c. The establishment of a process which ensures fair and equitable considerations of art acquisition and divestment.

- 3. Write to Sue Dennis to thank her for the volunteer hours that were gifted to the Shire to provide an initial assessment and cataloguing of the Shire's art collection.**

CARRIED 6/2

**Cr Atherton requested his vote against be recorded.
The Mover and Secunder agreed to a minor amendment to Resolution 1**

Foreshadowed / Alternate Motion - Cr. Mitchell

That Council authorise the Chief Executive Officer to:

Write to Sue Dennis to thank her for the volunteer hours that were gifted to the Shire to provide an initial assessment and cataloguing of the Shire's art collection.

Ensure all art works, including photos, patchwork, sculptures etc, hanging or stored in buildings or open space owned by the shire is recorded by a photo. Discuss perceived ownership with the "keeper" of the building/open space.

Instruct the CEO to:

Identify potential locations for the public to view the art collection currently held and hang any works of value and to gift or sell remaining art work that is in storage.

LAPSED AS SUBSTANTIVE MOTION CARRIED

9.3 CHIEF EXECUTIVE OFFICER

9.3.1 STRATEGIC COMMUNITY PLAN 2032

Location	Shire of Donnybrook Balingup
Applicant	Shire of Donnybrook Balingup
File Reference	FNC 08/11J
Author	Maureen Keegan – Manager Executive Services
Responsible Manager	Ben Rose - Chief Executive Officer
Attachments	Draft Strategic Community Plan 2032
Voting Requirements	Absolute Majority

Recommendation
<p>That Council adopt the Shire of Donnybrook Balingup Strategic Community Plan 2032, as attached.</p> <p style="text-align: right;"><i>Absolute Majority Decision Required</i></p>

STRATEGIC ALIGNMENT

The following outcomes from the Corporate Business Plan relate to this proposal:

Outcome	4.1	A strategically focussed, open and accountable local government.
Strategy	4.1.2	Continue to enhance communication and transparency
Action	4.1.2.1	Ongoing meaningful communication and engagement with residents, ratepayers and stakeholders.

EXECUTIVE SUMMARY

In accordance with section 5.53 of the Local Government Act 1995, each Local Government is to undertake a major review of its Strategic Community Plan every fourth year (and a desktop review every other second year).

The Shire of Donnybrook Balingup Draft Strategic Community Plan 2032 has been developed following broad community consultation over an extended period and is presented to Council for consideration for approval.

BACKGROUND

The *Local Government Act 1995* provides legislative requirements for planning for the future. The Integrated Planning and Reporting Framework was introduced by the State Government as part of the Local Government Reform Program in 2012/13. The Shire first developed its Strategic Community Plan in 2013, which underwent major reviews in 2017 and 2021 (present) and minor reviews in 2015 and 2020.

As the peak strategic planning document for the Shire, the Strategic Community Plan interlinks with many other corporate planning documents, such as:

- Long Term Financial Plan;
- Corporate Business Plan;
- Various Asset Management Plans;
- Workforce Plan;
- Reserves Fund Plan; and
- Borrowing Plan.

FINANCIAL IMPLICATIONS

The Objectives established in the Strategic Community Plan do not bind the Council/Shire to any expenditure.

This major review of the Strategic Community Plan is expected to require an investment of \$25k.

POLICY COMPLIANCE

There is no specific policy guidance on development of the Strategic Community Plan.

STATUTORY COMPLIANCE

The following statutory provisions relate to the review of the Strategic Community Plan.

Local Government Act 1995

5.56. Planning for the future

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Local Government (Administration) Regulations 1996

19C. Strategic community plans, requirements for (Act s. 5.56)

- (1) A local government is to ensure that a strategic community plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A strategic community plan for a district is to cover the period specified in the plan, which is to be at least 10 financial years.
- (3) A strategic community plan for a district is to set out the vision, aspirations and objectives of the community in the district.
- (4) A local government is to review the current strategic community plan for its district at least once every 4 years.

- (5) In making or reviewing a strategic community plan, a local government is to have regard to —
 - (a) the capacity of its current resources and the anticipated capacity of its future resources; and
 - (b) strategic performance indicators and the ways of measuring its strategic performance by the application of those indicators; and
 - (c) demographic trends.
- (6) Subject to subregulation (9), a local government may modify its strategic community plan, including extending the period the plan is made in respect of.
- (7) A council is to consider a strategic community plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.

