

NOTICE OF AN ORDINARY MEETING OF COUNCIL

Dear Council Member

The next Ordinary Meeting of the Shire of Bridgetown-Greenbushes will be held on **Thursday, 28 February 2019** in the Council Chambers, commencing at 5.30pm

T Clynch, CEO



Date

21 February 2019

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AGENDA

For an Ordinary Meeting of Council to be held in the Council Chambers on Thursday, 28 February 2019 commencing at 5.30pm

Meeting to be opened by the Presiding Member

Acknowledgment of Country – Presiding Member

On behalf of the Councillors, staff and gallery, I acknowledge the Noongar People, the Traditional Custodians of the land on which we are gathered, and pay my respects to their Elders past, present and emerging.

Attendance, Apologies and Leave of Absence

President	- Cr A Pratico
Councillors	- J Bookless - J Boyle - D Mackman - J Moore - J Nicholas - P Scallan - A Wilson
In Attendance	- T Clynch, Chief Executive Officer - M Larkworthy, Executive Manager Corporate Services - E Denniss, Executive Manager Community Services - T Lockley, Executive Assistant

Attendance of Gallery

Responses to Previous Questions Taken on Notice

Public Question Time

Petitions/Deputations/Presentations

Comments on Agenda Items by Parties with an Interest

Applications for Leave of Absence

Confirmation of Minutes

C.01/0219 Ordinary Meeting held 31 January 2019

A motion is required to confirm the Minutes of the Ordinary Meeting of Council held 31 January 2019 as a true and correct record.

Announcements by the Presiding Member Without Discussion

Notification of Disclosure of Interest

Section 5.65 or 5.70 of the Local Government Act requires a Member or Officer who has an interest in any matter to be discussed at a Committee/Council Meeting that will be attended by the Member or Officer must disclose the nature of the interest in a written notice given to the Chief Executive Officer before the meeting; or at the meeting before the matter is discussed.

A Member who makes a disclosure under Section 5.65 or 5.70 must not preside at the part of the meeting relating to the matter; or participate in; or be present during any discussion or decision making procedure relating to the matter, unless allowed by the Committee/Council. If Committee/Council allows a Member to speak, the extent of the interest must also be stated.

Questions on Agenda Items by Elected Members

Consideration of Motions of which Previous Notice has been Given

Reports of Officers

Reports of Officers have been divided into Departments as follows:

- CEO's Office
- Finance & Administration
- Planning & Environmental Services
- Works & Services
- Community Services

CEO's Office

ITEM NO.	C.02/0219	FILE REF.	
SUBJECT	Annual General Meeting of Electors		
OFFICER	Executive Assistant		
DATE OF REPORT	21 February 2019		

Attachment 1 Unconfirmed Minutes from the AGM of Electors – 7 February 2019

OFFICER RECOMMENDATION

1. *That Council receives the Minutes of the Annual General Meeting of Electors held on 7 February 2019.*
2. *That the record of Pulled Items sent to all Councillors after 3:00pm on the day prior to the Council Meeting, be also published at the same time on the website in the section that contains the Agenda for the forthcoming Meeting.*

Summary/Purpose

To consider the Motion carried at the Annual General Meeting of Electors held on 7 February 2019.

Background

The Annual General Meeting of Electors of the Shire of Bridgetown-Greenbushes was held on Thursday 7 February 2019. The *Local Government Act 1995* requires that any decisions made at an Elector's Meeting are to be considered at the next Ordinary Council Meeting or, if that is not practicable, at the Council Meeting after that Meeting.

At the AGM, 1 Motion was moved from the floor and carried. This Motion is detailed below together with an officer comment.

Motion

Moved B Moore, Seconded Cr Moore

E.03/0219 That the record of Pulled Items sent to all Councillors after 3:00pm on the day prior to the Council Meeting, be also published at the same time on the website in the section that contains the Agenda for the forthcoming Meeting.

Carried

Officer Comment

Publishing of the Pulled Items on the Shire website on the day prior to the Council Meeting will ensure members of the public are aware of any alternative motions being put to Council.

Statutory Environment

Section 5.33 Local Government Act 1995

5.33. *Decisions made at electors' meetings*

- (1) *All decisions made at an electors' meeting are to be considered at the next ordinary council meeting or, if that is not practicable —*
 - (a) *at the first ordinary council meeting after that meeting; or*

- (b) at a special meeting called for that purpose,
whichever happens first.
- (2) If at a meeting of the council a local government makes a decision in response to a decision made at an electors' meeting, the reasons for the decision are to be recorded in the minutes of the council meeting.

Integrated Planning

- Strategic Community Plan
Key Goal 5: Our leadership will be visionary, collaborative and accountable
Objective 5.1: Our community actively participates in civic life
Strategy 5.1.3: Monitor, maintain and enhance the way we communicate with the community
- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Not Applicable
- Workforce Plan – Not Applicable
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications - Nil

Fiscal Equity – Not Applicable

Whole of Life Accounting - Nil

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management - Nil

Continuous Improvement – Not Applicable

Voting Requirements - Simple Majority

ITEM NO.	C.03/0219	FILE REF.	302.15
SUBJECT	Construction of Intersection Improvements at Entrance to Bridgetown Gardens Estate		
OFFICER	Chief Executive Officer		
DATE OF REPORT	13 February 2019		

Attachment 2 Legal Advice (Confidential Attachment)
Attachment 3 Original Cost Estimate and Draft Design for Turning Pocket 2006

OFFICER RECOMMENDATION that Council:

- 1. Note the legal advice received (Confidential Attachment 2).*
- 2. Reaffirm its intent to widen Kangaroo Gully Road at the intersection of Claret Ash Rise to order to improve the intersection for traffic travelling eastwards on Kangaroo Gully Road.*
- 3. Advise the Council of Owners for Bridgetown Gardens Estate that the bonded funds obtained in 2006 from the developer of Bridgetown Gardens Estate are only able to be used for works at the intersection of Kangaroo Gully Road and Claret Ash Rise and therefore Council is unable to reassign the funds for other works within the Estate.*
- 4. Request the CEO to progress the widening of Kangaroo Gully Road at its intersection with Claret Ash Rise by June 2019 if capacity and weather permits, or alternatively in the 2019/20 road construction program.*

Summary/Purpose

For several years Council's annual budgets have contained an allocation for construction of improvements at the intersection of Kangaroo Gully Road and Claret Ash Rise. A number of constraints exist in the road reserve (Kangaroo Gully Road) that have made design of the proposed works complicated and due to other roadwork priorities the matter has been subject to numerous delays.

This matter was the subject of discussion by Council in May 2018 when considering the 10 year strategic works program with a number of councillors questioning the need for the proposed works. The CEO was requested to write to the Council of Owners for Bridgetown Gardens Estate seeking its views on the need or otherwise of the proposed turning pocket.

Correspondence was received back from the Estate's Council of Owners requesting the funds held by the Shire be reallocated to other works within the Estate. Council, at its November 2018 meeting resolved to obtain legal advice as to how the Trust Funds can be allocated to works identified by the Council of Owners of Bridgetown Gardens Estate.

The legal advice has been obtained and confirms that the funds being held can only be used for the purpose for which they were obtained and cannot be reassigned except perhaps by order of the Supreme Court. The legal advice is reasonably consistent with the officer advice contained in the report to Council's November 2019 meeting.

Background

Condition 3 of the survey strata approval granted by the Western Australian Planning Commission in 2005 for the second and final stages of the Bridgetown Gardens subdivision (92 residential lots, 1 residential/local shop lot and 1 fire station lot) stated:

Arrangements being made with the local government for the upgrading and/or construction of the intersection of Kangaroo Gully Road and Claret Ash Rise.

