

## **NOTICE OF ORDINARY COUNCIL MEETING JULY 2020**

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To be held on

**Wednesday 22 July 2020**

Commencing at 5.00pm

Shire of Donnybrook Balingup Council Chambers, Donnybrook

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

**Ben Rose**  
Chief Executive Officer

17 July 2020

**Disclaimer**

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

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**SHIRE OF DONNYBROOK BALINGUP**  
**NOTICE OF ORDINARY COUNCIL MEETING**

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

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## **1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS**

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### **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 and present and emerging.

The Shire President to declare the meeting open and welcome the public gallery.

### **Shire President - Public Notification of Recording of Meetings**

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.*

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## **2 ATTENDANCE**

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### **MEMBERS PRESENT**

<b>COUNCILLORS</b>	<b>STAFF</b>
Cr Brian Piesse (President)	Ben Rose – Chief Executive Officer
Cr Jackie Massey (Deputy President)	Steve Potter – Executive Manager Operations
Cr Shane Atherton	Paul Breman – Executive Manager Corporate and Community
Cr Anita Lindemann	Jaimee Earl – Minute Taker
Cr Anne Mitchell	
Cr Chaz Newman	
Cr Shane Sercombe	
Cr Chris Smith	
Cr Leanne Wringe	

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### **PUBLIC GALLERY**

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**2.1 APOLOGIES**

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**2.2 APPROVED LEAVE OF ABSENCE**

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Nil.

**2.3 APPLICATION FOR A LEAVE OF ABSENCE**

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Nil.

**3 ANNOUNCEMENTS FROM PRESIDING MEMBER**

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**4 DECLARATION OF INTEREST**

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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**

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### **5.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE**

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Mr Tony Scaffidi

*What is being done about the rabbit problem? I raised the Grist Road issue two years ago with the Leschenault Biodiversity Group and Council and nothing has been done. They are also a problem in other areas such as the river, there are burrows everywhere.*

Shire Response:

The Shire has and continues to work proactively with the Leschenault Biosecurity Group (LBG) with regard to the Grist Road rabbit matter, and a range of other environmental matters affecting the Shire.

The most recent approach undertaken by the Shire and LBG for rabbit management in the Grist Road area has been the destruction of warrens through the filling of burrows with gravel. Plans are also being considered to conduct a verge burn along Grist Road in Spring/Autumn, followed by a possible treatment of a Calici or a fumigation release in consultation with the LBG, when the burrows are more clearly visible.

Typically, the majority of the river foreshores are not managed by the Shire, however form part of the LBG considerations across all land.

### **5.2 PUBLIC QUESTION TIME**

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## **6 PRESENTATIONS**

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### **6.1 PETITIONS**

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Nil.

### **6.2 PRESENTATIONS**

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Sergeant Matt Fogarty, Officer in Charge Donnybrook Police Station

### **6.3 DEPUTATIONS**

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None requested at time of publication.

## **7 CONFIRMATION OF MINUTES**

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### **7.1 ORDINARY MEETING OF COUNCIL – 24 JUNE 2020**

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Minutes of the Ordinary Meeting of Council held 24 June 2020 are attached (*attachment 7.1(1)*).

#### **EXECUTIVE RECOMMENDATION**

**That the Minutes from the Ordinary Meeting of Council held 24 June 2020 be confirmed as a true and accurate record.**



## **8 REPORTS OF COMMITTEES**

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Nil.

## 9 REPORTS OF OFFICERS

### 9.1 EXECUTIVE MANAGER OPERATIONS

#### 9.1.1 AUTHORISED PERSONS – CONTROL OF VEHICLES (OFF-ROAD AREAS) ACT 1978

<b>Location</b>	Shire of Donnybrook Balingup
<b>Applicant</b>	Not applicable
<b>File Reference</b>	RGR 10
<b>Author</b>	Damien Morgan, Manager Works and Services
<b>Responsible Officer</b>	Damien Morgan, Manager of Works and Services
<b>Attachments</b>	Nil
<b>Voting Requirements</b>	Simple Majority

#### Recommendation

**That Council:**

1. Pursuant to s38(3)(a) of the *Control of Vehicles (Off-road Areas) Act 1978*, appoints Paul Robins (Senior Ranger) and Shannon Barlow (Ranger) as Authorised Officers, for the purpose of enforcing the provisions of the Act.
2. Pursuant to s.38(4)(d) of the *Control of Vehicles (Off-road Areas) Act 1978* authorises the Chief Executive Officer to issue Certificates of Appointment to Paul Robins and Shannon Barlow as Authorised Officers.
3. Pursuant to s.37(5) of the *Control of Vehicles (Off-road Areas) Act 1978* appoints Steve Potter, Executive Manager Operations as an Authorised Officer, for the purpose of withdrawing an infringement notice in accordance with the provisions of the Act and associated Regulations.

#### STRATEGIC ALIGNMENT

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

Outcome:	4.2	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**

Council is requested to appoint Paul Robins (Senior Ranger) and Shannon Barlow (Ranger) as 'Authorised Officers' under the *Control of Vehicles (Off-road Areas) Act 1978*.

It is recommended that Council supports the proposal.

## **BACKGROUND**

The *Control of Vehicles (Off-road Areas) Act 1978* requires each local government to appoint Authorised Officers to affect the provisions of the Act and Regulations within their district.

Authorisation is necessary to enable appointed Shire Officers to:

1. Attend to any off-road vehicle complaints either on public land or private property at the owner's request;
2. Seize and detain vehicles;
3. Receive modified penalty payments from infringement notices served;
4. Request the details of the alleged offender personal details; and
5. Withdraw infringement notices (Executive Manager Operations only).

## **Separation of Duties**

Section 37(5) of the *Control of Vehicles (Off-road Areas) Act 1978* requires the appointment of an Authorised Officer who may withdraw infringement notices issued by officers under the Act. The appointee cannot be the officer who issued the infringement.

It is recommended that Council appoints the Executive Manager Operations (Steve Potter) as an Authorised Officer for the purpose of withdrawing an infringement notice in accordance with this provision of the Act.

## **Certificate and Identity Card Requirements**

Pursuant to s.38(4)(d) of the Act, officers appointed as Authorised Officers shall be issued with a certificate of appointment in the prescribed form, evidencing the area of jurisdiction entrusted to him/her under this Act, which shall, on reasonable demand, be produced for inspection by any person.

## **FINANCIAL IMPLICATIONS**

Nil.

## **POLICY COMPLIANCE**

Nil.

## **STATUTORY COMPLIANCE**

Council's appointment of Authorised Officers under the *Control of Vehicles (Off- road Areas) Act 1978* is to be consistent with the requirements of the applicable legislation.

## **CONSULTATION**

Nil.

## **OFFICER COMMENT/CONCLUSION**

The authorisation of officers is necessary for the routine and effective enforcement and compliance of the provisions and requirements of the *Control of Vehicles (Off-road Areas) Act 1978*.

