

Council Minutes Index – 25 June 2020

Subject	Page No
Acknowledgment of Country	3
Attendance, Apologies & Leave of Absence	3
Attendance of Gallery	3
Response to Previous Questions Taken on Notice	3
Public Question Time	3
Petitions/Deputations/Presentations	3
Comment on Agenda Items by Parties with an Interest	4
Applications for Leave of Absence	4
Confirmation of Minutes	4
C.01/0620 Ordinary Meeting held 28 May 2020	4
Announcements by the Presiding Member without Discussion	4
Notification of Disclosure of Interest	4
Questions on Agenda Items by Elected Members	5
Consideration of Motions of which Previous Notice Has Been Given	5
Reports of Officers	5
C.10/0620 Application for Retrospective Approval for Use Not Listed - Art & Craft Showroom and Sales and Home Business (Art Classes)	5
CEO's Office	11
C.02/0620 Appointment of Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer	11
C.03/0620 Amendments to Policy I.16 - Placement of Memorial Plaques	13
C.04/0620 Draft 'Bereavement Notices' Policy	15
C.05/0620 Review of Council Local Laws	17
C.06/0620 2019/20 Budget Amendment – Business Case Development	20
C.07/0520 Rolling Action Sheet	23
Corporate Services	24
C.08/0620 Local Government (Audit) Regulations - Regulation 17 Review 2020	24
C.09/0620 May 2020 Financial Activity Statements and List of Accounts Paid in May 2020	27
Development & Infrastructure	29
C.10/0620 Application for Retrospective Approval for Use Not Listed - Art & Craft Showroom and Sales and Home Business (Art Classes)	29
C.11/0620 Additional Aged Persons Unit (Policy Variation)	29
Community Services	37
C.12/0620 Appointment of new member to the Trails Development Advisory Committee	37
C.13/0620 Blackwood River Foreshore Development	40
C.14/0620 Bridgetown Railway Station - Detailed Design	44
Receival of Minutes of Management Committees	48
Urgent Business Approved By Decision	49
C.15/0620 Debt Write Off – Greenbushes Play Group	49
C.16/0620 Corporate Business Plan Annual Review – 2020	51

Responses to Elected Member Questions Taken on Notice	56
Elected Members Questions With Notice	56
Notice of Motions for Consideration at the Next Meeting	56
Matters Behind Closed Doors.....	56
Closure	57
List of Attachments	57

Minutes of an Ordinary Meeting of Council held in Council Chambers on Thursday, 25 June 2020 commencing at 5.30pm

The Presiding Member opened the Meeting at 5.30pm

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 J Nicholas
Councillors	- J Bookless
	- J Boyle
	- B Johnson
	- J Moore
	- J Mountford
	- A Pratico
	- P Quinby
	- A Wilson
In Attendance	- T Clynych, Chief Executive Officer
	- M Larkworthy, Executive Manager Corporate Services
	- E Denniss, Executive Manager Community Services
	- G Arlandoo, Executive Manager Development & Infrastructure
	- T Lockley, Executive Assistant

Attendance of Gallery

J Bower, M Hodgkins, N Bellugue, M Schneider (Bridgetown Star)

Responses to Previous Questions Taken on Notice - Nil

Public Question Time - Nil

Petitions/Deputations/Presentations

Presentation

Jeremy Bower – CEO Southern Forests Irrigation Cooperative Ltd

Mr Bower gave a presentation on the Southern Forests Irrigation Scheme Project.

Comments on Agenda Items by Parties with an Interest

M Hodgkins – C.10/0620 - Application for Retrospective Approval for Use Not Listed – Art & Craft Showroom and Sales and Home Business (Art Classes)

Mr Hodgkins spoke in support of the officer recommendation

Applications for Leave of Absence - Nil

Confirmation of Minutes

C.01/0620 Ordinary Meeting held 28 May 2020

A Motion is required to confirm the Minutes of the Ordinary Meeting of Council held 28 May 2020 as a true and correct record.

Council Decision Moved Cr Wilson, Seconded Cr Bookless

C.01/0620 That the Minutes of the Ordinary Meeting of Council held 28 May 2020 be confirmed as a true and correct record.

Carried 9/0

Announcements by the Presiding Member Without Discussion - Nil

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.

Name	Cr Mountford
Type of Interest	Impartiality
Item No.	C.10/0620 - Application for Retrospective Approval for Use Not Listed - Art & Craft Showroom and Sales and Home Business (Art Classes)
Nature of Interest	Chairperson of local arts association, Blackwood Creatives Inc

Name	Cr Pratico
Type of Interest	Impartiality
Item No.	C.05/0620 - Review of Council Local Laws
Nature of Interest	I have a trading permit

Questions on Agenda Items by Elected Members

Cr Quinby asked a question on Item C.09/0620

Consideration of Motions of which Previous Notice has been Given - Nil

Reports of Officers

Reports of Officers have been divided into Departments as follows:

- CEO's Office
- Corporate Services
- Development & Infrastructure
- Community Services

After receiving the concurrence of Members, the Presiding Member announced that in accordance with Clause 3.6 of the Standing Orders Local Law, Item C.10/0620 would be brought forward for consideration

Cr Mountford declared an Impartiality Interest in Item C.10/0620 as she is the Chairperson of local arts association, Blackwood Creatives Inc. Cr Mountford stated as a consequence, there may be a perception that her impartiality on the matter may be affected and declared that she would consider this matter on its merits and vote accordingly.

ITEM NO.	C.10/0620	FILE REF.	A44600
SUBJECT	Application for Retrospective Approval for Use Not Listed - Art & Craft Showroom and Sales and Home Business (Art Classes)		
PROPONENT	Michael and Tracey Hodgkins		
LANDOWNERS	Tracey Hodgkins		
LOCATION	Lot 270 (1) Riverview Close, Bridgetown		
OFFICER	Manager Planning		
DATE OF REPORT	15 June 2020		

Attachment 8

Locality Plan

Attachment 9

Proposed Plans/Applicant's Submission

OFFICER RECOMMENDATION

That Council:

1. *Pursuant to Clause 3.2.5 and 4.11 of Town Planning Scheme No. 4, determines that the proposed Use Not Listed – Art & Craft Showroom and Sales plus Home Business (Art Classes) on Lot 270 (1) Riverview Close, Bridgetown is consistent with the objective of the Special Residential SRes2 Zone and may be considered for development approval subject to public consultation and detailed assessment.*

2. *Directs the Chief Executive Officer to undertake necessary public consultation in relation to Point 1 above, and grants delegated authority to the Chief Executive Officer to determine the development application, where no objections are received, subject to appropriate conditions.*

Summary/Purpose

To consider a development application seeking retrospective approval for the production and sale of art plus classes at Lot 270 (1) Riverview Close, Bridgetown. It is recommended that Council determine that the Use Not Listed – Art & Craft Showroom and Sales and the Home Business (Art Classes) is consistent with the objectives and policies of the Special Residential SRes2 zone and may be considered for approval subject to public consultation. It is also recommended that delegated authority be granted to the Chief Executive Officer to determine the application, where no objections are received, subject to appropriate conditions.

Background

A development application has been received seeking retrospective approval for the production and onsite sale of art plus for art classes within the dwelling at Lot 270 (1) Riverview Close, Bridgetown. Shire staff have been in contact with the proponents since late 2019, with an application initially lodged in January 2020 for a Home Business but including the onsite sale of art.

Under Schedule 1 Interpretations under Town Planning Scheme No. 4 a “Home Business means a dwelling or land around a dwelling used by an occupier of the dwelling to carry out a business, service or profession if the carrying out of the business, service or profession –

- (a) does not involve employing more than 2 people who are not members of the occupier’s household; and
- (b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
- (c) does not occupy an area greater than 50m²; and
- (d) does not involve the retail sale, display or hire of any goods unless the sales, display or hire is done only by means of the Internet; and
- (e) does not result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and
- (f) does not involve the presence, use or calling of a vehicle or more than 4.5 tonnes tare weight; and
- (g) does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located.”

The Shire’s Home Based Business Policy extends the definition permitting Home Business to “not involve the retail sale, display or hire of goods of any nature, unless conducted using telephone or online ordering and offsite delivery or postage;”

The proponents have sought approval for the onsite display and sale of art, complementary to the production of art and art classes undertaken on the property, however neither Council or Shire staff under delegation have the power to approve a home business which includes the onsite sale of art.

The proponents were instead invited to seek approval for Art & Craft Showroom and Sales, which under TPS4 “means a building or portion of a building used for the manufacture, display and selling of works of art and craft.” The Art & Craft Showroom and Sales use is included in Schedule 6 of TPS4 for the Special Use

Zone SU2, applicable to a portion of nearby Lot 9008 Gleneagles Drive, Bridgetown (ie. tourist lot). The definition was added to TPS4 in 2003 as part of Amendment No. 59 for the Highlands Estate.

Officer Comment

Art & Craft Showroom and Sales however is not listed in Table I - Zoning Table of TPS4 for the Special Residential SRes2 zone, meaning Council can consider it as a 'Use Not Listed' for the subject property. A counter argument can be made that the proposed use is best defined only as a Home Business, particularly when located within a dwelling, therefore prohibiting onsite sales and visits not by appointment.

The proponents lodged a revised application on 19 May 2020 seeking special consideration by Council. The applicant's justification and proposed plans (see Attachment 9) seek to use a 50m² portion of the dwelling for art production, art classes and for the display and onsite sales of artwork produced by the proponent, essentially as an art studio/gallery space.

Council has the discretion, by Absolute Majority, to determine that the proposed 'Use Not Listed – Art & Craft Showroom and Sales' is consistent with the objectives and policies the Special Residential SRes2 zone under TPS4 and that development approval may be granted. Should Council determine that the proposed use is not consistent with the general and specific objectives and policies of TPS4, the proposal is therefore not permitted and must be refused.

Should Council support the 'Use Not Listed' public consultation must be undertaken as per Clause 5.2 of TPS4, and can include a sign onsite, a newspaper advertisement, website notice and direct correspondence to surrounding landowners. The application can be presented back to Council for determination following public consultation, or as recommended, delegated authority granted to the Chief Executive Officer to determine the application where no objections are received.

Statutory Environment

- Shire of Bridgetown-Greenbushes Town Planning Scheme No. 4

Clause 3.2.5 Zoning Table

In relation to a 'Use Not Listed', Clause 3.2.5 of TPS4 states that *"If the land use for a particular purpose is not specifically referred to in the Zoning Table and cannot reasonably be determined as falling within the interpretation of one of the use classes shown, Council may:*

- (i) determine that the use is not consistent with the objectives and purposes of the particular zone, and is therefore not permitted; or*
- (ii) determine by absolute majority that the proposed use is consistent with the objectives and purposes of the Zones and thereafter follow the 'SA' procedures of **Clause 5.2** in considering an application for Planning Consent."*

Under Clause 4.11 Special Residential Zone *“Council’s Objective for the Special Residential Zone is to provide for a range in residential lot sizes and therefore, lifestyle opportunities subject to appropriate standards and controls while ensuring the protection of the character and amenity of the adjoining rural areas.”*

Council’s Development Policy will therefore be to (inter alia):

“(c) Control subdivision, development and land use to ensure the special qualities of the site are maintained.”

- Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2 (Deemed Provisions)

Part 10A Local Planning Scheme Regulations 2015 relates to bushfire risk assessment. Assessment of bushfire risk is relevant, discussed below in the Policy Implications.

