



ORDINARY MEETING OF COUNCIL AGENDA

To be held on

22 August 2018

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

17 August 2018

Disclaimer

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



ORDINARY MEETING OF COUNCIL

22 August 2018

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SHIRE OF DONNYBROOK BALINGUP
NOTICE OF AGENDA BRIEFING

To be held at the Council Chambers
Wednesday, 22 August 2018 at 5.00pm

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Shire President – Acknowledgment of Country

The Shire President to acknowledge the traditional custodians of the land, the Noongar People, paying respects to Elders, past and present.

The Shire Present to declare the meeting open and welcome the public gallery

Shire President - Public Notification of Recording of Meetings

The Shire President advises that the meeting is being digitally recorded to assist with minute taking in accordance with Council Policy 1.25. The Shire President further states 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.

2 ATTENDANCE

MEMBERS PRESENT

COUNCILLORS	STAFF
Cr Piesse (President)	Ben Rose – Chief Executive Officer
Cr Wringe (Deputy President)	Greg Harris – Manager Finance and Administration
Cr Atherton	Damien Morgan – Manager Works and Services
Cr King	Leigh Guthridge – Manager Development and
Cr Lindemann	Environmental Services
Cr Mills	Bob Wallin – Principal Planner
Cr Mitchell	Kate O’Keeffe – Executive Assistant
Cr Tan	
Cr Van Der Heide	

PUBLIC GALLERY

2.1 APOLOGIES

2.2 APPROVED LEAVE OF ABSENCE

2.3 APPLICATION FOR A LEAVE OF ABSENCE

3 ANNOUNCEMENTS FROM PRESIDING MEMBER

3.1 PRESIDENTS COMMUNICATION

Date	Meeting
29 June 2018	Meeting with Hon Mick Murray with CEO
2 July 2018	Meeting with CCI Bunbury-Geographe
3 July 2018	Meeting with Donnybrook Medical Services with CEO
20 July 2018	Shire Familiarisation Tour with BWEA CEO, with Shire CEO
20 July 2018	City of Bunbury Variety Concert at BREC
30 July 2018	Meeting with Donnybrook Medical Services with CEO
1 – 3 Aug 2018	Attended WALGA State Conference with Crs Mills, Wringe, Atherton and CEO
8 Aug 2018	Meeting with the Minister for Environment with CEO.

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.

5 PUBLIC QUESTION TIME

5.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

5.2 PUBLIC QUESTION TIME

6 PRESENTATIONS

6.1 PETITIONS

6.2 PRESENTATIONS

6.3 DEPUTATIONS

David Mazza will make a deputation to Council regarding the Trevena Road bridge upgrade.

6.4 DELEGATES REPORTS

7 CONFIRMATION OF MINUTES

7.1 ORDINARY MEETING OF COUNCIL

EXECUTIVE RECOMMENDATION

That the Minutes from the Ordinary Meeting of Council held on 25 July 2018 be confirmed as a true and accurate record.

7.2 SPECIAL MEETING OF COUNCIL

EXECUTIVE RECOMMENDATION

That the Minutes from the Special Meeting of Council held on 10 August 2018 be confirmed as a true and accurate record.

8 REPORTS OF COMMITTEES

Nil.

9 REPORTS OF OFFICERS

9.1 MANAGER FINANCE AND ADMINISTRATION

9.1.1 ACCOUNTS FOR PAYMENT

Presented for Council information:

The following accounts have been authorised and paid under Delegation (No 3.2) covering cheques numbered from EFT144426-EFT14596,53043 – 53063,DD23187.1-DD23187.12, DD23221.1-DD23221.10, DD23228.1- DD23228.10 Trust 3644 -3652, EFT14508g totalling \$1,327,737.63 is herewith presented to Council.

9.1.2 MONTHLY FINANCIAL REPORT

RECOMMENDATION

That the monthly financial report for the period ended 30 June 2018 be received.

The financial report for period ending 30 June 2018 will be tabled at the meeting.

9.2 MANAGER WORKS AND SERVICES

9.2.1 TUIA LODGE BUS

Location	Shire of Donnybrook Balingup
Applicant	Shire of Donnybrook Balingup
File Reference	CSV 01/2
Author	Damien Morgan, Manager Works and Services
Attachments	Nil
Voting Requirements	Simple Majority
Executive Summary	<p>It is recommended Council support the sale of the Tuia Lodge bus via public auction.</p> <ul style="list-style-type: none"> • The asset is no longer suitable to the acuity level of the residents • Alternative arrangements are in place to cater for resident outings. • Consultation has been undertaken with key stakeholders and are in support of its disposal.

STRATEGIC ALIGNMENT

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

Outcome	Strategy	Action No.	Actions
2.1 - An attractive and maintained built environment	Maintain, renew and improve infrastructure within allocated resources	2.1.1.1	Develop and implement asset management plans

BACKGROUND

Community Fund Raising by the Friends of Tuia Lodge resulted in the purchase of a used bus in February 2012 for the benefit of residents of Tuia Lodge, and has been identified as a Shire plant asset since its purchase.

DETAILS

A review of the Shire's plant asset known as the Tuia Lodge Bus has identified that due to its usage, condition and operational issues, it should be considered for removal from our plant fleet.

The Details of the Tuia Lodge Bus are:

Make:	HINO FD166 OMNI BUS
Model:	FD3wlla
Year:	5/1995
Odometer Reading:	430,091 Kilometers (to 2/08/18)
Seats:	23 seats including the driver, plus 4 wheelchairs
Wheelchair Lift:	Single chair lift 300kg
Maximum Towing:	2,500 Kilograms

Our records outline that the bus only traveled 20km during the 2017/18 financial year and 124km during the 2016/17 financial year. The Shires cost to maintain it during the same period was \$1,160 in 2017/18 and \$1,171 in 2016/17.