### 9.1.2 PRESTON RIVER LOOP PATH UPGRADE

<b>Location</b>	Shire of Donnybrook Balingup
<b>Applicant</b>	Not applicable
<b>File Reference</b>	PWF 16C
<b>Author</b>	Damien Morgan, Manager Works and Services
<b>Responsible Officer</b>	Damien Morgan, Manager Works and Services
<b>Attachments</b>	9.1.2(1): Map of the Proposed Preston River Loop Path
<b>Voting Requirements</b>	Simple Majority

Recommendation
<p><b>That Council:</b></p> <ol style="list-style-type: none"> <li><b>1. Supports the upgrade of an existing trail to complete the Preston River Loop Path.</b></li> <li><b>2. Instructs the Chief Executive Officer to submit an application for funding under the Department of Transport’s Western Australian Bicycle Network Grant Program over two financial years (2021-22 / 2022-23) for the design and construction of the Preston River Loop Path.</b></li> <li><b>3. Subject to the application for funding being successful, allocates \$50,000 per annum in both the 2021-22 and 2022-23 draft budgets (as Shire co-contribution funding) for the detailed design and construction of the Preston River Loop Path.</b></li> </ol>

### STRATEGIC ALIGNMENT

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

Outcome:	2.1	An attractive and maintained built environment
Strategy:	2.1.1	Maintain, renew and improve infrastructure within allocated resources
Action:	2.1.1.2	Seek funding for development and renewal of infrastructure
Action:	2.1.1.4	Maintain attractive town sites within resource capacity

### EXECUTIVE SUMMARY

The Shire of Donnybrook Balingup (Shire) may have an opportunity to apply for the Department of Transport, Western Australian Bicycle Network 2021-22/2022-23 Grant Funding Program, subject to an Expression of Interest (EOI) application being successful. The upgrade of a section of trail on the eastern bank of the Preston River has been identified as a high priority project based on the Shire of Donnybrook Balingup Pathways and Trails Expansion Strategy. This report presents a summary on how this project was identified and seeks Council’s endorsement to submit a full WABN Grant Application for 50% funding of the Detailed Design and construction of the path in two stages over two financial years, being 2021-22/2022-23.

## BACKGROUND

The Shire has submitted an EOI for Department of Transport, Western Australian Bicycle Network (WABN) Grant funding for 2021-22 and 2022-23. The EOI submission requested grant funding over two financial years 2021-22 and 2022-23 to cover 50% of the cost of a detailed design and upgrade of an existing trail along the eastern bank of the Preston River, from the existing path at the Palmer Street Laneway to the gabion wall river crossing measuring approximately 700m in length. This dirt trail is proposed to be upgraded to a 2m wide concrete dual use path, which would also include the construction of an all-ability access ramp to replace the existing steep concrete staircase to the gabion wall river crossing. Once constructed, this would complete the Preston River Loop Path.

At the time of writing this report, the Shire's EOI is pending, however further information may be available prior to the July 2020 Ordinary Council Meeting. If the EOI is deemed successful, the Shire will be invited to make formal application for grant funding, with one of the criteria being the demonstration of Council's support for the project.

Specific outcomes were considered in the EOI to meet the grant guidelines, eligibility and merit criteria set by WABN including:

**Connectivity** - The proposed dual use path will provide a complete river loop, connecting the east and west banks of the Preston River and town site residential localities, the CBD, schools and other facilities, with future potential connectivity to South Western Highway, outer residential/industrial areas and potentially other Shires.

**Healthy, safe and alternative means of transport** - The proposed dual use path and the all-ability access ramp will provide a healthy and safe means of transport and access for all users including those with special needs, the elderly, children, cyclers, hikers, and parents with prams. The path will also provide an alternative means of transport other than using busy roads, and aligns with two pledges the Council has made for the Cities Power Partnerships, as follows:

- *“encourage sustainable transport use such as public transport, walking and cycling through Council transport planning and design”; and*
- *“support cycling through the provision of adequate cycle lands, bike parking and end of ride facilities”*

**Tourism and Environment** – The proposed dual use path will improve an already popular and picturesque tourist trail which connects to existing facilities in the area like the Donnybrook Amphitheatre, RSL War Memorial, and incorporates the Preston River Indigenous Walk Trail and Waugyl Sculpture Park. It will also compliment future proposals such as the Artbeat Public Art Trail initiative. Providing a dual use path will improve the environmental management of the river bank reserve, by encouraging people to keep on a designated path and deterring from walking along native sections under rehabilitation.

**Strategic Alignment** - The proposed project aligns to the Shire of Donnybrook Balingup Pathways and Trails Expansion Strategy and is currently ranked in the top five path projects, in the Shire's future pathway program. The dual use path was initially identified through several

community member requests. The proposed project also meets some of the outcomes identified in the Council's Disability Access and Inclusion Plan and also aligns to Action Item 6.2.4 (6) within the Bunbury-Wellington 2050 Cycling Strategy with future connectivity to South Western Highway and Donnybrook-Boyup Brook Road.

## **DETAILS**

A map outlining the proposed dual use path to be delivered in two stages over 2021-22 and 2022-23 is provided in *attachment 9.1.2(1)*.

**Stage 1: 2021-22** will consist of a detailed design of the entire Stage 1 and Stage 2 proposed project as shown in *attachment 9.1.2(1)*. Stage 1 will also include construction of approx. 500m length of 2m wide dual use concrete path, commencing from the existing path at the Palmer Street Laneway and continuing south along the eastern river reserve.

**Stage 2: 2022-23** will consist of constructing the remaining section of 2m wide dual use concrete path, measuring approximately 200m in length and the construction of the all-ability access ramp to the gabion wall river crossing.

Subject to the EOI being successful and this proposal being endorsed by Council, the Shire's intention is to submit a full WABN Grant Application for 50% funding of the cost of detailed design and construction of the path in two stages over two financial years, being 2021-22/2022-23.

## **FINANCIAL IMPLICATIONS**

The estimated cost for the provision of detailed design, upgrade to the existing trail to a dual use concrete path, and the construction of an all-ability access ramp in two stages, is estimated to be \$200,000.

If the Shire is successful in obtaining the WABN Grant, the grant will cover 50% of the total cost, being \$100,000. The remaining 50% (\$100,000) would be required to be funded by the Shire over two budgets (\$50,000 in 2021-22 and \$50,000 in 2022-23).

## **POLICY COMPLIANCE**

Not applicable.

## **STATUTORY COMPLIANCE**

Not applicable.

## **CONSULTATION**

The Shire has received numerous community requests over the years to upgrade the existing dirt trail to a safe and accessible dual use path, with advice that attempts would be made to source future funding for the request. The Shire also intends to seek formal support from the Donnybrook Visitors Centre and Chamber of Commerce.

## **OFFICER COMMENT/CONCLUSION**

The upgrade to a fully constructed dual use path has been requested by community, and is recognised as a high priority project based on the Shire of Donnybrook Balingup Pathways and Trails Expansion Strategy. The project also satisfies a range of outcomes from the Shire's Corporate Business Plan and Disability Access Inclusion Plan.



### 9.1.3 SOUTH WEST NATIVE TITLE SETTLEMENT – PROPOSED CROWN LAND ALLOCATION

<b>Location</b>	Shire of Donnybrook Balingup
<b>Applicant</b>	Department of Planning, Lands & Heritage
<b>File Reference</b>	A3252
<b>Author</b>	Steve Potter, Executive Manager Operations
<b>Responsible Officer</b>	Steve Potter, Executive Manager Operations
<b>Attachments</b>	9.1.3(1): DPLH Questions and Shire responses
<b>Voting Requirements</b>	Simple majority

Recommendation
<p><b>That Council:</b></p> <ol style="list-style-type: none"> <li><b>1. Advises the Department of Planning, Lands and Heritage that the Shire of Donnybrook, Balingup has no objections to the State of Western Australia allocating Crown land identified as Lot 516; Reserve 2052; PIN 1039142; DP 215417; CLT LR3128/829, to the Noongar People in accordance with the South West Native Title Settlement.</b></li> <li><b>2. Requests the Department of Planning, Lands and Heritage place a Section 70A Notification on the certificate of title under the <i>Transfer of Land Act 1893</i> containing the following wording:</b> <p style="margin-left: 40px;"><i>“The land is in close proximity to land zoned ‘General Industry’ under the Shire of Donnybrook Balingup Local Planning Scheme No. 7 which may result in off-site impacts including noise, dust, vibrations and other emissions to users of the land.”</i></p> </li> <li><b>3. Requests the DPLH include an additional term of allocation maintaining public access to the land after transfer to the Noongar People.</b></li> <li><b>4. Provides responses as per Attachment 9.1.3(1) in response to the queries presented by the Department of Planning, Lands and Heritage.</b></li> </ol>

### STRATEGIC ALIGNMENT

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

- Outcome: Effective leadership and civic responsibility  
 Strategy: A strategically focused, open and accountable local government  
 Action: Provide accountable and strategic leadership.