The ‘Matters to be considered’ under Clause 67 of the Local Planning Scheme Regulations 2015 will be further assessed following public consultation.

Integrated Planning

➤ Strategic Community Plan 2019

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

Objective 2.1 - A diverse economy that provides a range of business and employment opportunities

Strategy 1.1.1 - Encourage long term growth in the district in order to retain and enhance services

Objective 2.1.2 - A proactive approach to business development

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

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

Objective 2.6 - Development is sympathetic to the landscape

Strategy 2.6.1 - Planning processes allow for a diverse range of land and development opportunities

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

➤ Corporate Business Plan

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 a balance between sensitively developed places and progressive development

➤ Long Term Financial Plan - Nil

➤ Asset Management Plans - Nil

➤ Workforce Plan - Nil

➤ Other Integrated Planning - Nil

Policy Implications

- State Planning Policy 3.7 Planning in Bushfire Prone Areas and Guidelines for Planning in Bushfire Prone Areas

The dwelling was approved in November 2017 and supported by a Bushfire Attack Level Assessment dated 19 October 2017, which also demonstrated compliance with the Bushfire Protection Criteria under Appendix Four of the Guidelines for Planning in Bushfire Prone Areas. Given the location of the property, and the maintained low fuel zone on the property and surrounding properties, the proposed Art & Craft Showroom and Sales and Home Business can be supported based on the previous bushfire assessment.

- Shire of Bridgetown-Greenbushes Home Based Business Policy TP.20

The Aim of the Home Based Business Policy is *“To enable low scale businesses the opportunity to be conducted from home without having a detrimental impact on the amenity of the local area.”* Noting the definition under TPS4, a Home Business must satisfy a list of requirements, including (inter alia):

- be carried out within a maximum area of 50m² only and under no circumstances can an extension of floor area for business use be permitted;
- be carried out by a permanent resident of the dwelling and a maximum of two employees only who are not members of the occupier's household;
- not involve the retail sale, display or hire of goods of any nature, unless conducted using telephone or online ordering and offsite delivery or postage;
- all customers must be by appointment only and timed to avoid more than one appointment being onsite at any one time;
- provision onsite of sufficient car parking for any customers and employees, in addition to parking bays available for residents of the dwelling;
- does not cause injury to or prejudicially affect the amenity of the neighbourhood including (but without limiting the generality of the foregoing) injury, or prejudicial affection due to the emission of light, noise, vibration, steam, soot, ash, dust, grit, oil, liquid wastes or waste products;

Section 4.6 of the Policy also lists a range of general requirements to address car parking and customer visits. The requirement for customers by appointment presents a challenge for the intended studio/gallery space if restricted to a home business, with the proponent seeking to operate primarily on weekends and public holidays, with only some customers by appointment. Most home based business have restricted hours Monday to Saturday and no business on Sundays or Public Holidays. A decision on days and opening hours can be made following public consultation. Whilst two car parking bays have been nominated onsite, approximately two or three more vehicles could also be accommodated in the turning circle, with parking to be strictly prohibited on the verge.

Budget Implications

The required development application fee has been paid to consider the application, with additional fees to be charged for a newspaper advertisement should Council give preliminary support for the Use Not Listed.

Should Council not give support for the Use Not Listed and/or the application is ultimately refused, the applicant may exercise a right of review (ie. appeal) with the State Administrative Tribunal, additional staff time and potential legal costs are likely to be incurred.

Whole of Life Accounting – Not applicable

Risk Management

No risks to the Shire, the landowner or adjoining property owners are evident should Council give preliminary support for the proposal.

Should Council not give support for the Use Not Listed and/or the application is ultimately refused, the applicant may exercise a right of review (ie. appeal) with the State Administrative Tribunal.

Voting Requirements – Absolute Majority

Council Decision Moved Cr Moore, Seconded Cr Wilson

C.10/0620 That Council:

- 1. Pursuant to Clause 3.2.5 and 4.11 of Town Planning Scheme No. 4, determines that the proposed Use Not Listed – Art & Craft Showroom and Sales plus Home Business (Art Classes) on Lot 270 (1) Riverview Close, Bridgetown is consistent with the objective of the Special Residential SRes2 Zone and may be considered for development approval subject to public consultation and detailed assessment.**
- 2. Directs the Chief Executive Officer to undertake necessary public consultation in relation to Point 1 above, and grants delegated authority to the Chief Executive Officer to determine the development application, where no objections are received, subject to appropriate conditions.**

Absolute Majority 9/0

CEO's Office

ITEM NO.	C.02/0620	FILE REF.	
SUBJECT	Appointment of Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer		
PROPONENT	Bush Fire Advisory Committee		
OFFICER	Chief Executive Officer		
DATE OF REPORT	6 June 2020		

OFFICER RECOMMENDATION

That Council:

- 1. Appoints Mr. Greg Kennedy to the position of Chief Bush Fire Control Officer for a 2 year period.*
- 2. Cancels the appointment of Mr. Michael Campbell as Chief Bush Fire Control officer and acknowledges his leadership to Council's Bush Fire Organisation.*
- 3. Appoints Mr. Chris Doherty as Deputy Chief Bush Fire Control Officer for a 2 year period.*
- 4. Cancels the appointment of Mr. Greg Kennedy and Mr. Lyndon Pearce as Deputy Chief Bush Fire Control Officers*

Summary/Purpose

For Council to appoint a new Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer.

Background

Mr. Michael Campbell has completed his two year term as Chief Bush Fire Control Officer (CBFCO). Following an election process Council's Bush Fire Advisory Committee (BFAC) has nominated Mr. Greg Kennedy to the position.

Coinciding with the election process for the Chief Bush Fire Control Officer and election was held for the position of Deputy Chief Bush Fire Control Officer (DCBFCO). Following an election process Council's Bush Fire Advisory Committee (BFAC) has nominated Mr. Chris Doherty to the position.

Officer Comment

One nomination for the position of CBFCO was received, being Greg Kennedy, one of the current Deputy Chief Bush Fire Control Officers (DCBFCO). The Committee supports the nomination and recommends to Council that Greg Kennedy be appointed as Chief Bush Fire Control Officer.

For the last two years Council has appointed two DCBFCOs but at its meeting held on 3 June 2020 the Bush Fire Advisory committee passed a resolution that only one DCBFCO be appointed as having multiple persons in the position requires additional consultation by the CBFCO noting that historically the Community Emergency Services Manager is also appointed as a DCBFCO.

An election for Deputy Chief Bush Fire Control Officer was held at the Bush Fire Advisory Committee held on 3 June 2020 and Chris Doherty was elected to the position, subject to Council confirmation.

It is recommended that Council endorse the nominations of Mr Greg Kennedy and Mr Chris Doherty to the respective positions of Chief Bush Fire Control Officer (CBFCO and Deputy Chief Bush Fire Control Officer Deputy Chief Bush Fire Control Officer (DCBFCO).

Once a person is recruited to the position of Community Emergency Services Manager, a Council resolution for appointment of that person as a DCBFCO will be sought.

Statutory Environment

38. Local government may appoint bush fire control officer

- (1) *A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.*
- (2A) *The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.*

Integrated Planning

- Strategic Community Plan
 - Key Goal 4 - A community that is friendly and welcoming
 - 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 5.2 – 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 Implications – Nil.

Budget Implications

Costs of advertising these appointments can be accommodated within current budget.

Risk Management

Council is responsible for all fires outside of the Gazetted Fire District. All persons recommended for appointment have the experience and skills to undertake the duties and responsibilities of the positions.

Voting Requirements – Simple Majority

Council Decision Moved Cr Pratico, Seconded Cr Wilson

C.02/0620 That Council:

- 1. Appoints Mr Greg Kennedy to the position of Chief Bush Fire Control Officer for a 2 year period.**
- 2. Cancels the appointment of Mr Michael Campbell as Chief Bush Fire Control officer and acknowledges his leadership to Council's Bush Fire Organisation.**
- 3. Appoints Mr Chris Doherty as Deputy Chief Bush Fire Control Officer for a 2 year period.**
- 4. Cancels the appointment of Mr Greg Kennedy and Mr Lyndon Pearce as Deputy Chief Bush Fire Control Officers**

Carried 9/0

ITEM NO.	C.03/0620	FILE REF.	
SUBJECT	Amendments to Policy I.16 - Placement of Memorial Plaques		
OFFICER	Chief Executive Officer		
DATE OF REPORT	14 June 2020		

Attachment 1 Current 'Placement of Memorial Plaques' Policy with proposed amendments shown as "track changes"

OFFICER RECOMMENDATION

That Council adopt the revised 'Placement of Memorial Plaques' Policy as contained in Attachment 1, including the change in name of the policy to 'Placement of Memorial Plaques Outside Cemeteries'.

Summary/Purpose

Recent informal discussion with councillors identified the need for a policy to better set out the approval requirements and maintenance responsibilities for memorial plaques erected in public places outside the Shire cemeteries.

Background

The current 'Placement of Memorial Plaques' Policy sets out the permissibility, requirements and conditions pertaining to the placing of small memorial plaques at the base of a tree planted in a Shire of Bridgetown-Greenbushes controlled park or

reserve. In response to recent queries about maintenance responsibility for other memorials within the Shire the policy is recommended for amendment, specifically:

- Change in name of the policy to 'Placement of Memorial Plaques Outside Cemeteries'.
- Inclusion of requirements and applicable conditions for placing of a memorial plaque on a park bench or other park furniture, including the requirement for the applicant to purchase the item of park furniture.
- Inclusion of a note that the erection of memorial crosses within road reserves to memorialise deaths from traffic accidents isn't covered by this policy.
- Setting of maintenance responsibilities for four larger memorials already existing within the Shire being the Scott Memorial, Wheatley Memorial, "A Man's Best Friend" plinth and plaque, and "Sunday 14th March 1954 commemoration plinth and plaque.

Officer Comment

The draft policy provides sufficient guidance to applicants and the community on the permissibility of placing memorial parks in public places outside the Shire cemeteries as well as clarifying ongoing maintenance responsibilities.

Statutory Environment - Nil

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 5.2.1 - Councillors provide strong and ethical leadership
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications

The proposal recommends amendment of an existing policy.

Budget Implications - Nil

Whole of Life Accounting

The "A Man's Best Friend" plinth and plaque, and "Sunday 14th March 1954 commemoration plinth and plaque are already maintained by the Shire.

Risk Management

The risk to Council in not clearly setting out ongoing maintenance responsibilities for memorial plaques could lead to negative reputation. The risk rating would be moderate. It is assessed that the risk rating following the implementation of this Policy would reduce the risk rating to low.

Voting Requirements – Simple Majority

Council Decision *Moved Cr Moore, Seconded Cr Johnson*
C.03/0620 *That Council adopt the revised 'Placement of Memorial Plaques' Policy as contained in Attachment 1, including the change in name of the policy to 'Placement of Memorial Plaques Outside Cemeteries'.*

Carried 9/0

ITEM NO.	C.04/0620	FILE REF.	
SUBJECT	Draft 'Bereavement Notices' Policy		
OFFICER	Chief Executive Officer		
DATE OF REPORT	15 June 2020		

Attachment 2 Draft 'Bereavement Notices' Policy

OFFICER RECOMMENDATION

That Council adopt the 'Bereavement Notices' Policy as shown in Attachment 2.

