



MINUTES OF ORDINARY MEETING OF COUNCIL

held on

Wednesday 15 December 2021

Commencing at 5.00pm

Shire of Donnybrook Balingup Council Chamber, Donnybrook

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

Benjamin (Ben) Rose
Chief Executive Officer

17 December 2021

Disclaimer

Please note the items and recommendations in this document are not final and are subject to change or withdrawal.

TABLE OF CONTENTS

| | | |
|---|---|----|
| 1 | DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS..... | 4 |
| 2 | ATTENDANCE | 4 |
| | 2.1 APOLOGIES | 5 |
| | 2.2 APPROVED LEAVE OF ABSENCE..... | 5 |
| | 2.3 APPLICATION FOR A LEAVE OF ABSENCE..... | 5 |
| 3 | ANNOUNCEMENTS FROM PRESIDING MEMBER..... | 5 |
| 4 | DECLARATION OF INTEREST | 6 |
| 5 | PUBLIC QUESTION TIME | 6 |
| | 5.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE..... | 6 |
| | 5.2 PUBLIC QUESTION TIME..... | 7 |
| 6 | PRESENTATIONS | 7 |
| | 6.1 PETITIONS | 7 |
| | 6.2 PRESENTATIONS..... | 7 |
| | 6.3 DEPUTATIONS..... | 8 |
| 7 | CONFIRMATION OF MINUTES..... | 9 |
| | 7.1 ORDINARY MEETING OF COUNCIL – 24 NOVEMBER 2021..... | 9 |
| | 7.2 LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING - 30 NOVEMBER 2021 | 10 |
| | 7.3 AUDIT AND RISK MANAGEMENT COMMITTEE MEETING - 7 DECEMBER 2021 | 10 |
| 8 | REPORTS OF COMMITTEES | 11 |
| 9 | REPORTS OF OFFICERS | 12 |
| | 9.1 DIRECTOR OPERATIONS..... | 12 |
| | 9.1.1 DONNYBROOK WASTE MANAGEMENT FACILITY - LANDFILL CLOSURE MANAGEMENT PLAN AND TRANSFER STATION CONCEPT DESIGN | 12 |
| | 9.2 DIRECTOR CORPORATE AND COMMUNITY..... | 24 |
| | 9.2.1 ACCOUNTS FOR PAYMENT | 24 |
| | 9.2.2 MONTHLY FINANCIAL REPORT – NOVEMBER 2021 | 24 |
| | 9.2.3 2021/2022 EVENT FUNDING PROPOSAL (AHOY MANAGEMENT: LOST AND FOUND FESTIVAL 2022)..... | 25 |
| | 9.3 CHIEF EXECUTIVE OFFICER | 29 |
| | 9.3.1 CORPORATE BUSINESS PLAN – 2021-22 REVIEW | 29 |

10 ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN32

11 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF THE MEETING32

12 MEETINGS CLOSED TO THE PUBLIC32

 12.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED.....32

 12.1.1 RFT 03/2122 – WET PLANT HIRE32

 12.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC ...33

13 CLOSURE34

SHIRE OF DONNYBROOK BALINGUP
MINUTES OF ORDINARY COUNCIL MEETING

Held at the Council Chamber
Wednesday, 15 December 2021 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 Wardandi People of the Noongar Nation, paying respects to Elders, past, present and emerging.

The Shire President declared the meeting open at 5:00pm 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 Leanne Wringe (President) | Ben Rose – Chief Executive Officer |
| Cr Lisa Glover (Deputy President) | Steve Potter – Director Operations |
| Cr Shane Atherton | Kim Dolzadelli – Director Corporate and Community |
| Cr Peter Gubler | Archana Arun – Admin. Officer Executive Services |
| Cr Phil Jones | |
| Cr Jackie Massey | |
| Cr Fred Mills | |
| Cr Chris Smith | |

RECOMMENDATION

That Cr Newman be approved leave of absence for the remainder of the Ordinary Council Meeting held Wednesday 15 December 2021.

COUNCIL RESOLUTION 200/21

Moved: Cr Jones Seconded: Cr Massey

That Cr Newman be approved leave of absence for the remainder of the Ordinary Council Meeting held Wednesday 15 December 2021.

CARRIED 8/0

For: Cr Wringe, Cr Glover, Cr Atherton, Cr Gubler, Cr Jones, Cr Massey, Cr Mills
 and Cr Smith

Against: Nil

PUBLIC GALLERY

4 members of the public were 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

22 November 2021 Donnybrook Landfill Waste Facility – Met contractor
24 November 2021 Meeting with Malek – Kelly Road Development
24 November 2021 Meeting with CEO
24 November 2021 Local Planning Strategy and LP Scheme workshop - Balingup
24 November 2021 Ordinary Council Meeting – Balingup Hall
25 November 2021 16 Days in WA – Domestic Violence (Ayers Gardens)
25 November 2021 Community Quilt unveiling – Balingup Lesser Hall
26 November 2021 Tidy Towns State Award Event - Perth
27 November 2021 Donnybrook Food & Wine Festival
30 November 2021 Local Emergency Management Committee Meeting
30 November 2021 Meeting with CESM, Jess Cooper & Max Walker.

- 30 November 2021 Corporate Business Plan Workshop (Donnybrook)
- 01 December 2021 Training – Understanding LG & Conflicts of Interest (Donnybrook)
- 02 December 2021 Training – Meeting Procedures (Donnybrook)
- 03 December 2021 Training – Professional Speaking (West Leederville)
- 06 December 2021 Regional Road Group Meeting (Eaton)
- 06 December 2021 Local Government Reform Elected Members Workshop (Manjimup)
- 07 December 2021 Balingup Progress Association Meeting
- 07 December 2021 Met B. Langoulant – Accessibility and inclusivity.
- 07 December 2021 Construct Abilities – Accessibility and inclusivity.
- 07 December 2021 Audit and Risk Management Meeting
- 07 December 2021 Donnybrook Amateur Basketball Assoc.
- 08 December 2021 Meeting with CEO
- 08 December 2021 Donnybrook/Balingup Community Radio – Talk of the Shire
- 08 December 2021 Agenda Briefing
- 09 December 2021 Meet with Governance Officer & CEO – Policies
- 09 December 2021 Meet and greet Works and Services crew at Shire Depot.
- 10 December 2021 Meet Wellington Districts Pony Club Committee – Beerlerup
- 10 December 2021 Donnybrook Community Resource Centre 20 year celebration.
- 12 December 2021 Glen Mervyn Open Water Swimming Event – Civic duties
- 14 December 2021 Amcal Donnybrook Pharmacy Award finalist event.
- 14 December 2021 Council Policies open forum
- 15 December 2021 Native Harvest Ban Timber transition meeting
- 15 December 2021 Meeting with CEO
- 15 December 2021 Ordinary Council Meeting - Donnybrook

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. Massey declares an impartiality interest in item 12.1.1 RFT 03/2122 – Wet Plant Hire as she is a known person to one of the tenderers.

