

NOTICE OF AN ORDINARY MEETING OF COUNCIL

Dear Council Member

The next Ordinary Meeting of the Shire of Bridgetown-Greenbushes will be held on **Thursday, 28 May 2020** in Council Chambers commencing at 5.30pm

T Clynch, CEO



Date

21 May 2020

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AGENDA

For an Ordinary Meeting of Council to be held in Council Chambers on Thursday, 28 May 2020 commencing at 5.30pm

Meeting to be opened by the Presiding Member

Acknowledgment of Country – Presiding Member

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

Attendance, Apologies and Leave of Absence

| | |
|---------------|--|
| President | - Cr J Nicholas |
| Councillors | - J Bookless - J Boyle - B Johnson - J Moore - J Mountford - A Pratico - P Quinby - A Wilson |
| In Attendance | - T Clynch, 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

Responses to Previous Questions Taken on Notice - Nil

Public Question Time

Petitions/Deputations/Presentations

Comments on Agenda Items by Parties with an Interest

Applications for Leave of Absence

Confirmation of Minutes

C.01/0520 Ordinary Meeting held 30 April 2020

A motion is required to confirm the Minutes of the Ordinary Meeting of Council held 26 March 2020 as a true and correct record.

Announcements by the Presiding Member Without Discussion

Notification of Disclosure of Interest

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

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

Questions on Agenda Items by Elected Members

Consideration of Motions of which Previous Notice has been Given

Reports of Officers

Reports of Officers have been divided into Departments as follows:

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

CEO's Office

| | | | |
|-----------------------|-----------------------------|------------------|--|
| ITEM NO. | C.02/0520 | FILE REF. | |
| SUBJECT | Pink and Grey Galah Control | | |
| PROPONENT | Council | | |
| OFFICER | Chief Executive Officer | | |
| DATE OF REPORT | 11 May 2020 | | |

OFFICER RECOMMENDATION

That Council take no further action in investigating the reduction in numbers of Pink & Grey Galahs in Bridgetown.

Summary/Purpose

A response has been received from the Blackwood Biosecurity Group (BBG) on the possibility of reducing the numbers of the Pink & Grey Galahs in Bridgetown.

Background

Council, at its meeting held on 31 October 2019 resolved (C.01/1019) to request the Blackwood Biosecurity Group (BBG) investigate the possibility of reducing the numbers of the Pink & Grey Galahs in Bridgetown.

Council's resolution was based on observation that the number of these introduced birds continues to increase and take over food sources and habitat from native birds in the area.

Blackwood Biosecurity responded in part as follows:

The Galah is declared under the BAM Act, and they are still native fauna. DBCA advise that as such, landholders may control Galahs that are causing economic damage or reasonably expected to cause economic damage by using firearms. No permit is required.

The Shire Rangers can control Galahs under the above circumstances on Shire estate but would need the approval of the land owner to carry out control on other properties.

Blackwood Biosecurity Inc's committee is unable to take this species on as a priority pest without significant community reporting and corresponding budgeting.

Officer Comment

This matter was raised for discussion at the March 2020 Concept Forum to determine whether further investigations should be undertaken for consideration in the 2020/21 budget. Feedback at the concept forum was that councillors didn't see this issue as a priority and indicated it wouldn't fund it in 2020/21 budget.

The purpose of this report is to close consideration of the matter.

Statutory Environment

Biosecurity and Agriculture Management Act 2007

Integrated Planning

- Strategic Community Plan
 - Key Goal 2 - Our natural environment is valued, conserved and enjoyed
 - Objective 2.1 - Value, protect and enhance our natural environment
 - Strategy 2.1.1 - Support and promote sound environmental management practices
- 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

Whole of Life Accounting - Nil

Risk Management

The resolution in October 2019 only requested Blackwood Biosecurity Group (BBG) investigate the possibility of reducing the numbers of the Pink & Grey Galahs. In determining a position on culling these birds there is a risk that some members of the public will be upset by any proposal to cull these birds and Council will have to be prepared to respond to such concerns. Conversely if the presence of these birds is having consequential impacts upon infrastructure (i.e. trees, parks, etc.) or native wildlife then not considering action could also cause reputational risk to the Council. The level of risk on both scenarios is considered low.

Voting Requirements – Simple Majority

| | | | |
|-----------------------|--|------------------|--|
| ITEM NO. | C.03/0520 | FILE REF. | |
| SUBJECT | Deployment of 5G (Fifth Generation) Wireless Network | | |
| PROPONENT | Council | | |
| OFFICER | Chief Executive Officer | | |
| DATE OF REPORT | 6 May 2020 | | |

Attachment 1 Commonwealth Government Media Statement on 5G Safety
Attachment 2 Australian Mobile Telecommunications Association Media Statement on 5G Safety

OFFICER RECOMMENDATION

That Council note the information received from Telstra on 5G rollout.

Summary/Purpose

At its March 2020 meeting Council requested technical information on the current and potential future status of 5G in the Bridgetown-Greenbushes Shire.

Background

At its March 2020 meeting Council received a petition signed by 52 persons that read:

To the UN, WHO, EU, Council of Europe and governments of all nations and to the Bridgetown Greenbushes Shire – We the undersigned citizens from the Blackwood region urgently call for a halt to the deployment of the 5G (fifth generation) wireless network, including 5G from space satellites. 5G will massively increase exposure to radio frequency (RF) radiation on top of the 2G, 3G and 4G networks for telecommunications already in place. RF radiation has been proven harmful for humans and the environment. The deployment of 5G constitutes an experiment on humanity and the environment that is defined as a crime under international law. Scientists and doctors from some 36 countries say 5G technology has NOT been proven safe and is a threat to human and wildlife health. This means safety from exposure to wide spectrum 5G microwave radiation is NOT guaranteed.

Council resolved (C.07/0320):

- 1. That Council receive the petition noting that most upgrades of 4G networks to 5G utilises existing mobile phone towers and therefore do not require approval from Local Government. Applications are required for any new phone towers and such applications will be fully assessed if received.*
- 2. That more technical information be sought as to the current and potential future status of 5G in the Bridgetown-Greenbushes Shire specifically, and that the subsequent information be considered by Council to determine if public consultation is required on the issue.*

Subsequent to the meeting contact was made with Telstra seeking more technical information on current and potential future status of 5G in the Bridgetown-Greenbushes Shire. Advice received back was that Telstra's current 5G rollout is planned to extend to 35 cities during 2020/21 and to increase coverage for major hubs like Sydney and Melbourne to 5km from the CBD. Telstra also advises that at this stage there is no view on timing for 5G to Bridgetown-Greenbushes. In Western Australia currently there is 5G coverage to areas of Busselton and plans around several of the other key regional hubs albeit with no confirmed timing at this stage.