The intent behind the condition was for improvements to be made to intersection to accommodate a significant proportion of traffic on Kangaroo Gully Road seeking to turn right at the entrance to the estate.

In 2006 when granting subdivision clearance to the lots in the final stage of the Estate Council agreed to a request from the developer/subdivider to defer the actual construction of the works and instead pay the Shire an amount estimated to be the cost of constructing improvements to the intersection.

The Shire is still in retention of those funds (\$30,800) but hasn't progressed the work as it is not a simple engineering task to do this work with the northern side of Kangaroo Gully Road constrained by the closeness of the road reserve boundary and fencing, and the southern side constrained by a steep embankment and large trees.

This matter was the subject of discussion by Council in May 2018 when considering the 10 year strategic works program. Arising from those discussions the CEO was requested to write to the Council of Owners of the Bridgetown Gardens Estate seeking its views on the need or otherwise of a turning pocket.

On 25 July 2018 a response was received from the Strata Council of Bridgetown Gardens Estate stating it believes there is little need for a turning pocket and that considering the topography the cost of constructing a turning pocket would be enormously expensive. The Council of Owners is of the view that the funds being held by the Shire could be better used elsewhere, particularly for water management. Specifically the Council of Owners suggests that the funds could be reassigned to upgrade an access road within the common property of the Estate which leads to a gated entrance. This road is an alternative access/egress to the Estate in the event of the main entrance being blocked.

After receiving the response from the Strata Council the CEO sought to contact the original developer of the Estate (and provider of the funds being held by Council) to ascertain his views on the alternative proposal. This process took a considerable time but eventually contact was made.

The original developer of the Estate has been contacted about the proposal of the Council of Owners and has expressed his opposition to the suggestion to reassign the funds to what is essentially a private works job for the residents of the Bridgetown Gardens Estate. The developer states that he paid the funds for improvements to the intersection and he met his obligations to the satisfaction of the Shire in 2006 when constructing internal access/egress roads through the common property of the Estate.

It should be noted that in May 2006, prior to the developer paying the \$30,800 bonded works sum to the Shire, that the developer did request that Council waive the need for the intersection improvements. Council, at its May 2006 meeting reaffirmed its requirement for the construction of a right hand turn pocket at the intersection of Kangaroo Gully Road and Claret Ash Rise to satisfy Condition 3 of the survey strata approval for Bridgetown Gardens Estate.

Representatives from the Council of Owners subsequently attended the November 2018 Council meeting and reaffirmed their request for alternative use of the funds.

Following the November 2018 Council resolution the CEO sought legal advice from McLeods Barristers & Solicitors. The legal advice has been received (refer confidential attachment) and confirms that the funds being held can only be used for the purpose for which they were obtained and cannot be reassigned except perhaps by order of the Supreme Court. The legal advice doesn't comment on that process. It is the officer's opinion that seeking to progress such an action to the Supreme Court would not be cost effective when taking into account the amount of funds being held.

At the November 2018 Council meeting there were comments made that the amount of funds being held was woefully inadequate to construct the proposed turning pocket with one of the representatives from the Council of Owners stating that an amount in the order of \$300,000 would be required.

It is apparent that the historical use of the words "turning pocket" to describe the proposed works at the intersection has been incorrect and has conveyed a greater scale of works than was ever proposed under the original condition of subdivision and by the Shire when accepting payment of a bond in 2006 in lieu of the developer doing the work.

The design submitted by the developer's engineer in 2006 and used as the basis for determining the amount of the bond is based on Kangaroo Gully Road being widened from 7 metres to 10 metres for a distance of approximately 130 metres encompassing both sides of the intersection with Claret Ash Rise. This is very similar to the design proposed by the Shire. No lane markings are proposed and the road will simply be of a width sufficient for a vehicle to pass on the left of a vehicle turning right into Claret Ash Rise.

The \$30,800 funds held is considered sufficient to complete the above works.

The legal advice does suggest that the works should be progressed quite promptly.

Depending upon capacity and weather the intersection works may be carried out at the end of the current construction program or alternatively if that isn't achievable the works can be prioritized to occur early in the 2019/20 construction program. The legal advice sets out a suggested process for informing the original developer of the scheduling of the works and this will be followed.

Statutory Environment

The conditions of the survey strata approval granted in 2005 by the Western Australian Planning Commission were imposed in accordance with the then Town Planning and Development Act. Section 20AA(3) of that former Act provided power

to the Western Australian Planning Commission to endorse its approval on a diagram or plan of survey for a subdivision if the conditions that were applied to its approval for subdivision had been complied with. Council accepted a bond from the applicant to allow for clearance of Condition 3 of the survey strata approval thereby taking responsibility for meeting the condition. Although the actual works haven't occurred Council is still holding the funds provided by the applicant to satisfy the condition.

Integrated Planning

➤ Strategic Community Plan

Key Goal 3: Our built environment is maintained, protected and enhanced

Objective 3.3 - Maintain an appropriate standard of transport networks, roads and pathways

Strategy 3.3.1 - A well maintained local and regional transport network

Strategy 3.3.2 - Maximise funding opportunities to improve road safety

Strategy 3.3.3 - Provide and maintain a safe and efficient transport system

Key Goal 5 - Our leadership will be visionary, collaborative and accountable

Objective 5.2 - We maintain high standards of governance, accountability and transparency

Strategy 5.2.8 - Ensure all legislative responsibilities and requirements are met

➤ Corporate Business Plan

➤ Long Term Financial Plan

Construction of the turning pocket is shown in the 10 Year Strategic works Plan as a year 1 (2018/19) project, fully funded from the bonded funds held from the developer of the Bridgetown Gardens Estate.

➤ Asset Management Plans - Nil

➤ Workforce Plan – Not applicable

➤ Other Integrated Planning - Nil

Policy - Nil

Budget Implications

The construction of the turning pocket is included in the 2018/19 budget, fully funded from the bonded funds held from the developer of the Bridgetown Gardens Estate.

Fiscal Equity

The developer provided the bonded funds to Council in good faith that they would be used to construct the turning pocket that the Council had requested be made a condition of the survey strata subdivision of Bridgetown Gardens Estate.

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management

The legal advice provides clear direction to Council on this matter.

Continuous Improvement – Not Applicable

Voting Requirements – Simple Majority

ITEM NO.	C.04/0219	FILE REF.	264
SUBJECT	Renewal of Memorandum of Understanding – Emergency Support		
PROPONENT	South West Zone of WALGA		
OFFICER	Chief Executive Officer		
DATE OF REPORT	19 February 2019		

Attachment 4 Memorandum of Understanding

OFFICER RECOMMENDATION that Council endorses the Shire of Bridgetown-Greenbushes continuing to being a signatory to the Memorandum of Understanding for Member Councils of the South West Zone – Western Australian Local Government Association for the provision of mutual aid during emergencies and post incident recovery.

Summary/Purpose

In 2011 Council became a signatory to a Memorandum of Understanding (MOU) for Member Councils of the South West Zone - Western Australian Local Government Association for the provision of mutual aid during emergencies and post incident recovery. The MOU has expired and consent is being sought from all South West Councils for its renewal.

Background

The MOU is a formal document that allows the 12 councils of the South West Zone of WALGA to demonstrate their preparedness to support other zone members in whatever capacity they are able to offer in the event of a major emergency incident occurring within the zone.