Cr Smith declares a financial interest in item 12.1.1 RFT 03/2122 – Wet Plant Hire as he does work for two of the respondents.

5 PUBLIC QUESTION TIME

5.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

5.2 PUBLIC QUESTION TIME

Simon McInnes

1. Will the administration write to all residences living within the town planning SCA4 zone to inform them of the review of this plan?
2. What was the cost of the soil from the Bridge St project and what was the cost of the transporting of that soil to the tip?
3. Why did the council decide to make the upgrade of Collins St confidential?
4. Has the treasury been made aware of the sporting clubs lack of support for the project during the loan application?
5. In the financials for November the budgeted year to date amount for transport is \$2,083,925 however the actual spend is \$827,713 a difference of \$1,256,212. Why has this money not been spent maintaining the roads and will the lack of maintenance effect the calculation of the depreciation of this asset?
6. The total YTD expenses budgeted for is \$6,595,551 and yet the actual YTD is \$3,810,038. With a saving of \$2,785,513 in 5 months why do we need the loan at all?
7. Do you have a written statement from the state government that the \$6,000,000 is unencumbered covid funding and the project requires a \$3,000,000 contribution from the ratepayers?
8. The sporting hubs total cost is \$15,000,000 and with the state government favourable financial position and a federal government election looming shouldn't we be asking for a loan of \$10,000,000 to complete the project?
9. Will the shire pause this project until all these problems are addressed, and the council and the rate payers are comfortable with this large financial outlay requiring repayments stretching over a large number of years?

Chief Executive Officer

The questions will be taken on notice.

6 PRESENTATIONS

6.1 PETITIONS

Nil.

6.2 PRESENTATIONS

Nil.

6.3 DEPUTATIONS

Mr Rod Atherton

Congratulated and thanked the Shire Administration and Councillors (past and present) for delivery of the Goods Shed, Station Square, the refurbished Apple Fun Park, the soon-to-be-completed Pump Track and many other projects and activities undertaken over the year. Mr Atherton also congratulated the Shire on the various awards received for projects this year.

Mr Ian Telfer (in his role as Chairperson of the Forest Industries Federation WA)

Outlined local implications and opportunities arising from the State Government's ban on hardwood logging in State Forests.

ADOPTION BY EXCEPTION

COUNCIL RESOLUTION 201/21

Moved: Cr Atherton

Seconded: Cr Smith

That the following items be adopted 'en bloc':

- 7.1 Ordinary Meeting of Council - 24 November 2021**
- 7.2 Local Emergency Management Committee Meeting - 30 November 2021**
- 9.2.2 Monthly Financial Report - November 2021**
- 9.3.1 Corporate Business Plan – 2021-22 Review**

CARRIED 8/0

For: Cr Wringe, Cr Glover, Cr Atherton, Cr Gubler, Cr Jones, Cr Massey, Cr Mills and Cr Smith

Against: Nil

7 CONFIRMATION OF MINUTES

7.1 ORDINARY MEETING OF COUNCIL – 24 NOVEMBER 2021

Minutes of the Ordinary Meeting of Council held 24 November 2021 are attached (attachment 7.1(1)).

EXECUTIVE RECOMMENDATION

That the Minutes from the Ordinary Meeting of Council held 24 November 2021 be confirmed as a true and accurate record.

COUNCIL RESOLUTION 202/21

Moved: Cr Atherton

Seconded: Cr Smith

That the Minutes from the Ordinary Meeting of Council held 24 November 2021 be confirmed as a true and accurate record.

CARRIED 8/0 by En bloc Resolution

For: Cr Wringe, Cr Glover, Cr Atherton, Cr Gubler, Cr Jones, Cr Massey, Cr Mills and Cr Smith

Against: Nil

7.2 LOCAL EMERGENCY MANAGEMENT COMMITTEE MEETING - 30 NOVEMBER 2021

Minutes of the Local Emergency Management Committee Meeting held 30 November 2021 are attached (attachment 7.2(1)).

EXECUTIVE RECOMMENDATION

That the Minutes from the Local Emergency Management Committee Meeting held 30 November 2021 be received.

COUNCIL RESOLUTION 203/21

Moved: Cr Atherton

Seconded: Cr Smith

That the Minutes from the Local Emergency Management Committee Meeting held 30 November 2021 be received.

CARRIED 8/0 by En bloc Resolution

For: Cr Wringe, Cr Glover, Cr Atherton, Cr Gubler, Cr Jones, Cr Massey, Cr Mills and Cr Smith

Against: Nil

7.3 AUDIT AND RISK MANAGEMENT COMMITTEE MEETING - 7 DECEMBER 2021

Unconfirmed Minutes of the Audit and Risk Management Committee Meeting held 7 December 2021 are attached (attachment 7.3(1)).

EXECUTIVE RECOMMENDATION

That the unconfirmed Minutes from the Audit and Risk Management Committee Meeting held 7 December 2021 be received by Council.

COUNCIL RESOLUTION 204/21

Moved: Cr Glover

Seconded: Cr Massey

That the unconfirmed Minutes from the Audit and Risk Management Committee Meeting held 7 December 2021 be received by Council.

CARRIED 8/0

For: Cr Wringe, Cr Glover, Cr Atherton, Cr Gubler, Cr Jones, Cr Massey, Cr Mills and Cr Smith

Against: Nil

8 REPORTS OF COMMITTEES

Nil.