### EXECUTIVE SUMMARY

Council is being requested to provide feedback to the Department of Planning, Lands and Heritage (DPLH) to inform its decision on the potential allocation of a parcel of Crown land

located within the Shire of Donnybrook Balingup to the Noongar People as part of the creation of the Noongar Land Estate. It is noted that Council is not the responsible decision-maker in this process, but is one of a number of agencies the DPLH is liaising with to identify suitable land.

It is recommended that Council advises the DPLH that it has no objections to the proposal.

## **BACKGROUND**

The State of Western Australia has committed to allocating up to 320,000 hectares of Crown land to the Noongar People to create the Noongar Land Estate, in accordance with the six registered Indigenous Land Use Agreements (ILUAs) for the South West Native Title Settlement (the Settlement). The ILUAs were registered at the Native Title Tribunal on 17 October 2018 with the required legal processes currently occurring.

The Department of Planning, Lands and Heritage (DPLH) is responsible for undertaking an identification and assessment process for land parcels within the boundaries of the Settlement. This process includes referring land to relevant agencies (including local governments) for comment. While awaiting conclusive registration and the subsequent date upon which the Settlement will become effective, DPLH is undertaking necessary referrals to ensure that land parcels as identified by the Noongar People are made ready for transfer.

Through this process, the land parcel located at 'Lot 516' in Brookhampton has been identified for possible transfer. The property which is Crown land is 31.4ha in area and abuts Montgomery Road to the west/south west; 'General Agriculture' zoned land to the south; State forest to the east and an unconstructed road reserve (Frost Road) to the north. As illustrated in the following diagrams, the property is fully vegetated with native vegetation and the land is reserved for 'Parks and Recreation' under Local Planning Scheme No. 7 (LPS7).



Figure 1: Aerial Photo of the Site

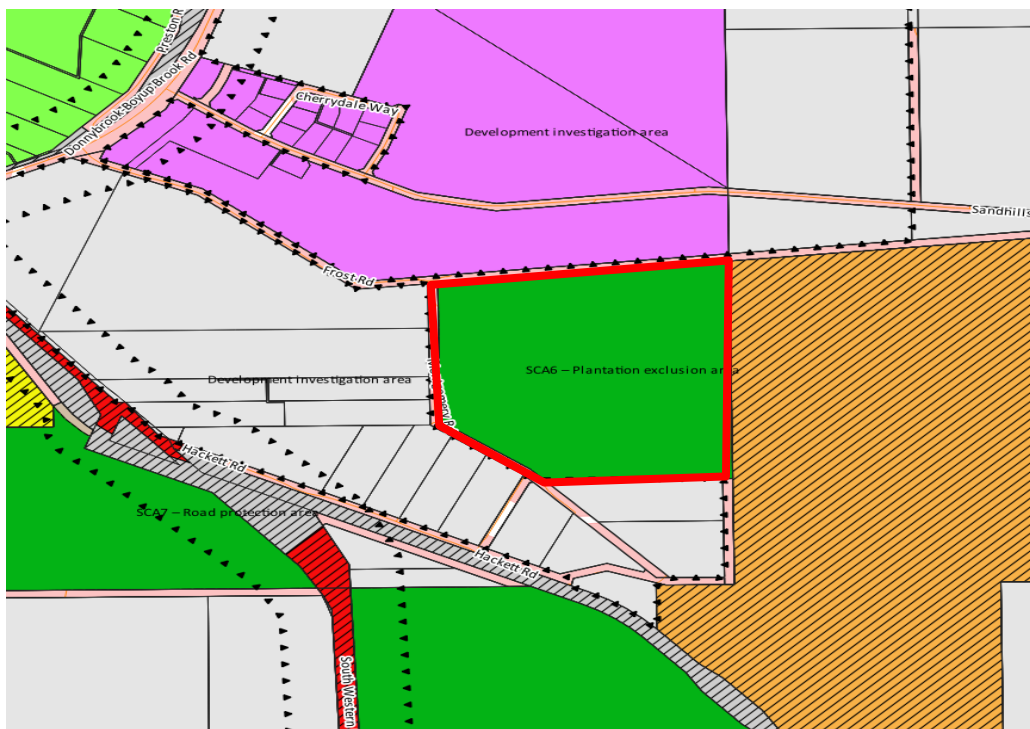


Figure 2: Town Planning Scheme

Under LPS7 there is land zoned ‘General Industry’ to the north of the unconstructed ‘Frost Road’ road reserve and a ‘Development Investigation Area’ (DIA9) to the south-west (on the opposite side of Montgomery Road) (DIA9) which is subject to the following relevant provisions in Schedule 13 of the Shire’s Local Planning Scheme No. 7 (LPS7):

Area No.	Description of Land Area	Land Use Expectation	Matters to be Addressed in Structure Plan (in addition to Cl. 6.10).
DIA9	Lots 621, 622, 623, 624, 583 South Western Highway; Lots 177, 178, 430, 431 Montgomery Rd.; Lots 1, 102, 180, 183, 184, 185, 1802 Hackett Road, Donnybrook	Industrial / Composite Industrial and Rural Small Holdings	Investigate land capability and suitability for Industrial / Rural Small Holdings development / subdivision including: <ul style="list-style-type: none"> <li>• Interface between existing and future industrial and residential land use, including appropriate buffer distances;</li> <li>• Effluent disposal and servicing;</li> <li>• Vehicular access to existing industrial area and major arterial roads;</li> <li>• Landscaping and vegetation plan; and</li> <li>• Drainage management.</li> </ul>

It is also noted the land is identified for ‘Conservation / Recreation’ purposes in the Shire’s Local Planning Strategy and therefore is not earmarked for future development.

The DPLH seeks responses to a number of questions and both the questions and suggested responses are provided in Attachment 9.1.3(1).

## **FINANCIAL IMPLICATIONS**

Nil.

## **POLICY COMPLIANCE**

Nil.

## **STATUTORY COMPLIANCE**

Nil.

## **CONSULTATION**

Staff understand that the DPLH is consulting widely as part of its process of identifying suitable land for potential transfer, however the Shire has not undertaken any additional consultation of its own.

## **OFFICER COMMENT/CONCLUSION**

As the subject land is reserved for 'Parks and Recreation' under LPS7 and 'Conservation / Recreation' under the Local Planning Strategy, officers consider it is most likely to remain in its current vegetated state, even if the land were to be transferred from the Crown to the Noongar People through the Native Title Settlement process.

The only identified area of possible contention is that land to the south-west is a 'Development Investigation Area' (DIA9) in LPS7, and land to the north is zoned as 'General Industry' which may result in future industrial type development in close proximity to the subject site. However, as the land is essentially a vegetated reserve with limited future development potential of its own, this is unlikely to be an issue that would limit or conflict with any future development of adjacent land. However, officers consider it would be prudent to request that a Section 70A Notification be placed on the Certificate of Title advising future landowners of this to limit the potential for any future conflicts in this regard.