When initiated in 2011 the MOU legitimised the informal arrangements that had existed for many years whereby any local government needing assistance could feel free to call on a neighbouring local government or indeed from anywhere else in the zone, for assistance.

The formalisation of these arrangements, by way of a MOU, was seen to demonstrate to the State Emergency Management Committee (SEMC) the strength of our emergency management plans as well as the capacity of our communities to cope in times of difficulty.

This agreement to help out in times of an emergency can cover not only the initial response to the incident, but also post incident recovery as well as assisting to provide support for the extra workload that will be caused by the incident. These circumstances could be, but are not limited to; a spike in the demand for building and health assessments or building licence approvals.

While the allocation of Council's staff resources is an operational issue, and as such would normally be the responsibility of the CEO, the proposed MOU seeks to demonstrate that the CEO's commitment to supporting other Councils in need is backed by the elected members of a participating Council.

Participation in the MOU will also serve to demonstrate the capacity and willingness of participating Councils to work co-operatively and share resources within the region.

The guiding principle of the MOU that any support given by a local government in a particular emergency event shall be at the discretion of the Council giving the support, and of a level that will not unduly compromise the operability of the Council giving the support.

Statutory Environment

Although not specifically referenced in the MOU the proposal for multiple local governments to share support in times of emergency would be consistent with the Local Government Act and Emergency Management Act.

Integrated Planning

➤ Strategic Community Plan

Key Goal 4: A community that is friendly and welcoming

Objective 4.5 – High levels of responsiveness to emergencies and emergency recovery

Strategy 4.5.1 - Monitor risk management and emergency management profiles, procedures and preparedness

➤ Corporate Business Plan - Nil

➤ Long Term Financial Plan - Nil

➤ Asset Management Plans – Nil

➤ Workforce Plan – Nil

➤ Other Integrated Planning - Nil

Budget Implications - Nil

Fiscal Equity – Not Applicable

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management

Pre planning of co-ordinated commitment of resources to an emergency incident can help to reduce the extent of social and economic by the incident by facilitating quicker and cohesive response.

Continuous Improvement – Not Applicable

Voting Requirements – Simple Majority

ITEM NO.	C.05/0219	FILE REF.	209
SUBJECT	Rolling Action Sheet		
OFFICER	Chief Executive Officer		
DATE OF REPORT	21 February 2019		

Attachment 5 Rolling Action Sheet

OFFICER RECOMMENDATION that the information contained in the Rolling Action Sheet be noted.

Summary/Purpose

The presentation of the Rolling Action Sheet allows Councillors to be aware of the current status of Items/Projects that have not been finalised.

Background

The Rolling Action Sheet has been reviewed and forms an Attachment to this Agenda.

Statutory Environment – Nil

Policy/Strategic Plan Implications – Nil

Budget Implications – Nil

Fiscal Equity – Not Applicable

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management – Not Applicable

Continuous Improvement – Not Applicable

Voting Requirements – Simple Majority

Corporate Services

ITEM NO.	C.06/0219	FILE REF.	131
SUBJECT	January 2019 Financial Activity Statements and List of Accounts Paid in January 2019		
OFFICER	Senior Finance Officer		
DATE OF REPORT	15 February 2019		

Attachment 6 January 2019 Financial Activity Statements
Attachment 7 List of Accounts Paid in January 2019

OFFICER RECOMMENDATIONS

- 1. That Council receives the January 2019 Financial Activity Statements as presented in Attachment 6.*
- 2. That Council receives the List of Accounts Paid in January 2019 as presented in Attachment 7.*

Summary/Purpose

Regulation 34 of the Local Government (*Financial Management*) Regulations 1996 (the Regulations) requires a local government to prepare each month a statement of financial activity reporting on the sources and applications of its funds. Further, where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal and trust funds, a list of those accounts paid in a month are to be presented to the council at the next ordinary meeting (see Reg 13 of the Regulations).

Background

In its monthly Financial Activity Statement a local government is to provide the following detail:

- annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c) of the Local Government Act;
- budget estimates to the end of the month to which the statement relates;
- actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- the net current assets at the end of the month to which the statement relates.

Each of the Financial Activity Statements is to be accompanied by documents containing:

- an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
- an explanation of each of the material variances referred to in sub-regulation (1)(d); and
- such other supporting information as is considered relevant by the Local Government.

The information in a statement of financial activity may be shown:

- (a) according to nature and type classification;
- (b) by program; or
- (c) by business unit.

The Financial Activity Statement and accompanying documents referred to in sub-regulation 34(2) are to be:

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
- (b) recorded in the minutes of the meeting at which it is presented.

Statutory Environment

Section 6.4 (Financial Report) and Section 6.8 (Expenditure from municipal fund not included in annual budget) of the Local Government Act 1995, and Regulations 13 (List of Accounts) and 34 (Financial activity statement report) of the Local Government (*Financial Management*) Regulations 1996 apply.

Integrated Planning

- Strategic Community Plan
Key Goal 5: Our leadership will be visionary, collaborative and accountable
Objective 5.2: We maintain high standards of governance, accountability and transparency
Strategy 5.2.8: Ensure all legislative responsibilities and requirements are met
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan – Nil
- Other Integrated Planning – Nil

Policy

F.6. Purchasing Policy - To ensure purchasing is undertaken in an efficient, effective, economical and sustainable manner that provides transparency and accountability.

F.7. Reporting Forecast Budget Variations Policy - To set a level of reporting detail (in Financial Activity Statement) that ensures that the council is satisfied with the implementation of its annual budget.

Budget Implications

Expenditure incurred in January 2019 and presented in the list of accounts paid, was allocated in the 2018/19 Budget as amended.

Fiscal Equity – Not applicable

Whole of Life Accounting – Not applicable

Social Equity – Not applicable

Ecological Equity – Not applicable

Cultural Equity – Not applicable

Risk Management – Not Applicable

Continuous Improvement – Not applicable

Delegated Authority – Not Applicable

Voting Requirements – Simple Majority

Planning & Environmental Services

ITEM NO.	C.07/0219	FILE REF.	A1818
SUBJECT	Proposed Single House, Two Outbuildings and Two Water Tanks (Setback Variations)		
PROPONENT	John Kuypers		
LOCATION	Lot 245 (25) Henry Street, Bridgetown		
OFFICER	Manager Planning		
DATE OF REPORT	14 February 2019		

Attachment 8	Location Plan/Aerial Photograph
Attachment 9	Neighbours' Submission
Attachment 10	Proposed Plans/Applicant's Submission
Attachment 11	Bushfire Assessment Reports

OFFICER RECOMMENDATION: That Council noting the content of the submission received, as per Attachment 8, and pursuant to Clause 3.4.8 of Town Planning Scheme No. 3 varies setback requirement under Clause 4.5.1 and grants development approval for the proposed single house, two outbuildings and two water tanks, as per Attachments 10 and 11, on Lot 245 (25) Henry Street, Bridgetown, subject to the following conditions:

- 1. The development is to be constructed in accordance with BAL-19 standards pursuant to Australian Standard AS3959 Construction of Buildings in Bush-Fire Prone Areas.*
- 2. The findings and recommendations of the Bushfire Attack Level Assessment dated 24 January 2019 and Bushfire Management Statement dated 30 January 2019 must be implemented to maintain the BAL-19 for the life of the dwelling, including the provision of the asset protection zone.*
- 3. A section 70A Notification is to be registered on the Certificate of Title, within 28 days of the date of this approval. The notification is to advise prospective purchasers of the conditions of development approval and bushfire management reports.*
- 4. A reduced setback of 4 metres to the western boundary for the proposed carport is approved, with a floor area of 54m², wall height of 3.0 metres and ridge height of 4.5 metres, using non-reflective external materials, as shown on the approved plan. Any further setback variations will require a separate development approval.*