9 REPORTS OF OFFICERS

9.1 DIRECTOR OPERATIONS

9.1.1 DONNYBROOK WASTE MANAGEMENT FACILITY - LANDFILL CLOSURE MANAGEMENT PLAN AND TRANSFER STATION CONCEPT DESIGN

| | |
|----------------------------|--|
| Location | Shire of Donnybrook Balingup |
| Applicant | Shire of Donnybrook Balingup |
| File Reference | HLT 09/2 |
| Author | Steve Potter, Director Operations |
| Responsible Officer | Steve Potter, Director Operations |
| Attachments | 9.1.1(1): Landfill Closure Management Plan 9.1.1(2): Transfer Station Concept Design Report |
| Voting Requirements | Simple Majority |

Recommendation

That Council:

1. **Receives and endorses the Landfill Closure Management Plan (November 2021) (Attachment 9.1.1(1)) prepared by ASK Waste Management Pty Ltd to provide direction for future operations and progressive closure of the landfill at the Donnybrook Waste Management Facility;**
2. **Receives and endorses the Transfer Station Concept Design (November 2021) (Attachment 9.1.1(2)) prepared by ASK Waste Management Pty Ltd, to guide the future transition to a Transfer Station at the Donnybrook Waste Management Facility at the completion of landfill activities;**
3. **Instructs the Chief Executive Officer to make a formal application to the Department of Water and Environmental Regulation (DWER) to amend the facility licence to align with the endorsed Landfill Closure Management Plan and Transfer Station Concept Design;**
4. **Authorises the Chief Executive Officer to liaise with the Department of Biodiversity, Conservation and Attractions to ensure lease arrangements support the implementation of future plans contained within the endorsed Landfill Closure Management Plan and Transfer Station Concept Design.**
5. **Instructs the Chief Executive Officer to incorporate estimated future costs into relevant planning documents including future versions of the Long Term Financial Plan and Corporate Business Plan.**

STRATEGIC ALIGNMENT

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

| | |
|----------------|--|
| Outcome 2.4: | Efficient and effective waste service |
| Strategy 2.4.1 | Undertake efficient and effective waste services |
| Action 2.4.1.2 | Provide efficient and effective waste services |

EXECUTIVE SUMMARY

Two documents that provide guidance for the future planning and operation of the Donnybrook Waste Management Facility (DWMF) are presented to Council for endorsement, these being:

- Landfill Closure Management Plan (November 2021) (Attachment 9.1.1(1)); and
- Transfer Station Concept Design (November 2021) (Attachment 9.1.1(2)).

It is recommended that Council endorses the documents and instructs the Chief Executive Officer to:

- make application to the Department of Water and Environmental Regulation (DWER) to amend the Shire's facility licence for the DWMF to align with the endorsed documents;
- liaise with the Department of Biodiversity, Conservation and Attractions (DBCA) to ensure lease arrangements support the Shire's future endeavours as outlined in the endorsed documents.
- incorporate estimated future costs into relevant planning documents including the Long Term Financial Plan and Corporate Business Plan.

BACKGROUND

The Shire has operated a landfill facility at the location of the DWMF since the 1950's, however the site was not formally licensed by the Department of Water and Environmental Regulation (DWER, formerly DEC) until 1997.

In 2013, the Shire adopted the original version of a Landfill Closure Management Plan (LCMP - V1) which proposed to progressively close the existing landfill area and expand to the south-west by constructing new unlined cells on adjacent cleared land.

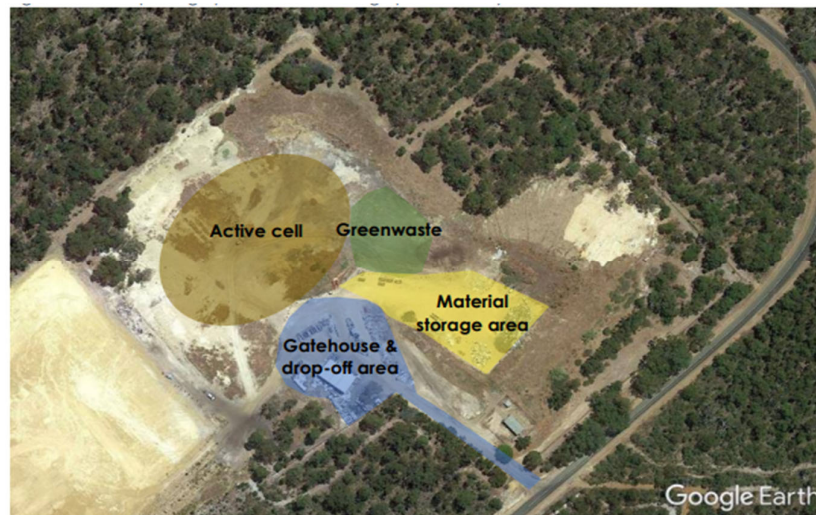


Figure 1: Current Operations, DWMF

In 2016 a Works Approval (Ref: W5577/2013/1) was granted by DWER to construct new cells on the adjoining cleared land, however the approval contained conditions that required the Shire to construct fully lined cells with associated leachate management and other compliance measures. Further assessment revealed that the cost of constructing new cells to DWER's required standards was cost prohibitive for a smaller local government such as the Shire of Donnybrook Balingup.

This resulted in the Shire re-considering its preferred approach for the future of the site and an 'Economic Review (Waste Facility Future Options)' was undertaken in 2017 which examined several options, including the landfill expansion as originally proposed, and an alternative approach to develop a transfer station whereby waste would be disposed at an off-site facility such as the Bunbury Harvey Regional Council (BHRC) facility at Stanley Rd, Leschenault, or the Cleanaway facility at Banksia Road, Dardanup. The outcome of this assessment indicated that the transfer station option, whilst being more expensive than the existing landfill facility, would be the most cost effective option, when compared to constructing new lined cells.

Due to the time that has passed since the original LCMP was prepared and the changes in Council direction since its adoption in 2013, the Shire was required to prepare an updated LCMP (V2) and has also produced concept level plans for the future transfer station to enable future land use and financial planning to occur.