The Trustees for the Tuia Lodge Charitable Trust have been consulted regarding the possible sale of the Tuia Lodge Bus, and have outlined their support for its disposal, providing all proceeds from the sale be held in trust for future capital building works at Tuia Lodge.

The Acting Manager of Aged Care Services, Mr Bob Lowther was also consulted through the review, and has advised the following:

Given the high acuity of the residents at Tuia the requirement to access bus services would be extremely limited, currently to 6 -8 residents. Aged Care Services reviewed the need for a bus and decided based on the anticipated use that the asset would be under-utilised and therefore was not justifiable in terms of cost.

Recently Tuia Lodge took possession of 2 new Hyundai Tucson vehicles. Those residents with the ability can utilise these vehicles for short trips with staff to Bunbury and surrounds in small groups. For those outings where residents with mobility issues would attend, provision has been made in the budget for the hire of an appropriate vehicle.

In the past 12 months the current bus has not been utilised by Tuia Lodge due to the design of the seating, the lack of seatbelts and the inability of the vehicle to cater for wheelchair bound residents.

Aged Care Services are reviewing the potential for a “closed loop” bus service within the Shire to accommodate not only residents of Tuia Lodge but all Shire residents requiring assistance with mobility and transport. After initial engagement with other potential stakeholders it is proposed that the Aged Care Services team would present a proposal to a Council Concept Forum on this matter later in the year. It is anticipated that if a strong case can be made that capital funding would be sought for such a service from community fundraising and grant applications.

Aged Care Services supports the sale of the current assets.

Pickles Auctions have inspected the bus and have estimated it could achieve between \$3,000 and \$4,000 at auction. They also provided an offer of \$2,000 to purchase the bus outright.

CONSULTATION

The Trustees of the Tuia Lodge Charitable Trust, and the Acting Manager of Aged Care Services were consulted in regards to future of the Tuia Lodge bus.

FINANCIAL IMPLICATIONS

If the sale of the bus is supported, it is recommended as per the request of the Trustees of the Tuia Lodge Charitable Trust that all proceeds from the sale be held in trust for future capital building works at Tuia Lodge. Fees will be applicable for the sale of the Tuia Lodge bus by public auction.

POLICY COMPLIANCE

Nil.

STATUTORY COMPLIANCE

Local Government Act 1995, Section 3.58 Disposing of Property

CONCLUSION

It is recommended that Council support the sale of the Tuia Lodge bus by public auction, and place all proceeds from the sale in trust for future capital building works at Tuia Lodge.

EXECUTIVE RECOMMENDATION

That Council:

- 1) **Endorse the sale of the Tuia Lodge bus in accordance with the provisions of the *Local Government Act 1995*, including local advertising; and**
- 2) **Requires all net proceeds from the sale of the Tuia Lodge Bus to be directed to the Aged Housing Reserve for future use for capital works at Tuia Lodge.**

9.3 MANAGER DEVELOPMENT AND ENVIRONMENTAL SERVICES

9.3.1 CSRFF FUNDING APPLICATION – PREPARATION OF A MASTER PLAN FOR THE FUTURE RE-DEVELOPMENT OF THE VC MITCHELL SPORTING AND RECREATIONAL PRECINCT

Location	Steere Street, Donnybrook
Applicant	Shire of Donnybrook Balingup
File Reference	PWF 18T
Author	Leigh Guthridge – Manager Development and Environmental Services
Attachments	Nil.
Voting Requirements	Simple Majority
Executive Summary	The report seeks Council approval to submit an application to the Department of Sport and Recreation - Community Sport and Recreation Facilities Fund (CSRFF) for the preparation of a Master Plan for the VC Mitchell Sporting and Recreational Precinct to guide future development and renewal for recreational facilities in the Precinct.

STRATEGIC ALIGNMENT

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

Outcome	Strategy	Action No.	Actions
3.3 - A safe and healthy community environment for all ages	Support a safe, healthy and active community	3.3.3.2	Review and implement the VC Mitchell Park and Balingup Recreation Centre Masterplans

BACKGROUND

In 2009, the Shire commissioned Jill Powell and Associates to develop a *Mitchell Park and Balingup Sports Master Plan*. The following recommendations were made:

1. *That the Shire of Donnybrook Balingup acknowledges that the existing sporting facilities are ageing and poorly located.*
2. *That the redevelopment of the sporting facilities to include the following functional components be approved in principal and be listed in the Forward Plan:*
 - *Redevelopment of VC Mitchell Park*
 - *Redevelopment of Balingup Oval*
 - *Relocate the Skate Park to Egan Park*
 - *Consider the utilisation of Kirup Oval by AFL and Cricket*
3. *That application be made for a Community Sporting and Recreation Facilities Fund Grant within the 2009/10-2011-12 Triennium, application for which close in September 2009.*
4. *That, as outlined in Section 9.2 – Management, two Committees of Management be formed with the responsibility to manage the facility for an initial 3 year period.*
5. *That this report be made available for public comments.*

The Shire's Corporate Business Plan advocates that the Shire within the 2017-2020 budget years:

“Review and implement the VC Mitchell Park and Balingup Recreation Centre Masterplans”

DETAILS

Nine years have passed since the Shire endorsed the *Mitchell Park and Balingup Sports Master Plan (2009)*. It is prudent that the Shire prepare a new master plan for the future redevelopment of its significant and high use Recreation Facilities.

It is not proposed to include the Balingup Recreation Precinct as part of this project scope. Council is advised to prioritise its resources for planning and subsequent capital works and renewal to its highest used, valued and significant recreational precinct, being VC Mitchell Park in Donnybrook.