The information received back from Telstra acknowledged that they are aware there are people and communities with questions about 5G and EME levels as it is rolled out and they welcome the Government's investment in recent months in helping to keep people informed about its safety.

Refer Attachment 1 for a copy of a joint media statement dated 16 December 2019 from the Minister for Communications, Cyber Safety and the Arts and the Minister for Aged Care and Senior Australians, Youth and Sport advising of the Commonwealth Government's investment of \$9 million over 4 years "to build public confidence in the safety of telecommunications networks – including new 5G mobile networks – and to address misinformation about electromagnetic energy (EME) emissions which has caused concern in some parts of the community".

The Australian Mobile Telecommunications Association (AMTA) also released a media statement (refer Attachment 2) on the same day welcoming the announcement by the Commonwealth Government of further investment towards building public confidence in the safety of mobile telecommunications networks.

Included with the petition was information warning of the dangers of 5G technology and this was provided as an attachment in the March 2020 Council agenda.

Officer Comment

The purpose of this report is to present information back to Council on the current and potential future status of 5G in the Bridgetown-Greenbushes Shire. It is clear that there aren't any current plans to roll out 5G locally but this may be subject to changes as larger centres in Western Australia are connected.

As advised at the March 2020 Council meeting, if 5G technology is proposed to be rolled out locally in the future the opportunity for Council to have input will depend upon whether new or existing towers are to be used. If new towers are used local government approval is required and this would typically include community engagement before formal consideration of the proposal.

It is recommended that Council note the information and not undertake specific community engagement on the issue of 5G. If applications are received in the future about the rollout of 5G locally, requiring Council approval for new infrastructure (i.e. towers) then at that time Council can consider the need for specific community engagement.

Statutory Environment - Nil

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 1.1.6 - Work with key partners (business and government) to improve telecommunications within the Shire

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

Objective 2.1 - Value, protect and enhance our natural environment

Strategy 2.1.1 - Support and promote sound environmental management practices

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 1.1.6 - Work with key partners (business and government) to improve telecommunications within the Shire

Action 1.1.6.1 - Work with regional partners (Local and State Governments) to seek greater investment in telecommunications within the Region

➤ Long Term Financial Plan – Not applicable

➤ Asset Management Plans – Not applicable

➤ Workforce Plan – Not applicable

➤ Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management

If seeking to make a decision on the future rollout of 5G Council should determine whether it has sufficient information on 5G and its real or potential impacts upon health and the environment. The officer position is that Council doesn't have sufficient information to take a formal position on this matter. Taking a position without assessing all evidence presents a reputational risk to the Council.

Voting Requirements – Simple Majority

| | | | |
|-----------------------|---|------------------|--|
| ITEM NO. | C.04/0520 | FILE REF. | |
| SUBJECT | Funding Agreement - Warren Blackwood Alliance of Councils and Southern Forests Blackwood Valley Tourism Association | | |
| PROPONENT | Southern Forests Blackwood Valley Tourism Association | | |
| OFFICER | Chief Executive Officer | | |
| DATE OF REPORT | 19 May 2020 | | |

Attachment 3 Draft Funding Agreement

OFFICER RECOMMENDATION

That Council:

- 1. Note that via its Corporate Business Plan Council has already committed to funding the Southern Forests Blackwood Valley Tourism Association for a four year period of 2019/20 to 2022/23 inclusive.*
- 2. Provides a further commitment of that same funding for the four year period of 2019/20 to 2022/23 inclusive in the proposed funding agreement between the Warren Blackwood Alliance of Councils and Southern Forests Blackwood Valley Tourism Association.*
- 3. Notes that the draft funding agreement may be subject to minor amendments before endorsement by the Warren Blackwood Alliance of Councils and Southern Forests Blackwood Valley Tourism Association.*

Summary/Purpose

A funding agreement is being proposed between the Warren Blackwood Alliance of Councils (WBAC) and Southern Forests Blackwood Valley Tourism Association (SFBVTA). Although Council has committed to funding its contributions for the four years from 2019/20 to 2022/23 in its Corporate Business Plan a formal Council resolution is required for endorsement of the funding agreement by the WBAC.

Background

The purpose of this agreement between the WBAC and the Recipient is to establish the purpose and priorities of the funding provided to the Recipient from the WBAC and WBAC Local Governments. Endorsement of the funding agreement by the

WBAC will in effect “lock in” the local government contributions to the SFBVTA by the Shires of Bridgetown-Greenbushes, Manjimup and Nannup for the four year period 2019/20 to 2022/23 inclusive.

In its Corporate Business Plan Council has recognised its intent to fund the Southern Forests Blackwood Valley Tourism Association for the four year period of 2019/20 to 2022/23 inclusive however as the Corporate Business Plan is subject to annual review Council could technically amend its funding contributions. Although that is considered very unlikely endorsement of the funding agreement will in effect provide a guarantee that Council will meet its funding commitments.

Officer Comment

Council was significantly involved in the investigations that led to the establishment of the SFBVTA and although not enshrined in a formal resolution it has expressed a commitment to providing funding towards the first 4 years of operation of the SFBVTA. Endorsing the officer recommendation of this item will formalize that commitment and will allow the WBAC to endorse the funding agreement knowing that the commitments of the Shire of Bridgetown-Greenbushes are guaranteed.

The draft funding agreement is currently being considered by all parties and could be subject to minor variation or editing.

Statutory Environment - Nil

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 1.1.9 - Support tourism activities that focus on events, adventure, agriculture, food, heritage and the natural environment
- Corporate Business Plan
 - Strategy 1.1.9 - Support tourism activities that focus on events, adventure, agriculture, food, heritage and the natural environment
 - Action 1.1.9.1 - Fund the Southern Forest Blackwood Valley Tourism Association (2019/20 - \$45,320; 2020/21 - \$52,819; 2021/22 - \$39,852; 2022/23 - \$26,914)
- Long Term Financial Plan
 - The contributions for 2019/20 to 2022/23 inclusive are recognised in the Long Term Financial Plan
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications – Nil

Budget Implications

As per the Corporate Business Plan

Whole of Life Accounting - Nil

Risk Management

Council has supported the establishment of the SFBVTA and has recognised its commitment to provide funding over a 4 year period. If it were to decline to endorse the funding agreement and seek to reduce or withdraw funding considerable reputational risk would occur.