5. *Reduced setbacks of 5 metres to the eastern boundary and 6 metres to the southern boundary for the proposed workshop is approved, with a floor area of 32m², wall height of 2.45 metres and ridge height of 3.64 metres, using non-reflective external colours, as shown on the approved plan. Any further setback variations will require a separate development approval.*
6. *Reduced setbacks of 5 metres to the eastern boundary for both proposed water tanks are approved, with the tanks having a diameter of 3.96 metres, wall height of 2.35 metres and ridge height of 2.96 metres and coloured 'Slate Grey', as shown on the approved plan. Any further setback variations will require a separate development approval.*
7. *Fill is not to exceed 2.0m at any given point on the site and the top level of the fill is not to exceed 3.5m from the base of the fill.*
8. *Topsoil is to be stripped separately and stockpiled on site, to be re-spread during any landscaping.*
9. *Water discharge from the site during development is to be controlled by the use of ripping, contour banks or grade banks and sumps to attenuate turbid and/or nutrient rich water leaving the site.*

Summary/Purpose

To consider a development application for a proposed single house, two outbuildings and two water tanks, with side and rear setback variations sought for the outbuildings and water tanks at Lot 245 (25) Henry Street, Bridgetown. Noting the objection received from adjoining neighbours, it is recommended that development approval be granted subject to standard conditions.

Background

A development application has been received seeking approval for a single house, two outbuildings and two water tanks at Lot 245 (25) Henry Street, Bridgetown, corner of Campbell Street.

The lot is zoned 'Rural' under Town Planning Scheme No. 3 (TPS3) and has an approximate area of 4047m². A 'Single House' is listed under Table I of TPS3 as a 'P' permitted use within this zone, with the outbuildings and water tanks being incidental to the proposed single house.

The proposed single storey dwelling is to be constructed on stumps at the southern end of the property, and setback 10.2 metres from the Campbell Street boundary, 18 metres from the southern rear boundary and 10 metres from the eastern side boundary, consistent with the required 7.5 metre setbacks.

The proposed carport is to be setback 4 metres to the western boundary to Campbell Street and 3.0 metres to the southern rear boundary; the proposed workshop is to be setback 5.0 metres from the eastern side boundary and 6.0 metres to the southern rear boundary; and the two proposed water tanks to be setback 5.0 metres from the eastern side boundary, all as variations to the required 7.5 metre setbacks.

All proposed incidental structures are modest in size and using non-reflective external colours, with the 54m² carport having a wall height of 3.0 metres and ridge

height of 4.5 metres, the proposed 32m² workshop having a wall height of 2.45 metres and ridge height of 3.64 metres, and the two water tanks having diameters of 3.96 metres and wall height of 2.35 metres.

The applicant has submitted a supporting letter (see Attachment 10) demonstrating the reasons for the setback variations.

Public Consultation

The application was referred to the adjoining affected landowners for comment for a four week period (due to Christmas holiday period), with the submission period closing on 8 January 2019. One submission was received from the adjoining neighbours to the east of the subject site being 23 Henry Street, Bridgetown (see Attachment 9).

The neighbours object to the proposed workshop and water tanks being setback 5.0 metres from the adjoining boundary, stating that if the 7.5 metre setback is not complied with it may affect potential resale value of their property and that leaf litter from their gum trees may affect the water tanks and require removal of the trees.

In response to the objector's concerns, the proposed setback variation from 7.5 metres to 5.0 metres for the proposed workshop and two water tanks is considered minor and reasonable, with the structures modest in size and unlikely to have any detrimental impact upon amenity of the neighbours, with existing vegetation along the boundary providing partial screening.

Any potential devaluation of property values is not a valid planning matter and can not be taken into consideration. In terms of leaf litter, the proposed poly water tanks are only designed to collect water from the proposed dwelling (or outbuildings), and leaves are therefore unlikely to enter the tanks. Notwithstanding, even if that issue was to eventuate the Shire can not direct the submitters to remove their trees to address such a civil matter.

Whilst the concerns of the neighbours are noted it is common and reasonable for rear or side boundary setbacks to be varied for incidental structures such as outbuildings and water tanks, with delegated authority granted to staff to reduce setbacks by 75% where no objections are raised.

Noting the content of the neighbours' submission, it is recommended that development approval be granted with the setback variations subject to standard and special conditions.

Statutory Environment

- Town Planning Scheme No. 3

Clause 3.4.8 of TPS3 provides Council with the power to waive or modify a scheme development requirement (except for development in respect of the Residential Design Codes). *"The power conferred by this clause may only be exercised if the Council is satisfied that:*

- (a) approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality;
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development of the locality or the inhabitants of the locality or upon the likely future development of the locality.”

Clause 4.5 of TPS3 states that “Council’s objective will be to retain the rural character of the zone in the interests of the town’s landscape and environment.” Clause 4.5.1 requires the minimum building setback from all boundaries to be 15 metres with discretion available to permit a building to be constructed up to 7.5 metres from the boundary.

Noting the proposed side and rear setback variations and the content of the submission received, the proposed outbuildings and water tanks are very modest in size and well located on the property, and are not expected to have a detrimental impact upon the amenity of surrounding properties or the wider locality.

Clause 67 Matters to be considered by local government

Pursuant to the ‘Deemed provisions’ of the Planning Regulations 2015 “In considering an application for development approval the local government is to have due regard to the following matters to be extent that, in the opinion of the local government, those matters are relevant to the development the subject of the application –“

Requirement	Comment
(a) the aims and provisions of this scheme and any other local planning scheme operating within the Scheme area;	The proposed single house, outbuildings and water tanks are consistent with the objective of the Rural zone under Town Planning Scheme No. 3, noting the setback variations.
(b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this scheme that has been advertised under the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving;	The proposed single house, outbuildings and water tanks are consistent with the orderly and proper planning of Town Planning Scheme No. 3, noting the setback variations. The draft Local Planning Strategy and Local Planning Scheme No. 6 is being prepared.
(c) any approved State planning policy;	SPP 3.7 Planning in Bushfire Prone Area is applicable. Complies.
(d) any environmental protection policy approved under the <i>Environmental Protection Act 1986</i> section 31(d);	Not applicable.
(e) any policy of the Commission;	Guidelines for Planning in Bushfire Prone Areas is applicable. Complies
(f) any policy of the State;	Not applicable.
(g) any local planning policy for the Scheme area;	Cut and Fill Policy. Complies

(h) any structure plan, activity centre plan or local development plan that relates to the development;	Not applicable.
(i) any report of the review of the local planning scheme that has been published under the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> ;	Not applicable.
(j) in the case of land reserved under this scheme, the objectives for the reserve and the additional permitted uses identified in this Scheme for the reserve;	Not applicable.
(k) the built heritage conservation of any place that is of cultural significance.	Not applicable.
(l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;	Not applicable.
(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;	The proposed single house, outbuildings and water tanks, noting the setback variation, will be compatible with surrounding development and no detrimental impacts upon adjoining properties or the street are anticipated.
(n) the amenity of the locality including the following: (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development;	No detrimental impacts upon the local environment, character of the locality or adjoining properties are anticipated.
(o) the likely effect of the development on the natural environment or water resources and any means that are proposed to protect or to mitigate impacts on the natural environment or the water resource;	No impacts upon the natural environment or water resources are anticipated.
(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;	Not applicable.
(q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;	The land is within the bushfire prone area. There is not evidence of flooding risk, landslip or soil erosion.
(r) the suitability of the land for the development taking into account the possible risk to human health or safety.	No impacts upon human health or safety are anticipated.