The preparation of the LCMP (V2) was informed by a Council decision in April 2021 where it considered further economic modelling in a 'Future Options Assessment' which compared various operational options and the costs of each.

In considering this report, Council resolved the following:

"That Council:

- 1. Receives the Future Options Assessment – Donnybrook Waste Management Facility as contained in Attachment 12.1.1(1)*

2. *Determines that it is the Shire's intent to prolong the life of the existing landfill facility for as long as possible and directs the Chief Executive Officer to instruct ASK Waste Management to prepare the Landfill Closure Management Plan on this basis;*
3. *Requests the Chief Executive Officer to bring the draft Landfill Closure Management Plan back to Council for consideration."*

In light of this decision of Council, the LCMP (V2) has been prepared with a view to extending the life of the existing landfill facility for as long as possible within the available space, due to the increased cost implications of the transfer station mode of service delivery.

There are two documents presented to Council for consideration, these being the LCMP and Transfer Station Concept Design (TSCD). Whilst there is a range of specific information provided in each, a summary of the main components are provided.

Landfill Closure Management Plan

- Facility Overview
- Environmental Attributes
- Legislative Context
- Risk Assessment
- Rehabilitation Design
 - Current Landfill Profile
 - Proposed Final Profile
- Capping System Design
- Surface Water Management Design
- Landfill Gas Management Design
- Revised Risk Assessment
- Post-closure Management and Reporting
- Costs and Finances

Transfer Station Concept Design

- Outline of necessary services for the community

- Quantification of material expected
- Analysis of collection and transport methods
- Development of schematic transfer station design
- Budget estimates of capital costs and operational costs

Key Considerations

Whilst the documents contain a breadth of information, several key points are highlighted below:

- The facility is forecast to utilise approximately 6,200m² of airspace per annum to landfill approximately 3,000 tonnes of waste.
- Based on the proposed final landform, approximately 98,955m³ of airspace is available. This results in a projected operational life of 10-12 years, with a projected final closure in approximately 2031-2033.
- The LCMP (V2) divides the landfill area into four phases Phases A-D), with the intent being to progressively complete each section and undertake appropriate rehabilitation as per the following plan:

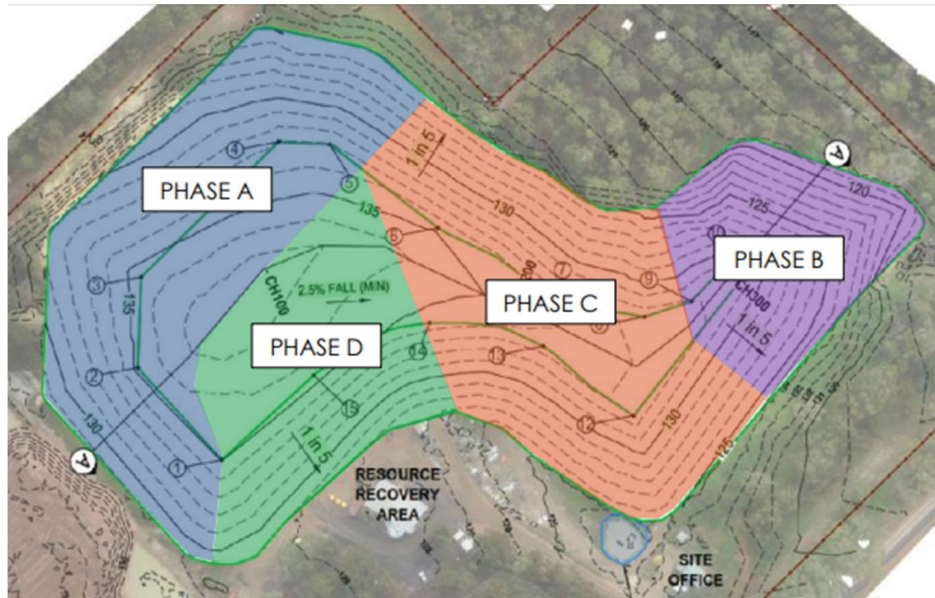


Figure 2: Phases of filling for the final landform

- The proposed progression of the landfill will require land currently used for resource recovery for future landfill and therefore a temporary resource recovery lay down area will be established immediately adjacent to the landfill as and when required;

- Construction of the new transfer station will commence as 'Phase C' is being progressed to facilitate the transition and ensure continuity of operations as the landfill comes to a close.
- The transfer station will be located to the south west of the existing landfill area and will utilise an existing separate access point onto Goodwood Road. Plans showing the future overall site layout and transfer station concept design are provided below:



Figure 3: Future Overall Site Layout

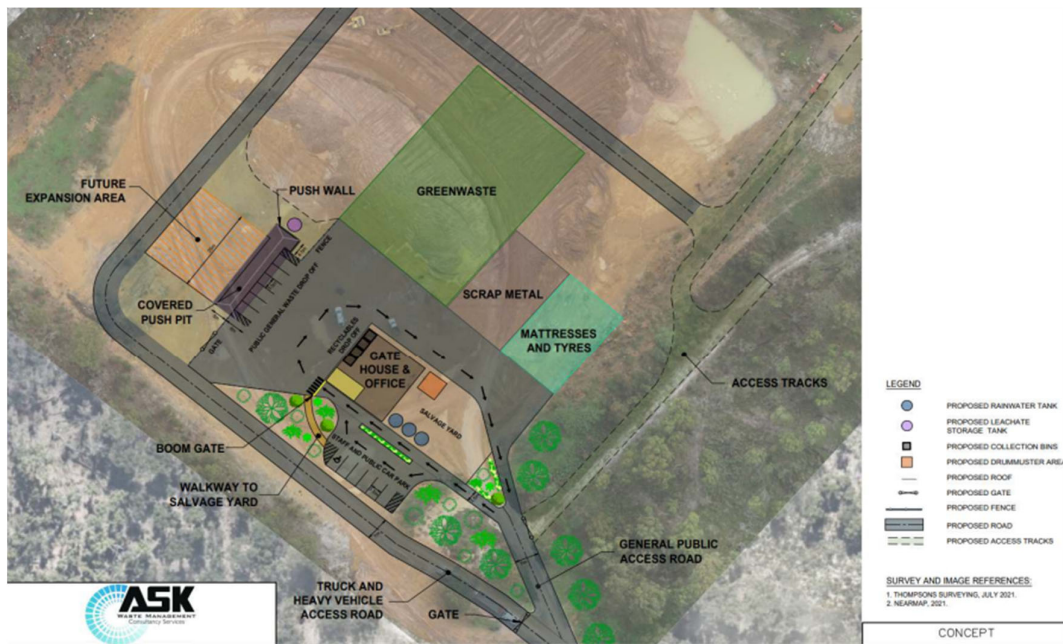


Figure 4: Transfer Station Concept Design

FINANCIAL IMPLICATIONS

- The operational costs of the DWMF (management and facility costs) currently equate to approximately \$309,000 per annum (based on 2021/22 Annual Budget);
- Total estimated capital costs for landfill capping and transfer station establishment are estimated at \$3,454,395 with a breakdown of costs provided as follows:

| Description | Phase A | Phase B | Phase C | Phase D | Post closure |
|---------------------------|------------------|------------------|--------------------|------------------|------------------|
| Immediate cover | 103,680 | 47,760 | 99,600 | 62,280 | - |
| Capping and closure works | 565,175 | 219,700 | 457,200 | 286,200 | 252,000 |
| Transfer Station works | 111,600 | - | 1,069,200 | - | 180,000 |
| TOTALS | \$780,455 | \$267,460 | \$1,626,000 | \$348,480 | \$432,000 |

- The Shire has a Waste Management Reserve which has a current balance of \$1,476,407.
- When the transfer station becomes the sole mode of service delivery annual operational costs are estimated to increase by a minimum of \$160,000 per annum when compared with the current costs.
- A significant amount of soil intended for future capping of the landfill has been transported to the site and is being stored on the cleared section of the site. The soil has been sourced from a major Main Roads WA (MRWA) project currently underway south of Donnybrook and is estimated have a value in the hundreds of

thousands of dollars. Council has agreed to a \$50,000 contribution for the transport of the material which will be paid upon receipt of an invoice from MRWA.

POLICY COMPLIANCE

Nil

STATUTORY COMPLIANCE

The DWMF is a licenced facility with DWER, with the current licence valid until 30 June 2024.

Should Council resolve to support the LCMP, an amended licence application will need to be lodged with DWER to align with the endorsed documents. It is anticipated that this would include a request to extend the current licence expiry date.

CONSULTATION

Shire staff met with DWER staff during the development of the LCMP, who indicated support for the process of the Shire developing and adopting the LCMP and using this as the basis for making application to amend the licence. However, DWER officers were clear that they were unable to pre-empt the outcome of any future formal application process.

A copy of the LCMP and Transfer Station Concept Design has been provided to the Shire's current waste management contractor for review.

The land is subject to a lease with the Department of Biodiversity, Conservation and Attractions (DBCA) and therefore further consultation may be required in this regard to ensure lease arrangements reflect the future intentions for the site.

OFFICER COMMENT/CONCLUSION

The documents as presented provide Council with clear direction over the next decade as the DWMF transitions from a landfill facility to a transfer station. The documents outline a systematic approach to completing the landfill in phases, which will provide certainty for both the Shire and any contractor the Shire may engage to manage the facility with regard to what is required. The plans will inform future procurement and contractual documents to clarify the roles of the Shire and management contractors in delivering the required outcomes.

Importantly, the documents also contain financial information that, subject to Council support, will be incorporated into long term financial plans, corporate business plans and ultimately annual budgets. Taking a long-term view of the financial implications for the facility is critical to ensure that adequate reserves are built up over time so there are sufficient funds to cater for both the closure and rehabilitation of the existing landfill site and the future construction of the transfer station at the appropriate times.

In light of the above, it is recommended that Council endorses the Landfill Closure Management Plan and Transfer Station Concept Design and instructs the Chief Executive Officer to make application to DWER to amend the licence to align with the endorsed documents and DBCA to ensure lease arrangements reflect the intent of the documents.

Executive Recommendation

Moved: Cr Atherton

Seconded: Cr Jones

That Council:

- 1. Receives and endorses the Landfill Closure Management Plan (November 2021) (Attachment 9.1.1(1)) prepared by ASK Waste Management Pty Ltd to provide direction for future operations and progressive closure of the landfill at the Donnybrook Waste Management Facility;**
- 2. Receives and endorses the Transfer Station Concept Design (November 2021) (Attachment 9.1.1(2)) prepared by ASK Waste Management Pty Ltd, to guide the future transition to a Transfer Station at the Donnybrook Waste Management Facility at the completion of landfill activities;**
- 3. Instructs the Chief Executive Officer to make a formal application to the Department of Water and Environmental Regulation (DWER) to amend the facility licence to align with the endorsed Landfill Closure Management Plan and Transfer Station Concept Design;**
- 4. Authorises the Chief Executive Officer to liaise with the Department of Biodiversity, Conservation and Attractions to ensure lease arrangements support the implementation of future plans contained within the endorsed Landfill Closure Management Plan and Transfer Station Concept Design.**
- 5. Instructs the Chief Executive Officer to incorporate estimated future costs into relevant planning documents including future versions of the Long Term Financial Plan and Corporate Business Plan.**

AMENDMENT Cr Wringe

Moved: Cr Wringe

Seconded: Cr Massey

That Council:

- 1. Receives and endorses the Landfill Closure Management Plan (November 2021) (Attachment 9.1.1(1)) prepared by ASK Waste Management Pty Ltd to provide direction for future operations and progressive closure of the landfill at the Donnybrook Waste Management Facility;**
- 2. Receives and endorses the Transfer Station Concept Design (November 2021) (Attachment 9.1.1(2)) prepared by ASK Waste Management Pty Ltd, to**

guide the future transition to a Transfer Station at the Donnybrook Waste Management Facility at the completion of landfill activities, noting that the Concept Design is likely to be refined and amended over time;