It is intended that the Shire seek quotes from a capable and experienced Recreation Planning Consultant to lead and develop the Master Plan for presentation to Council for adoption.

The proposed scope of works for the successful consultant is summarised as follows:

Data Gathering and Analysis

- *Review the 2009 Report prepared by Jill Powell and Associates and other relevant material.*
- *Review census and other data to determine current and future users and trends that would provide an indication of the future usage of facilities.*

- *Undertake consultations with local sporting and recreational groups to gain an understanding of their current and future needs and demands and how these may be integrated within a most cost effective sporting precinct or incorporated within other local Shire facilities.*
- *Confirm a gap analysis through consultations with Shire personnel, relevant government agencies and key organisations.*

Develop Master Plan for the Mitchell Park Sporting Precinct including the Recreation Centre

The proposed Master Plan should:

- *Dovetail the recommendations made in previous reports and plans into one consolidated plan.*
- *Identify the most effective and efficient utilisation of sporting and recreational facilities for the community, resulting in decreased asset renewal and maintenance costs into the future, but also providing maximum benefit and usage to the community.*
- *Determine the optimal sporting and recreational configurations to reduce conflicts between concurrent users.*
- *Determine the appropriate size amenities for maximum use.*
- *Present design options at a community consultation workshop (including clubs and nominated organisations/bodies).*
- *Present final Master Plan to the Shire of Donnybrook-Balingup during a Council meeting. This should include a summary of recommendations to Council, including cost estimates and staging alternatives, regarding the site suitability for new or redeveloped facilities.*

Concept Plans, Feasibility Studies and Cost Estimates

- *Provide a cost and resource implementation plan to inform long term planning, capital works programmes and potential grant submissions. This should include a Management Plan and Lifecycle Cost Model including a Funding strategy for any proposed developments.*
- *Present options and recommendations to the Shire of Donnybrook Balingup.*
- *Seek community input by way of community consultation workshops and other relevant methods.*
- *Develop draft Feasibility studies and concept plans to the Shire of Donnybrook Balingup and external stakeholders seeking comments.*
- *Present final Feasibility studies and concept plans to the Shire of Donnybrook Balingup during a Council meeting. This should include a summary of recommendations to Council, including staging alternatives, regarding the site suitability for new or redeveloped facilities.*

The Master Plan will consolidate the planning previously undertaken with the *Mitchell Park and Balingup Sports Master Plan (2009)* and incorporate any new information or trends in the 'recreation space' following community and agency consultation and alignment with contemporary recreation strategic planning.

It is anticipated that the new Master Plan will review existing facilities to determine the need for either refurbishment, replacement and/ or examine levels of service to lift recreational services and facilities at VC Mitchell Park up to a contemporary standard and reflect the needs of the Community.

To assist with the funding of this project, Council is advised to make application to the Community Sport and Recreation facilities Fund (CSRFF) program. The CSRFF is a collaboration with the Department of Sport and Recreation (DSR) and provides assistance to community groups and local government authorities to develop basic infrastructure for sport and recreation.

The CSRFF program aims to increase participation in sport and recreation, with an emphasis on physical activity, through rational development of sustainable, good quality, well-designed and well-utilised facilities.

CONSULTATION

Public consultation is proposed through the development of the Master Plan for the VC Mitchell Sporting and Recreational Precinct.

FINANCIAL IMPLICATIONS

At the time of preparing this report the Shire has allocated \$20,000 in its draft 2018/2019 budget towards the preparation of a Master Plan. It is proposed that this be offset by a CSRFF grant of an amount yet to be determined and approved.

POLICY COMPLIANCE

Nil.

STATUTORY COMPLIANCE

Nil.

CONCLUSION

It is proposed that the preparation of a new Master Plan for the VC Mitchell Sporting and Recreational Precinct will provide strategic direction for the Shire to guide future recreation services and quality of facilities. It is proposed to fund this project in part by applying for funding via the Community Sport and Recreation Facilities Fund Grant Program to offset the cost of this project.

EXECUTIVE RECOMMENDATION

That Council:

- 1) Support the proposal to review and update the Master Plan for the VC Mitchell Sporting Recreational Precinct; and**
- 2) Instruct the Chief Executive Officer to prepare and submit a grant funding application to the (2018) Community Sport and Recreation Facilities Fund Grant Program (Small Grants) for the preparation of a Master Plan for the VC Mitchell Sporting and Recreational Precinct.**

9.3.2 APPLICATION FOR FUNDING FOR UPGRADING THE FOOTBALL OVAL SPORTS LIGHTS LOCATED AT THE VC MITCHELL SPORTING AND RECREATIONAL PRECINCT

Location	Steere Street, Donnybrook
Applicant	Shire of Donnybrook Balingup
File Reference	PWF 18W
Author	Leigh Guthridge – Manager Development and Environmental Services
Attachments	Nil
Voting Requirements	Simple Majority
Executive Summary	<p>The report seeks Council approval to make application to the Australian Sports Commission (ASC) for a grant, as part of the Community Sport Infrastructure Grant Program, to upgrade the football oval sports lights at the VC Mitchell Sporting and Recreational Precinct.</p> <p>The report also seeks Council approval to commit \$100,000 from the Shire’s Building Reserve, towards this project if successful in obtaining the grant.</p>

STRATEGIC ALIGNMENT

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

Outcome	Strategy	Action No.	Actions
3.3 - A safe and healthy community environment for all ages	Support a safe, healthy and active community	3.3.3.1	Within resource capacity, maintain and develop sport and recreation facilities in line with sport and recreation masterplans

BACKGROUND

The sports lights at the football oval at VC Mitchell Park do not meet the standard for amateur sports, as per *AS 2560 Guide to Sports Lighting*.