(s) the adequacy of: (i) the proposed means of access to and egress from the site, and (ii) arrangements for the loading, unloading, maneuvering and parking of vehicles;	The proposed crossover location to Campbell Street is acceptable.
(t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;	Only low levels of domestic traffic expected for the proposed single house.
(u) the availability and adequacy for the development of the following: (i) public transport services; (ii) public utility services; (iii) storage, management and collection of waste; (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities); (v) access by older people and people with a disability;	Not applicable.
(v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses;	Not applicable.
(w) the history of the site where the development is to be located;	Not applicable.
(x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals;	Nil.
(y) any submissions received on the application;	One objection has been received regarding the proposed eastern outbuilding and two water tanks. The content of the objection is noted however approval is recommended.
(za) the comments or submissions received from any authority consulted under clause 66.	Not applicable.
(zb) any other planning consideration the local government considers appropriate.	Nil.

Pursuant to the Deemed Provisions under Part 10A of the Planning and Development (Local Planning Scheme) Regulations 2015, assessment against State Planning Policy 3.7 Planning in Bushfire Prone Areas and the Guidelines for Planning in Bushfire Prone Areas is required, prior to the approval of the construction and use of a habitable building within a bushfire prone area, and relevant conditions applied.

The subject land is identified within the designated bushfire prone area at the time of application. A revised Bushfire Attack Level (BAL) Assessment prepared by Bushfire Solutions South West dated 24 January 2019 declares a rating of BAL-19 for the development site, with Bushfire Management Statement prepared by Lushfire & Planning dated 30 January 2019 confirming compliance with SPP 3.7 and the Guidelines for Planning in Bushfire Prone Areas (see Attachment 11).

Policy

- Shire of Bridgetown-Greenbushes Cut and Fill Policy

The Policy aim to “preserve the natural topography of the Scheme Area by restricting the level of cut and fill development specifically on steep slopes” with maximum fill levels with landscaping or retaining where required.

The house is to be constructed on stumps however a skirting retaining wall with a maximum fill height of 1.7 metres is proposed at the highest level. The eastern outbuilding is to have a finished floor level of 100.0 metres, being approximately 500mm above natural ground level, consistent with the 2.0 metre maximum under the Cut & Fill Policy, with relevant conditions to be applied.

- State Planning Policy 3.7 – Planning in Bushfire Prone Areas

The subject land is identified within the designated bushfire prone area at the time of application. A revised Bushfire Attack Level (BAL) Assessment prepared by Bushfire Solutions South West dated 24 January 2019 declares a rating of BAL-19 for the development site, with Bushfire Management Statement prepared by Lushfire & Planning dated 30 January 2019 confirming compliance with SPP 3.7 and the Guidelines for Planning in Bushfire Prone Areas (see Attachment 11).

Strategic Plan Implications

- Strategic Community Plan 2017

Key Goal 1 - Our economy will be strong, diverse and resilient

- Strategy 1.2.1 Embrace a “can do” approach to development
- Action 1.2.1.2 Develop internal and external planning, building control and environmental health processes that have regard to the importance of business development and social capacity whilst ensuring regulatory compliance is met

Key Goal 2 – Our natural environment is valued, conserved and enjoyed

- Strategy 2.6.1 Planning processes allow for a diverse range of land and development opportunities
- Action 2.6.1.2 Development application process allows balance between sensitively developed places and progressive development
- Action 1.2.1.2 Develop internal and external planning, building control and environmental health processes that have regard to the importance of business development and social capacity whilst ensuring regulatory compliance is met

Key Goal 5: Our leadership will be visionary, collaborative and accountable

- Objective 5.1 Our community actively participates in civic life
 - Strategy 5.1.1 The community is involved in local decision making
 - Objective 5.2 We maintain high standards of governance, accountability and transparency
 - Strategy 5.2.8 Ensure all legislative responsibilities and requirements are met
- Corporate Business Plan 2018/22

Key Goal 1 - Our Economy will be Strong, Diverse and Resilient

- Strategy 1.2.1 Embrace a “can do” approach to development

Key Goal 5 - Our leadership will be Visionary, Collaborative and Accountable

- Strategy 5.1.1 The community is involved in local decision making
 - Strategy 5.2.8 Ensure all legislative responsibilities and requirements are met
- Long Term Financial Plan - Nil
 - Asset Management Plans - Nil
 - Workforce Plan - Nil
 - Other Integrated Planning - Nil

Budget Implications

The applicable development application fee has been paid.

Fiscal Equity – Not applicable

Whole of Life Accounting – Not applicable

Social Equity

The proposed single house, outbuilding and water tanks, noting the setback variations for the incidental structures, is not expected to have any detrimental impacts on surrounding landowners.

Ecological Equity – Not applicable

Cultural Equity – Not applicable

Risk Management – Not applicable

Continuous Improvement

The content of the neighbours’ submissions has assisted consideration of the proposal.

Delegated Authority

Nil - Officers do not have delegated authority to approve the application due to the objection received and the application must therefore be determined by Council.

Voting Requirements – Simple Majority

ITEM NO.	C.08/0219	FILE REF.	R22157
SUBJECT	Proposed Excision and Change in Purpose to Bush Fire Station		
PROPONENT	Shire of Bridgetown-Greenbushes		
LOCATION	Reserve 22157, Lot 11306 Mokerdillup Road, Wandillup		
OFFICER	Manager Planning		
DATE OF REPORT	13 February 2019		

Attachment 12 Location Plan/Aerial Photograph/Photograph

OFFICER RECOMMENDATION: That Council gives support to the proposed excision and change in purpose from Landscape Protection to Bush Fire Station for a portion of Reserve 21157, Lot 11306 Mokerdillup Road, Wandillup, as shown on Attachment 12, with the Chief Executive officer to seek approval from the Minister for Lands through the Department of Planning, Lands and Heritage, including any necessary Management Order changes.

Summary/Purpose

Shire staff are seeking to excise and change the purpose of a portion of Reserve 22157 Mokerdillup Road, Wandillup for development of a new bush fire station for the Wandillup Bushfire Brigade. Support from Council is requested prior to seeking approval from the Minister for Lands through the Department of Planning, Lands and Heritage.

Background

The Shire's Community Emergency Services Manager has advised that the Wandillup Bush Fire Brigade fire station is currently housed on private property and is subject to a lease arrangement which is due to expire in 2021.

A recent inspection of the building, which was originally relocated from the Bridgetown Fire Brigade in 2010, identified the need to re-clad the building within the next four years due to rusted wall cladding. Furthermore, the Wandillup Bush Fire Brigade is scheduled for a replacement fire appliance in the near future and it is expected the new vehicle may not fit into the existing vehicle bay. Emergency Services Levy (ESL) Funding from the Department of Fire and Emergency Services (DFES) can not be used for refurbishment of the existing fire station as it is located on private land.

Construction of a replacement new bush fire station for the Wandillup Bush Fire Brigade on a Shire controlled land has therefore been earmarked, with funding to be sought from DFES in the 2019/20 financial year. The funding application however must confirm that land for a new bushfire fire station is either owned freehold by the Shire or if reserved a Management Order is issued in favour of the Shire of Bridgetown-Greenbushes for that purpose.