## **9.2 EXECUTIVE MANAGER CORPORATE AND COMMUNITY**

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### **9.2.1 ACCOUNTS FOR PAYMENT**

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

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### **9.2.2 MONTHLY FINANCIAL REPORT – JUNE 2020**

Note: The Monthly Financial Report for June 2020 will be presented to the August Ordinary Council Meeting.

### 9.2.3 TUIA LODGE DEMENTIA WING PROCUREMENT

<b>Location</b>	Shire of Donnybrook Balingup
<b>Applicant</b>	Shire of Donnybrook Balingup
<b>File Reference</b>	PWF 20B
<b>Author</b>	Paul Breman, Executive Manager Corporate and Community
<b>Responsible Manager</b>	Paul Breman, Executive Manager Corporate and Community
<b>Attachments</b>	Nil.
<b>Voting Requirements</b>	Simple Majority

<b>Recommendation</b>
<p><b>That Council acknowledge and endorse the postponement of the current procurement process for the construction of the Dementia Wing and Palliative Care Suite at the Tuia Lodge Aged Care Facility, until the Expression of Interest for outsourcing the operation and management of the Facility is completed (expected no later than 30 June 2021).</b></p>

#### STRATEGIC ALIGNMENT

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

Outcome:	3.3.1	Promote 'ageing in place'
Strategy:	4.1.1	Provide accountable and strategic leadership
Action:	4.1.2	Continue to enhance communication and transparency

#### EXECUTIVE SUMMARY

To gain the Councils endorsement to postpone the procurement process for the construction of the Dementia Wing and Palliative Care Suite at the Tuia Lodge Aged Care Facility, while the Expression of Interest (EOI) for outsourcing the operation and management of the Facility is undertaken.

A postponement is considered necessary to ensure any potential outsource partner is permitted input into the design and commissioning of the dementia extension that they will operate into the future.

## BACKGROUND

The Shire currently has approval to extend the Tuia Lodge Aged Care Facility to incorporate the following additional beds:

<b>Date of provisional allocation</b>	<b>Type</b>	<b>Number of Placements</b>	<b>Date of Approval Expiry</b>
24/05/2019	High Care Secure Dementia	10	24/05/2023
24/05/2019	High Care Palliative	1	24/05/2023

The provisional allocation of the placements is linked to a capital grant as a contribution toward the cost of the extension. This grant from the Australian Government Department of Health is for an amount of \$1,450,000 on the basis that the Shire contributes at least \$300,000 to achieve a total project cost of at least \$1,750,000.

In February 2020, the Shire called for tenders from interested suppliers on a design and construct basis for the extensions to achieve the approved placements as set out above. A series of events resulted in the consideration of the tender responses being placed on hold leading to a delay in progressing the project.

In March 2020, the attention of the Staff at Tuia Lodge was focussed on the safety of residents and staff at the Facility in response to the COVID 19 pandemic. This consumed significant resources across the organisation.

During April 2020, the Aged Care Community Reference Group recommended to the Council that the Shire call for Expressions of Interest from parties interested in partnering in an outsource arrangement with the Shire to manage the Facility.

In considering the circumstances where an outsource partner is forthcoming and negotiations commence toward a formal outsource agreement, the outcomes around the design and construction of the extension to the Facility becomes relevant. A potential outsourced partner would have an interest in the efficiency and effective of the final design and may add expertise and provide advice that would add value to the exercise.

Considering the potential for a delay to the construction of the extension, the Chief Executive Officer and the Executive Manager Corporate and Community sought and received a reassurance that the allocated 11 placements and the associated grants would not be at risk if the procurement process was placed on hold until the outcome of the EOI exercise was determined. At the same time, the Department of Health was advised of the Shire intentions around outsourcing the operations of the facility and the intent to retain ownership of the building and control of the land.

## FINANCIAL IMPLICATIONS

Not Applicable

## POLICY COMPLIANCE

Not Applicable

## **STATUTORY COMPLIANCE**

Not Applicable

## **CONSULTATION**

The Aged Care Community Reference Group met on 19 June 2020 to consider this issue and provide input. At that meeting the group resolved the following:

### *RESOLUTION*

*That the Aged Care Community Reference Group acknowledge the postponement of the current procurement process for the construction of the Dementia Wing and Palliative Care Suite at the Tuia Lodge Aged Care Facility, until the Expression of Interest for operation and management outsourcing is completed (expected no later than 30 June 2021).*

*CARRIED 6/0*

## **OFFICER COMMENT/CONCLUSION**

There appear practical reasons to provide any potential outsource partner with input into the procurement process particularly as the current process involves a design component.

Considering the timing of the EOI, it is likely the procurement process would recommence in the first quarter of the 2021.



**9.2.4 DRAFT POLICIES - REVIEW OF SHIRE BUILDING PORTFOLIO AND BUILDING INSURANCE**

<b>Location</b>	Shire of Donnybrook Balingup
<b>Applicant</b>	Shire of Donnybrook Balingup
<b>File Reference</b>	BLG 01
<b>Author</b>	Paul Breman, Executive Manager Corporate and Community
<b>Responsible Manager</b>	Paul Breman, Executive Manager Corporate and Community
<b>Attachments</b>	9.2.4(1) – Draft Policy – Review of Shire Building Portfolio 9.2.4(2) – Draft Policy – Building Insurance 9.2.4(3) – Buildings captured by Draft Policy – Review of Shire Building Portfolio 9.2.4(4) – Building Review Assessment Matrix
<b>Voting Requirements</b>	Simple Majority

<b>Recommendation</b>
<p><b>That Council</b></p> <ol style="list-style-type: none"> <li><b>1. Adopts Draft Policy – Review of Shire Building Portfolio;</b></li> <li><b>2. Adopts Draft Policy – Building Insurance; and</b></li> <li><b>3. Instructs the Chief Executive Officer to prepare a report to the Council for consideration no later than the December 2020 Ordinary Meeting containing:</b> <ol style="list-style-type: none"> <li><b>3.1 A high level strategy for community and stakeholder engagement in relation to buildings/structures identified as a result of the adoption of the Review of Shire Building Portfolio;</b></li> <li><b>3.2 An organisational procedure that results in the Council being kept informed of the progress of implementation of the Review of Shire Building Portfolio Policy and the progress of the review; and</b></li> <li><b>3.3 An assessment of the organisational resources required to implement the Review of Shire Building Portfolio Policy and carry out the strategy as set out at item 3.1 above.</b></li> </ol> </li> </ol>

## 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	4.2.1.1	Maintain effective and efficient policies, planning, operating procedures and practices

## EXECUTIVE SUMMARY

To adopt new policies:

1. Review of Shire Building Portfolio
2. Building Insurance

To consider commencing the review of Council building portfolio.

## BACKGROUND

In 2018/19 an asset management plan for the Shire's building portfolio was developed and presented to Council for inaugural adoption at the ordinary meeting of Council on 24 April 2019.

At its subsequent ordinary meeting on 22 May 2019 Council resolved;

### *COUNCIL RESOLUTION 59/19*

*That Council:*

1. *Directs the Chief Executive Officer to develop a project planning framework to be presented to Council for consideration during October 2019 (or prior), that will plan for the review of the Shire's building portfolio. At a minimum, the review is to consider Shire buildings in the context of:*
  - 1.1 *Not required or suitable for the delivery of services.*
  - 1.2 *Uneconomical to maintain and/or operate.*
  - 1.3 *Duplicating service delivery.*
  - 1.4 *Underutilised / redundant.*
2. *Appoints the following two Councillors to a Working Group with the Chief Executive Officer (or delegated representative) to develop a project planning framework for presentation to the Council for consideration, prior to any work on a review commencing:*
  - 2.1 *Councillor Atherton; and*
  - 2.1 *Councillor Wringe.*

The working group considered resolution 59/19 and recommend a risk management based approach to any potential review process. This was reported to Council at the 23 October 2019 Ordinary Council Meeting.