Voting Requirements – Simple Majority

| | | | |
|-----------------------|------------------------------------|------------------|--|
| ITEM NO. | C.05/0520 | FILE REF. | |
| SUBJECT | Councillor Fees/Allowances 2020/21 | | |
| PROPONENT | Salaries and Allowances Tribunal | | |
| OFFICER | Chief Executive Officer | | |
| DATE OF REPORT | 20 May 2020 | | |

Attachment 4 2020 Determination of the Salaries and Allowances Tribunal for Local Government Chief Executive Officers and Elected Members

OFFICER RECOMMENDATION

That Council:

1. *Retain the method of payment of Councillor and President meeting fees as an annual attendance fee rather than a per meeting basis.*

2. *Set Councillor Attendance Fees and Allowances for the following in 2020/21:*
 - *Annual Attendance Fee for Council Members within the range of \$7,688 to \$16,367.*
 - *Annual Attendance Fee for Shire President within the range of \$7,688 to \$25,342.*
 - *Annual President's Allowance within the range of \$1,025 to \$36,957.*
 - *Provision of an Annual Deputy President Allowance to an amount 25% of the amount determined for the Annual President's Allowance.*
 - *Annual Information and Communications Technology Allowance within the range of \$500 to \$3,500.*

Summary/Purpose

To consider the method and amount of meeting fees/allowances for councillors.

Council is to have regard to the recent determination by the Salaries and Allowances Tribunal when setting fees or allowances for 2020/21.

Background

Part 5, Division 8 (Sections 5.98, 5.98A, 5.99 and 5.99A) of the Local Government Act provides for council members (councillors) to receive certain payments

The Salaries and Allowances Tribunal (the Tribunal) has completed its annual review of fees, allowances and expenses for elected council members of Local Governments throughout Western Australia. The determination which will operate from 1 July 2020 establishes a scale of payments and provisions for reimbursement of expenses in accordance with the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*.

The Tribunal has divided all local governments into four bands based on a number of factors such as population, size of budget, complexity of issues, etc. The Shire of Bridgetown-Greenbushes has been classified as a Band 3 local government (same as for 2019/20).

The levels of remuneration for elected council members are not intended to be salaries but do take into account the responsibilities and commitments of members serving as representatives of the community.

The Salaries and Allowances Tribunal has determined there be no increase in the ranges of remuneration, fees, expenses or allowances provided to elected members (councillors). Therefore the ranges within the four bands remain unchanged from 2019/20.

The Tribunal notes each local government is able to set remuneration within its band to which it is allocated. Each local government must conduct its own assessment to determine whether any increase, within the bands, is justified.

The Tribunal has made the same determination regarding local government CEO remuneration however this report is restricted to addressing elected member fees and remuneration only.

Meeting Fees or Annual Attendance Fees – Councillors other than Shire President
Pursuant to Section 5.98 of the Local Government Act a council member, mayor or president who attends a council or committee meeting is entitled to be paid a fee set by the Council within the range stipulated in the Tribunal's determination.

Pursuant to Section 5.99 of the Local Government Act a Council may decide by absolute majority that instead of paying council members, mayors or presidents a meeting fee it will be pay an annual attendance fee within the range stipulated in the Tribunal's determination.

For Band 3 Council is able to set a meeting fee for council members other than the President of between \$193 and \$410 for council meetings. The meeting fee for committee meetings (including the President) is to be between \$97 and \$205.

Alternatively Council, via absolute majority can pay an annual attendance fee within the range of \$7,688 to \$16,367.

In 2019/20 Council resolved to pay a councillor annual attendance fee of \$10,333 which was a 1.3% increase on the previous year.

Meeting Fees or Annual Attendance Fees – Shire President

The President can be provided with a higher meeting or annual attendance fee in recognition of the greater workload and responsibility associated with presiding at a council meeting.

For Band 3 Council is able to set a council meeting fee for the President between \$193 and \$634 for council meetings. The President would receive the same meeting fee for committees as determined for council members by the Council. Alternatively Council, via absolute majority can pay the President an annual attendance fee within the range of \$7,688 to \$25,342.

In 2019/20 Council resolved to pay a President's annual attendance fee of \$10,333 which was a 1.3% increase on the previous year.

Annual Allowance for President

Under Section 5.98 of the Local Government Act Council can determine an allowance for the President (separate from meeting or annual attendance fees) within the range of \$1,025 to \$36,957.

In 2019/20 Council resolved to pay a President's Allowance of \$8,611 which was a 1.3% increase on the previous year.

Annual Allowance for Deputy President

For the latter, Section 5.98A of the Local Government Act allows Council to provide a special allowance to the Deputy President with the amount of the allowance being up to 25% of the President's allowance.

In 2019/20 Council resolved to pay a Deputy President's Allowance and has done so for several years. The allowance for 2019/20 was \$2,153 which was 25% of the President's annual allowance.

Meetings Fees or Annual Attendance Fee?

It is recommended that Council retain the "annual" method for determining councillor allowances rather than changing to a "per meeting" fee. The advantages of the "annual" method include:

- A "per meeting" fee doesn't take into account all the work that a councillor does in between Council meetings. A councillor may undertake a significant amount of work between meetings but if he/she misses a meeting due to legitimate reasons they would not receive any payment towards that work.
- Under the Local Government Act only Council or committee meetings trigger payment of a meeting fee therefore attendance at Council Concept Forums. Workshops or working group meetings wouldn't trigger payment of a meeting fee.
- Whilst the annualising of meetings fees can result in councillors receiving a fee when not attending meetings such as when an apology or on leave of absence it is a relatively rare occurrence for a councillor to take extended leave of absence.

Reimbursement of Expenses Including Annual Allowances in Lieu of Reimbursement Under the Local Government Act and Local Government (Administration) Regulations elected members are entitled to reimbursement of telecommunications, information technology, child care, travel and accommodation expenses.

Pursuant to Section 5.99A of the Local Government Act Council can decide by absolute majority that instead of reimbursing councillors for all of a particular type of expense it pay an annual allowance.

Where a Council has decided to pay council members an annual allowance for an expense of a particular type instead of reimbursing expenses of that type under section 5.98(2) of the LG Act, section 5.99A of the LG Act provides for reimbursement of expenses of that type in excess of the amount of the allowance.

In determining the maximum annual allowance for expenses of a particular type, the Tribunal has taken into account a range of factors including the following:

- (a) the intent of the allowance to reflect the extent and nature of the expenses incurred and not to result in a windfall gain for council members;
- (b) the capacity of local governments to set allowances appropriate to their varying operational needs;
- (c) the particular practices of local governments in the use of information and communication technology (e.g. laptop computers, iPads);
- (d) the varying travel requirements of council members in local governments associated with geography, isolation and other factors.

The Tribunal has retained the Information and Communications Technology Allowance with a permissible range between \$500 and \$3,500.

In 2019/20 Council resolved to pay an Annual Information and Communications Technology Allowance of \$2,087 which was a 1.3% increase on the previous year.

For the purpose of Section 5.99A of the Local Government Act Council can provide a \$50 annual allowance for travel and accommodation expenses. Historically this allowance isn't provided and council members can instead seek reimbursement of these costs.

Statutory Environment – Local Government Act

5.98. Fees etc. for council members

(1A) In this section —

determined means determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B.

(1) A council member who attends a council or committee meeting is entitled to be paid —

- (a) the fee determined for attending a council or committee meeting; or
- (b) where the local government has set a fee within the range determined for council or committee meeting attendance fees, that fee.