Summary/Purpose

Recent informal discussion with Councillors identified the need for a policy to guide the Shire President and Chief Executive Officer on placing of bereavement notices.

Background

A draft Policy has been prepared for Council's consideration with a view to adoption. The draft policy identifies the following persons that would be recognised by the placement of a bereavement notice in either 'The West Australian' or 'Manjimup Bridgetown times'.

- Current and former councillors and Chief Executive Officers;
- Current employees; and
- Identities of the Shire of Bridgetown-Greenbushes as agreed by the Shire President and the Chief Executive Officer.

Officer Comment

The draft policy provides sufficient guidance to the Shire President and Chief Executive Officer on placing of bereavement notices.

Statutory Environment - Nil

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 5.2.1 - Councillors provide strong and ethical leadership
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan – Nil

➤ Other Integrated Planning - Nil

Policy Implications

The proposal recommends establishment of a new policy.

Budget Implications

The cost of newspaper bereavement notices can be accommodated within existing advertising budget allocations.

Whole of Life Accounting - Nil

Risk Management

The risk to Council by not recognising the passing of a significant Shire of Bridgetown-Greenbushes' identity could lead to negative reputation. The risk rating would be moderate. It is assessed that the risk rating following the implementation of this Policy would reduce the risk rating to low.

Voting Requirements – Simple Majority

Council Decision Moved Cr Boyle, Seconded Cr Pratico

C.04/0620 That Council adopt the 'Bereavement Notices' Policy as shown in Attachment 2.

Carried 9/0

Cr Pratico declared an Impartiality Interest in Item C.05/0620 as he has a trading permit. Cr Pratico stated as a consequence, there may be a perception that his impartiality on the matter may be affected and declared that he would consider this matter on its merits and vote accordingly.

ITEM NO.	C.05/0620	FILE REF.	
SUBJECT	Review of Council Local Laws		
PROPONENT	Council		
OFFICER	Chief Executive Officer		
DATE OF REPORT	12 June 2020		

OFFICER RECOMMENDATION

That Council resolves to undertake a review of the following Local Laws in accordance with section 3.16 of the Local Government Act and to give local public notice of its intent to undertake the review:

- *Activities on Thoroughfares and Trading in Thoroughfares & Public Places Local Law;*
- *Bush Fire Brigades Local Law;*
- *Cats;*
- *Cemeteries;*
- *Dogs;*
- *Fencing;*
- *Health;*
- *Local Government Property;*
- *Parking & Parking Facilities;*
- *Pest Plants; and*
- *Standing Orders.*

Summary/Purpose

Section 3.16 of the *Local Government Act 1995* (the Act) requires that a review of each local law occurs within a period of 8 years from the day a local law commenced or was last reviewed. The review is to determine whether the local law should be repealed, amended or retained in its current form.

Notwithstanding that a statutory review of all Council's local laws isn't required in 2020 it is recommended that Council undertake this review as it has foreshadowed an intention to consider changes to at least two of its local laws and other changes may arise from a formal review process.

This report recommends the Shire commence the statutory review process, with the first step being to give local public notice of the intent to undertake the review and providing the ability for members of the public to make submissions for a minimum of 6 weeks.

Background

Council has 11 Local Laws, being:

- Activities on Thoroughfares and Trading in Thoroughfares & Public Places Local Law (last reviewed August 2016)
- Bush Fire Brigades Local Law (last reviewed August 2016)
- Cats (last reviewed January 2019)

- Cemeteries (last reviewed August 2016)
- Dogs (last reviewed August 2016)
- Fencing (last reviewed August 2016)
- Health (last reviewed August 2016)
- Local Government Property (last reviewed August 2016)
- Parking & Parking Facilities (last reviewed July 2017)
- Pest Plants (last reviewed August 2016)
- Standing Orders (last reviewed September 2014)

Officer Comment

A copy of the Shire's current Local Laws can be found on the Shire of Bridgetown-Greenbushes website at www.bridgetown.wa.gov.au or can be obtained through the Shire Administration.

Council has recently had some discussion about possible amendments to its Standing Orders Local Law and Health Local Law. That and any other possible changes can be considered once the advertising of the proposed review of all Local laws has been completed and any submissions associated with that review are considered.

Once local public notice has been given and the submission period concluded, the procedure for making local laws under section 3.12 can commence. The "section 3.12 - Making Local Laws" process allows for further public consultation and includes another public submission component.

Statutory Environment

Local Government Act 1995

Section 3.16 – Periodic review of local laws

- (1) Within a period of 8 years from the day when a local law commenced or a report of a review of the local law was accepted under this section, as the case requires, a local government is to carry out a review of the local law to determine whether or not it considers that it should be repealed or amended.
- (2) The local government is to give local public notice stating that –
 - (a) the local government proposes to review the local law; and
 - (b) a copy of the local law may be inspected or obtained at any place specified in the notice; and
 - (c) submissions about the local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given.
- (3) After the last day for submissions, the local government is to consider any submissions made and cause a report of the review to be prepared and submitted to its council.
- (4) When its council has considered the report, the local government may determine* whether or not it considers that the local law should be repealed or amended.

** Absolute majority required.*

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 5.2.7 – Council's policies and local laws are responsive to community needs
 - Strategy 5.2.8 – ensure all legislative responsibilities and requirements are met
- Corporate Business Plan
 - Strategy 5.2.7 – Council's policies and local laws are responsive to community needs
 - Action 5.7.2.1 - Conduct statutory review of all Local Laws
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications – Nil

Budget Implications

Approximately \$400 costs for statutory newspaper advertising. Depending on whether the review recommends changes to existing local laws there could be additional advertising costs associated with the process to amend individual local laws.

Whole of Life Accounting - Nil

Risk Management

Minor reputational and compliance risk should local laws not be reviewed in accordance with legislative requirements.

This is mitigated by commencing the review process and ensuring that the Shire's local laws remain contemporary and in line with industry best practice.

Voting Requirements – Simple Majority

Council Decision Moved Cr Bookless, Seconded Cr Wilson

C.05/0620 That Council resolves to undertake a review of the following Local Laws in accordance with section 3.16 of the Local Government Act and to give local public notice of its intent to undertake the review:

- ***Activities on Thoroughfares and Trading in Thoroughfares & Public Places Local Law;***
- ***Bush Fire Brigades Local Law;***
- ***Cats;***
- ***Cemeteries;***

- **Dogs;**
- **Fencing;**
- **Health;**
- **Local Government Property;**
- **Parking & Parking Facilities;**
- **Pest Plants; and**
- **Standing Orders.**

Carried 9/0

ITEM NO.	C.06/0620	FILE REF.	806.1
SUBJECT	2019/20 Budget Amendment – Business Case Development		
PROPONENT	South West Development Commission		
OFFICER	Chief Executive Officer		
DATE OF REPORT	16 June 2020		

OFFICER RECOMMENDATION

That Council:

1. *Receive unbudgeted revenue of \$40,000 from the South West Development Commission provided for the purpose of preparing business cases for the following projects:*
 - *Bridgetown and Greenbushes Railway Station Restoration Projects;*
 - *Blackwood River Foreshore Project; and*
 - *Bridgetown Town Hall Restoration Project.*
2. *Approve unbudgeted expenditure of \$45,000 for the preparation of business cases for the three projects listed in Part 1, noting that a Shire contribution of \$5,000 has been drawn from existing funds contained in the 2019/20 budget.*
3. *Authorise the CEO to affix the common seal of the Shire of Bridgetown-Greenbushes on the grant agreement with the South West Development Commission and proceed with the expenditure of the funds and completion of business cases in accordance with the funding conditions.*

Summary/Purpose

Grant funding of \$40,000 (GST exclusive) has been offered to Council by the South West Development Commission to facilitate the preparation of business cases for the following three 'Shire of Bridgetown-Greenbushes Growth Strategy' projects:

- **Bridgetown and Greenbushes Railway Station Restoration Projects;**
- **Blackwood River Foreshore Project; and**
- **Bridgetown Town Hall Restoration Project.**

The completed business cases would be suitable for use in a future funding application to the WA State Government, including potential COVID-19 recovery/economic stimulus funding.

Background

In order to maximise the opportunities associated with the expansion of the Talison Lithium Greenbushes mine Council developed a growth strategy featuring four key priority areas intended to drive population growth, create jobs and generate economic activity. Between December 2019 and March 2020 the Shire President and CEO engaged with a number of Government Ministers and agencies to promote the benefits of the growth strategy. With the restrictions imposed by COVID-19 a more non-direct lobbying approach was taken.

Included in the agency consultation were discussions with the South West Development Commission (SWDC). The SWDC has acknowledged the regional economic development opportunities that are arising from the Talison Lithium expansion project. In the most recent discussions with the SWDC it was identified that the most 'shovel ready' projects in the growth strategy are the Bridgetown and Greenbushes Railway Station Restoration Projects, the Blackwood River Foreshore Project and the Bridgetown Town Hall Restoration Project. The 'shovel ready' status of projects is critical in the event of the State Government releasing any COVID-19 recovery/economic stimulus funding in the next 6 months.

The SWDC has offered an amount of \$40,000 to be used for the preparation of suitable business cases for the above projects. There is a requirement for the Shire to match this funding with \$5,000 and suitable funds within the 2019/20 budget exist to provide this commitment.

The railway stations restoration project proposes the restoration of two heritage listed railway stations, Bridgetown and Greenbushes, with the former to be redeveloped for use as office space and the latter for relocation to the Greenbushes Discovery Centre as an extension of that tourist attraction.

The Blackwood River Foreshore project proposes the development of a canoe ramp, seating, shelters, viewing platform, interpretive signage, environmental enhancement/protection of wetland area plus linkages to the Bridgetown Art Trail and upgrades to the Old Rectory Walktrail and Blackwood River Walktrail to cater for universal access.

The Bridgetown Town Hall Restoration project proposes a comprehensive refurbishment of the historic Town Hall/Civic Centre building, refurbishment of commercial kitchen and ablutions and upgrade of electrical works, lighting, art display systems, audio, stage curtains, staging and seating to make the building more suitable for performing arts.

Officer Comment

The timelines for the preparation of the business cases is short with completion required by September 2020. Approval of the unbudgeted expenditure in 2019/20 will allow for the expenditure to proceed in 2020/21 prior to adoption of the 2020/21 budget.

Statutory Environment

Section 6.8 of the Local Government Act requires an absolute majority decision for expenditure not included in the annual budget.

Integrated Planning

- Strategic Community Plan
 - Key Goal 1 - Our economy will be strong, diverse and resilient
 - Objective 1.1 - A diverse economy that provides a range of business and employment opportunities
 - Strategy 1.1.1 - Encourage long term growth in the district in order to retain and enhance services
 - Strategy 1.1.2 - Develop and implement strategic plans and actions that attract economic development
- Corporate Business Plan - Nil
 - Strategy 1.1.1 - Encourage long term growth in the district in order to retain and enhance services
 - Action 1.1.1.1 - Prepare and implement a plan/proposal to present to Government on the infrastructure requirements of the mine expansion project
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications – Nil

Budget Implications

The unbudgeted expenditure in 2019/20 will be carried forward to the 2020/21 budget.

Whole of Life Accounting - Nil

Risk Management

Preparation of business cases for the projects will maximise opportunities for prospective economic stimulus funding should it arise. The risks associated with expending the funds are low.