It is the only football venue within the South West National Football League (SWNFL) that cannot host night fixtures during the Donnybrook Football Club’s home and away season.

Anecdotal information indicates that the existing sports lighting infrastructure was installed by the Donnybrook Football Club in two stages:

- Two lights poles on the western side of the oval (that adjoin the club house) in the 1980’s; and
- Two light poles on the eastern side of the oval in the 1990’s.

During May 2018, one of the lighting poles collapsed. Following investigation, including that undertaken by the Shire’s insurers, it was determined that although high winds were recorded on the night, it would be expected that such light towers would be built to withstand such wind speeds. In this regard, it was resolved that failure to withstand the wind speeds, was directly

due to the extensive rusting at the base of the pole, rather than the weather conditions themselves.

The Shire has subsequently undertaken necessary repairs to the lighting poles. The exercise highlighted that the physical infrastructure for the lights were coming to the end of their life, the quality of the lighting was substandard, and that planning for upgrading the lighting infrastructure should occur.

DETAILS

On the 2 August 2018 the ASC announced the Community Sport Infrastructure Grant Program that aims to support the improvement of Sports Lighting Infrastructure. The grant aligns with the Shire’s endeavours to upgrade the sports lights at the football oval at the VC Mitchell Sporting and Recreational Precinct. The application deadline is 14 September 2018.

The Shire has allocated \$6,000 in its draft 2018/19 budget to undertake a feasibility study on infrastructure improvements to the sports lighting at VC Mitchell Park to bring the infrastructure up to a contemporary standard for amateur sports. The Shire is currently seeking quotes from electrical engineers to prepare the study to meet the deadline for the funding application.

For the purposes of comparisons, Shire staff have obtained a copy of the feasibility study that was commissioned for the sports lighting upgrade at the Shire of Harvey - Harvey Recreation Ground in 2013. The Harvey Bulls who are part of the SWNFL are the main users of this facility.

Based on the feasibility undertaken by the Shire of Harvey and the research undertaken to date, the following general improvements to lighting infrastructure at VC Mitchell Park is likely to elevate the standard of lighting to a suitable standard:

Infrastructure Issue	Current Status	Projected Requirement
Power supply to the site	100 Amps	400 Amps
Standard of Light Poles	4 light poles at 14 metres high	4 light poles at 30 metres high
Number and quality of lights	8 × 2000 watt metal halide lights (2 lights per pole)	30-40 × 2000 watt metal halide lights or LED equivalent
Final lighting standard	<30 lux (not consistent)	150 -200 lux

It is anticipated that these works will cost between \$300,000 to \$400,000.

Note: The Shire has allocated funds in its draft 2018/19 budget to undertake a review of the Mitchell Park and Balingup Sports Master Plan (The Master Plan). It is proposed that the review will be part funded by an application through the CSRFF and is being considered by Council - see agenda item 9.3.1 above. Recommendations from the review of the Master Plan is yet to be determined.

The existing Mitchell Park and Balingup Sports Master Plan has costed sports lighting at the VC Mitchell Park as part of the strategic improvements to the precinct.

The Mitchell Park and Balingup Sports Master Plan states:

The placement of floodlights to the perimeter of the oval should be considered to allow for greater use of the area by the football club and the spreading of the load over a greater period of time.

To provide some context to this statement, the Master Plan advocates that by improving lighting at the VC Mitchell Park Football Oval, (thus broadening the area of usable space after hours after sunset), an increased number of user groups would be attracted to the venue during and outside of the football season i.e. allowing “for a larger spread of use over a greater time schedule”

CONSULTATION

If the Council resolves to apply for funding for this project, the Shire will seek a letter of support from all possible user groups, as part of the funding application.

FINANCIAL IMPLICATIONS

It is anticipated that the cost for the works will be between \$300,000 and \$400,000. The Shire has allocated \$6,000 in its draft 2018/2019 budget to undertake a feasibility study to analyse infrastructure improvements and subsequent costs to improve the football oval lighting at VC Mitchell Park.

The ASC funding program states that grant applications offering co-contributions (including in-kind) from the applicant, are not mandatory but will be considered favourably and could score higher than non-co-contribution applications.

It is proposed that the Shire contribute \$100,000 towards the upgrade of the sports lighting at VC Mitchell Park as part of the application for funding to the Community Sport Infrastructure Grant Program and that the funds be sourced from borrowings. This is a sound approach to funding the project as it places the onus on future users of the improvements to repay the debt. Furthermore, the Shire does not have an infrastructure or recreation reserve for this purpose.

Mr Peter Hearman - President of the Donnybrook Football Club, has been informed of the funding opportunity and that if the Shire is successful in obtaining the funding, the club will be requested to contribute in the vicinity of \$50,000. It is proposed that any funds raised by the football club will be in addition to the \$100,000 from the Shire.

POLICY COMPLIANCE

Nil

STATUTORY COMPLIANCE

Nil

CONCLUSION

It is proposed that the Shire make application to the ASC Community Sport Infrastructure Grant Program to upgrade the football oval sports lights at the VC Mitchell Sporting and Recreational Precinct. It is recommended that Council commit \$100,000 towards this project, should the grant application be successful.