(2A) A council member who attends a meeting of a prescribed type at the request of the council is entitled to be paid —

- (a) the fee determined for attending a meeting of that type; or

- (b) where the local government has set a fee within the range determined for meetings of that type, that fee.
- (2) A council member who incurs an expense of a kind prescribed as being an expense —
 - (a) to be reimbursed by all local governments; or
 - (b) which may be approved by any local government for reimbursement by the local government and which has been approved by the local government for reimbursement,is entitled to be reimbursed for the expense in accordance with subsection (3).
- (3) A council member to whom subsection (2) applies is to be reimbursed for the expense —
 - (a) where the extent of reimbursement for the expense has been determined, to that extent; or
 - (b) where the local government has set the extent to which the expense can be reimbursed and that extent is within the range determined for reimbursement, to that extent.
- (4) If an expense is of a kind that may be approved by a local government for reimbursement, then the local government may approve reimbursement of the expense either generally or in a particular case but nothing in this subsection limits the application of subsection (3) where the local government has approved reimbursement of the expense in a particular case.
- (5) The mayor or president of a local government is entitled, in addition to any entitlement that he or she has under subsection (1) or (2), to be paid —
 - (a) the annual local government allowance determined for mayors or presidents; or
 - (b) where the local government has set an annual local government allowance within the range determined for annual local government allowances for mayors or presidents, that allowance.
- (6) A local government cannot —
 - (a) make any payment to; or
 - (b) reimburse an expense of,a person who is a council member or a mayor or president in that person's capacity as council member, mayor or president unless the payment or reimbursement is in accordance with this Division.
- (7) A reference in this section to a **committee meeting** is a reference to a meeting of a committee comprising —
 - (a) council members only; or
 - (b) council members and employees.

[Section 5.98 amended: No. 64 of 1998 s. 36; No. 17 of 2009 s. 33; No. 2 of 2012 s. 14.]

5.98A. Allowance for deputy mayor or deputy president

- (1) A local government may decide* to pay the deputy mayor or deputy president of the local government an allowance of up to the percentage that is determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B of the annual local government allowance to which the mayor or president is entitled under section 5.98(5).

* *Absolute majority required.*

- (2) An allowance under subsection (1) is to be paid in addition to any amount to which the deputy mayor or deputy president is entitled under section 5.98.

[Section 5.98A inserted: No. 64 of 1998 s. 37; amended: No. 2 of 2012 s. 15.]

5.99. Annual fee for council members in lieu of fees for attending meetings

A local government may decide* that instead of paying council members a fee referred to in section 5.98(1), it will instead pay all council members who attend council or committee meetings —

- (a) the annual fee determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B; or
- (b) where the local government has set a fee within the range for annual fees determined by that Tribunal under that section, that fee.

* *Absolute majority required.*

[Section 5.99 amended: No. 2 of 2012 s. 16.]

5.99A. Allowances for council members in lieu of reimbursement of expenses

- (1) A local government may decide* that instead of reimbursing council members under section 5.98(2) for all of a particular type of expense it will instead pay all eligible council members —

- (a) the annual allowance determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B for that type of expense; or
- (b) where the local government has set an allowance within the range determined by the Salaries and Allowances Tribunal under the *Salaries and Allowances Act 1975* section 7B for annual allowances for that type of expense, an allowance of that amount,

and only reimburse the member for expenses of that type in excess of the amount of the allowance.

* *Absolute majority required.*

- (2) For the purposes of subsection (1), a council member is eligible to be paid an annual allowance under subsection (1) for a type of expense only in the following cases —
- (a) in the case of an annual allowance that is paid in advance, if it is reasonably likely that the council member will incur expenses of that type during the period to which the allowance relates;
 - (b) in the case of an annual allowance that is not paid in advance, if the council member has incurred expenses of that type during the period to which the allowance relates.

[Section 5.99A inserted: No. 64 of 1998 s. 38; amended: No. 2 of 2012 s. 17; No. 26 of 2016 s. 13.]

Policy Implications – 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

- iii. *Reword Initiative 7 to read: “Where a ratepayer is determined to meet the criteria within Council’s COVID-19 Financial Hardship Policy no interest on rates arrears is to be applied”.*
2. *That Council amend its COVID-19 Financial Hardship Policy incorporating the changes shown in Attachment 6.*

Summary/Purpose

With the release by the Minister for Local Government of the Local Government (COVID-19 Response) Order 2020 some changes to Council’s COVID-19 Community Response Plan and 2020/21 Budget Framework and COVID-19 Financial Hardship Policy are required.

Background

Council, at a Special Meeting held on 6 April 2020 resolved:

SpC.01/0420b

1. *That Council formally acknowledges the impacts both economically and socially that COVID-19 is having on its community.*
2. *That Council endorses the Community Response Plan and 2020/21 Budget Framework document as shown in Attachment 4.*
3. *That the CEO presents a draft COVID-19 Financial Hardship Policy to the April 2020 ordinary meeting of Council.*
4. *That Council amends Policy F.6 – Purchasing to recognise an increase of the tender threshold to \$250,000 pending gazettal of proposed amendments to the Local Government (Functions and General) Regulations.*
5. *That Council amends Delegation F.5 – Tenders for Providing Goods & Services and Delegation F.9 – Acceptance of Tenders by changing the tender threshold of \$150,000 to \$250,000 (pending gazettal of proposed amendments to the Local Government (Functions and General) Regulations). [Absolute Majority required]*
6. *That Council amends Part 10 of Policy P.2 – Holiday Accommodation by changing the word “Council” to “local government” so that under existing delegated authority the CEO can determine applications under this part of the policy.*
7. *That Council suspends until 31 December 2020 activation of Policy F.11 – Collection of Outstanding Rates and Policy A.22 – Accrual of Annual Leave.*
8. *That in its imminent review of its Long Term Financial Plan and Corporate Business Plan Council consider bringing forward capital projects that drive economic stimulus, job creation and community benefit.*

Following the above resolution work commenced on implementing the immediate initiatives and this led to a report being presented to Council’s April 2020 ordinary meeting where the following was resolved:

C.06/0420 That Council amend its COVID-19 Community Response Plan and 2020/21 Budget Framework as follows:

- 1. Reword Initiative 4 to read: “Reduce penalty interest charges from 1 July 2020 for late payment of 2020/21 rates (including ESL) and any other prior rates arrears, from 11% to 5.5%, subject to the ratepayer entering into an approved payment plan for full payment of rates by 30 June 2021. Note if no payment plan is entered into by 31 December 2020 then interest of 11% is to apply”.*
- 2. Reword Initiative 12 to read: “Refund of annual health food premises surveillance fees for 2019/20 (note doesn’t include event stallholders)”.*
- 3. Reword Initiative 13 to read: “Waiving of annual health food premises surveillance fees for 2020/21 (note doesn’t include event stallholders)”.*