Voting Requirements – Absolute Majority

Council Decision Moved Cr Moore, Seconded Cr Wilson

C.06/0620 That Council:

- 1. Receive unbudgeted revenue of \$40,000 from the South West Development Commission provided for the purpose of preparing business cases for the following projects:**
 - **Bridgetown and Greenbushes Railway Station Restoration Projects;**
 - **Blackwood River Foreshore Project; and**
 - **Bridgetown Town Hall Restoration Project.**

- 2. Approve unbudgeted expenditure of \$45,000 for the preparation of business cases for the three projects listed in Part 1, noting that a Shire contribution of \$5,000 has been drawn from existing funds contained in the 2019/20 budget.**
- 3. Authorise the CEO to affix the common seal of the Shire of Bridgetown-Greenbushes on the grant agreement with the South West Development Commission and proceed with the expenditure of the funds and completion of business cases in accordance with the funding conditions.**

Absolute Majority 9/0

ITEM NO.	C.07/0620	FILE REF.	209
SUBJECT	Rolling Action Sheet		
OFFICER	Chief Executive Officer		
DATE OF REPORT	17 June 2020		

Attachment 3 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

Integrated Planning

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

Policy Implications – Not Applicable

Budget Implications – Not Applicable

Whole of Life Accounting – Not Applicable

Risk Management – Not Applicable

Voting Requirements – Simple Majority

Council Decision *Moved Cr Bookless, Seconded Cr Johnson*
C.07/0620 *That the information contained in the Rolling Action Sheet be noted.*

Carried 9/0

Corporate Services

ITEM NO.	C.08/0620	FILE REF.	224
SUBJECT	Local Government (Audit) Regulations - Regulation 17 Review 2020		
OFFICER	Executive Manager Corporate Services		
DATE OF REPORT	15 June 2020		

Attachment 4 Audit Regulation 17 Review June 2020

Attachment 5 Audit Committee Meeting Minutes 11 June 2020

OFFICER RECOMMENDATION

That Council receive the Audit Regulation 17 Review Report June 2020, and adopts the 56 recommendations contained in the report.

Summary/Purpose

Regulation 17 of the Local Government (Audit) Regulations 1996 requires the Chief Executive Officer to review the appropriateness and effectiveness of a local government's systems and procedures in relation to risk management, internal control and legislative compliance.

In accordance with Audit Regulation 17 the Chief Executive Officer has undertaken a review of the Shire's systems and procedures in relation to risk management, internal controls and legislative compliance.

Background

Regulation 17 of the *Local Government (Audit) Regulations 1996* requires the Chief Executive Officer to review the appropriateness and effectiveness of a local government's systems and procedures in relation to:

- (a) risk management
- (b) internal control
- (c) legislative compliance.

The review may relate to any or all of the matters referred to, but each of those matters is to be the subject of a review not less than once in every three financial years. The Chief Executive Officer is to report to the Audit Committee the results of that review.

- (a) risk management; and
- (b) internal control; and
- (c) legislative compliance.

(2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 3 financial years.*

(3) *The CEO is to report to the audit committee the results of that review.*

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 5.2.3 Ensure organisational capability
 - Strategy 5.2.8: Ensure all legislative responsibilities are met
- Corporate Business Plan
 - Action 5.2.3.3: Undertake review of systems for risk management, internal controls and legislative compliance as required under Audit Regulation 17
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy Implications – Nil

Budget Implications – Nil

Whole of Life Accounting – Not applicable

Risk Management

The assessment of organisational risk management is a fundamental component of the review and is specifically referenced in Regulation 17. Many of the recommendations contained in the report seek to minimise the organisation's exposure to risk.

Voting Requirements – Simple Majority

Council Decision Moved Cr Moore, Seconded Cr Johnson

C.08/0620 That Council receive the Audit Regulation 17 Review Report June 2020, and adopts the 56 recommendations contained in the report.

Carried 9/0

ITEM NO.	C.09/0620	FILE REF.	131
SUBJECT	May 2020 Financial Activity Statements and List of Accounts Paid in May 2020		
OFFICER	Senior Finance Officer		
DATE OF REPORT	15 June 2020		

Attachment 6 May 2020 Financial Activity Statements
Attachment 7 List of Accounts Paid in May 2020

OFFICER RECOMMENDATIONS

1. *That Council receives the May 2020 Financial Activity Statements as presented in Attachment 6.*
2. *That Council receives the List of Accounts Paid in May 2020 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:

- (a) 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;
- (b) budget estimates to the end of the month to which the statement relates;
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) 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:

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
- (b) an explanation of each of the material variances referred to in sub-regulation (1)(d); and
- (c) 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 Implications

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 May 2020 and presented in the list of accounts paid, was allocated in the 2019/20 Budget as amended.

Whole of Life Accounting – Not applicable

Risk Management – Not Applicable

Voting Requirements – Simple Majority

Council Decision *Moved Cr Pratico, Seconded Cr Wilson*
C.09/0620

- 1. That Council receives the May 2020 Financial Activity Statements as presented in Attachment 6.**
- 2. That Council receives the List of Accounts Paid in May 2020 as presented in Attachment 7.**

Carried 9/0

Development & Infrastructure

ITEM NO.	C.10/0620	FILE REF.	A44600
SUBJECT	Application for Retrospective Approval for Use Not Listed - Art & Craft Showroom and Sales and Home Business (Art Classes)		
PROPONENT	Michael and Tracey Hodgkins		
LANDOWNERS	Tracey Hodgkins		
LOCATION	Lot 270 (1) Riverview Close, Bridgetown		
OFFICER	Manager Planning		
DATE OF REPORT	15 June 2020		

Refer to page 5

ITEM NO.	C.11/0620	FILE REF.	A47395
SUBJECT	Additional Aged Persons Unit (Policy Variation)		
PROPONENT	Richard Wittenoom		
LANDOWNERS	Geegeelup Village Inc.		
LOCATION	Lot 600 (3) Scott Street, Bridgetown (Geegeelup Village Unit 41)		
OFFICER	Manager Planning		
DATE OF REPORT	16 June 2020		

Attachment 10 Locality Plan
Attachment 11 Applicant's Justification
Attachment 12 Proposed Plans/Bushfire Reports

OFFICER RECOMMENDATION

That Council, noting that no submissions were received, and pursuant to Clause 6.7.4 of Town Planning Scheme No. 3 waives provisions of the Shire's Transportable Dwellings Policy TP.24 and grants development approval for the proposed additional aged persons unit at Lot 600 (3) Scott Street, Bridgetown (Geegeelup Village Unit 41), as per Attachment 10, subject to the following conditions:

- 1** *Approval is granted for the proposed transportable dwelling with a reduced 500mm wide eave as shown on the approved plans.*
- 2** *The development is to be constructed in accordance with BAL-29 standards pursuant to Australian Standard AS3959 Construction of Buildings in Bush-Fire Prone Areas.*

- 3 The findings and recommendations of the Bushfire Attack Level Assessment (dated 2 June 2020) and Bushfire Management Plan (dated 16 June 2020) must be implemented to maintain the BAL-29 rating for the life of the dwelling, including the provision of the asset protection zone and construction materials.
- 4 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.
- 5 All exposed fill embankments are to be stabilised to prevent erosion using retaining walls or landscaping.
- 6 Topsoil is to be stripped separately and stockpiled on site, to be re-spread during landscaping.
- 7 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.
- 8 Where a residence is to be constructed partially on cut and partially on fill, the excavated material is to be placed outside the building area to form batters and embankments and the platform is to be filled with sand. As an alternative, pile and beam foundations into natural uncut ground in the fill area are acceptable.
- 9 Where an unprotected embankment is proposed no retaining will be required where it is in accordance with BCA Volume 2 Part 3.1.1 – Earthworks.
- 10 The dwelling is to incorporate the standards as set out in AS4299 (Adaptable Housing) to the Adaptable House Class B standard, in relation to internal features and external accessibility.
- 11 Provision of a new vehicle crossover to Allnutt Street prior to occupation.
- 12 Provision of a permanent, enclosed, lockable storage area of a minimum area of 4.0m² and minimum width of 1.5 metres as shown on the approved plan, prior to occupation.
- 13 Provision of suitably screened external clothes drying facility or internal mechanical drying facility, prior to occupation.
- 14 Provision of reticulated water supply connection prior to occupation.
- 15 Provision of reticulated sewerage network connection prior to occupation.

Summary/Purpose

To consider a development application for an additional aged persons unit at Lot 600 (3) Scott Street, Bridgetown, being Unit 41 of Geegeelup Village. The proposed unit includes a minor variation to the Shire's Transportable Dwellings Policy regarding eave width. Noting that no public submissions were received it is recommended that approval be granted subject to conditions.

Background

A development application has been received seeking approval for an additional aged persons unit on Lot 600 (3) Scott Street, Bridgetown, being Unit 41 of Geegeelup Village, with the unit fronting Allnutt Street. The proposed transportable dwelling has an eave width of 500mm, in lieu of the minimum 600mm eave width required under the Shire's Transportable Dwellings Policy, discussed below.

As background, development approval was granted in 2008 under delegated authority for fifteen aged persons units (being Units 29 to 43) as part the Geegeelup Village development. A number of amended plans have since been approved under delegated authority, with a Bushfire Management Plan and amended plans approved in October 2018 for Units 37, 38, 39 and 40. The Bushfire Attack Level (BAL) rating

for Unit 41 exceeded the acceptable rating of BAL-29, so Unit 41 was deleted from the amended plans.

Noting recent bushfire mitigation works undertaken nearby, the proponent has now provided a peer reviewed Bushfire Attack Level Report declaring a rating of BAL-29 for proposed Unit 41. A Bushfire Management Plan has also been submitted demonstrating compliance with the Bushfire Protection Criteria in Appendix Four of the Guidelines for Planning in Bushfire Prone Areas (see Attachment 12).

Officer Comment

The property is zoned Residential R12.5/20 under Town Planning Scheme No. 3 and has an overall area of 3.7859 hectares, with a Grouped Dwelling listed as an 'AA' discretionary use under Table 1 Zoning Table. The location and design of the proposed Unit 41 is consistent with the Aged or Dependent Persons' Dwelling requirements of the Residential Design Codes (2019). Unit 41 is also an Adaptable Dwelling pursuant to Australian Standard AS4299-1995, meaning internal fixtures can be modified as required to suit changing physical needs of occupants as they age in place.

The proposal is also compliant with provisions of Town Planning Scheme No. 3 and relevant Town Planning policies, with the exception of the Shire's Transportable Dwellings Policy TP.24 relating to eave width. The applicant has provided written justification (see Attachment 11) for variation to the Policy, discussed below in Policy Implications.

The application was referred to surrounding landowners in proximity to the subject unit, with the comment period ending on 4 June 2020, however no submissions were received. Given the minor nature of the Transportable Dwellings Policy variation, it is recommended that Council waive the eave width provision and grant development approval subject to conditions.

Statutory Environment

- Shire of Bridgetown-Greenbushes Town Planning Scheme No. 3

Under Clause 4.3 "Council's objectives will be to ensure that the residential character and amenity of the zone is retained and enhanced and that any other uses approved within the Zone under the provisions of the Scheme are compatible with this basic objective."

Clause 6.7.4 of TPS3 states "A Town Planning Scheme Policy shall not bind the Council in respect of any application for Planning Approval but the Council shall take into account the provisions of the policy and objectives which the policy was designed to achieve before making its decision."