**COUNCIL DECISION 159/19**  
*(Executive Recommendation)*

*Moved: Cr Newman Seconded: Cr Atherton*

*That Council:*

1. *Direct the Chief Executive Officer to develop a draft policy that:*
  - 1.1 *Guides the review and potential rationalisation of Shire owned buildings.*
  - 1.2 *Includes a risk management strategy/framework (which may include insurance coverage) for all Shire buildings.*
  - 1.3 *Includes a framework for consideration of quantitative and qualitative merits (for the broadest community benefit) of each Shire owned building.*
  - 1.4 *Is presented to the April 2020 Ordinary Meeting of Council for consideration for adoption.*

*Carried 5/4*

The working group’s recommended approach was influenced by the ‘Building Asset Portfolio Review Risk Assessment’. This risk assessment was reported to Council at the 23 October 2019 Ordinary Council Meeting.

The Building Asset Portfolio Review Risk Assessment resulted in two identified material risk areas.

Consequence:	Reputation Risk
Assessed Risk:	Extreme
Comments	A process of reviewing the building portfolio with the intent of rationalisation is expected to generate widespread community concern. Due to the geographical extent of the building portfolio, it is expected the process of a blanket review will result in broad adverse community response of significance.

Consequence:	Service Interruption Risk
Assessed Risk:	High
Comments	The process of a complete review will likely incur significant public consultation and engagement requirements upon the organisation. For involved officers and business units, it is expected to lead to service level interruptions that result in backlogs.

Under Policy 2.45 Organisational Risk Management, the ‘Donnybrook Balingup Risk Assessment & Acceptance Criteria’, risk rankings set out the following risk acceptance and management authority level.

Risk Rank	Responsibility
Extreme:	CEO / Council
High:	Director / CEO

As an extreme risk has been identified, it is a reportable risk to Council requiring Council endorsed management of that risk.

Council resolution 159/19 on 23 October 2019 requested the development of a framework that would guide any future review of buildings.

Two draft policies have been developed for Council to consider.

1. Draft Policy – Review of Shire Building Portfolio (attachment 9.2.4(1)).
2. Draft Policy – Building Insurance (attachment 9.2.4(2)).

#### Building Review Assessment Matrix

Both draft policies are supported by the Building Review Assessment Matrix (the matrix) (attachment 9.2.4(4)). The matrix is an operating procedure and does not form part of the Policy.

The objective of the matrix is to guide decision making, rather than prescribe a course of action for a specific rating. It assesses a Building Service Level Hierarchy. Essentially an assessment of a building’s importance for strategic service delivery.

It is intended that the matrix and assessed rating, form part of any future report to Council on the assessment of a building in its portfolio.

#### Draft Policy – Review of Shire Building Portfolio

In order to minimise the identified risks, it is recommended any review of a building in Council’s portfolio be initiated by policy.

The Draft Policy – Review of Shire Building Portfolio recommends that a review be initiated in three circumstances.

<b>1. Forecast Expenditure on Facility</b>
The sum of planned renewal / replacement expenditure across the next 5 (five) financial years = 20% or greater, of the replacement value of the building
<b>2. Vacant / Unused</b>
A building becomes vacant / unused without planned utilisation
<b>3. Upon Lease</b>
A building is leased or re-leased.
<b>4. Upon Exclusive License</b>

A building is exclusively licensed, or an exclusive license is renewed.
<b>5. By Resolution of Council</b>
Council resolves that a review be undertaken.

It is recommended that freehold commercial buildings form part of an initial review.

#### Draft Policy – Building Insurance

Council resolution on 23 October 2019 requested consideration be given towards building insurance as part of an overarching policy on review of buildings.

Draft Policy – ‘Building Insurance’ recommends that in instances where a building incurs material damage, Council may determine whether to;

- a) Replace or reinstate the building.
- b) Obtain indemnity payout only and not replace the building.

Any review would be initiated by the expenditure threshold to replace or reinstate a damaged building under Draft Policy – Review of Shire Building Portfolio

Draft Policy – ‘Building Insurance’ provides that Council may decide not to insure specific buildings, or obtain insurance for demolition / debris removal only. The purpose is to provide policy options to minimise budget impact of insurance.

The annual premium for insurance is currently 0.15% of the building replacement value. While Draft Policy – ‘Building Insurance’ caters for a no insurance option, for low value buildings, the premium is minimal. Therefore, it is recommended that Council does not change its current practice of insuring all buildings for replacement or reinstatement.

Should Council determine in the future that a materially damaged building not be replaced, the indemnified insurance payout can be redirected towards other budgetary priorities.

#### **FINANCIAL IMPLICATIONS**

None at this stage. This report is to adopt policies.

The 2020/21 Asset Management Plan - Buildings, identifies \$6.16m of renewal / maintenance expenditure required on Council’s building asset portfolio over the coming 15 years.

#### **POLICY COMPLIANCE**

The recommendation is to adopt new policy and has been developed with reference to Policy 2.45 Organisational Risk Management.

#### **STATUTORY COMPLIANCE**

Not applicable.

## **CONSULTATION**

None at this stage. This report is to adopt policies.

It is recommended that any determination of Council regarding the future of a Council owned building require consultation with impacted stakeholders as part of any decision making process.

## **OFFICER COMMENT/CONCLUSION**

The Shire operates, leases or maintains a substantial number of Buildings in the district. These facilities are relied upon by a significant number of community and not-for profit organisations. Due to the importance of the facilities to these organisations, reviewing the continued availability or the terms of use and maintenance obligations of these facilities requires a carefully planned and implemented community engagement and consultation process.

There will be a considerable amount of research required on the history of the facility and a thorough understanding of the impact that any change in the use may have on each individual user group. A documented strategy and procedure will be required to ensure negotiations and consultation occurs in a consistent manner and each group receive equal or proportionate consideration.

During any engagement process and subsequent negotiations with community groups, the Council will need to be kept informed of the progress and any potential issues that may arise before a report is presented to the Council for consideration regarding the future use of the building.

As highlighted in the background of this report, the implementation of a district wide Buildings Review would take a significant amount of resource which has the potential to lead to:

- Service level interruptions;
- A backlogs in achieving current priorities; and
- A postponement of initiatives and systems improvements aimed at increasing efficiency.

### 9.2.5 ANNUAL REVIEW OF ASSET MANAGEMENT PLANS – 2020/21

<b>Location</b>	Shire of Donnybrook Balingup
<b>Applicant</b>	Shire of Donnybrook Balingup
<b>File Reference</b>	FNC 10/2
<b>Author</b>	Paul Breman, Executive Manager Corporate and Community
<b>Responsible Manager</b>	Paul Breman, Executive Manager Corporate and Community
<b>Attachments</b>	9.2.5(1) - AMP – Parks and Reserves 9.2.5(2) - AMP – Vehicles 9.2.5(3) – AMP – Buildings 9.2.5(4) – AMP – Roads and Transport 9.2.5(5) – Borrowings Plan 9.2.5(6) – Reserve Accounts Plan
<b>Voting Requirements</b>	Simple Majority

Recommendation
<p><b>That Council adopt the 2020-21 review of the following plans:</b></p> <ol style="list-style-type: none"> <li><b>1. Asset Management Plan – Parks and Reserves</b></li> <li><b>2. Asset Management Plan – Vehicles</b></li> <li><b>3. Asset Management Plan – Buildings</b></li> <li><b>4. Asset Management Plan – Roads and Transport</b></li> <li><b>5. Borrowings Plan</b></li> <li><b>6. Reserve Fund Plan</b></li> </ol> <p><b>and instructs the Chief Executive Officer to use the content of the above plans, relevant to 2020-21, as the basis for the development of the 2020-21 Draft Budget.</b></p>

### 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	4.2.1.1	Maintain effective and efficient policies, planning, operating procedures and practices

### EXECUTIVE SUMMARY

To adopt the annual review and updating of Asset Management, Borrowings and Reserve Accounts plans for 2020-21 and to endorse incorporation of the plans into the development of the 2020-21 Draft Budget.