Officer Comment

The three initiatives listed in the COVID-19 Community Response Plan and 2020/21 Budget Framework requiring amendment in light of the Local Government (COVID-19 Response) Order 2020 are:

| | |
|----|--|
| 4. | Reduce penalty interest charges from 1 July 2020 for late payment of 2020/21 rates (including ESL) and any other prior rates arrears, from 11% to 5.5%, subject to the ratepayer entering into an approved payment plan for full payment of rates by 30 June 2021. Note if no payment plan is entered into by 31 December 2020 then interest of 11% is to apply. |
| 5. | No administration fees and reduce interest from 5.5% to 2.75% on the statutory 4 rate instalment option for payment of 2020/21 rates |
| 7. | Consider adoption of a COVID-19 Financial Hardship Policy. The objectives of the draft policy are to be: <ul style="list-style-type: none">• To give effect to our commitment to support the whole community to meet the unprecedented challenges arising from the COVID19 pandemic, the Shire of Bridgetown-Greenbushes recognises that these challenges will result in financial hardship for our ratepayers. To ensure that we offer fair, equitable, consistent and dignified support to ratepayers suffering hardship, while treating all members of the community with respect and understanding at this difficult time. |

With Initiative 4 the reference to 11% interest has to be changed to 8% as that is the maximum rate that can be charged under the Local Government (COVID-19 Response) Order 2020. Wording should also be added noting the imposition of these penalty interest charges doesn’t apply to those ratepayers that on application have been determined to meet the criteria within Council’s COVID-19 Financial Hardship Policy.

With Initiative 5 it is recommended the interest rate on rate instalment plans be changed from 2.75% to 3% as that is consistent with the Local Government (COVID-19 Response) Order 2020.

With Initiative 7, Council has subsequently adopted a COVID-19 Financial Hardship Policy. Where a ratepayer is determined to meet the criteria within this Policy no interest on rates arrears is to be applied. Recommended amendments to the policy are shown in the attachment as track changes that incorporate the requirements of the Local Government (COVID-19 Response) Order 2020.

Statutory Environment

Local Government Act 1995 and associated regulations.

Local Government (COVID-19 Response) Order 2020 – refer Attachment.

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. – 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

Objective 1.2 – a proactive approach to business development

Strategy 1.2.2 – design and implement business retention strategies and initiatives for support of existing and potential new businesses

Strategy 1.2.3 – communicate and engage with the business community

Key Goal 5 – our leadership will be visionary, collaborative and accountable

Objective 5.1 – our community actively participates in civic life

Strategy 5.1.4 – people receive Shire information, services and opportunities according to their needs

Objective 5.2 – we maintain high standards of governance, accountability and transparency

Strategy 5.2.1 – councillors provide strong and ethical leadership

Strategy 5.2.3 – ensure organisational capability

Strategy 5.2.4 – maintain a strong customer focus

Strategy 5.2.6 – ensure the financial sustainability of the organisation

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

COVID-19 Financial Hardship Policy

Budget Implications

The report presented to the Special Council meeting held on 6 April 2020 costed the contents of the COVID-19 Community Response Plan and 2020/21 Budget Framework at an estimated \$321,931 being \$21,723 in 2019/20 and \$300,208 in 2020/21. Without knowing how many ratepayers will apply for and be determined to meet the criteria of COVID-19 financial hardship it is difficult to estimate further budget implications. The slight increase in 4-instalment payment plans from 2.75%

to 3% will have little effect on the estimated budget costs of the COVID-19 Community Response Plan.

Whole of Life Accounting - Nil

Risk Management

The proposed amendments to Council’s COVID-19 Response Plan and to the recently adopted COVID-19 Financial Hardship Policy have been proposed so that clear communications can occur.

Voting Requirements – Absolute Majority

The CEO, being the author of this report declares a financial interest with the nature of the interest being that its subject matter concerns his forthcoming performance review.

| | | | |
|-----------------------|--|------------------|--|
| ITEM NO. | C.07/0520 | FILE REF. | |
| SUBJECT | Appointment of Consultant to Facilitate 2018/19 CEO Performance Review | | |
| OFFICER | Chief Executive Officer | | |
| DATE OF REPORT | 18 May 2020 | | |

OFFICER RECOMMENDATION

That John Phillips Consulting be appointed to facilitate the CEO Performance Review for the period 1 July 2019 to 30 June 2020.

Summary/Purpose

The CEO Performance Review Committee is recommending the appointment of John Phillips Consulting to facilitate the upcoming performance review of the CEO.

Background

Council typically engages an external consultant to assist the CEO Performance Review Committee. However for last year’s CEO performance review the CEO Performance Review Committee chose to manage and facilitate the review process without using a consultant however the new committee, taking into account feedback from councillors after last year’s review has determined that the services of a consultant are essential.

In March the CEO Performance Review Committee requested the CEO to obtain three quotes/proposals from consultants that perform this task. This was completed and three quotes/proposals were considered by the members of the Committee out of session (noting that due to COVID-19 all Council committees have been in recess since 24 March 2020) and the proposal submitted by John Phillips Consulting was selected as the preferred proposal.

John Phillips Consulting has extensive experience in conducting CEO performance reviews with over 70 such reviews performed since July 2014. In its proposal John Phillips Consulting states that the essential components of an effective performance review process include:

- The involvement of all parties – councillors and the CEO;

- Clearly agreed and measurable performance criteria;
- Agreed and specified timeframes;
- Agreed methodology including the feedback instrument/questionnaire and reports;
- A sound understanding of the Local Government Act 1995 and Regulations' requirements; and
- An understanding of the essential terms of the prevailing contract of employment.

John Phillips Consulting has submitted a proposal at a cost of \$3,500 ex-GST to perform the review with the cost estimate being inclusive of:

- Preparation of all documentation related to obtaining feedback, based on agreed key result
- areas and indicators;
- Distribution and collation of all feedback, and preparation of a working report for use by the
- Committee;
- Personal/Telephone interviews with respondents as appropriate;
- Facilitation of the appraisal meeting and briefings;
- Facilitation of a process to establish key focus areas and outcomes for the ensuing year;
- Preparation of final reports and recommendations for Council;
- Assistance with the review of remuneration ('Total Reward Package')
- Travel time (if required);
- Incidental costs

Statutory Environment

Clause 5.38 of the Local Government Act requires an annual performance assessment to be undertaken. The performance review process for the position of CEO is set out in that officer's Contract of Employment.

Under the terms of the CEO's Contract of Employment the selection of a consultant for the performance review must be to the satisfaction of both parties. The CEO has no objection to the appointment of John Phillips Consulting for this task.