As such, a small north-eastern portion of Reserve 22157 has been identified for the new bush fire station. The reserve is strategically located at the junction of Brockman Highway and Mokerdillup Road to respond to fires within the district. The Wandillup Bush Fire Brigade voted to support the proposed location at the Annual General

Meeting in November 2018, with support also provided by Chief Bush Fire Control Officer, Michael Campbell.

The purpose of Reserve 22157 is currently 'Landscape Protection' with a Management Order issued to the Shire of Bridgetown-Greenbushes, however the purpose will not facilitate development of the new bush fire station.

As background, Reserve 22157 was jointly vested in the Shire of Bridgetown-Greenbushes and Main Roads Western Australia on 30 December 1983 for the purpose of 'Gravel'. Council in January 2000 then adopted the Shire's Reserves Review seeking to change the vesting to Conversation due to expiration of the gravel resource and noting a known dieback infestation.

Following extended negotiations, Main Roads WA in 2002 then relinquished their interest in the reserve and supported a change in vesting from 'Gravel' to 'Landscape Protection'. The (then) Department of Planning and Infrastructure in March 2004 confirmed Reserve 22157 was set apart for the purpose of 'Landscape Protection' with a Management Order issued in the favour of the Shire of Bridgetown-Greenbushes.

Reserve 22157 is zoned 'Rural 3 – Blackwood Valley' under Town Planning Scheme No. 4 and has an area of 4.0545 hectares, with a reasonable cover of remnant and regrowth vegetation. A Tagasaste infestation at Reserve 22157 was removed in 2006/2007 with the land left to naturally regenerate.

The proposed bush fire station reserve will have an approximate area of 1000m² (25 metres by 50 metres) located in the north-eastern corner, with access via Mokerdillup Road. An existing cleared and generally levelled area is available (as a result of previous gravel extraction), requiring minimal clearing of regrowth vegetation for the proposed bush fire station and parking area. A Shire lay-by bay within the Brockman Highway road reserve is also well located immediately opposite the proposed site, which could accommodate other emergency vehicles if required.

It is therefore recommended that Council give support for the proposed excision from Reserve 22157 and change in purpose from 'Landscape Protection to Bush Fire Station, with approval to be sought from the Minister for Lands through the Department of Planning, Lands and Heritage.

Statutory Environment

- Town Planning Scheme No. 4

Pursuant to Clauses 2.2 and 2.3 of Town Planning Scheme No. 4, development on a reserve requires development approval and regard must be given to the ultimate purpose intended for the reserve. As the ultimate purpose of Reserve 22157 is currently Landscape Protection, the proposed excision and change in vesting is considered necessary to facilitate development of the bushfire station.

Reserve 22157 is zoned 'Rural 3 – Blackwood Valley' and although an 'Ambulance-Fire Brigade Depot' is a prohibited use in that zone, the proposed change in purpose will still facilitate development of the proposed bush fire station.

- Land Administration Act 1997

Under section 51 of the Land Administration Act, the Minister for Lands “may by order cancel, change the purpose of or amend the boundaries of, or the locations or lots comprising, a reserve.” If so, any Management Order(s) over the reserve may need to be revoked, and a replacement order registered. It is expected that the current Management Order issued to the Shire of Bridgetown-Greenbushes for Reserve 22157 may need to be modified and a new Management Order issued for the proposed excised bush fire station reserve.

Policy

- Shire of Bridgetown-Greenbushes Natural Environment Strategy and Shire of Bridgetown-Greenbushes Local Planning Policy - Managing the Natural Environment

Both the Natural Environment Strategy and Managing the Natural Environment Policy identify protection of key natural assets such as biodiversity, water resources (quality and quantity), and soil and land. The proposed minor excision and change in purpose is not expected to have any detrimental environmental implications.

Strategic Plan Implications

- Strategic Community Plan 2017

Key Goal 2: Our natural environment is valued, conserved and enjoyed

- Objective 2.1 Value, protect and enhance our natural environment
- Strategy 2.1.1 Support and promote sound environmental management practices
- Objective 2.2 Enhanced parklands, reserves and gardens
- Strategy 2.2.3 Prepare and implement management or conservation plans for bushland reserves

Key Goal 4: A community that is friendly and welcoming

- Objective 4.5 High levels of responsiveness to emergencies and emergency recovery
- Strategy Monitor risk management and emergency management profiles, procedures and preparedness
- Objective 4.6 Fire prepared communities
- Strategy 4.6.4 Bush fire brigades are resourced with adequate equipment, appliances, training and other operational requirements

Key Goal 5: Our leadership will be visionary, collaborative and accountable

- Objective 5.1 Our community actively participates in civic life
- Strategy 5.1.5 Support groups that deliver programs, activities and services for the benefit of the community

A Management Plan has not been prepared for Reserve 22157 at this time, however the proposed partial excision and bush fire station development is not expected to have any detrimental impacts upon the environmental qualities of the reserve, with an existing cleared area to be utilised.

The proposed excision and change in purpose from ‘Landscape Protection’ to ‘Bush Fire Station’ for a portion of Reserve 22157 will support development of a new bush

fire station for the Wandillup Bush Fire Brigade, and ultimately improve responsiveness to bushfire emergencies and protection of the community.

- Corporate Business Plan 2018/22

Key Goal 2 - Our Natural Environment is Valued, Conserved and Enjoyed

- Strategy 2.2.3 Prepare and implement management or conservation plans for bushland reserves.
- Action 2.2.3.1 Have regard to conservation and natural environment in fire mitigation planning for Shire reserves
- Action 2.2.3.2 Work with Bridgetown-Greenbushes Community Landcare to prepare management or conservation plans for high environmental value reserves
- Action 2.2.3.3 Implement reserve management or conservation plans

Key Goal 4 - A Community that is Friendly and Welcoming

- Strategy 4.5.1 Monitor risk management and emergency management profiles, procedures and preparedness
- Action 4.5.1.1 Annually review emergency arrangements
- Action 4.5.1.2 Review the Shire's risk management profile
- Action 4.5.1.3 Support the Local Emergency Management Advisory Committee and Bush Fire Advisory Committee
- Strategy 4.6.1 Reduce bush fire hazards
- Action 4.6.1 Rehabilitate, protect and conserve Shire controlled land through hazard reduction
- Strategy 4.6.4 Bush fire brigades are resourced with adequate equipment, appliances, training and other operational requirements
- Action 4.6.4.2 Monitor Shire owned equipment and appliances for fit for purpose
- Action 4.6.4.3 Review appliance suitability when due for replacement under ESL Grant Scheme
- Action 4.6.4.5 Annual budget submissions are made to DFES for operational and capital funding

Key Goal 5: Our Leadership will be Visionary, Collaborative and Accountable

- Strategy 5.1.5 Support groups that deliver programs, activities and services for the benefit of the community

A Management Plan has not been prepared for Reserve 22157 at this time, however the proposed partial excision and bush fire station development is not expected to have any detrimental impacts upon the environmental qualities of the reserve, with an existing cleared area to be utilised.

The proposed excision and change in purpose from 'Landscape Protection' to 'Bush Fire Station' for a portion of Reserve 22157 will support development of a new bush fire station for the Wandillup Bush Fire Brigade, and ultimately improve responsiveness to bushfire emergencies and protection of the community.

- Long Term Financial Plan

The proposed replacement of the Wandillup bush fire station will require allocation of capital and maintenance expenditure, with funding to be sought from DFES.

- Asset Management Plans

A building condition inspection of the current bush fire station has identified the need for significant improvements to the building. As ESL funding can only be spent on Shire controlled land, a replacement bush fire station on Shire land is considered the best outcome from a financial and operational basis.