- 3. Instructs the Chief Executive Officer to make a formal application to the Department of Water and Environmental Regulation (DWER) to amend the facility licence to align with the endorsed Landfill Closure Management Plan and Transfer Station Concept Design;**
- 4. Authorises the Chief Executive Officer to liaise with the Department of Biodiversity, Conservation and Attractions to ensure lease arrangements support the implementation of future plans contained within the endorsed Landfill Closure Management Plan and Transfer Station Concept Design.**
- 5. Instructs the Chief Executive Officer to incorporate estimated future costs into relevant planning documents including future versions of the Long Term Financial Plan and Corporate Business Plan.**
- 6. Instruct the Chief Executive Officer to include an estimate of costs (financial/resource/other) in the Draft 2022-23 Budget for:**
 - 6.1 Community input and ideas into developing better waste management practices in the Shire of Donnybrook Balingup**
 - 6.2 Developing a community education program which encourages better waste management practices in the Shire of Donnybrook Balingup.**

Carried 5/3

For: Cr Wringe, Cr Glover, Cr Gubler, Cr Massey and Cr Mills

Against: Cr Atherton, Cr Jones and Cr Smith

The Mover and Seconder agreed to a minor amendment to Resolution 6.1 and 6.2

COUNCIL RESOLUTION 205/21

That Council:

- 1. Receives and endorses the Landfill Closure Management Plan (November 2021) (Attachment 9.1.1(1)) prepared by ASK Waste Management Pty Ltd to provide direction for future operations and progressive closure of the landfill at the Donnybrook Waste Management Facility;**
- 2. Receives and endorses the Transfer Station Concept Design (November 2021) (Attachment 9.1.1(2)) prepared by ASK Waste Management Pty Ltd, to guide the future transition to a Transfer Station at the Donnybrook Waste Management Facility at the completion of landfill activities, noting that the Concept Design is likely to be refined and amended over time;**
- 3. Instructs the Chief Executive Officer to make a formal application to the Department of Water and Environmental Regulation (DWER) to amend the facility licence to align with the endorsed Landfill Closure Management Plan and Transfer Station Concept Design;**
- 4. Authorises the Chief Executive Officer to liaise with the Department of Biodiversity, Conservation and Attractions to ensure lease arrangements support the implementation of future plans contained within the endorsed Landfill Closure Management Plan and Transfer Station Concept Design.**
- 5. Instructs the Chief Executive Officer to incorporate estimated future costs into relevant planning documents including future versions of the Long Term Financial Plan and Corporate Business Plan.**
- 6. Instruct the Chief Executive Officer to include an estimate of costs (financial/resource/other) in the Draft 2022-23 Budget for:**
 - 6.1 Community input and ideas into developing better waste management practices in the Shire of Donnybrook Balingup**
 - 6.2 Developing a community education program which encourages better waste management practices in the Shire of Donnybrook Balingup.**

Carried 8/0

For: Cr Wringe, Cr Glover, Cr Atherton, Cr Gubler, Cr Jones, Cr Massey, Cr Mills and Cr Smith

Against: Nil

FORESHADOWED ALTERNATE MOTION: Cr Glover

That Council:

- 1. Receives and endorses the Landfill Closure Management Plan (November 2021) (Attachment 9.1.1(1)) prepared by ASK Waste Management Pty Ltd to provide direction for future operations and progressive closure of the landfill at the Donnybrook Waste Management Facility;**
- 2. Receives the Transfer Station Concept Design (November 2021) (Attachment 9.1.1(2)) prepared by ASK Waste Management Pty Ltd.**
- 3. Instructs the Chief Executive Officer to make a formal application to the Department of Water and Environmental Regulation (DWER) to amend the facility licence to align with the endorsed Landfill Closure Management Plan.**
- 4. Authorises the Chief Executive Officer to liaise with the Department of Biodiversity, Conservation and Attractions to ensure lease arrangements support the implementation of future plans contained within the endorsed Landfill Closure Management Plan.**
- 5. Instructs the Chief Executive Officer to incorporate estimated future costs into relevant planning documents including future versions of the Long Term Financial Plan and Corporate Business Plan.**
- 6. Instruct the Chief Executive Officer to research opportunities for further ‘community education’, including possible incentives, which encourage better recycling practices and less waste going into landfill.**
- 7. Instruct the Chief Executive Officer to seek community input and ideas into developing better recycling practices to ensure less waste is going into landfill.**

LAPSED AS SUBSTANTIVE MOTION CARRIED

9.2 DIRECTOR CORPORATE AND COMMUNITY

9.2.1 ACCOUNTS FOR PAYMENT

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

9.2.2 MONTHLY FINANCIAL REPORT – NOVEMBER 2021

The Monthly Financial Report for November 2021 is attached (*attachment 9.2.2(1)*).

EXECUTIVE RECOMMENDATION

That the monthly financial report for the period ended November 2021 be received.

COUNCIL RESOLUTION 206/21

Moved: Cr Atherton

Seconded: Cr Smith

That the monthly financial report for the period ended November 2021 be received.

CARRIED 8/0 by En bloc Resolution

For: Cr Wringe, Cr Glover, Cr Atherton, Cr Gubler, Cr Jones, Cr Massey, Cr Mills and Cr Smith

Against: Nil

9.2.3 2021/2022 EVENT FUNDING PROPOSAL (AHOY MANAGEMENT: LOST AND FOUND FESTIVAL 2022)

| | |
|----------------------------|--|
| Location | Shire of Donnybrook Balingup |
| Applicant | James Jarvis, Manager, Community Development |
| File Reference | FNC 04/1 |
| Author | James Jarvis, Manager Community Development |
| Responsible Manager | Kim Dolzadelli, Director Corporate and Community |
| Attachments | 9.2.3(1) Funding Request Letter from Ahoy Management 9.2.3(2) Lost and Found 2021 – Post Event Report |
| Voting Requirements | Simple Majority |

| Recommendation | |
|---|--|
| <p>That Council, for the purpose of executing a sponsoring partnership with Ahoy Management for delivery of the ‘Lost and Found 2022 Festival’, request the Chief Executive Officer:</p> <ol style="list-style-type: none"> 1. To include in the 2021/2022 Budget Review, the following: <ol style="list-style-type: none"> 1.1 Expenditure of \$5,000 ex-GST; and 1.2 Revenue of \$2,000 ex-GST; 2. Not to co-contribute to the sponsorship partnership if revenue of \$2,000 cannot be secured from other parties. 3. To seek to secure a minimum number of event venues within the Shire of Donnybrook Balingup as part of the sponsorship partnership contract. | |

STRATEGIC ALIGNMENT

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

| | | |
|----------|---------|---|
| Outcome | 1.3 | An attractive visitor and tourist destination. |
| Strategy | 1.3.1 | Actively promote the district as an attractive destination. |
| Action | 1.3.1.4 | Support and promote local tourism events and attractions. |

EXECUTIVE SUMMARY

Ahoy Management is seeking Shire of Donnybrook Balingup’s (Shire) investment of \$5,000 sponsorship towards the Lost and Found 2022 Festival.