Policy – 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

Strategy 5.2.3 - Ensure organisational capability

Strategy 5.2.8 - Ensure all legislative responsibilities and requirements are met

- Corporate Business Plan - Nil
- Long Term Financial Plan
The costs of engaging a consultant to assist with the annual CEO performance review process is recognised in the Long Term Financial Plan
- Asset Management Plans – Not Applicable
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Budget Implications

If endorsed by Council the sum of \$3,500 ex-GST will be included in the 2020/21 budget.

Whole of Life Accounting – Not Applicable

Risk Management

The CEO is the only employee the Council is able to direct. Therefore the review of the performance of that employee is of critical importance to the performance and direction of the whole organisation.

Voting Requirements – Simple Majority

| | | | |
|-----------------------|---|------------------|--|
| ITEM NO. | C.08/0520 | FILE REF. | |
| SUBJECT | Request for Financial Assistance | | |
| PROPONENT | Jubilee Singers Rhapsody Committee – Blackwood Rhapsody Event | | |
| OFFICER | Chief Executive Officer | | |
| DATE OF REPORT | 20 May 2020 | | |

Attachment 7 Correspondence from Jubilee Singers

OFFICER RECOMMENDATION

That Council:

1. *Determine not to waive the \$1,246.07 owing for the cost of Shire staff to implement the traffic management plan for the 2020 Blackwood Rhapsody.*
2. *Determine to fund the \$1,246.07 owing for the cost of Shire staff to implement the traffic management plan for the 2020 Blackwood Rhapsody from the 2020/21 Service Agreement (\$2,000) awarded to the event organizers (Jubilee Singers of Bridgetown Inc.).*

Summary/Purpose

The purpose of this agenda report is to seek to assist the Jubilee Singers with the financial loss incurred in the 2020 Blackwood Rhapsody by utilising their 2021 service agreement funding allocation without exposing Council to any financial loss.

Background

The Blackwood Rhapsody was successfully awarded a \$2,000 service agreement for the 2020/21, 2021/22 and 2022/23 financial years.

The CEO received a letter (refer Attachment 7) from Frances Meeking and David Bardsley on behalf of the Jubilee Singers of Bridgetown dated 20 April 2020 seeking further financial assistance valued at \$1,246.07 being the value of costs associated with the implementation of the traffic management plan for the 2020 Blackwood Rhapsody. This request is in addition to the \$2,000 service agreement (to assist funding of the event) and a \$348.15 CEO donation (for hire of the Shire reserve) already provided for the event.

Officer Comment

In reviewing the financial performance for the 2020 event, it is evident that the income from ticket sales was considerably less than anticipated (-\$9,516) and this had a negative impact on the financial viability of the event for 2020.

Discussion with a representative of the Jubilee Singers sought to obtain some information to explain why the financial projections for the event didn't eventuate. A summary of the information provided in response is:

- The Rhapsody Committee had extensive discussions about the event budget and endeavoured to monitor revenue and expenditure estimates throughout its planning of the event.
- The Rhapsody committee are well aware of "best practice" principles for event planning/management and endeavoured to follow them at all times. Budgets by their very nature are projections made with incomplete knowledge and variations are inevitable. Authorised overspends are justifiable if unexpected changes in the external situation impact the assumptions made when fixing the original budget in a particular cost centre.
- The Rhapsody Committee develops the budget making assumptions based on the previous year's event, and seeks to achieve a surplus (profit) each year.
- Contracts with artists must be entered into well in advance of ticket sales commencing.
- The financial outcome from this event is enormously dependent on ticket sales.
- As the event drew closer and ticket sales were less than anticipated additional marketing was approved by the committee. Despite this, ticket sales were 40% down on the previous year.

The amount of \$1,246.07 is owed to the Shire for implementation of the event traffic management plan. This was in the form of 2 staff members working overtime for a whole Saturday at penalty rates plus the Shire's standard private works profit margin. Importantly the \$1,246.07 wasn't operational expenditure and wasn't covered by standard budget allocations.

In the previous two years of the event the traffic management work was carried out on a voluntary capacity by Shire staff but that wasn't available for the 2020 event and unlikely to be an option for future events.

The Rhapsody Committee have stated they were unaware of the estimated costs and therefore didn't provide for the costs in the event budget. Internal investigations indicate that a verbal conversation occurred between a committee member and a Shire staff member where the staff member advised of the potential cost. Due no doubt to miscommunications this advice wasn't conveyed back to the rest of the committee. In reviewing this matter it has been determined in future that written confirmation should be provided in future for these types of requests.

In expending public monies via the provision of community grants and service agreements it is important for Council to ensure good financial management (governance) is employed by the recipient of those grants and service agreements. The information provided by the Rhapsody Committee does indicate they did intend to follow good financial management practices and the lower than anticipated ticket sales could not have been assumed when framing the event budget and incurring the pre-event expenditure.

In order to assist the event organizers, while at the same time not exposing Council to the financial loss incurred by a community group, it is recommended that the request to waive the costs incurred in implementing the event traffic management be denied. Instead, it is proposed that the cost of this expense be covered from the 2020/21 service agreement.

The Blackwood Rhapsody is held on two properties, being the grounds of Bridgedale and the adjacent Shire reserve, the latter which contains the stage used for the event. As the Blackwood Rhapsody is a ticketed event the use of the reserve for exclusive use requires the organisers to hire the reserve and pay the applicable fee under Council's schedule of fees & charges. For the 2020 event the CEO provided a donation to cover the \$348.15 hire fee for the reserve and would anticipate covering this cost again for the 2021 event. After that for 2022 onwards these types of recurrent donations would better be provided for in Council's annual community grants, service agreements and non-contestable funding process.

If Council was to endorse the recommendation this would in effect reduce the amount of funding available for the 2020 Rhapsody from \$2,000 to \$753.93. It is recognised that this would have an impact on the budget for the 2021 event but it is felt that Council needs to consider this request with a view to not creating a precedent for providing late additional funding for other events run by community groups.

Alternatively Council could consider a one-off funding contribution of \$1,246.07 to the Rhapsody Committee in its consideration of 2020/21 community grants, service agreements and non-contestable funding. There are already some late requests from community groups to be considered in that process and the request from the Rhapsody Committee can be considered at the same time. It noted that the total of all funding requests for 2020/21 must be within the ceiling of \$160,000.

Notwithstanding whatever decision is made by Council it will necessary for the Rhapsody Committee to ensure that the 2021 budget for the Blackwood Rhapsody includes an appropriate allocation to cover the costs of implementing the traffic management for the 2021 event.