- Workforce Plan - Nil
- Other Integrated Planning - Nil

Budget Implications

Nil costs at this stage.

Fiscal Equity – Not applicable

Whole of Life Accounting

Whilst no costs can be attributed to the proposed reserve excision and change in purpose, additional development and whole of life costs for the proposed bush fire station can be provided to Council at the appropriate time.

Social Equity – Not applicable

Ecological Equity

A Management Plan has not been prepared for Reserve 22157 at this time, however the proposed partial excision and bush fire station development is not expected to have any detrimental impacts upon the environmental qualities of the reserve.

Cultural Equity – Not applicable

Risk Management

Reserve 22157 is already under the care and control of the Shire with a Management Order issued to the Shire and the proposed excision and change in purpose for a portion of the reserve will not increase the Shire's risk management profile.

Continuous Improvement – Not applicable

Delegated Authority

Whilst the Chief Executive Officer has power to initiate changes to an existing Shire reserve, it is considered prudent that Council provides support for the proposed creation of a new bush fire station reserve.

Voting Requirements – Simple Majority

Works & Services - Nil

Community Services

ITEM NO.	C.09/0219	FILE REF.	
SUBJECT	Development of Public Open Space – Highlands Estate		
PROPONENT	Council		
OFFICER	Executive Manager Community Services		
DATE OF REPORT	February 2019		

Attachment 13 Survey Responses

OFFICER RECOMMENDATION that Council approves:

- 1. Unbudgeted expenditure of up to \$15,000 for the purpose of developing concept plans and preliminary costings (construction and whole of life) for the Highlands Estate Public Open Space.*
- 2. The transfer of up to \$15,000 from the Strategic Projects Reserve to fund the above unbudgeted expenditure.*

Summary/Purpose

Community consultation on the future development of public open space in Highlands Estate has been completed and it is recommended that Council note the findings of the consultation and proceed to the detailed design phase of the project.

Background

Located within the Highland Estate is a 9,758m² area of public open space fronting Galloway Drive, Park Avenue and Emerson Avenue. The land was ceded to the Shire as a recreation reserve as a condition of subdivision.

A fire shed has been developed in the south-east corner of the public open space with the balance of the land remaining undeveloped except that a water connection has been installed to allow irrigation/watering.

In the last few years, as development of land within the Highland Estate has occurred there have been growing queries and requests for the public open space to be developed with a number of different suggestions on the type of development to pursue.

In order to obtain direction from residents of Highland Estate a consultation exercise was conducted consisting of a public forum and a survey. The online ran from August to mid-October 2018 and the public forum was held on 23 August 2018.

The feedback provided by attendees at the public forum indicated the following preferences:

- Fence the area so kangaroos don't eat the grass/garden.
- Walking/fitness trail
- Muster point for emergencies
- Inter-generational elements

- Provide a safe place for children to play so they are not on roads/roundabouts (central place to go and play)
- Open areas for kicking footy, having a hit of cricket (with goal posts)
- Half-court basketball
- Need to look longer term (not just current demographics) but kids zone moving into teen friendly meet up place
- Footpath accessible and paths throughout

The survey results are at Attachment 13. In summary the findings showed that:

- 119 participants of which 74 were Highlands’s residents and 45 were not.
- Of the total participants 96.7% supported development of the Public Open Space at Highlands

Five development options were provided for survey participants to list in order of preference. The weightings for preferred development options were close:

Nature Play	Weighted Score	3.86
Passive Recreation	Weighted Score	3.20
Traditional Playground	Weighted Score	2.91
Walk and Fitness Trail	Weighted Score	2.52
Open Grassed Spaces	Weighted Score	2.50

Officer Comment

In reviewing the feedback provided at the Public Forum and the Survey (including the additional comments provided by 39 of the survey participants) it would appear that meeting a range of identified needs could be achieved by developing a plan which includes:

- BBQ’s and seating (passive recreation)
- Walk trail/s
- Open grass spaces (for sporting activities)
- Nature Play and Traditional Playground elements

In alignment with Council’s Project Management Policy and Framework, it is recommended that expressions of interest be sought to identify a suitably qualified consultant experienced in the design of multi-use public open space to develop concept plans and preliminary costings (construction and whole of life) to assist Council to determine the viability of establishing the Public Open Space in alignment with the feedback received via the consultation process.

If Council supports the officer recommendation, the development of the concept plans and preliminary costings could be funded in the current financial year to allow the project to be considered in the next review of the corporate business plan (and subsequently budget preparation).

The balance of the Strategic Project Reserves is \$65,199.

Statutory Environment – Not applicable

Integrated Planning

Strategic Community Plan

- Objective 2.2.5 – Develop and maintain playgrounds that cater for a range of age groups and activities.

Corporate Business Plan

- Action Item 2.2.5.2 - Consult with residents of Highland Estate to determine preferred option for the development of public open space in the Estate

Long Term Financial Plan – Nil

Asset Management Plans

Infrastructure developments will be included within relevant Council's asset management plans.

Workforce Plan – Not Applicable

Other Integrated Planning - Nil

Budget Implications

The recommendation seeks approval to expend unbudgeted funds. Quotations for the work will be required should Council approve the recommendation, therefore an indicative figure is provided, being an upper level limit on the anticipated expenditure.

Fiscal Equity – Not Applicable

Whole of Life Accounting

Developing a concept plan with preliminary construction and whole of life costings will assist Council in determining the construction and ongoing maintenance -costs of any developments in the Public Open Space to inform decision making prior to the investment in capital expenditure.

Social Equity

The recommendation achieves social equity principles by ensuring residents in Highlands Estate have access to recreational areas.

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management

The principles of risk management are being achieved by the recommendation adhering to best practice project management principles.

Continuous Improvement

The principles of continuous improvement are being achieved by the recommendation due to the procurement of factual information (regarding construction and whole of lifecycle costings) to inform Council's decision on capital projects.

Voting Requirements - Absolute Majority

ITEM NO.	C.10/0219	FILE REF.	228
SUBJECT	Change to Membership Structure and Appoint Community Home Care representative to the Access and Inclusion Advisory Committee		
PROPONENT	Access and Inclusion Advisory Committee		
OFFICER	Grants and Services Manager		
DATE OF REPORT	February 2019		

Attachment 14 Instrument of Appointment

Attachment 15 Access and Inclusion Advisory Committee Minutes February 2019

OFFICER RECOMMENDATION that Council

- 1. Amends the Instrument of Appointment for the Access and Inclusion Advisory Committee by changing the membership structure of the Committee to include a representative of Community Home Care.*
- 2. Endorse the appointment of a representative of Community Home Care to the Access and Inclusion Advisory Committee.*

Summary/Purpose

The Access and Inclusion Advisory Committee, at its meeting held on Wednesday 6 February 2019, requested that Council create a new organisational position on the committee to include a representative from Community Home Care on the Committee.

To change the number of “organisational” representative positions and appointment of a new committee member requires an amendment to the Committee’s Instrument of Appointment.

Background

Community Home Care Bridgetown oversees the Bridgetown Assisted Transport Service (BATS) and Meals on Wheels and is extending the services it provides to include home maintenance services accessible and subsidized through Home Care Packages. Community Home Care is an active and growing service provider in the area of seniors’ home care within the shire.