EXECUTIVE RECOMMENDATION

That Council:

- 1) Instruct the Chief Executive Officer to submit an application to the Australian Sports Commission Community Sport Infrastructure Grant Program to upgrade the football oval sports lights at VC Mitchell Park; and
- 2) Allocate up to \$100,000 in the 2018/19 draft budget towards the project to be funded by raising a loan;
- 3) Amend the draft 2018/19 budget as follows:

Account Number	Description	Amount	Journal
171550	Proceeds from a loan	\$100,000	Increase Capital Income
171550	Proceeds from Donnybrook Football Club and/or Community	\$50,000	Increase Capital Income
104750	Community Sport infrastructure Grant	\$250,000	Increase Capital Income
111840	Upgrade sport lighting to football oval at VC Mitchell Park	\$400,000	Increase Capital Expenditure

9.3.3 REGIONAL WASTE MANAGEMENT FACILITY – FORMATION OF A WORKING GROUP

Location	Shire of Donnybrook Balingup
Applicant	Shire of Donnybrook Balingup
File Reference	HLT 08/8
Author	Leigh Guthridge – Manager Development and Environmental Services
Attachments	Nil
Voting Requirements	Simple Majority
Executive Summary	The report seeks Council approval to form a working group to investigate the opportunities and constraints of supporting and locating the regional waste management facility within the Shire of Donnybrook Balingup

STRATEGIC ALIGNMENT

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

Outcome	Strategy	Action No.	Actions
2.4 – Efficient and effective waste management	Undertake efficient waste management services	2.4.1.1	Investigate and review regional waste services opportunities

BACKGROUND

During 2014 the South West Group of Council's commissioned Talis to prepare the Regional Waste Management Strategy (RWMS). The South West Group of Councils consists of:

Shire of Augusta – Margaret River	Shire of Collie
Shire of Bridgetown - Greenbushes	Shire of Dardanup
Shire of Boyup Brook	Shire of Donnybrook Balingup
City of Bunbury	Shire of Harvey
Shire of Busselton	Shire of Manjimup
Shire of Capel	Shire of Nannup

The RWMS details opportunities for local governments to collaborate on a regional level and evaluate the most effective, efficient and sustainable way to systemically manage waste. Each local government can potentially benefit from larger economies of scale taking into account strong projected population growth in the region.

The RWMS made a total of 13 recommendations that included the following:

Further progress the Waste Disposal Strategy concept of a Regional Landfill by undertaking the following:

- *Site Selection Study focussing on the Optimum Location identified within the Regional Waste Management Strategy;*
- *Undertake a Technical and Financial feasibility assessment of the Preferred Sites.*

The South West Group subsequently engaged Talis Consultants to undertake a Site Selection Study with the objective of selecting a suitable site for a modern waste management facility.

The Site Selection Study was completed in August 2016. The study used rigorous site selection criteria to identify thirty-seven potential sites. A multi-criteria analysis was then applied to the thirty-seven sites to assist in identifying their strengths and weaknesses and to rank the sites of interest in priority order. Ten sites were finally recommended for further feasibility. No sites in this list are within the Shire of Donnybrook Balingup.

The Priority 1 Site - Reserve 14076 Goodwood Road is within the Shire of Capel. As part of the process to progress the feasibility and planning of the site, the Shire of Capel at its September 2017 Ordinary Council meeting resolved to apply to the Minister for Lands, Planning and Heritage to seek a management order with the power to lease for the purposes of the Regional Waste Management Facility (RWMF).

This decision attracted sustained Community opposition to a 'super tip' being located within the Shire over several months. On the back of this community opposition, the Shire of Capel resolved at its November 2017 Ordinary Council meeting to withdraw its position to seek a

management order for the RWMF on this land and advised the Minister for Lands Planning and Heritage and the South West Group of Councils accordingly.

The project now remains in abeyance.

DETAILS

This report seeks to establish a working group comprised of three Councillors and three Shire staff to discuss at a broader level the opportunities and constraints of this proposal to support a RWMF within the Shire of Donnybrook Balingup. The outcomes of the mind mapping from the working group will be brought before Council to form a formal position for this proposal.

The proposed tenure for working group is as per the recommendation.

CONSULTATION

Not required at this stage. If a site for the RWMF is identified within the Shire and progress to the approvals stage it is projected that extensive and targeted community consultation will be required given the nature of the land use.

FINANCIAL IMPLICATIONS

Council's draft 2018/19 draft budget has allocated \$2,000 as its contribution amongst the South West Group of Councils to progress the RWMF project.

POLICY COMPLIANCE

Nil

STATUTORY COMPLIANCE

CONCLUSION

It is proposed that the Shire form a working group comprised of Councillors and staff to investigate the opportunities and constraints of supporting and locating the regional waste management facility within the Shire of Donnybrook Balingup.

EXECUTIVE RECOMMENDATION

That Council:

- 1) Establish a Working Group to review opportunities in relation to Regional Waste Management within the Shire of Donnybrook Balingup.**
- 2) That the Working Group comprise:**
 - a. Chief Executive Officer**
 - b. Manager Development and Environmental Services**
 - c. Principal Environmental Health Officer**
 - d. Cr _____**
 - e. Cr _____**
 - f. Cr _____**
- 3) That the Working Group present its preliminary findings/recommendations to Elected Members at a future Concept Forum.**

9.4 PRINCIPAL PLANNER

9.4.1 REQUEST TO EXTEND GOLF CART SHED AT RESERVE 22174, CHAPMAN STREET, DONNYBROOK

Location	Reserve 22174 Chapman Street, Donnybrook
Applicant	Donnybrook Country Club Inc.
File Reference	A3393
Author	Bob Wallin (Principal Planner)
Attachments	9.4.1(1) – Site Plan 9.4.1(2) - Location Plan
Voting Requirements	Simple Majority
Executive Summary	<ul style="list-style-type: none"> • Approval is recommended for the shed extension • The proposal is to increase storage capacity for golf carts. • Council approval is required to authorize the application.