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.*

** Absolute majority required.*

Integrated Planning

- Strategic Community Plan
 - Key Goal 4 – A community that is friendly and welcoming
 - Objective 4.1 - A cohesive community with a sense of pride
 - Strategy 4.1.1 – Deliver and support a wide range of community activities, events and associated infrastructure

 - 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
 - Strategy 4.1.1 – Deliver and support a wide range of community activities, events and associated infrastructure
 - Action 4.1.1.2 – Fund community grants, service agreements and donations to a maximum value of \$160,000 per annum

- Long Term Financial Plan – not applicable

- Asset Management Plans – not applicable

- Workforce Plan – not applicable

- Other Integrated Planning – not applicable

Policy Implications

Policy F1 - Shire Community Grants, Service Agreements, Donations and Contributions outlines Council's approach to provision of Service Agreement funding.

Budget Implications

If the officer recommendation is endorsed there will be a loss of income totalling \$1,246.07 against the invoice raised for costs incurred in the implementation of the Blackwood Rhapsody 2020 traffic management plan. This loss would be offset by retention of \$1,246.07 in the 2020/21 financial year from the Jubilee Singer's Service Agreement (total value \$2,000).

Whole of Life Accounting – Nil

Risk Management

In expending public monies via the provision of community grants and service agreements it is important for Council to ensure good financial management (governance) is employed by the recipient of those grants and service agreements. The officer recommendation is aimed at reducing Council's risk exposure by ensuring it does not incur unbudgeted expenditure for an event run by an external body and also does not set a precedent for community groups and/or events that operate at a loss to seek financial assistance from Council.

Voting Requirements

Simple Majority for officer recommendation

Absolute Majority if resolving to write off the debt.

| | | | |
|-----------------------|---|------------------|--|
| ITEM NO. | C.09/0520 | FILE REF. | |
| SUBJECT | Extension of Administration Staff Employee Collective Agreement and Outside Workers Staff Enterprise Bargaining Agreement | | |
| OFFICER | Chief Executive Officer | | |
| DATE OF REPORT | 20 May 2020 | | |

OFFICER RECOMMENDATION

That Council endorse the proposal to extend the Shire of Bridgetown-Greenbushes Administration Staff Employee Collective Agreement and Outside Workers Staff Enterprise Bargaining Agreement for an additional 12 months, with both Agreements having a new expiry date of 30 June 2023.

Summary/Purpose

Staff employed under both the Administration Staff Employee Collective Agreement and Outside Workers Staff Enterprise Bargaining Agreement have agreed to a wage freeze in 2020/21 subject to both Agreements being extended for an additional 12 months.

Background

As background to this issue:

- The State Government has strongly lobbied the local government sector to freeze rates and fees/charges in 2020/21. It is understood that to date approximately 95% of local governments in WA have formally endorsed these freezes. There is also pressure to reduce interest rates and fees on overdue rates and this has already been endorsed by Council.
- In addition to the loss of revenue associated with the freezing of rates and fees/charges and the reduction in rates penalty interest there will also be a significant loss of income due to the economic climate created by COVID-19. Some conservative assumptions have been made on the reduction in revenue received from fees associated with development applications (planning, building and septic), hall and other public facility hire, gym membership and general investment revenue.

- The estimated shortfall in revenue of \$375,923 in 2020/21 will have to be addressed by Council in its 2020/21 budget and is the equivalent of foregoing a 8.05% rate increase.
- The freezing of wages in 2020/21 will assist Council in preparing a balanced 2020/21 budget without having to review service delivery and service levels that could impact staffing levels.

The CEO wrote to all staff employed under both the Administration Staff Employee Collective Agreement and Outside Workers Staff Enterprise Bargaining Agreement explaining the background to the issue and asking staff to vote on two questions:

- ❖ Do you support a wage freeze for the 2020/21 financial year? Yes/No
- ❖ If the wage freeze is agreed to and proceeds do you support the proposal from the CEO to extend the current Administration Staff Employee Collective Agreement/ Outside Workers Staff Enterprise Bargaining Agreement by an additional year to expire on 30 June 2023. Yes/No

Majority “yes” votes were received from both groups of workers.

Officer Comment

The agreement by staff to accept a wage freeze for 2020/21 is conditional upon the Administration Staff Employee Collective Agreement and Outside Workers Staff Enterprise Bargaining Agreement being extended for a further 12 months to expire on 30 June 2023. Both Agreements remain valid and it is only the annual wage increase clause in each that is being suspended for 2020/21.

The proposal still has to receive Union endorsement but in-principle support has already been indicated.

Statutory Environment

The extension of the Outside Workers Staff Enterprise Bargaining Agreement will require registration of the revised Agreement with the Western Australian Industrial Relations Commission.

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 5.2.6 - Ensure the future financial sustainability of the organisation
- Corporate Business Plan - Nil
- Long Term Financial Plan
 - Wage increases under both Agreements are recognised in the Long Term Financial Plan.
- Asset Management Plans - Nil
- Workforce Plan - Nil

- Other Integrated Planning - Nil

Policy Implications – Nil

Budget Implications

Under both Agreements annual wage increases are linked to the Wage Price Index for Western Australia. This would have resulted in a 1.7% wage increase being applied. With the agreement of staff for a wage freeze in 2020/21 a saving of \$72,963 will be realised.

Whole of Life Accounting - Nil

Risk Management

Staff voted to accept a wage freeze subject to both Agreements being extended for 12 months. If Council was to resolve not to extend the Agreements the vote for the wage freeze would be voided.

Voting Requirements – Simple Majority

| | | | |
|-----------------------|-------------------------|------------------|-----|
| ITEM NO. | C.10/0520 | FILE REF. | 209 |
| SUBJECT | Rolling Action Sheet | | |
| OFFICER | Chief Executive Officer | | |
| DATE OF REPORT | 22 April 2020 | | |

Attachment 8 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

Corporate Services

| | | | |
|-----------------------|--|------------------|-------|
| ITEM NO. | C.11/0520 | FILE REF. | 108.3 |
| SUBJECT | Consolidated Asset Management Plan Summary 2019/20-2033/34 | | |
| OFFICER | Asset Management Coordinator and Executive Manager Corporate Services | | |
| DATE OF REPORT | 18 May 2020 | | |

Attachment 9 Shire of Bridgetown-Greenbushes Consolidated Asset Management Plan Summary 2019/20-2033/34

OFFICER RECOMMENDATION

That Council adopts the Shire of Bridgetown-Greenbushes Consolidated Asset Management Plan Summary 2019/20-2033/34 as presented in Attachment 9.

Summary/Purpose

Council is required under the Integrated Planning and Reporting Framework and Guidelines to adopt a Corporate Business Plan that is informed by various strategies and plans, including Asset Management Plans (AMP) developed for Council's various asset classes.

Council's existing individual AMP's have been updated to reflect changes in asset values as a result of works undertaken during 2018/19 on Council assets and inclusion of improved condition and useful life data. The revised plans reflect the position of Council's assets as at 30 June 2019 hence the consolidated plan being presented for Council endorsement is for the period 2019/20 to 2033/34.