## **BACKGROUND**

In 2010, the Integrated Planning and Reporting (IPR) Framework and Guidelines were introduced in Western Australia (WA) as part of the State Government's Local Government Reform Program. All local governments were required to have their first suite of IPR documents in place by 1 July 2013.

Officers are progressing the development of an Integrated Planning and Reporting Framework for the Shire that will improve the long-term financial sustainability of the Shire of Donnybrook Balingup.

This corporate planning framework provides greater integration of plans and becomes the driver for the Annual Budget.

A suite of financial planning systems has been developed and implemented that accurately;

- a) demonstrate the Shire's capability to deliver services and manage its asset portfolio that can sustain our community into the future.
- b) determine the real cost of managing the Shire's asset portfolio.
- c) determine the real cost of delivering services to the community.
- d) determine the real contribution residents and users should make to the cost of services & facilities.

One aspect of the financial planning framework is realigning the underlying foundation of the Annual Budget to respond to the above points in order to improve the long-term financial sustainability for the Shire.

### Redevelopments

It is acknowledged that Council is currently undertaking redevelopment planning of several facilities and reserves within the Shire. However, the asset renewal projects contained within asset plans are based on existing assets stock. This is to ensure that planned renewal funding remains scheduled until such time any proposed redevelopment is committed to by way of awarding of construction contracts.

When new assets are commissioned, new asset inspections are undertaken to determine future asset renewal requirements.

### Asset Management Plans

#### *Asset Management Plan – Parks & Reserves (Attachment 9.2.5(1))*

Parks and Reserves comprise numerous items of built or installed depreciable equipment and infrastructure. These deteriorate over time and requires a program of cyclical replacement at the end of economic life.

The program of renewal works within this plan has been sourced from an independent revaluation of parks infrastructure undertaken in 2018. In addition, all items have undergone onsite inspection and assessment by works staff.



This strategy plans for the timing and financing of.

- a) Development works.
- b) Replacement of aged infrastructure.
- c) Major maintenance of infrastructure.

#### *Asset Management Plan – Buildings (Attachment 9.2.5(2))*

The program of renewal works identified in this plan has been determined by onsite inspections conducted by Council's Principal Building Surveyor.

The purpose of this document is to provide a strategy for funding Council's buildings.

This strategy will plan for the timing and financing of;

- a) Construction of new buildings.
- b) Alterations and extensions of existing buildings.
- c) Preservation and maintenance of building.

The Asset Management Plan – Buildings (BAMP), has been developed to provide a systematic method to identify, plan and fund necessary works to maintain the facilities to an acceptable standard that maximise their useful life for the community.

#### *Asset Management Plan – Vehicles (Attachment 9.2.5(3))*

This Asset Management Plan details the.

- Acquisition of new vehicles.
- Cyclical replacement of existing vehicles.
- Annual funding plan for the Vehicle Reserve Fund.

The Shire operates a fleet of vehicles to carry out service delivery to the community. These range from road construction plant to compliance vehicles.

The Shire engaged an independent review of its vehicle fleet in 2017. The economic change-over life recommended in the independent review has guided the development of this asset plan.

#### *Asset Management Plan – Roads and Transport (Attachment 9.2.5(4))*

The information contained in this asset plan is a summary from the Shire's Road Asset Management and Maintenance System (RAMMS). The estimation of Capital Renewal funding requirements identified in the Asset Plan has been determined using the remaining useful life of each recorded asset item.

The plan provides aggregated level Capital Renewal requirements for the following transport asset classes.

- Roads.
- Railings.
- Drainage.
- Footpaths.
- Car Parks.
- Street Signs.

Local governments are allocated funds for bridges through the Local Grants Commission. Project funds for bridges are allocated to renewal type projects, recognising that some of these projects may include some upgrading or replacement when the existing bridge has reached the end of its economic life.

A Bridge Committee advises the Commission on priorities for allocating funds for bridges. Membership of the Committee is made up of representatives from the following organisations:

- WA Local Government Grants Commission.
- Western Australian Local Government Association; and
- Main Roads Western Australia (MRWA).

The Committee receives recommendations from MRWA on funding priorities for bridges. MRWA inspects and evaluates the condition of local government bridges and has the expertise to assess priorities and make recommendations on remedial measures.

Bridges are therefore excluded from the Shire's asset planning, as this is managed, and funded, at a State level.

Capital expenditure on Roads and Transport infrastructure is typically classified into the following categories.

**1. Capital Renewal** - Increases the life of the asset and may increase its service potential.

Expenditure in this category includes:

- Roads
  - Resealing aggregate and asphalt seals.
  - Regravelling existing gravel roads.
  - Reforming existing formed roads.
  - Reconstructing roads to existing standards (may include widening less than lane width).
  - Reconstructing shoulders on sealed roads.
  - Replacing cattle grids.
  - Replacing culverts.
  - Replacing kerbs.
- Bridges
  - Replacing bridge components.
  - Strengthening individual structural components.
  - Constructing concrete overlays Reconstructing of bridges to existing standards (may include widening less than 1 metre).
- Ancillary
  - Replacement of lighting infrastructure.
  - Replacement of road signals and signs including street signs.
  - Replacement of road marking.
  - Replacement of all other traffic management devices.
  - Reconstruction of footpaths and dual use paths.

**2. Capital Upgrade** - Provides a higher level of service to users. Expenditure in this category includes:

- Roads
  - Graveling a road that was not previously gravelled.
  - Sealing a road that was not previously sealed.
  - Constructing a second carriageway.
  - Widening a road.
  
- Bridges
  - Widening a bridge.
  - Strengthening a bridge to accommodate higher axle loads.
  
- Ancillary
  - Upgrading or adding to existing.
    - Street lighting.
    - Road signals and signs including street signs.
    - Road marking.
    - All other traffic management devices.
    - Footpaths including dual use paths.

**3. Capital Expansion** - Extending the road network. Expenditure in this category includes:

- Roads
  - Constructing a road that previously did not exist. It may be a formed, gravelled or sealed road or street.
  
- Bridges
  - Constructing a bridge where none existed previously.
  
- Ancillary
  - Provision of the following on new roads:
    - Street lighting.
    - Road signals and signs including street signs.
    - Road marking.
    - All other traffic management devices.
    - Footpaths including dual use paths.

It is identified that annual expenditure requirements for Capital Renewal on Roads and Transport Assets is \$2.31m pa (indexed annually).

Based on the past five financial years, it is calculated that annual Transport Asset Capital Renewal expenditure requires doubling from current levels.

	Note	2014/15	2015/16	2016/17	2017/18	2018/19
Transport Assets Capital Renewal - Actual	1	393,298	3,294,47	1,142,228	1,221,936	1,158,546
Transport Assets Capital Renewal - Requirements	2	2,314,155	2,314,15	2,314,155	2,314,155	2,314,155
Transport Assets Capital Renewal - Funding Gap (pa)		(1,920,857 )	980,322 )	(1,171,927 )	(1,092,219 )	(1,155,609 )

1 Source: WALGA Road Assets and Expenditure Return (Annual)

2 Source: Shire of Donnybrook Balingup Road Asset and Maintenance System

Total capital expenditure (including Capital Upgrades Capital Expansion) on Transport Assets in the 2019/20 budget was \$1.86m.