Council has discretion to waive policy requirements where Council is satisfied that the provisions and objectives of the policy have been considered, see Policy Implications below.

- Planning and Development (Local Planning Schemes) Regulations 2015 – Schedule 2 (Deemed Provisions)

Part 10A Local Planning Scheme Regulations 2015 relates to bushfire risk assessment. The subject location is identified within the designated bushfire prone area at the time of application. A BAL Assessment dated 2 June 2020 prepared by Wittenoom Consulting Engineers (peer reviewed by Bushfire Prone Planning) declares a rating of BAL-29 for the development site. A Bushfire Management Plan (dated 16 June 2020) drawings on the findings of the October 2018 BMP, demonstrates compliance with SPP 3.7 and the Guidelines for Planning in Bushfire Prone Areas.

The following table addresses those applicable 'Matters to be considered' under Clause 67 of the Local Planning Scheme Regulations 2015.

Requirement	Comment
(a) the aims and provisions of this scheme and any other local planning scheme operating within the Scheme area;	The proposed additional aged persons unit, noting the minor policy variation, is consistent with the objective of the Residential Zone under Town Planning Scheme No. 3.
(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 additional aged persons unit, noting the minor policy variation, is consistent with the orderly and proper planning of Town Planning Scheme No. 3. The draft Local Planning Strategy and Local Planning Scheme No. 6 is currently being prepared.
(c) any approved State planning policy;	The proposal is compliant with SPP 3.7 Planning in Bushfire Prone Areas and SPP 7.3 Residential Design Codes Volume 1.
(e) any policy of the Commission;	The proposal is compliant with the Guidelines for the Planning in Bushfire Prone Areas, and the Government Sewerage Policy subject to reticulated sewerage connection.
(g) any local planning policy for the Scheme area;	Consistent with Cut & Fill TP.7 and a minor variation is proposed to Transportable Dwellings Policy TP.24, discussed below.
(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;	Noting general compliance with the Deemed-to-comply provisions of the R-Codes, and the minor policy variation regarding eave width, no detrimental impacts upon the local area 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 land 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;	No significant vegetation onsite to be removed. Landscaping of the raised embankment is required, with existing street trees to be retained.
(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;	See bushfire risk issues above. There is no evidence of soil erosion, landslip or risk of flooding.
(s) the adequacy of: (i) the proposed means of access to and egress from the site, and (ii) arrangements for the loading, unloading, manoeuvring and parking of vehicles;	Access to the property via the existing road network is adequate with a new crossover proposed to Allnutt Street appears 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;	Additional traffic levels for an aged persons unit will be acceptable. Road upgrading of Hornby Street (formerly Henry Street) has been previously undertaken by Geegeelup Village Inc.
(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;	Mains power, scheme water and reticulated sewerage are available. No end of trip facilities or other access issues applicable.
(y)any submissions received on the application;	None.

Integrated Planning

➤ Strategic Community Plan 2019

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

Objective 2.6 - Development is sympathetic to the landscape

Strategy 2.6.1 - Planning processes allow for a diverse range of land and development opportunities

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
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 a balance between sensitively developed places and progressive development
Action 5.2.8.2 - Provide effective regulatory services
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications

- Shire of Bridgetown-Greenbushes Cut & Fill Policy TP.7

The Policy aims *“To preserve the natural topography of the Scheme Area by restricting the level of cut and fill development specifically on steep slopes.”*

The extent of fill will be acceptable at approximately 1.3 metres above natural ground level, with the northern verandah partially constructed on stumps. Noting Geegeelup Village will undertake landscaping of the embankment, an Earthworks Bond is not considered necessary, with Conditions 3.4, 3.6 to 3.12 to be imposed.

- Shire of Bridgetown-Greenbushes Transportable Dwellings Policy TP.24

The Policy aims *“To allow for the development of Transportable Dwellings whilst allowing for a standard of development to be required to preserve the visual amenity of a location.”*

The proposed unit complies with the Policy requirements except for:

“c. An eaves overhang of 600mm minimum be provided for 75% of the perimeter of the dwelling (the perimeter of the dwelling is taken to mean the perimeter area not attached to a verandah).”

Excluding the front porch, carport and side verandah, a 500mm wide eave is provided along the external perimeter, in lieu of the required 600mm wide eave. In summarising the applicant's justification (see Attachment 11) the proposed modular unit will be of a standard equivalent to other dwellings in the village and nearby, and transportation with a 500mm eave is more practical. The Policy variation is considered minor and will not have any detrimental impact upon the amenity of the location. Council support is therefore recommended.

- State Planning Policy 3.7 Planning in Bushfire Prone Areas and Guidelines for Planning in Bushfire Prone Areas

See Statutory Environment above in relation to bushfire risk compliance.

- State Planning Policy 7.3 Residential Design Codes Volume 1 (2019)

The purpose of the Residential Design Codes (R-Codes) is to provide a comprehensive basis for the control of residential development throughout Western Australia, with detailed Objectives and specific Design elements applicable to development in areas coded less than Residential R40.

Under Design principle 5.5.2 Aged or Dependent Persons' Dwellings are to be designed and located to meet the needs of such persons to reduce car dependence, have due regard to topography, have due regard to proximity to community facilities, not to impinge upon neighbour amenity and to respond to demand. The proposed unit is consistent with the Deemed to comply requirements and will be an Adaptable Dwelling pursuant to AS4299, and is well located within the established Geegeelup Village development.

Ordinarily notifications pursuant to Section 70A of the Transfer of Land Act must be registered against the Certificate of Title to the land the subject of the proposed development advising the owners and subsequent owners of the land that at least one occupant of each unit is required to be an aged person (over 55 years of age) or the surviving partner of an aged person; and to reference the approved bushfire reports. Given that the land is owned by Geegeelup Village Inc, registering notifications on title is not considered necessary.

Budget Implications

The required development application fee has been paid to consider the application including the policy variation. Should Council approve the application subject to conditions opposed by the applicant or should Council refuse the application, the applicant may exercise a right of review (ie. appeal) with the State Administrative Tribunal, additional staff time and potential legal costs are likely to be incurred.

Whole of Life Accounting – Not applicable

Risk Management

No risks to the Shire, the landowner or adjoining property owners are evident should Council resolve to support the proposal. Should Council approve the application subject to conditions opposed by the applicant or should Council refuse the application, the applicant may exercise a right of review (ie. appeal) with the State Administrative Tribunal.

Voting Requirements – Simple Majority

Council Decision Moved Cr Moore, Seconded Cr Pratico

C.11/0620 That Council, noting that no submissions were received, and pursuant to Clause 6.7.4 of Town Planning Scheme No. 3 waives provisions of the Shire's Transportable Dwellings Policy TP.24 and grants development approval for the proposed additional aged persons unit at Lot 600 (3) Scott Street, Bridgetown (Geegeelup Village Unit 41), as per Attachment 10, subject to the following conditions:

- 1 Approval is granted for the proposed transportable dwelling with a reduced 500mm wide eave as shown on the approved plans.***

- 2 The development is to be constructed in accordance with BAL-29 standards pursuant to Australian Standard AS3959 Construction of Buildings in Bush-Fire Prone Areas.
- 3 The findings and recommendations of the Bushfire Attack Level Assessment (dated 2 June 2020) and Bushfire Management Plan (dated 16 June 2020) must be implemented to maintain the BAL-29 rating for the life of the dwelling, including the provision of the asset protection zone and construction materials.
- 4 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.
- 5 All exposed fill embankments are to be stabilised to prevent erosion using retaining walls or landscaping.
- 6 Topsoil is to be stripped separately and stockpiled on site, to be re-spread during landscaping.
- 7 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.
- 8 Where a residence is to be constructed partially on cut and partially on fill, the excavated material is to be placed outside the building area to form batters and embankments and the platform is to be filled with sand. As an alternative, pile and beam foundations into natural uncut ground in the fill area are acceptable.
- 9 Where an unprotected embankment is proposed no retaining will be required where it is in accordance with BCA Volume 2 Part 3.1.1 – Earthworks.
- 10 The dwelling is to incorporate the standards as set out in AS4299 (Adaptable Housing) to the Adaptable House Class B standard, in relation to internal features and external accessibility.
- 11 Provision of a new vehicle crossover to Allnutt Street prior to occupation.
- 12 Provision of a permanent, enclosed, lockable storage area of a minimum area of 4.0m² and minimum width of 1.5 metres as shown on the approved plan, prior to occupation.
- 13 Provision of suitably screened external clothes drying facility or internal mechanical drying facility, prior to occupation.
- 14 Provision of reticulated water supply connection prior to occupation.
- 15 Provision of reticulated sewerage network connection prior to occupation.

Carried 9/0

Community Services

ITEM NO.	C.12/0620	FILE REF.	223.1
SUBJECT	Appointment of new member to the Trails Development Advisory Committee		
PROPONENT	Council		
OFFICER	Manager Community Services		
DATE OF REPORT	June 2020		

Attachment 13 Instrument of Appointment

OFFICER RECOMMENDATION:

That Council endorse the appointment of Nick Maxfield as a community representative on the Trails Development Advisory Committee.

Summary/Purpose

This recommendation seeks Council's endorsement of the appointment of Nick Maxfield as a community representative on the Trails Development Advisory Committee.

Background

In October 2019 (C.11/1019) Council endorsed the Instrument of Appointment & Delegation for the Trails Development Advisory Committee:

The Membership shall consist of:

- 4.1 A minimum of 1 Elected Member*
- 4.2 One (1) representative of the Department of Biodiversity, Conservation and Attractions*
- 4.3 Eight (8) Community Representatives*
- 4.4 A CEO appointed Shire representative shall be an ex-officio member of the Committee and will not be permitted to vote on matters considered by the Committee.*

Council also determined the elected member representatives to be Councillors Mountford and Quinby.

Officer Comment

The Trails Development Advisory Committee is a Committee which considers the development and maintenance of trails within the Shire through the implementation of the Local Trails Plan.

The Trails Development Advisory Committee is made up of community members and stakeholder representatives from a variety of trails activities, interests, disciplines and organisations. The focus for the Committee is to develop trails opportunities for local enthusiasts and to encourage visitors to the Shire through the development of trails based tourism in alignment with the Instrument of Appointment.

The maximum number of community members on the Trails Development Advisory Committee is 8, as identified in the Instrument of Appointment. The inclusion of Nick Maxfield as a community representative on the Trails Development Advisory Committee will increase the community membership from 2 to 3 and the total number of committee members to 7. These being;

- Cr Mountford
- Cr Quinby
- Dave Morton (Community Member - Mountain Bike and Walk Trails)
- Paul Stephens (Community Member – Walk Trails)
- Nick Maxfield (Community Member – Motocross and Tourist Trails)
- Andrew Sandri (DBCA Representative)
- Billy Wellstead (Ex Officio SWDC)

Nominations for the vacant positions (5) on the Trails Development Advisory Committee will be sought via advertising on the Shire Facebook Page. The officer will report to Council to request endorsement of new members as the process for nominations continues.