STRATEGIC ALIGNMENT

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

Outcome	Strategy	Action No.	Actions
2.1 - An attractive and maintained built environment	Maintain, renew and improve infrastructure within allocated resources	2.1.1.4	Maintain attractive town sites within resource capacity

BACKGROUND

A planning application has been lodged by the Donnybrook Country Club Inc. to extend the existing shed by 8m x 7.6m (60.8m²). The existing shed has a floor area of 98m² (Attachment 9.4.1(1) – Site Plan). The proposed extension is to allow for the safe and convenient storage of golf carts to meet increased demand from members for the use of these vehicles.

The Chief Executive Officer does not have the delegated power to authorise the application therefore the proposal is being presented to Council. The land forms part of a Reserve 22174 which is vested in the Shire for the purpose of “recreation”. The Shire leases the land to the Donnybrook Country Club (recently signed 21 year lease).

DETAILS

There is no adverse impacts on local amenity and landscape due to the location and orientation of the shed (see Attachment 9.4.1(2) – Location Plan).

CONSULTATION

No consultation is required.

FINANCIAL IMPLICATIONS

The applicant has requested the \$147 planning application fee be waived. Delegation 7.16 allows the Chief Executive Officer to consider this request.

The shed will be funded and maintained by the Donnybrook Country Club.

POLICY COMPLIANCE

Nil.

STATUTORY COMPLIANCE

Part 2 of *Local Planning Scheme No.7* (LPS7) provides details on matters to be considered for the use and development of reserved land. This includes the requirement for planning approvals.

The proposal is consistent with the intent of the reserve (recreation).

CONCLUSION

The proposal is reasonable. Approval is recommended.

EXECUTIVE RECOMMENDATION

That Council:

- 1) Authorise the Chief Executive Officer to sign the planning application form;
- 2) Approve the extension to the shed on Reserve 22174 Chapman Street, Donnybrook subject to the following conditions:
 - a) The development hereby permitted must be substantially commenced within two (2) years from the date of this decision letter.
 - b) The approved plans form part of this approval and the development hereby approved must at all times be consistent with the approved plans.

9.4.2 REDESIGN OF LAST 3 LOTS OF "MEAD STREET SUBDIVISION" – LOTS 74, 75 AND 76 MARMION STREET, DONNYBROOK

Location	Lot 73 Mead Street, Donnybrook
Applicant	Shire of Donnybrook Balingup
File Reference	PWF 14K
Author	Bob Wallin (Principal Planner)
Attachments	9.4.2(1) – Location Plan 9.4.2(2) – Potential Amendment Design
Voting Requirements	Absolute Majority
Executive Summary	It is recommended Council support an amended subdivision application to amalgamate and resub divide Lots 74 to 76 Marmion Street, Donnybrook into two lots of approximately 600m ² each. <ul style="list-style-type: none">• The Shire has had the lots on the market since October 2015 with no interest received.• Advice received indicates that the lots are too small and restrictive.• A redesign will enable a testing of the market and increase potential for a sale to be achieved.

STRATEGIC ALIGNMENT

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

Outcome	Strategy	Action No.	Actions
4.2 – A respected professional and trusted organisation	Effective and efficient operations and service provision	4.2.1.2	Seek a high level of legislative compliance and effective internal controls

BACKGROUND

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

The Shire has previously sold two lots. These are, Lot 71 in April 2016 and Lot 72 in May 2018. A third lot (Lot 73) is presently under offer. The land has been on the market since October 2015 and no interest has been received on the smaller lots (Lots 74 to 76 – see Attachment 9.4.2(1)).

In an effort to increase the potential for attracting buyers, a re-evaluation of the properties has been undertaken. The new values are \$90,000 for Lots 75 and 76 and \$100,000 for Lot 74. The lots were originally advertised at \$105,000 and \$115,000 respectively.

An option to increase potential interest is to amalgamate the three lots and resub-divide into 2 lots. This would create two lots of approximately 600m² each with frontages of 24.5m (see Attachment 9.4.2(2) – Potential Amendment Design).

This item has been prepared to seek Council direction.

DETAILS

The three lots are small in the context of the Donnybrook townsite market. To date, the market has not responded in a positive manner with no interest being shown since the release of the lots in October 2015.

There are two options available to consider.

No change

This option is essentially a wait and see approach. It is noted that the revised prices has been a recent initiative (since June 2018). There is potential to wait to see if the reduced price triggers interest in the market.

Amended Lot Design

The amended lot design will reduce the lot yield by one lot, creating two lots of approximately 600m² each. There are a number of fees associated with changing the design. These are estimated as follows:

1) Preparing and lodging application	\$4,037
2) Servicing fees (removing service points)	\$2,000
3) Processing fees to create new titles	\$4,450
Total	\$10,487

It is estimated that the new lots could be valued at \$140,000 each. Based on this information, below is a hypothetical summary of the difference in return:

Options	Sale value	Costs	Net return
Option 1) retain as is	\$280,000	Sales fees \$16,800	\$263,200
Option 2) amended design	\$280,000	Sales fees \$16,800 Subdivision process fees \$10,487	\$252,713

Please note that there are a few assumptions to factor in. These include, that there is a good prospect of achieving sales with the existing pattern of subdivision and that it is likely to achieve the estimated sales prices for both options.

One measure to reduce the risk in pursuing Option 2 is to seek interest based on a preliminary subdivision approval. This reduces the upfront costs to \$4,037. Should there then be interest in either design, the Shire can pursue whichever is the preferred design as chosen by the market. Should an expression of interest be received for an Option 2 lot design, it will then be possible to finalise the creation of the new titles. Please note that preliminary approval is valid for 3 years.