**Absolute majority required.*
- (8) If a strategic community plan is, or modifications of a strategic community plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.
- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

19D. Public notice of adoption of strategic community plan

- (1) If a strategic community plan is adopted, the CEO must —
 - (a) give local public notice that the plan has been adopted; and
 - (b) publish the plan on the local government’s official website.
- (2) If modifications to a strategic community plan are adopted, the CEO must —
 - (a) give local public notice that modifications to the plan have been adopted; and
 - (b) publish the modified plan on the local government’s official website.

CONSULTATION

The Department of Local Government, Sport and Cultural Industries provides an Advisory Standard (2016) for local government Integrated Planning and Reporting. The minimum benchmark (‘Achieving’ standard) for public consultation in relation to the Strategic Community Plan is “*Community engagement involves at least 500 or 10% of community members, whichever is fewer, and is conducted by at least 2 documented mechanisms*”.

Consultation in relation to the major review of the Strategic Community Plan has been undertaken across an extended period, with a range of engagement methodologies:

- Market Community Perception Survey 2019 – 441 respondents
- Survey to community 2021 – 71 respondents
- Conversation Cafes and workshops 2021 – 137 participants

- Project and topic-specific surveys 2020-2021 – 1,018 responses
- TOTAL participation – 1,667 'engagements'.

It is recognised that the total figure of 1,667 will include duplicated numbers of community members, given that individual community members are likely to have participated in multiple consultation events. Additionally, in relation to project and topic-specific surveys, some responses are from respondents outside of this Shire.

OFFICER COMMENT

The 2021 major review of the Shire of Donnybrook Balingup Strategic Community Plan has been undertaken with regard to regulatory requirements and State guidelines for such. Extensive consultation and community engagement has been undertaken through the major review process, including detailed Councillor consultation. To support the major review of the Strategic Community Plan, further review of the Shire's Corporate Business Plan is planned for later in 2021.

COUNCIL RESOLUTION 138/21

Moved Cr Wringe Seconded Cr Smith

That Council:

Adopt the Shire of Donnybrook Balingup Strategic Community Plan 2032, as attached.

**CARRIED 7/1
ABSOLUTE MAJORITY VOTE ATTAINED**

10 ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 COUNCILLOR

Nil.

11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING

12 MEETINGS CLOSED TO THE PUBLIC

12.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

The confidential items were passed enbloc, the meeting was not closed to the public.

12.1.1 REQUEST TO PURCHASE LOT 58 (70) SOUTH WESTERN HIGHWAY, DONNYBROOK (BENDIGO BANK) RECEIVED 21 JULY 2021

This report is confidential in accordance with Section 5.23(c) of the Local Government Act 1995, which permits the meeting to be closed to the public.

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

CARRIED 8/0 by En bloc Resolution

12.1.2 WORKS AND SERVICES BUSINESS UNIT REVIEW

This report is confidential in accordance with Section 5.23(a) of the Local Government Act 1995, which permits the meeting to be closed to the public.

(a) a matter affecting an employee or employees.

CARRIED 8/0 by En bloc Resolution

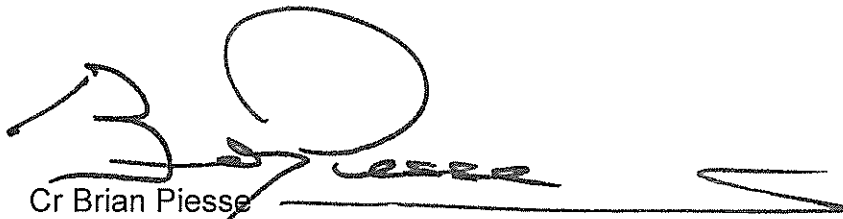
12.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

Nil.

13 CLOSURE

The Shire President closed the meeting at 7:34pm and advised that the next Ordinary Council Meeting will be held on 22 September 2021 commencing at 5.00pm in the Shire of Donnybrook Balingup Council Chamber.

These Minutes were confirmed by the Council as a true and accurate record at the Ordinary Council Meeting held 22 September 2021.



Cr Brian Piesse
SHIRE PRESIDENT