Statutory Environment

- Local Government Act 1998 (section 5.9)
- Equal Opportunity

Integrated Planning

- Strategic Community Plan
 - Key Goal 1 – Our economy will be strong, diverse and resilient
 - Objective 1.1 – A diverse economy that provides a range of business and employment opportunities
 - Strategy 1.1.8 – Develop trails – culinary, art, walk, mountain bike, canoe and bridle
- Corporate Business Plan – N/A
- Long Term Financial Plan – N/A
- Asset Management Plans – N/A
- Workforce Plan – N/A
- Other Integrated Planning
 - Local Trails Plan
 - Sport and Recreation Plan

Policy Implications

Policy M.20- 'Establishment of Council Committees. The principles of this policy are:

Council may establish committees under Section 5.8 (onwards) of the Local Government Act 1995 to assist it achieve its objectives. Criteria for justification for establishing/maintaining a Committee is:

- *Council requires assistance on a project/issue that cannot be generated by administration or a consultant(cy) including with the help of an identified group within the community in a timely fashion,*
- *The required expertise exists amongst those who are willing,*
- *Council can afford any necessary resources,*
- *Council can clearly articulate a tight, well understood brief or set of deliverables which are achievable in any necessary timeframe. These shall be incorporated into an Instrument of Appointment adopted by Council. Every committee will be guided by such a document.*

Budget Implications – Not Applicable

Whole of Life Accounting – Not Applicable

Risk Management

Increasing Council's understanding of community need through representation on advisory committees and ensuring a diverse committee membership mitigates risk through informed decision making processes.

Voting Requirements –Absolute Majority

Council Decision Moved Cr Johnson, Seconded Cr Mountford

C.12/0620 That Council endorse the appointment of Nick Maxfield as a community representative on the Trails Development Advisory Committee.

Absolute Majority 9/0

ITEM NO.	C.13/0620	FILE REF.	453.1.1
SUBJECT	Blackwood River Foreshore Development		
PROPONENT	Council		
OFFICER	Community Development Manager		
DATE OF REPORT	June 2020		

Attachment 14	Certified detailed design and costings for Blackwood River Foreshore Development – ‘Pedestrian Bridge’ Trail and Car Park
Attachment 15	Concept Design and Preliminary Cost Estimates for Car Park and Access Road
Attachment 16	Design and estimated costs for Blackwood River Foreshore Development - River Walk Upgrade

OFFICER RECOMMENDATION

That Council

- 1. Endorse the certified detailed designs and costings for the Blackwood River Foreshore Development Project – ‘Pedestrian Bridge’ Trail (Attachment 14).*
- 2. Endorse the concept design and preliminary cost estimates for the car park and road access (Attachment 15).*
- 3. Endorse the concept design and preliminary cost estimates of the River Walk Upgrade (Attachment 16).*
- 4. Increase the expenditure in the Blackwood River Foreshore account (PJ15) from \$16,250 to \$33,250 by transferring \$17,000 from the Strategic Projects Reserve to cover the costs associated with the detailed design, costings and certification of the River Walk and Pedestrian Bridge Trail Car Park and Road Access.*

Summary/Purpose

The recommendation seeks to progress Council's commitment to upgrade the Blackwood River Foreshore Park by endorsing the detailed designs and costings for the ‘Pedestrian Bridge’ Trail, endorsing the concept designs and preliminary cost estimates for the road access and car park along the Pedestrian Trail and endorsing the concept design and cost estimates of the River Walk Upgrade.

The Blackwood River Foreshore development is identified in Council's Growth Strategy and the Corporate Business Plan. The endorsement of these recommendations will ensure this project is “construction ready” to maximize any economic stimulus funding or priorities Council might wish to pursue post COVID19.

Background

The Blackwood River Foreshore Project is one of the key projects identified in the Shire's Growth Strategy.

In April 2020, after the completion of a 2 year planning process including surveys, concept designs and community consultation, Council endorsed in part (C.17/0420);

1. The certified detailed designs and costings for the Blackwood River Foreshore Development Project – Rectory Walk and Shelter.
2. The revision of the detailed design and costings of the Blackwood River Foreshore Development Project - Boardwalk Area (without a replacement boardwalk).
3. The demolition and removal of the damaged boardwalk.

In early May a contractor was engaged to demolish the boardwalk including the removal and disposal of the boardwalk walking platform, posts and cement footings, leveling earthworks and refilling of the post holes.

At the May Concept Forum, Councilors expressed in-principle support for the extended version of the Blackwood Foreshore Development incorporating the resurfacing and remedial drainage works of 2 km of the River Walk and the inclusion of a car park and road access from the River Park car park to the kayak launching steps near the pedestrian bridge.

On completion of the demolition the consultant from Emerge Associates attended a site visit in Bridgetown to review the area between the River Park car park and the pedestrian bridge and to assess 2 km of the River Walk which has been in need of resurfacing and remedial works. The concept designs and preliminary cost estimates attached are the result of this site visit.

Officer Comment

If Council endorse the detailed design and costings for the Pedestrian Bridge Trail this will complete the original scope of the Blackwood Foreshore project to 'construction ready' status. Based on the detailed designs, the cost of the Pedestrian Bridge trail (Boardwalk section) will be \$221,765 (ex GST). This amount also includes the preliminary cost estimates of approximately \$70,500 (Attachment 15) associated with the construction of the road access and car park. The road access and car park will be progressed to detailed design, certification and costings as the next step in the process to ensure the late changes made to the extended Blackwood Foreshore Project are "construction ready" as quickly as possible.

Revegetation of the Blackwood River Foreshore project is not included in these costs given the decision was made, early in the planning of the project, that Bridgetown-Greenbushes Community Landcare would be consulted regarding suitable revegetation and replanting of the area. The Bunbury Prison Pre-release Unit have agreed to assist with the revegetation element of the project under the direction of the Community Landcare Officer and Shire Parks and Garden staff. This will be undertaken once the construction element of the project is complete.

Bridgetown-Greenbushes Community Landcare has also agreed to outline the ongoing maintenance requirements of revegetated areas along the Rectory Walk and the Pedestrian Bridge Trail once the revegetation is complete.

The assessment of 2 km of the River Walk highlighted several areas where drainage remedial works are required to enhance the longevity of the trail and to reduce further erosion of the bush banks either side of the walk. The preliminary cost estimates associated with the resurfacing and remedial drainage works along 2km of trail will be \$381, 740. A geographic survey, detailed plans and costing of this section of the River Walk will ensure that the extended Blackwood Foreshore Development will be construction ready early in the new financial year.

The total cost of the Blackwood Foreshore Project is;

Rectory Walk and Shelter	\$338,400
Pedestrian Bridge Trail and Carpark	\$221,765
River Walk Upgrade	\$381,740
Total	\$941,905

Integrated Planning

➤ Strategic Community Plan

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

Objective 1.1: A diverse economy that provides a range of business and employment opportunities.

Strategy 1.1.8: Develop trails – culinary, art, walk, mountain bike, canoe and bridle.

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

Objective 2.1: Value, protect and enhance our natural environment.

Strategy 2.1.4: Consider opportunities for greater recreational and commercial use of the Blackwood River.

➤ Corporate Business Plan

Action 1.1.8.2: Complete detailed planning and costing for the Old Rectory Loop Trail.

Action 2.1.4.1: Prepare a development concept plan for River Park and surrounds.

Action 2.1.4.2: Redesign and reconstruct the river boardwalk.

➤ Long Term Financial Plan

The Long Term Financial Plan incorporates the expenditure identified under the Corporate Business Plan.

➤ Asset Management Plans

As the infrastructure involved in the Project will be constructed on Shire managed land this infrastructure will be included in Council's Asset Management and Building Maintenance Plans on completion of the construction stage of the project.

➤ Workforce Plan

The detailed design stages of project planning include an assessment of the maintenance requirements to identify the whole of life cycle costings associated with infrastructure maintenance and the required workforce implications.

- Other Integrated Planning
 - Local Trails Plan
 - Sport and Recreation Plan

Policy Implications

Policy F.23 – ‘Asset Management – Project Management Framework’. The principles of this policy are:

- *Council has a responsibility to ensure that their existing assets are maintained, renewed and/or upgraded to maximise the functionality and therefore capacity and usage during the asset’s useful life. If identified through the Community Strategic Planning process that the provision of a new asset is desirable, Council must evaluate each project proposal to ensure, that if approved, it will not adversely affect Council’s overall financial sustainability.*
- *No new capital works projects are commenced until such time as Council has undertaken appropriate due diligence assessments of each new capital works proposal to ensure that:*
 - *the proposed project is included in the Strategic Community, Corporate and Long Term Financial plans;*
 - *An independent Whole-of-Life Cost Benefit Analysis has been prepared that determines the affordability of the project and the extent of any ongoing operational cost/subsidy;*
 - *The extent of any ongoing subsidy is accepted by Council;*
 - *Each proposal has been evaluated against other competing projects to determine the priority of each proposed project;*
 - *Any costs have been scrutinised by a quantity surveyor’s assessment.*

Any proposed new asset not currently contained within Council’s Strategic Community Plan, Long Term Financial Plan and Corporate Business Plan be deferred until a review of the Corporate Business Plan is undertaken to ensure the proposal has been prioritised against other infrastructure works previously contained within these

Budget Implications

Should Council endorse recommendation 4 it is proposed that expenditure will increase in the Blackwood River Foreshore account (GL PJ15) from \$16,250 to \$33,250 by transferring \$17,000 from the Strategic Projects Reserve which has a current balance of \$95,474.

The Blackwood Foreshore Project has been identified by Council as one of the Growth Strategy projects prioritized for external funding. Income and associated expenditure will be reflected in the 2020-21 budget.

Whole of Life Accounting

The detailed design stages of project planning include an assessment of the maintenance requirements to identify the whole of life cycle costings associated with infrastructure maintenance and the required workforce implications.

Risk Management

The recommendations mitigate Council's exposure to risk through a comprehensive planning process for infrastructure developments and reducing Council's financial commitment to maintain capital projects in the future.

Voting Requirements – Simple Majority

Council Decision *Moved Cr Pratico, Seconded Cr Wilson*

C.13/0620 *That Council*

- 1. Endorse the certified detailed designs and costings for the Blackwood River Foreshore Development Project –'Pedestrian Bridge' Trail (Attachment 14).**
- 2. Endorse the concept design and preliminary cost estimates for the car park and road access (Attachment 15).**
- 3. Endorse the concept design and preliminary cost estimates of the River Walk Upgrade (Attachment 16).**
- 4. Increase the expenditure in the Blackwood River Foreshore account (PJ15) from \$16,250 to \$33,250 by transferring \$17,000 from the Strategic Projects Reserve to cover the costs associated with the detailed design, costings and certification of the River Walk and Pedestrian Bridge Trail Car Park and Road Access.**

Carried 9/0

ITEM NO.	C.14/0620	FILE REF.	672
SUBJECT	Bridgetown Railway Station – Detailed Design		
PROPONENT	Council		
OFFICER	Community Development Manager		
DATE OF REPORT	June 2020		

Attachment 17 Bridgetown Railway Station – 2020 Update – Conservation and Reuse as Office

OFFICER RECOMMENDATION

That Council:

- 1. Endorse the detailed designs and costings for the Bridgetown Railway Station – 2020 Update – Conservation and Reuse as Office (Attachment 17).**
- 2. Direct the CEO to commence discussions with the Blackwood Environment Society and Blues at Bridgetown regarding potential relocation from their current offices in the Visitor Centre Building to the (redeveloped) Bridgetown Railway Station.**

Summary/Purpose

The recommendation seeks to progress Council's commitment to conserving and repurposing the Bridgetown Railway Station. The endorsement of these recommendations will ensure this project is "construction ready" to maximize any economic stimulus funding or priorities Council might wish to pursue post COVID19.