Membership of the Access and Inclusion Advisory Committee currently consists of:

- Two (2) elected members (Crs Mackman and Wilson)
- One (1) representative from Silver Chain
- One (1) representative from Blackwood Parent Support Group
- Eight (8) Community representatives, being:
 - Bronwyn Mitchell
 - Jana Mayhew
 - Ursula Wade
 - Joan Leader

- Harold Thomas
- Clare Quinn
- Jesse Donovan
- Warren Boggs

Although all current positions on the Access and Inclusion Committee are filled, the Committee believes that input from a representative of Community Home Care would offer the Committee and Council valuable input and provide a different perspective than that offered by the current membership. The Committee believes that this added perspective warrants a review of the Instrument of Appointment membership structure to include a representative from Community Home Care.

The objectives and role of the Access and Inclusion Advisory Committee are:

1. To advise Council on the establishment of priorities and review of progress on the implementation of the strategies identified in the relevant Disability Access and Inclusion Plan and the Age Friendly Communities Plan.
2. To formally report to Council annually on the implementation of the Disability Access and Inclusion Plan and the Age Friendly Communities Plan.
3. To carry out consultation with the community as part of the annual review of the Disability Access and Inclusion Plan and Age Friendly Communities Plan.
4. To recommend to Council any changes to the priorities identified in the Disability Access and Inclusion Plan and Age Friendly Communities Plan either as part of the annual review process, or if necessary at other times of the year.

The term of office for the current Committee expires on 19 October 2019.

Statutory Environment

Section 5.10 of the Local Government Act 1995 for the appointment of a member to a Council Committee

Integrated Planning

- Strategic Community Plan
 - Although the Strategic Community Plan addresses a range of access and inclusion initiatives, this Report is for the appointment to Council's Access and Inclusion Advisory Committee only.
- Corporate Business Plan – N/A
- Long Term Financial Plan – N/A
- Asset Management Plans – N/A
- Workforce Plan – N/A
- Other Integrated Planning – N/A

Policy/Strategic Implications - Nil

Budget Implications - Nil

Fiscal Equity – Not Applicable

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management – Not Applicable

Continuous Improvement – Not Applicable

Voting Requirements – Absolute Majority

ITEM NO.	C.11/0219	FILE REF.	
SUBJECT	Change to the Membership Structure of Youth Services Advisory Committee and Appointment of Greenbushes CRC Representative		
PROPONENT	Youth Services Advisory Committee		
OFFICER	Grants and Services Manager		
DATE OF REPORT	February 2019		

Attachment 16 Youth Services Advisory Committee Minutes November 2018

Attachment 17 Instrument of Appointment and Delegation

OFFICER RECOMMENDATION that Council

- 1. Amend the Instrument of Appointment for the Youth Services Advisory Committee by changing the membership structure of the Committee to include a representative from the Greenbushes Community Resource Centre.*
- 2. Endorse the appointment of a representative of the Greenbushes Community Resource Centre on the Youth Services Advisory Committee.*

Summary/Purpose

At its meeting on 28 November 2018 the Youth Services Advisory Committee requested that Council create a new representative membership position on the Committee to include the Greenbushes Community Resource Centre.

To change the number of “organisational” representative positions requires an amendment to the Committee’s Instrument of Appointment. It is recommended that Council review the membership structure of the committee to include one representative from the Greenbushes Community Resource Centre.

Background

Greenbushes Community Resource Centre is the main provider of extracurricular services for young people in Greenbushes, offering a youth computer, games area, after school/holiday activities and youth events in the CRC.

Membership of the Youth Services Advisory Committee currently consists of:

- Two (2) elected members (Crs Bookless and Pratico)

- 3 representatives from Youth
- 1 participant from the Youth Leadership Program
- 1 representative from each of the following organisations:
 - Bridgetown High School
 - Child Protection
 - SW Mental Health
 - Bridgetown Medical Centre/Health Professional
 - Bridgetown Police
 - Blackwood Youth Action Inc.
 - Blackwood Parent Support Group

The current membership structure of the Committee does not include a Greenbushes based service provider as a representative on the committee. The committee expressed their interest in providing Council with input that reflects a range of localities within the shire.

Council could resolve to increase the number of organisational representatives on the Committee from seven (7) to eight (8) to accommodate the inclusion of Greenbushes Community Resource Centre.

The objectives and role of the Committee are:

- 3.1 To advise Council on the establishment of priorities and review of progress on the implementation of the strategies identified in the relevant Youth Plan.
- 3.2 To formally report to Council annually on the implementation of the Youth Plan.
- 3.3 To recommend to Council any changes to the priorities identified in the Youth Plan either as part of the annual review process, or if necessary at other times of the year.

Statutory Environment

Section 5.10 of the Local Government Act 1995 for the appointment of a member to a Council Committee

Integrated Planning

- Strategic Community Plan – Not Applicable
- Corporate Business Plan – Not Applicable
- Long Term Financial Plan – Not Applicable
- Asset Management Plans – Not Applicable
- Workforce Plan – Not Applicable
- Other Integrated Planning – Not Applicable

Policy/Strategic Implications - Nil

Budget Implications - Nil

Fiscal Equity – Not Applicable

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management – Not Applicable

Continuous Improvement – Not Applicable

Voting Requirements – Absolute Majority

Receival of Minutes from Management Committees – Nil

Urgent Business Approved by Decision

Responses to Elected Member Questions Taken on Notice - Nil

Elected Members Questions With Notice

Notice of Motions for Consideration at the Next Meeting

Matters Behind Closed Doors (Confidential Items)

In accordance with Section 5.23(2) of the Local Government Act the CEO has recommended this Item be considered behind closed doors as the subject matter relates to the following matters prescribed by Section 5.23(2):

- A matter affecting an employee or employees;
- 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.

In accordance with Clause 4.2 of the Standing Orders Local Law the contents of this item are to remain confidential and must not be disclosed by a member to any person other than a member of Council or an employee of the Council to the extent necessary for the purpose of carrying out his or her duties.

ITEM NO.	C.12/0219	FILE REF.	
SUBJECT	Renewal of Contract of Employment – Executive Manager Community Services (Elizabeth Denniss)		
OFFICER	Chief Executive Officer		
DATE OF REPORT	14 February 2019		


OFFICER RECOMMENDATION that Council offers Elizabeth Denniss a new contract of employment for a period of five years for the position of Executive Manager Community Services with the terms of the contract being in accordance with the existing contract of employment between the Shire of Bridgetown-Greenbushes and Ms Denniss.

Closure

The Presiding Member to close the Meeting

List of Attachments

Attachment	Item No.	Details
1	C.02/0219	Unconfirmed Minutes from the AGM of Electors – 7 February 2019
2	C.03/0219	Legal Advice (Confidential Attachment)
3	C.03/0219	Original Cost Estimate and Draft Design for Turning Pocket 2006
4	C.04/0219	Memorandum of Understanding
5	C.05/0219	Rolling Action Sheet
6	C.06/0219	January 2019 Financial Activity Statements
7	C.06/0219	List of Accounts Paid in January 2019
8	C.07/0219	Location Plan/Aerial Photograph
9	C.07/0219	Neighbours' Submission
10	C.07/0219	Proposed Plans/Applicant's Submission
11	C.07/0219	Bushfire Assessment Reports
12	C.08/0219	Location Plan/Arial Photograph/Photograph
13	C.09/0219	Survey Responses
14	C.10/0219	Instrument of Appointment
15	C.10/0219	Access and Inclusion Advisory Committee Minutes February 2019
16	C.11/0219	Youth Services Advisory Committee Minutes November 2018
17	C.11/0219	Instrument of Appointment

Agenda Papers checked and authorised by T Clynch, CEO		21.2.19
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