This plan is a newly developed plan for 2020/21, it is therefore important the current own source funding levels be at least maintained for Roads and Transport classes in 2020/21.

Further development of this asset plan to provide long-term program reporting, including Capital Upgrade and Capital Expansion programming is intended to be progressed.

#### Borrowings Plan (Attachment 9.2.5(5))

The use of borrowings as a means of funding asset acquisitions, renewals and major maintenance is a mechanism for allocating the costs of major works over a period that reflects when residents will benefit from the assets.

Council is guided by its adopted policy - 3.8 Debt Policy. This policy sets out the way the Shire of Donnybrook Balingup may establish and manage a debt portfolio. The objective of this Debt Policy is to ensure the sound management of the Shire's existing and future debt.

The policy outlines the Shire's debt strategy and provides for the responsible financial management of borrowings by ensuring that the level of indebtedness is maintained within acceptable limits and is managed appropriately.

It is therefore critical that debt funding is appropriately planned and monitored if Council is to maintain the capacity to effectively use this funding source.

The following future borrowings are identified.

<b>Year</b>	<b>Building</b>	<b>Amount</b>
2020/21	Donnybrook Recreation Centre	\$179,667
2021/22	VC Mitchell Park Redevelopment	\$2,600,000
2024/25	Donnybrook Recreation Centre	\$154,571
2026/27	Donnybrook Recreation Centre	\$282,370
2027/28	Balingup Recreation Centre	\$360,000

A future determination regarding transferring operational management of Tuia Lodge to a third party may require all RADS borrowing be converted to a debenture.

#### Reserve Fund Plan (Attachment 9.2.5(5))

The Local Government Act allows where a local government wishes to set aside money for use for a purpose in a future financial year, it may establish and maintain a reserve account for each such purpose. The use of Reserve accounts to save money for a future event along with borrowings that allow spending now and payment later, allows the Shire to manage and smooth large capital spending across multiple annual budgets.

Council maintains several cash reserves for a variety of purposes:

- a) to provide funds for future liabilities.
- b) to provide funds for future asset acquisitions / replacement.
- c) to hold unspent funds for specific projects.

d) to reduce the reliance on borrowing by accumulating funds for specific projects.

Where relevant, reserves are supported by comprehensive plans that detail future funding requirements and the necessary annual allocations to reserves.

All cash backed reserve accounts are supported by money held in financial institutions.

The future need for some existing reserve accounts will be affected by the implementation of AASB 15 and AASB 1058 effective from 1<sup>st</sup> July 2019. These changes were the subject to a separate report to Council. These changes will have no financial impact to the plans in this report.

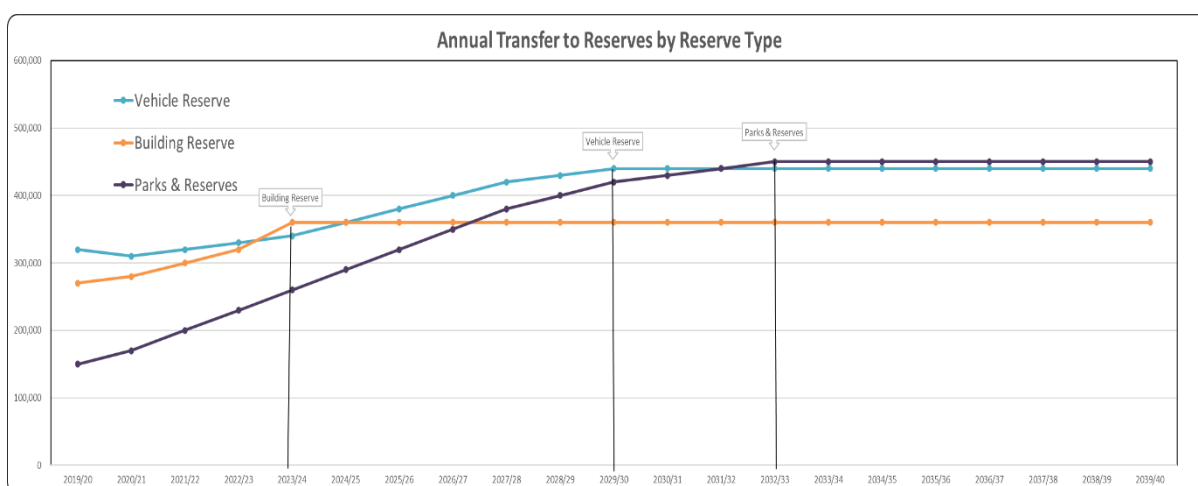
Progress Toward Asset Renewal Sustainability Levels

Through the implementation of the planned program over future periods across the major asset classes, the Shire can evidence its journey toward a fully funded asset management and maintenance program. The attached Asset Plans contain the details and identify the need while the Borrowings and Reserve plans contain the financing decision required to achieve this forecast sustainability point.

The following table contains a summary of the forecast sustainability point for each major asset class.

<b>Asset Class</b>	<b>2019-20 Funding Level</b>	<b>Goal for Sustainability</b>	<b>Current Gap</b>	<b>Sustainability Point <sup>(1)</sup></b>
Parks and Reserves	\$150,000	\$450,000	\$300,000	2032-33
Buildings	\$270,000	\$350,000	\$80,000	2023-24
Vehicles	\$320,000	\$440,000	\$120,000	2029-30

(1) Based on current assets held, gradual annual increases in the annual budget allocation for this asset class is factored into the plan to achieve sustainable funding levels.



It is planned that sustainable asset funding levels be attained over time though gradual increases in the annual budget Transfer to Reserves allocation. Future plateauing in the above graph indicates achieving identified sustainable own source funding levels.

<b>Asset Class</b>	<b>2019-20 Budget</b>	<b>2020-21 Draft Budget</b>	<b>2021-22 Plan</b>	<b>2022-23 Plan</b>
Parks and Reserves	\$150,000	\$170,000	\$200,000	\$230,000
Buildings	\$270,000	\$280,000	\$300,000	\$320,000
Vehicles	\$320,000	\$310,000	\$320,000	\$330,000

## **FINANCIAL IMPLICATIONS**

The 2020/21 Annual Draft Budget development will be materially influenced by several economic factors. This may require that projects and funding levels identified in these plans may be brought forward or deferred to meet required budget outcomes.

The suite of plans recommended for adoption detail a budgetary requirement to meet planned expenditure requirements.

An annual Capital Renewal fund gap for Roads and Transport Assets is estimated at approximately \$1.16m pa.

## **POLICY COMPLIANCE**

Not Applicable.

## **STATUTORY COMPLIANCE**

S5.56(1) of the Local Government Act 1995 requires local governments produce a plan for the future.

## **CONSULTATION**

Not Applicable.

## **OFFICER COMMENT/CONCLUSION**

The effective management of Council's asset portfolio is crucial to the sustainable delivery of services to meet the current and future needs of the community. Local governments are typically rich in assets and are responsible for managing a large stock of long-lived assets. Asset management maintenance planning is therefore essential to ensure that assets are maintained, renewed and retired (or replaced) at appropriate intervals to ensure continuity of services.

The suite of plans that form the Integrated Financial Planning and Reporting framework are intended to facilitate sound long-term financial planning and identify the cost of managing Council's asset portfolio. Annual revision and adoption of the revised asset management plans are a requirement of the Office of Auditor General as a prerequisite to the calculation of the Statutory Asset Renewal Funding Ratio in the annual financial report. The Shire's incapacity to demonstrate a full suite of revised and adopted asset management plans was the subject of a 'significant matter' in the 2018-19 Audit report.