Background

Proposals associated with the restoration of the heritage significant Bridgetown Railway Station have been considered by Council for several years. In September 2012 Council appointed consultant Architect David Singe to undertake preliminary design work for the potential relocation of the Bridgetown Visitor Centre to the former Bridgetown Railway Station building. Since that time a number of reports to Council and Concept Forums have been submitted regarding the finalization of the concept plans and correspondence with key stakeholders including the Public Transport Authority, State Heritage Office, heritage consultants and the architect. This resulted in two preferred concept plan variations being identified by Council for redevelopment of the railway station as a visitor centre and gallery.

In February 2016 (C.17/0216) Council:

- 1. Noted the correspondence from Tourism WA and accepts the funding offer of \$6,250, being 50% funding to assist with the costs associated with the development of detailed design, structural assessment and construction costings for the proposed redevelopment of the former Bridgetown Railway Station as the Bridgetown Visitor Centre and Gallery.*
- 2. Endorsed the transfer of \$6,250 from the Matched Grant Reserve for the purpose of providing 50% funding to assist with the costs associated with the development of detailed design, structural assessment and construction costings for the proposed redevelopment of the former Bridgetown Railway Station as the Bridgetown Visitor Centre and Gallery.*
- 3. Approved as unbudgeted expenditure the expenditure of \$12,500 for this project.*

Once the concept designs were completed, an extensive period of community consultation was undertaken to assess community interest in relocating the Visitor Centre and jigsaw gallery to the Railway Station. Consultation was undertaken with whole of community and specifically targeted consultation was undertaken with Visitor Centre members and tourism service providers. Based on the results from both consultations, the community held strong reservations regarding the relocation of the Visitor Centre.

It is noted that Council never made a formal decision (resolution) to discontinue planning for potential relocation of the visitor centre to the railway station however of note in late 2019 discussion at a Concept Forum provided direction to staff to review the concept plans for the Railway Station to repurpose the Railway Station into office space which would be made available for use by local community groups. The result of this review are the detailed design and costings 'Bridgetown Railway Station – 2020 Update Conservation & Reuse as Office' (Attachment 17). The intent of Council was to be in a position to determine what the ultimate use of the railway station is to be prior to commencing any restoration works.

With the inclusion of the restoration of the Bridgetown Railway Station in Council's growth strategy and the recent opportunities presented by Federal Government funding and possible State Government funding it is considered timely for Council to confirm the future use of the building.

The Blackwood Environment Society occupied the Bridgetown Railway Station for many years until Council offered use of space in the Visitor Centre building. This space also accommodates Blackwood Biosecurity. Blues at Bridgetown occupy a separate space in the Visitor Centre building. No approaches have been made to either group about relocating to the railway station once restorative works are complete. It is noted that Blues at Bridgetown may prefer to stay at its current location due to the use of the office during the festival.

Officer Comment

If Council endorses the detailed design and costings for the Bridgetown Railway Station, this will complete the project to 'construction ready' status. Based on the detailed designs, the cost of the Bridgetown Railway Station Conservation & Reuse as Office will be \$656,000 (ex GST).

Key changes made from the design concept plan in the 2017 report, relate primarily to the change in proposed use from Visitor Centre to generic office, including:

- The enclosure in part of the east Platform area is deleted. All accommodation is now contained within the existing footprint of the Station building.
- The 1969 south-west addition, assessed as being of little heritage significance, is to be demolished and the western façade made good.
- The arrangement of the facilities in the ex-Ladies Waiting Room is revised to include a staff kitchen, an accessible bathroom with a shower. External and internal access to the facilities is available through a shared Lobby space.
- No adaptive changes to the remainder of the external and internal building fabric.

Integrated Planning

➤ Strategic Community Plan

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

Objective 3.1 - Maintain townsite heritage and character

Strategy 3.1.1 - Ensure relevant policies and plans offer appropriate protection to existing heritage character whilst still allowing appropriate development opportunities

➤ Corporate Business Plan

Strategy 3.1.1 - Ensure relevant policies and plans offer appropriate protection to existing heritage character whilst still allowing appropriate development opportunities

Action 3.1.1.2 - Determine the preferred use and land tenure of the Bridgetown Railway Station building.

Action 3.1.1.3 - Develop detailed design and costs (and funding strategy) for the restoration of the Bridgetown Railway Station building

Action 3.1.1.4 - Restoration of the Bridgetown Railway Station building.

- Long Term Financial Plan
The Long Term Financial Plan incorporates the expenditure identified under the Corporate Business Plan.
- Asset Management Plans
As the infrastructure involved in the Project is Shire owned, this infrastructure will be included in Council's Asset Management and Building Maintenance Plans on completion of the construction stage of the project.
- Workforce Plan
The detailed design stages of project planning include an assessment of the maintenance requirements to identify the whole of life cycle costings associated with infrastructure maintenance and the required workforce implications.
- Other Integrated Planning - Nil

Policy Implications

Policy F.23 – 'Asset Management – Project Management Framework'. The principles of this policy are:

- *Council has a responsibility to ensure that their existing assets are maintained, renewed and/or upgraded to maximise the functionality and therefore capacity and usage during the asset's useful life. If identified through the Community Strategic Planning process that the provision of a new asset is desirable, Council must evaluate each project proposal to ensure, that if approved, it will not adversely affect Council's overall financial sustainability.*
- *No new capital works projects are commenced until such time as Council has undertaken appropriate due diligence assessments of each new capital works proposal to ensure that:*
 - *the proposed project is included in the Strategic Community, Corporate and Long Term Financial plans;*
 - *An independent Whole-of-Life Cost Benefit Analysis has been prepared that determines the affordability of the project and the extent of any ongoing operational cost/subsidy;*
 - *The extent of any ongoing subsidy is accepted by Council;*
 - *Each proposal has been evaluated against other competing projects to determine the priority of each proposed project;*
 - *Any costs have been scrutinised by a quantity surveyor's assessment.*

Any proposed new asset not currently contained within Council's Strategic Community Plan, Long Term Financial Plan and Corporate Business Plan be deferred until a review of the Corporate Business Plan is undertaken to ensure the proposal has been prioritised against other infrastructure works previously contained within these.

Budget Implications

The Bridgetown Railway Station has been identified by Council as one of the Growth Strategy projects prioritized for external funding. Income and associated expenditure will be reflected in the 2020-21 budget.

Whole of Life Accounting

The detailed design stages of project planning include an assessment of the maintenance requirements to identify the whole of life cycle costings associated with infrastructure maintenance and the required workforce implications.

Risk Management

The recommendations mitigate Council's exposure to risk through a comprehensive planning process for infrastructure developments and reducing Council's financial commitment to maintain capital projects in the future.

Voting Requirements – Simple Majority

Council Decision Moved Cr Wilson, Seconded Cr Moore

C.14/0620 That Council:

- 1. Endorse the detailed designs and costings for the Bridgetown Railway Station – 2020 Update – Conservation and Reuse as Office (Attachment 17).**
- 2. Direct the CEO to commence discussions with the Blackwood Environment Society and Blues at Bridgetown regarding potential relocation from their current offices in the Visitor Centre Building to the (redeveloped) Bridgetown Railway Station.**

Carried 9/0

Receival of Minutes from Management Committees – Nil

Urgent Business Approved by Decision

ITEM NO.	C.15/0620	FILE REF.	
SUBJECT	Debt Write Off – Greenbushes Play Group		
PROPONENT	Council		
OFFICER	Executive Manager Community Services		
DATE OF REPORT	22 June 2020		

Reason for Urgent Business: At the Community Group Grants, Service Agreements, Donations & Contributions Working Group Meeting held on Thursday 18 June 2020 it was identified that an outstanding debtor existed for the Greenbushes Playgroup. Councillors at the Workshop requested a late item to the June 2020 Council Meeting to write this debt off.

OFFICER RECOMMENDATION

That Council accept Item C.15/0620 as urgent business.

OFFICER RECOMMENDATION

That Council approve the writing off of the outstanding invoice payable by the Greenbushes Playgroup of \$291.65, being a portion of rent payable for the 2018/19 financial year.

Summary/Purpose

The recommendation seeks to determine Council's formal view with regard to the outstanding payment of \$291.65 being 50% of the rent payable for the 2018/19 financial year.

Background

In 2018/19 the Greenbushes Playgroup Service Agreement for provision of rent expired. The group failed to submit a new application form. Rent payable was issued via two separate invoices to the value of \$291.65 each. One invoice was paid by the group. The second has not been paid. The group has informally advised that they are not able to pay the outstanding invoice for the balance of rental charges due for that specific financial year at this point in time.

In the 2019/20 review of community grant and service agreement applications, Council determined to provide support for the Greenbushes Playgroup, on an annual basis (and annual review basis) via the 'non-contestable' funding option within Policy F.1. This was due to the fact that the group had little other need for financial assistance and that the use of the building was their main requirement for ongoing operations. This has effectively allowed for the future provision of facility use the group moving forward.

Officer Comment

This matter was raised at the Community Group Grants, Service Agreements, Donations & Contributions Working Group meeting held on Thursday evening 18 June 2020 where there was informal indication from Councillors that this debt could be written off and should ideally be done so prior to the close of the current financial year. The complete report and recommendations to Council regarding the Working Group recommendations will not be presented until the July Council meeting. Subsequently this item has been prepared as a late item in recognition of the end of financial year deadline.

Statutory Environment

Local Government Act 1995:

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

- (1) *Subject to subsection (2) and any other written law, a local government may —*
- (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or*
 - (b) *wave or grant concessions in relation to any amount of money; or*
 - (c) *write off any amount of money,*
which is owed to the local government.

Integrated Planning

- Strategic Community Plan - Nil
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications

Budget Implications

The recommendation will have a negative impact on Council's end of financial year position to the value of \$291.65

Whole of Life Accounting - Nil

Risk Management

Acknowledging the effort of this small community group to meet their rental payments (having paid 50%) by debt write off for the balance is considered a reputational risk mitigation strategy. Financially ensuring the debt is written off according to the Local Government Act will also mitigate exposure to financial and legal risk.

Voting Requirements

An Absolute Majority decision is required for write off of a debt.

Council Decision Moved Cr Moore, Seconded Cr Wilson

C.15/0620 That Council accept Item C.15/0620 as urgent business.

Carried 9/0

Council Decision Moved Cr Bookless, Seconded Cr Moore

C.15/0620a That Council approve the writing off of the outstanding invoice payable by the Greenbushes Playgroup of \$291.65, being a portion of rent payable for the 2018/19 financial year.

Absolute Majority 9/0

ITEM NO.	C.16/0620	FILE REF.	
SUBJECT	Corporate Business Plan Annual Review – 2020		
OFFICER	Chief Executive Officer		
DATE OF REPORT	23 June 2020		

- Attachment 18 Draft 2020-2024 Corporate Business Plan with track changes from 2019-2023 Corporate Business Plan
- Attachment 19 Draft 2020-2024 Corporate Business Plan incorporating track changes

Reason for Urgent Business: Completion of the draft Corporate Business Plan was unable to occur prior to the agenda deadline. At the June Concept Forum councillors indicated they wished to consider the draft CBP at a formal meeting and not via a standalone workshop.