Lost and Found 2021 created a thriving and vibrant four-day festival that activated over 20 event locations and business across the Bunbury region, the Ferguson Valley and the Shire and two Shire businesses were included in the 2021 Festival. While there is no 2021/2022 budget allocation for sponsorship of this type, it is recommended that an allocation is created in the 2021/2022 budget mid-year review.

Under the sponsorship agreement specific promotion of Shire of Donnybrook-Balingup and the Shire’s involvement is listed below:

- Major partner logo placement on all printed marketing collateral (programs, posters, flyers);
- Major partner logo and acknowledgement on website and EDMs;
- Major partner acknowledgement in all press releases;
- Tagging in all social posts relevant to Shire of Donnybrook;
- Social media content creation specific to the Shire and Shire businesses;
- Double page spread in program;
- Featured blog posts on website and promoted via social media (minimum x 2) - working with the Shire on desired content;
- Video content of the Shire featured and available for Shire non-commercial use;
- Photography/images available for Shire non-commercial use; and
- Minimum of 2 x double passes to events for Shire use.

BACKGROUND

Ahoy Management is a small and local business with experience in event management, destination marketing, advertising, branding and public relations. The Directors, Erin Molloy and Brianna Delaporte, are festival directors of Cabin Fever Festival, Lost and Found and Flow State Weekender and other festivals in Western Australia.

The Lost and Found Festival was held over four days within the Ferguson Valley, Bunbury and surrounds from 9 -12 September 2021. Guests were invited to get lost in the bustling City of Bunbury and its surrounding wine regions, which included two destinations within the Shire of Donnybrook Balingup. Over 20 events were presented focusing on food and wine, craft beer, live music, and family fun. Events ranged from long table dinners in barrel halls and rocking hoedowns, vertical tastings, wine workshops, boozy brunches, and live music events.

Ahoy Management's Lost and Found 2021 post-event report (Attachment 2) indicates that the average ticket price to events was \$50, with there being over 1,130 ticket sales that developed \$56,000 in total ticket sales revenue for businesses over 16 venues.

Of the 4,000 guests, 66% spent on items in addition to the tickets, such as wine, meals, transport and accommodation. 32% of participants spent more than \$300 on their experience. 30% of ticket holders were from outside the region (overnight visitors).

The Directors of Ahoy Management have written to the Shire's Chief Executive Officer seeking a sponsor partnership of Lost and Found 2022 to the value \$5,000 ex-GST.

Funding confirmed from other Councils:

- Shire of Dardanup - \$10k ex-GST
- City of Bunbury - \$10k ex-GST, plus marketing support/expense support.

FINANCIAL IMPLICATIONS

There is no allocation of event sponsorship funding in the 2021/2022 Shire budget for this purpose. Ahoy Management is seeking sponsorship for an event to be held in September 2022.

If the major sponsor partnership decision is delayed to August 2022 to coincide with the standard budget approval process, then the Shire will not receive the full benefit of the sponsorship that Ahoy Management are offering in exchange.

The most effective path to create a timely decision is to include the \$5,000 in the deliberations associated with the 2021/2022 budget mid-year review.

Officers also believe for it to be appropriate that contributions, in the amount of \$2,000 ex-GST, be sought from local Not-for-Profit organisations; for example, Donnybrook Regional Tourism Association, Balingup and Districts Tourism Association or Donnybrook – Balingup Chamber of Commerce and Industry.

The net cost to the Shire would be \$3,000.

POLICY COMPLIANCE

Not applicable.

STATUTORY COMPLIANCE

Not applicable.

CONSULTATION

Discussion with Brianna Delaporte, Co-Director at Ahoy Management, highlight that two Shire venues were activated in the Lost and Found Festival in 2021, including Coughlan Estate and Mazza Wines. Both wineries were responsible for creating an event at their winery and Ahoy Management promoted the event as part of the festival trail. This cooperative event model would be offered to other Shire producers, wineries, and artisans in the development of the Lost and Found Festival 2022.

OFFICER COMMENT/CONCLUSION

That Council consider the sponsorship proposal from Ahoy Management.

COUNCIL RESOLUTION 207/21

Moved: Cr Atherton

Seconded: Cr Jones

That Council, for the purpose of executing a sponsoring partnership with Ahoy Management for delivery of the 'Lost and Found 2022 Festival', request the Chief Executive Officer:

- 1. To include in the 2021/2022 Budget Review, the following:**
 - 1.1 Expenditure of \$5,000 ex-GST; and**
 - 1.2 Revenue of \$2,000 ex-GST;**
- 2. Not to co-contribute to the sponsorship partnership if revenue of \$2,000 cannot be secured from other parties.**
- 3. To seek to secure a minimum number of event venues within the Shire of Donnybrook Balingup as part of the sponsorship partnership contract.**

CARRIED (6/2)

For: Cr Wringe, Cr Atherton, Cr Jones, Cr Massey, Cr Mills and Cr Smith

Against: Cr Glover, Cr Gubler

ALTERNATE FORESHADOWED MOTION: Cr Gubler

That the agenda item to be brought back to the February 2022 Ordinary Council Meeting.