CONSULTATION

Consultation has been undertaken with representatives from First National and Elders Real Estate with regards to suitable options to attract buyer. No consultation is required for a subdivision application to proceed.

FINANCIAL IMPLICATIONS

Money received (minus expenses) will be set aside in a separate trust fund for the purpose of public open space improvements – consistent with Section 154 of the *Planning and Development Act 2005* and Section 6.9 of the *Local Government Act 1995*. If option 2 is pursued, it will likely reduce the amount set aside in the trust fund by approximately \$10,000. This assumes that it is possible to sell the existing lots for the values stated, noting that there has been no interest from the market since October 2015.

POLICY COMPLIANCE

Nil.

STATUTORY COMPLIANCE

Subdivision applications are assessed and processed by the Western Australian Planning Commission under the *Planning and Development Act 2005*.

Future sales of lots is subject to Section 3.58 of the *Local Government Act 1995*. This sets out the process for the disposal of land by a local government.

CONCLUSION

The proposed lots have been on the market for almost 3 years generating no interest. The potential to amend the boundaries to create larger lots may increase potential for a faster sale. It is recommended that Council seek preliminary subdivision approval for an amended subdivision design. Once preliminary approval has been obtained, it is possible to evaluate success based on market interest.

EXECUTIVE RECOMMENDATION

That Council authorise the Chief Executive Officer to prepare and seek preliminary approval for an amended subdivision to amalgamate and resub divide Lots 74 to 76 Marmion Street to create two lots of approximately 600m² each.

9.4.3 CLOSURE OF UNCONSTRUCTED ROAD 8611 RESERVE (ABUTTING LOT 11 SOUTH WESTERN HWY, MULLAYUP)

Location	Road 8611
Applicant	Donnybrook Community Garden Inc.
File Reference	A4718
Author	Bob Wallin (Principal Planner)
Attachments	9.4.3(1) – Previous Council Report (26 March 2014) 9.4.3(2) – Location Plan 9.4.3(3) – Schedule of Submissions
Voting Requirements	Simple Majority
Executive Summary	It is recommended Council support the road closure and request approval from the Minister for Planning, Lands and Heritage. <ul style="list-style-type: none"> • The portion of road is unconstructed and it is proposed to be amalgamated with the adjoining residential lot. • The proposal has been advertised and no objections have been received.

STRATEGIC ALIGNMENT

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

Outcome	Strategy	Action No.	Actions
1.1 – A diverse, prosperous economy, supporting local business and population growth	Promote, maintain and diversify investment in the district	1.1.1.4	Actively partner in regional Growth Planning partnerships and projects

BACKGROUND

Council at its meeting 28 March 2014 resolved to initiate road closure proceedings. The applicant has only recently decided to progress the closure and has paid the required fee.

This proposal is now being presented to Council as a resolution is required under the *Land Administration Act 1997*.

DETAILS

Road closure requests fall under the *Land Administration Act 1997* (the Act). Section 58 of the Act describes the process relating to road closures. It requires the local government to advertise the proposal for a period of at least 35 days before requesting the Minister to grant the request. The proposal has been advertised in accordance with Section 58.

CONSULTATION

Four submissions were received during the advertising period from Government Departments. Attachment 9.4.3(3) provides a summary of the comments provided and suggested responses.

The submissions do not raise any critical issues.

FINANCIAL IMPLICATIONS

Nil. All costs associated with finalising the road closure process are covered by the applicant.

POLICY COMPLIANCE

Planning Policy 9.10 provides guidance on road closures. The proposal is generally consistent with the intent of the policy as its closure will not impact on access or future connectivity potential.

STATUTORY COMPLIANCE

The *Land Administration Act 1997* sets out requirements for road closure requests. This proposal will be processed following the requirements of the Act.

CONCLUSION

Approval is recommended.

EXECUTIVE RECOMMENDATION

That Council:

- 1) Request the Minister for Planning, Lands and Heritage to close the unconstructed road reserve 8611 as identified in Attachment 1 and seek the vesting of the reserve for Recreation.**
- 2) Determine the submissions received in accordance with the suggested recommendations contained in Attachment 9.4.3(3)**
- 3) Authorise the Chief Executive Officer to undertake tasks necessary to implement 1 and 2) above.**

9.5 MANAGER AGED CARE SERVICES

Nil.

9.6 CHIEF EXECUTIVE OFFICER

9.6.1 PUBLIC INTEREST DISCLOSURES POLICY

Location	Shire of Donnybrook Balingup
Applicant	Administration
File Reference	ADM 11/3
Author	Ben Rose – Chief Executive Officer (<i>Trish McCourt – Corporate Planning and Governance Officer</i>)
Attachments	9.6.1(1) – Public Interest Disclosures Guidelines and Procedures 9.6.1(2) - Draft Council Policy 1.20 - Public Interest Disclosures.
Voting Requirements	Simple Majority
Executive Summary	It is recommended that Council support the introduction of the new Council Policy 1.20 – <i>Public Interest Disclosures</i> . <ul style="list-style-type: none"> Public Interest Disclosures Guidelines and Procedures have been drafted for the Shire of Donnybrook Balingup The guidelines and procedures comply with the PID Act requirements. A Council Policy to affirm Council’s commitment to the PID process has been drafted for consideration.

STRATEGIC ALIGNMENT

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

Outcome	Strategy	Action No.	Actions
4.2 – A respected, professional and trusted organisation	Effective and efficient operations and service provision	4.2.1.1	Maintain effective and efficient polices, operating procedures and practices

BACKGROUND

In accordance with the *Public Interest Disclosure (PID) Act 2003*, Local Governments must prepare and publish internal procedures relating to the Local Government’s obligations under the Act. Procedures must be consistent with the ‘Commissioner’s’ guidelines.