OFFICER RECOMMENDATION

That Council accepts Item C.16/0620 as urgent business.

OFFICER RECOMMENDATION

That Council:

- 1. Adopts its 'Corporate Business Plan 2020-2024' as presented in Attachment 19.*
- 2. Authorises the CEO to insert the financial data into the last page of the Corporate Business Plan once the Long Term Financial Plan has been completed.*

Summary/Purpose

In accordance with section 5.56 of the *Local Government Act 1995* all local governments in Western Australia are required to effectively plan for the future as outlined in the Integrated Planning Framework. The intent of the framework is to ensure that priorities and services provided by local government are aligned with community needs and aspirations and, in doing so, facilitate a shift from a short-term resource focus to a long-term value creation.

The Corporate Business Plan (CBP) is responsible for activating the strategic direction of the Shire, articulated within the Strategic Community Plan, into specific priorities and actions at an operational level to inform the annual budget. The Plan also draws together actions contained within the informing strategies of Council's Integrated Planning Framework including but not limited to the Long Term Financial Plan, Asset Management Plans and capital works plans.

Regulation 19DA of the Local Government (Administration) Regulations 1996 requires an annual review of the Corporate Business Plan. Attached for Council's consideration is the 2019 Review of the Corporate Business Plan.

Background

The Corporate Business Plan developed as part of the Integrated Planning and Reporting Framework is an internal business planning tool that translates Council priorities into operations within the resources available. The plan details the services, operations and projects a local government will deliver within a defined period (4 years). It also contains forecasts of funding, additional operating activities/expenditure (over and above current operating activities) and capital program expenditure.

The Corporate Business Plan is used to drive the development of the Shire's Annual Budget, translate the Strategic Community Plan into actions, provide a link to existing service delivery that supports achieving the aspirations and outcomes set out in the Strategic Community Plan, and align with financial and other resources set out in the informing strategies.

The Corporate Business Plan activates the Strategic Community Plan by responding to:

- Council's distillation and prioritisation of the community's short, medium and long term aspirations.
- Existing operational plans, priorities and external factors impacting on resourcing.
- The assessment and integration of services and business area plans.

The process through which the Corporate Business Plan is developed incorporates:

- Activation of the Strategic Community Plan.
- Operations planning including asset management, financial management and workforce management.

Annual reporting on the implementation of the Corporate Business Plan occurs in the Annual Report noting that reporting in the 2019/20 Annual Report will be based on the Corporate Business Plan applicable to that financial year.

Officer Comment

A comprehensive review of the Corporate Business Plan was undertaken in June 2019 and resulted in significant changes to the actions contained in the Plan.

For the 2020 review of the Corporate Business Plan a simpler process has been undertaken. The Executive Leadership Team assessed the current Corporate Business Plan and identified items that have been achieved, items that require a change to the intended delivery timeline and/or costs and new initiatives that will assist Council in delivery of its Strategic Community Plan. Some existing actions have also been reworded to clarify, amend or make clearer the intended outcomes. Also some timelines for actions have been amended.

Where no specific actions have been identified for a strategy a comment is inserted either explaining that actioning the strategy is viewed as an operational task and doesn't require specific actions, or that no specific actions for the strategy have been identified for the next 4 years.

The determination of what can be funded in each of the first 4 years of the CBP has been done with regard to the current LTFP with own source funding of new initiatives limited to the amounts specified in the table below. Note Year 2 (2021/22), Year 3 (2022/23) and Year 4 (2023/24) have been allocated less expenditure than possible under the LTFP so that in future reviews of the Corporate Business Plan Council has flexibility to partially fund some of its growth strategy projects not identified for funding in 2020/21.

Year	Available Funding
2020/21	\$335,000
2021/22	\$184,500
2022/23	\$180,000
2023/24	\$132,000

Attachment 18 is a copy of the 2019-2023 Corporate Business Plan showing as "track changes" all proposed changes to the document for adoption as the 2020-2024 Corporate Business Plan. Rather than listing in this item all the proposed changes to the document these can be viewed in Attachment 18.

Statutory Environment

Section 5.56 of the Local Government Act 1995, requires WA local governments to Plan for the Future of the district. Amendments made in August 2011 to the Local Government (Administration) Regulations 1996 state a Strategic Community Plan and Corporate Business, together form a Plan for the Future of a district.

Under Local Government (Administration) Regulations 1996 regulation 19C (3), a Corporate Business Plan for a district is to:

- a) Set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
- b) Govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
- c) Develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

In the preparation of the annual budget the Local Government is to have regard to the contents of the plan for the future in terms of Section 6.2(2) of the Local Government Act 1995.

Regulation 19DA of the Local Government (Administration) Regulations 1996 requires an annual review of the Corporate Business Plan.

19DA. Corporate business plans, requirements for (Act s.5.56)

- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.
- (3) A corporate business plan for a district is to —
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and
 - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.
- (4) A local government is to review the current corporate business plan for its district every year.
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.
*Absolute majority required.
- (7) If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.

Integrated Planning

➤ Strategic Community Plan

Key Goal 5 - Our leadership will be visionary, collaborative and accountable
Objective 5.3 - We operate within the Integrated Planning Framework
Strategy 5.3.1 - Implement the Shire's Integrated Planning Review Cycle

➤ Corporate Business Plan

Strategy 5.3.1 - Implement the Shire's Integrated Planning Review Cycle
Action 5.3.1.1 – Annually review the Corporate Business Plan

➤ Long Term Financial Plan

The Corporate Business Plan is the key driver for the annual budget and the long term financial plan. This linkage ensures that community priorities are adequately funded and that appropriate and endorsed rating strategies are in place to allow any financial impact on the community to be carefully considered.

Completion of the Long Term Financial Plan (LTFP) is scheduled for July as adoption of the Corporate Business Plan (and its financial projections) is a key inclusion for completion of the LTFP.

➤ Asset Management Plans

Recommendations from Council's asset management plans have been incorporated into some of the actions contained in the Corporate Business Plan.

➤ Workforce Plan

The Workforce Plan was last reviewed in 2019 and in the period since then the recommendations contained in that Plan have been progressively implemented and where relevant are recognized within the Corporate Business Plan.

➤ Other Integrated Planning - Nil

Budget Implications

Costs associated with implementing Actions listed for determination in 2020/21 will be incorporated into the 2020/21 draft budget.

Risk Management

The Corporate Business Plan interacts with informing strategies such as the Long Term Financial Plan and Asset Management Plans as part of the Integrated Planning and Reporting Framework. The Corporate Business Plan is a critical part of this framework and in itself mitigates business risk through links across Councils infrastructure, finances and workforce.

As the adoption of this plan is a legislative requirement, failure to adopt a Corporate Business Plan would result in non-compliance with the Local Government Act. The alignment of the actions outlined in the CBP with the services levels expressed by the community reduces the risk of a perception of misalignment with the desired service levels and associated rating strategies.

Voting Requirements – Absolute Majority

Council Decision Moved Cr Wilson, Seconded Cr Pratico

C.16/0620 That Council accepts Item C.16/0620 as urgent business.

Carried 9/0

Council Decision Moved Cr Pratico, Seconded Cr Wilson

C.16/0620a That Council invokes clause 18.1 of the Standing Orders to allow for informal discussion at 6.36pm

Carried 9/0

Council Decision Moved Cr Moore, Seconded Cr Bookless

C.16/0620b That application of clause 18.1 of the Standing Orders cease at 7.39pm.

Carried 9/0

Moved Cr Wilson, Seconded Cr Johnson

That Council:

1. Adopts its 'Corporate Business Plan 2020-2024' as presented in Attachment 19.
2. Authorises the CEO to insert the financial data into the last page of the Corporate Business Plan once the Long Term Financial Plan has been completed.

Amendment Moved Cr Moore, Seconded Cr Bookless

Adopts its 'Corporate Business Plan 2020-2024' as presented in Attachment 19 with the following minor changes:

- All dates in document be updated
- Add new Action 4.1.1.4 – Investigate suitability and viability of establishing a pet/small animal cemetery (2020/21)
- Add to 4.7.1.1 – Determine position on lowering of speed limit on Hampton street (2020/21)
- Amend 5.2.3.9 – Change the word 'Environmental' to 'Public'
- Renumber duplicate 5.2.3.9 to 5.2.3.10 and correct numbering sequence
- Update Councillor details and email addresses

Carried 9/0

The Amended Motion becomes the Substantive Motion – The Motion was Put
Council Decision Moved Cr Wilson, Seconded Cr Johnson

C.16/0620c That Council:

1. ***Adopts its 'Corporate Business Plan 2020-2024' as presented in Attachment 19 with the following minor changes:***
 - ***All dates in document be updated***
 - ***Add new Action 4.1.1.4 – Investigate suitability and viability of establishing a pet/small animal cemetery (2020/21)***
 - ***Add to 4.7.1.1 – Determine position on lowering of speed limit on Hampton street (2020/21)***
 - ***Amend 5.2.3.9 – Change the word 'Environmental' to 'Public'***
 - ***Renumber duplicate 5.2.3.9 to 5.2.3.10 and correct numbering sequence***
 - ***Update Councillor details and email addresses***
2. ***Authorises the CEO to insert the financial data into the last page of the Corporate Business Plan once the Long Term Financial Plan has been completed.***

Absolute Majority 9/0

Responses to Elected Member Questions Taken on Notice - Nil

Elected Members Questions With Notice - Nil

Notice of Motions for Consideration at the Next Meeting - Nil


Matters Behind Closed Doors (Confidential Items) - Nil

Closure

The Presiding Member to close the Meeting 7.42pm

List of Attachments

Attachment	Item No.	Details
1	C.03/0620	Current 'Placement of Memorial Plaques' Policy with proposed amendments shown as "track changes"
2	C.04/0620	Draft 'Bereavement Notices' Policy
3	C.07/0620	Rolling Action Sheet
4	C.08/0620	Audit Regulation 17 Review June 2020
5	C.08/0620	Audit Committee Meeting Minutes 11 June 2020
6	C.09/0620	May 2020 Financial Activity Statements
7	C.09/0620	List of Accounts Paid in May 2020
8	C.10/0620	Locality Plan
9	C.10/0620	Proposed Plans/Applicant's Submission
10	C.11/0620	Locality Plan
11	C.11/0620	Applicant's Justification
12	C.11/0620	Proposed Plans/Bushfire Reports
13	C.12/0620	Instrument of Appointment
14	C.13/0620	Certified detailed design and costings for Blackwood River Foreshore Development – 'Pedestrian Bridge' Trail and Car Park
15	C.13/0620	Concept Design and Preliminary Cost Estimates for Car Park and Access Road
16	C.13/0620	Design and estimated costs for Blackwood River Foreshore Development - River Walk Upgrade
17	C.14/0620	Bridgetown Railway Station – 2020 Update – Conservation and Reuse as Office
18	C.16/0620	Draft 2020-2024 Corporate Business Plan with track changes from 2019-2023 Corporate Business Plan
19	C.16/0620	Draft 2020-2024 Corporate Business Plan incorporating track changes

Minutes checked and authorised by T Clynch, CEO		26.6.20
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As Presiding Member, I certify that the Minutes of the Council Meeting held 25 June 2020 were confirmed as a true and correct record of the proceedings of that meeting at the Ordinary Meeting of Council held on 30 July 2020.

..... 30 July 2020