LAPSED AS SUBSTANTIVE MOTION CARRIED

9.3 CHIEF EXECUTIVE OFFICER

9.3.1 CORPORATE BUSINESS PLAN – 2021-22 REVIEW

| | |
|----------------------------|------------------------------------|
| Location | Shire of Donnybrook Balingup |
| Applicant | Shire of Donnybrook Balingup |
| File Reference | N/A |
| Author | Ben Rose – Chief Executive Officer |
| Responsible Manager | Ben Rose – Chief Executive Officer |
| Attachments | Nil |
| Voting Requirements | Absolute Majority |

| Recommendation |
|--|
| <p>That Council:</p> <ol style="list-style-type: none"> 1. Acknowledge the work undertaken to date in the review of the current Corporate Business Plan, including staff and Councillor workshops. 2. Request the Chief Executive Officer to present the reviewed Corporate Business Plan to Council for consideration no later than the April 2022 Ordinary Meeting of Council, in order that it may assist in informing 2022-23 Budget deliberations. |

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 provision. |
| Action | 4.2.1.2 | Seek a high level of legislative compliance and effective internal controls. |

EXECUTIVE SUMMARY

Local governments are required to plan for the future of their district in accordance with the *Local Government Act 1995*. The minimum requirements for planning for the future is the development of:

- A Strategic Community Plan – 10 year minimum horizon; and
- A Corporate Business Plan – 4 year minimum horizon.

Whilst not statutory requirements, the Strategic Community Plan and Corporate Business Plan are supported by informing strategies, such as (but not limited to):

- Long Term Financial Plan;
- Workforce Plan;
- Asset Management Plan;

- Reserve Fund Plan; and
- Borrowings Plan.

BACKGROUND

Section 19C of the *Local Government (Administration) Regulations* requires local governments to review the Strategic Community Plan for its district at least once every 4 years. Section 19DA of the *Local Government (Administration) Regulations* requires local governments to review the Corporate Business Plan for its district at least once every year.

The last review of the Shire's Corporate Business Plan was presented to Council (and approved) in November 2020, as a 'minor review'. With the major review of the Strategic Community Plan occurring earlier in 2021 (August OCM), as well as local government elections in mid-October 2021, it is timely for a major review of the Corporate Business Plan.

Catalyse consultants have been engaged to assist the Shire in the major review of its Corporate Business Plan. Catalyse undertook the Shire's most recent Community Scorecard and assisted with the recent major review of the Strategic Community Plan. To date, Catalyse have undertaken a peer review of the Corporate Business Plan, developed a detailed review methodology, delivered detailed staff consultation sessions (via email and in-person 29 November 2021) and a detailed Councillor consultation session (30 November 2021).

FINANCIAL IMPLICATIONS

The review aligns with the 2021-2022 Budget, and will also be reviewed as part of the Annual Budget Review in February-March 2022.

POLICY COMPLIANCE

Not applicable.

STATUTORY COMPLIANCE

Section 5.56 of the *Local Government Act 1995*.

CONSULTATION

In relation to the Strategic Community Plan, adopted in August 2021, the Department of Local Government, Sport and Cultural Industries (DLGSCI) 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.

The DLGSCI Advisory Standards for Corporate Business Planning do not recommend public consultation for any of the standard ratings (‘achieving’, ‘intermediate’, or ‘advanced’).

OFFICER COMMENT

It is recommended that the Council acknowledge/note the work undertaken to date in the review of the Corporate Business Plan and request the Chief Executive Officer to present the reviewed Corporate Business Plan to Council for consideration no later than the April 2022 Ordinary Meeting of Council, in order that it may assist in informing 2022-23 Budget deliberations.

COUNCIL RESOLUTION 208/21

Moved: Cr Atherton

Seconded: Cr Smith

That Council:

- 1. Acknowledge the work undertaken to date in the review of the current Corporate Business Plan, including staff and Councillor workshops.**
- 2. Request the Chief Executive Officer to present the reviewed Corporate Business Plan to Council for consideration no later than the April 2022 Ordinary Meeting of Council, in order that it may assist in informing 2022-23 Budget deliberations.**

CARRIED 8/0 by En bloc Resolution

For: Cr Wringe, Cr Glover, Cr Atherton, Cr Gubler, Cr Jones, Cr Massey, Cr Mills and Cr Smith

Against: Nil

10 ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

12.1.1 RFT 03/2122 – WET PLANT HIRE

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.

RECOMMENDATION

That the meeting be closed in accordance with section 5.23(2) of the Local Government Act 1995 to discuss the following confidential items:

12.1.1 RFT 03/2122 – WET PLANT HIRE

COUNCIL RESOLUTION 209/21

Moved: Cr Atherton

Seconded: Cr Smith

That the meeting be closed in accordance with section 5.23(2) of the Local Government Act 1995 to discuss the following confidential items:

12.1.1 RFT 03/2122 – WET PLANT HIRE

CARRIED (8/0)

For: Cr Wringe, Cr Glover, Cr Atherton, Cr Gubler, Cr Jones, Cr Massey, Cr Mills and Cr Smith

Against: Nil

The meeting was closed to the public at 6:20pm

COUNCIL RESOLUTION 211/21

Moved: Cr Mills Seconded: Cr Jones

That the meeting be re-opened to the public.

CARRIED 8/0

For: Cr Wringe, Cr Glover, Cr Atherton, Cr Gubler, Cr Jones, Cr Massey, Cr Mills
 and Cr Smith

Against: Nil

The meeting was re-opened to the public at 6:23pm.

Cr Smith re-entered the chamber at 6:23 pm

REQUEST FOR CONSIDERATION OF APPROVED LEAVE OF ABSENCE – Cr Massey

That Cr Massey be approved leave of absence for the Special Meeting of Council to be held on 21 December 2021.

COUNCIL RESOLUTION 212/21

Moved: Cr Gubler Seconded: Cr Glover

That Cr Massey be approved leave of absence for the Special Meeting of Council to be held on 21 December 2021.

CARRIED 8/0

For: Cr Wringe, Cr Glover, Cr Atherton, Cr Gubler, Cr Jones, Cr Massey, Cr Mills
 and Cr Smith

Against: Nil

12.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

13 CLOSURE

The Shire President to advise that the Special Meeting of Council will be held on 21 December 2021 and the next Ordinary Council Meeting will be held on 23 February 2022 commencing at 5.00pm in the Shire of Donnybrook Balingup Council Chamber.

The Shire President declared the meeting closed at 6:26pm.