DETAILS

In keeping with the PID Act requirements, Public Interest Disclosures Guidelines and Procedures have been drafted (Attachment 9.6.1(1)) for the Shire of Donnybrook Balingup. A

pre-populated template provided by the Public Sector Authority was used in drafting the document.

There is no statutory requirement to introduce a Council Policy to support the Guidelines and Procedures. However, staff consider that a new Council Policy, would assist in affirming Council's commitment in receiving, investigating, taking appropriate action and reporting disclosures, in this regard.

To this end, a new Council Policy 1.20 - Public Interest Disclosures (Attachment 9.6.1(2)), has been drafted for Council consideration.

CONSULTATION

Nil

FINANCIAL IMPLICATIONS

Nil

POLICY COMPLIANCE

Nil

STATUTORY COMPLIANCE

In accordance with the *Public Interest Disclosure (PID) Act 2003*, Local Governments must prepare and publish internal procedures relating to the Local Government's obligations under the Act. Procedures must be consistent with the 'Commissioner's' guidelines.

CONCLUSION

It is recommended that Council support the introduction of the new Council Policy 1.20 – *Public Interest Disclosures*.

EXECUTIVE RECOMMENDATION

That Council adopt the draft Council Policy 1.20 - Public Interest Disclosures.

10 ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

11 QUESTIONS FROM MEMBERS

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

13 MEETINGS CLOSED TO THE PUBLIC

PROCEDURAL MOTION**Moved: Cr****Seconded: Cr**

That the Meeting be closed to the public under the *Local Government Act 1995* for confidential item 13.1.1 - South West Development Commission Project – Financial Assistance Agreement under Section 5.23 (2) (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.

13.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

13.1.1 SOUTH WEST DEVELOPMENT COMMISSION PROJECT- FINANCIAL ASSISTANCE AGREEMENT

Location	Shire of Donnybrook Balingup
Applicant	Executive
File Reference	PWF15P
Author	Ben Rose – Chief Executive Officer
Attachments	13.1.1 – Confidential - Financial Assistance Agreement
Voting Requirements	Simple Majority

PROCEDURAL MOTION**Moved: Cr****Seconded: Cr****That Council:**

- 1) In accordance with Section 5.23 (2) and Admin Regulations 4A, item 13.1.1 South West Development Commission Project – Financial Assistance Agreement remains confidential as sensitive information is detailed in the report.
- 2) When the information in the report is not sensitive the item will be included in the next occurring council agenda

PROCEDURAL MOTION**Moved: Cr****Seconded: Cr**

That the Meeting be reopened to the public.

13.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

13.2.1 GRATUITY PAYMENT POLICY

Location	Shire of Donnybrook Balingup
Applicant	N/A
File Reference	CNL 31
Author	Ben Rose (Chief Executive Officer)
Attachments	Nil
Voting Requirements	Simple Majority
Executive Summary	It is recommended that the resolution for the Gratuity Payment Policy agenda item be made public.

STRATEGIC ALIGNMENT

The following outcome from the Corporate Business Plan relates to this matter for consideration:

Outcome	Strategy	Action No.	Actions
4.2 - A respected, professional and trusted organisation.	Effective and efficient operations and service provision.	4.2.1.1	Maintain effective and efficient policies, planning, operating procedures and practices.

BACKGROUND

Council considered the confidential report Gratuity Payment Policy at the Ordinary Council meeting held on 25 July 2018.

DETAILS

In accordance with the Local Government Act 1995 Section 5.23 (2)(a) and Administration Regulations 4A the above report remained confidential as “a matter affecting employee or employees and which relates to a matter to be discussed at the meeting.”

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

This matter has now been finalised.

FINANCIAL IMPLICATIONS

Nil.

POLICY COMPLIANCE

Nil.

STATUTORY COMPLIANCE

Section 5.23(2) (a) of the *Local Government Act 1995*.

EXECUTIVE RECOMMENDATION

That the Council resolution relating to the confidential report on the Gratuity Payment Policy be made public.

13.2.2 WORKFORCE PLANNING

Location	Shire of Donnybrook Balingup
Applicant	N/A
File Reference	FNC 04/1
Author	Greg Harris (Manager Finance and Administration)
Attachments	Nil
Voting Requirements	Simple Majority
Executive Summary	It is recommended that the resolution for the Workforce Planning agenda item be made public.

STRATEGIC ALIGNMENT

The following outcome from the Corporate Business Plan relates to this matter for consideration:

Outcome	Strategy	Action No.	Actions
4.2 - A respected, professional and trusted organisation.	Effective and efficient operations and service provision.	4.2.1.1	Maintain effective and efficient policies, planning, operating procedures and practices.

BACKGROUND

Council considered the Workforce Planning report at the Special Council meeting held on 10 August 2018. While the report was not confidential, the resolution was determined behind closed doors.

DETAILS

In accordance with the Local Government Act 1995 Section 5.23 (2)(a) and (c) and Administration Regulations 4A the above report remained confidential as “a matter affecting employee or employees, and 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.”

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

This matter has now been finalised.

FINANCIAL IMPLICATIONS

Nil.

POLICY COMPLIANCE

Nil.

STATUTORY COMPLIANCE

Section 5.23(2) (a) and (c) of the *Local Government Act 1995*.

EXECUTIVE RECOMMENDATION

That the Council resolution relating to the report on Workforce Planning be made public.

13 CLOSURE

The Shire President to advise that the next Ordinary Council Meeting will be held on 26 September 2018, commencing at 5.00pm at the Council Chamber, Donnybrook.

The Shire President to declare the meeting closed at pm.