## 9.2.6 TUIA LODGE QUARTERLY REPORT - QUARTER FOUR (2019/20)

<b>Location</b>	Shire of Donnybrook Balingup
<b>Applicant</b>	Shire of Donnybrook Balingup
<b>File Reference</b>	CSV 01/2
<b>Author</b>	Jason Vlasschaert, Coordinator Aged Care Support Services
<b>Responsible Officer</b>	Jason Vlasschaert, Coordinator Aged Care Support Services
<b>Manager</b>	Paul Breman, Executive Manager Corporate and Community
<b>Attachments</b>	9.2.6(1) – Tuia Lodge Quarter Four Report (Public) 9.2.6(2) – Tuia Lodge Quarter Four Report (Confidential)
<b>Voting Requirements</b>	Simple Majority

<b>Recommendation</b>
<b>That Council receive the Tuia Lodge Quarterly Report for Quarter Four 2019/20 (April – June).</b>

### STRATEGIC ALIGNMENT

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

### EXECUTIVE SUMMARY

This report covers quarter four (4) of the 2019/20 financial year. Comprehensive details including an Executive Summary, Residential Data, Employee Statistics, Occupational Safety and Health, Maintenance and Finance, are provided for Council's information.

### BACKGROUND

At its Ordinary Meeting on 23 August 2017 Council resolved to:

- 1) *Direct the Chief Executive Officer to prepare a quarterly report on an ongoing basis, regarding the management and operations of the Tuia Lodge Aged Care facility, with sufficient detail to ensure Elected Members can fulfil their individual obligations associated with the Shire of Donnybrook Balingup being the 'Approved Provider' for the facility.*
- 2) *That the report for each quarter, be presented at the next Ordinary Council meeting:*

The above resolution has been implemented and it is recommended the reports continue to be presented to Council on a quarterly basis.

**CONSULTATION**

Not applicable.

**FINANCIAL IMPLICATIONS**

In accordance with 2019/20 Budget allocations.

**POLICY COMPLIANCE**

Not applicable

**STATUTORY COMPLIANCE**

*Aged Care Act 1997.*

**OFFICER COMMENT / CONCLUSION**

It is recommended that the Tuia Lodge Quarterly Report for Quarter Four 2019/20 be received by Council.



### 9.3 CHIEF EXECUTIVE OFFICER

#### 9.3.1 WA LOCAL GOVERNMENT ASSOCIATION (WALGA) ANNUAL GENERAL MEETINGS

<b>Location</b>	Shire of Donnybrook Balingup
<b>Applicant</b>	Shire of Donnybrook Balingup
<b>File Reference</b>	DEP 22/4
<b>Author</b>	Ben Rose, Chief Executive Officer
<b>Responsible Manager</b>	Ben Rose, Chief Executive Officer
<b>Attachments</b>	9.3.1(1) - Notice of Annual General Meeting
<b>Voting Requirements</b>	Simple Majority

Recommendation
<p><b>That Council:</b></p> <ol style="list-style-type: none"> <li><b>1. Approve the Shire President of the day and Deputy Shire President of the day to represent the Shire of Donnybrook Balingup as voting delegates to all future Annual General Meetings of the WA Local Government Association.</b></li> <li><b>2. Where the Shire President or Deputy Shire President are unavailable, a resolution of the Council will be required to appoint the voting delegate/s.</b></li> </ol>

#### STRATEGIC ALIGNMENT

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

Outcome	4.1	A strategically focused, open and accountable local government.
Strategy	4.1.1	Provide accountable and strategic leadership.
Action	4.1.1.4	Provide and support opportunities for training and development for elected members and staff.

#### EXECUTIVE SUMMARY

The 2020 WA Local Government Annual General Meeting (AGM) will be held Friday 25<sup>th</sup> September 2020 at the Crown Towers Perth.

All member Councils are entitled to be represented by two (2) voting delegates at the AGM. Registration of delegates must be completed by Friday 28 August 2020.

Council is requested to nominate the Shire President and Deputy Shire President as standing representatives for the Shire of Donnybrook Balingup for all future WALGA AGM's.

## **BACKGROUND**

Shire President Cr Piesse and Deputy Shire President Cr Wringe attended the 2019 AGM as voting delegates.

## **FINANCIAL IMPLICATIONS**

There is nil cost to attend the AGM however funds will need to be allocated in the Draft 2020/21 Budget for accommodation and travel costs under Account 101920 Conferences.

## **POLICY COMPLIANCE**

Not applicable

## **STATUTORY COMPLIANCE**

Not applicable

## **CONSULTATION**

Not applicable

## **OFFICER COMMENT/CONCLUSION**

Due to the COVID-19 Pandemic the usual WALGA Annual Convention is not taking place.

The Convention normally provides an outstanding opportunity to explore local government issues, share experiences and exchange views and ideas to take back to Council and the community. The AGM will still provide an opportunity for Shire representatives to network with Local Governments from across the State.

Submissions are also being taken for Motions from Council and due to the lateness of the notification from WALGA the Shire did not have the opportunity to follow the normal process of calling for Motions from Councillors and presenting these to the Ordinary Meeting of Council.

Should a Councillor wish to raise a motion, this will be dealt with as an Alternate Motion to the Executive Recommendation.

The deadline to submit motions is Friday 31 July 2020.

**10 ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

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***10.1 COUNCILLOR***

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Nil.

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

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## **12 MEETINGS CLOSED TO THE PUBLIC**

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### **12.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED**

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The following confidential reports and recommendations have been distributed separately and are not for circulation:

#### **12.1.1 CONFIDENTIAL – REQUEST FOR TENDER 04-1920 TREE PRUNING SERVICES**

This report is confidential in accordance with Section 5.23 of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

- (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.*
- (e) *a matter that if disclosed, would reveal — (i) a trade secret; or (ii) information that has a commercial value to a person; or (iii) information about the business, professional, commercial or financial affairs of a person, where the trade secret or information is held by, or is about, a person other than the local government; and*

#### **12.1.2 CONFIDENTIAL – OFFER TO PURCHASE PROPERTY**

This report is confidential in accordance with Section 5.23 of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

- (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.*

#### **12.1.3 CONFIDENTIAL – DRAFT 2020-21 BUDGET PREPARATION**

This report is confidential in accordance with Section 5.23 of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

- (d) *legal advice obtained, or which may be obtained, by the local government and which relates to a matter to be discussed at the meeting*

**12.1.4 CONFIDENTIAL – CHIEF EXECUTIVE OFFICER ANNUAL PERFORMANCE APPRAISAL – SELECTION OF CONSULTANT**

This report is confidential in accordance with Section 5.23 of the *Local Government Act 1995*, which permits the meeting to be closed to the public for business relating to the following:

(c) *a matter affecting an employee or employees.*

**EXECUTIVE 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 CONFIDENTIAL – REQUEST FOR TENDER 04-1920 TREE PRUNING SERVICES
- 12.1.2 CONFIDENTIAL – OFFER TO PURCHASE PROPERTY
- 12.1.3 CONFIDENTIAL – DRAFT 2020-21 BUDGET PREPARATION
- 12.1.4 CONFIDENTIAL – CHIEF EXECUTIVE OFFICER ANNUAL PERFORMANCE APPRAISAL – SELECTION OF CONSULTANT

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**12.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC**

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**13 CLOSURE**

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The Shire President to advise that the next Ordinary Council Meeting will be held on Wednesday 26 August 2020 commencing at 5.00pm in the Shire of Donnybrook Balingup Council Chamber.