Background

The Integrated Planning and Reporting Framework and Guidelines were introduced in Western Australia as part of the State Government's Local Government Reform Program. Integrated Planning is the ongoing development and delivery of a Strategic Community Plan and a Corporate Business plan. Asset Management is a core component of the framework.

Council adopted individual AMP's for all its asset classes at its meeting held 30 June 2016, as follows:

- Transport Infrastructure Asset Management Plan;
- Parks, Reserves and Other Infrastructure Asset Management Plan;

- Property Infrastructure Asset Management Plan; and
- Plant and Equipment Asset Management Plan

The above plans are updated annually, as such the plans have again been updated to incorporate all capital expenditure on assets undertaken during 2018/19 along with any revised condition and useful life estimations.

Officer Comment

Under Council's Asset Management Policy F.15, Council is not required to adopt Asset Management Plans, however, it is important that Council is informed of the current state of its assets, and how it is proposed that these assets are managed and resourced in the future based on a 'whole of life' cost approach that will inform the Long Term Financial Plan.

The Asset Management Plans include improvement plans that outline the actions required to reduce the potential of a funding gap between the required level of renewal/upgrade of assets as compared to the actual funding currently being provided through the Budget and Long Term Financial Planning process.

Preparing AMP's enable Council to produce the asset ratios required under the Local Government (*Financial Management*) Regulations 1996 as part of Annual Financial Statement reporting.

AMP's are 'living' documents and need to be regularly updated and actions noted in the associated improvement plans. Improvements in the quality of data held for all of Council's asset classes is continuing. These improvements include ensuring the useful lives, remaining useful lives, replacement cost and current condition of Council's assets are accurately rated and recorded at component level as these factors have a major influence on the projected renewal cost and ultimately on the size of any reported funding 'gap'.

The detailed individual asset management plans are used to provide officers with the technical guidance in implementing and improving asset management planning across the organization.

Components of each individual AMP have been consolidated into a single document titled Shire of Bridgetown-Greenbushes Consolidated Asset Management Plan 2019/20 to 2033/34. A new summary version of this document has been produced for the purpose of providing Council with a less technical interpretation of key components included in the Consolidated Asset Management Plan. This summary version is presented for Council endorsement.

Statutory Environment

Section 5.56 of the Local Government Act 1995 – Planning for the Future
Regulation 19DA of the Local Government (Administration) Regulations 1996 – Planning for the Future

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 5.2.6: Ensure the future financial sustainability of the Organisation

Objective 5.3: We operate within the Integrated Planning Framework

Strategy 5.3.1: Implement the Shire’s Integrated Planning Review Cycle

Strategy 5.3.2: Apply best practice asset management principles

➤ Corporate Business Plan

Action 5.3.1.14 Annually review Asset Management Plans

Action 5.3.2.1 Review and maintain asset management plans for all relevant asset classes

➤ Long Term Financial Plan – Council’s asset management plans inform development of the Long Term Financial Plan

➤ Asset Management Plans – This item seeks endorsement of an updated Consolidated Asset Management Plan

➤ Workforce Plan – Nil

➤ Other Integrated Planning - Nil

Policy

Council’s ‘F.15 Asset Management’ policy provides:

“Responsibility:

- **Council** is responsible for adopting the policy and ensuring that sufficient resources are applied to manage the assets.
- The **Chief Executive Officer** has overall responsibility for developing an asset management strategy, plans and procedures and reporting on the status and effectiveness of asset management within Council.”

Budget Implications – Not applicable

Fiscal Equity – Not applicable

Whole of Life Accounting

The Asset Management Plans enshrine the principle of whole of life accounting costs to ensure assets are managed responsibly and cost effectively.

Risk Management

Failure to identify and fund gaps between required and planned expenditure in relation to managing assets will result in a high likelihood of asset failures occurring that may compromise safety to users of the asset and in-turn a financial implication to undertake reactive maintenance.

Voting Requirements – Simple Majority

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|-----------------------|--------------------------------------|------------------|--|
| ITEM NO. | C.12/0520 | FILE REF. | |
| SUBJECT | Adoption of 2020/21 Fees & Charges | | |
| OFFICER | Executive Manager Corporate Services | | |
| DATE OF REPORT | 18 May 2020 | | |

Attachment 10 Draft 2020/21 Schedule of Fees & Charges

OFFICER RECOMMENDATION

That Council:

- 1. Adopt the 2020/21 Schedule of Fees & Charges as per Attachment 10.*
- 2. Determine the waste rate under Section 66 of the Waste Avoidance and Resource Recovery Act at the time of adoption of the 2020/21 budget.*
- 3. Determine the kerbside rubbish and recycling collection charges at the time of adoption of the 2020/21 budget.*

Summary/Purpose

To consider and adopt the Schedule of Fees & Charges for 2020/21.

Background

Council adopts its Schedule of Fees & Charges separate to the budget adoption process. As the budget will not be adopted prior to 30 June, adoption of the 2020/21 Schedule of Fees & Charges this month will allow them to take effect from 1 July 2020.

Under Council's Long Term Financial Plan 2018/19 to 2032/33, discretionary fees and charges were proposed to increase annually by CPI plus an additional 2%. However at its Special Meeting held 6 April 2020 Council considered, among other initiatives, the increase in fees and charges that would apply in 2020/21 as part of its COVID-19 Community Response Plan. The adopted COVID-19 Community Response Plan includes a zero increase to fees and charges for 2020/21. The draft 2020/21 fees and charges includes no increases to individual fees and charges as required by the COVID-19 Community Response Plan.

Officer Comment

The attached Schedule of Fees and Charges shows the fees and charges for 2019/20 and the recommended charges for 2020/21.

It is proposed to introduce the following new non-regulatory fees and charges in 2020/21:

- 24 Hour Gym Membership Fob
- Daily Hire Carnivals/Events – Full day additional lifeguard (per 100 entries)
- Daily Hire Carnivals/Events – Half day additional lifeguard (per 100 entries)

Reasons for the new proposed fees are detailed below:

- 24 Hour Gym Membership Fob - This is proposed as a payment on joining the gym. Previously a fob was supplied at no charge to a new gym member on signup and was to be returned on membership expiry. Due to difficulties

experienced in ensuring return of the fob at membership expiry, it is recommended that a fob is purchased by the member at initial membership sign up. The fob will become the property of the patron. At expiry of the membership the fob will be deactivated and can be reactivated should the member join again. In the event of a lost fob the patron will be responsible for the purchase of a replacement.

- Daily Hire Carnivals/Event – An additional lifeguard fee has been proposed for carnival and event bookings. Previously there was no charge to the hirer when additional lifeguards were required to be rostered when the number of participants exceeds 100. The current daily hire fee covers exclusive venue hire and entry of participants with no limit on their number. It has been identified that the existing fee is inadequate to cover costs when participants exceed 100. Hirers will be required to indicate estimated number of participants when making the initial application. The extra lifeguard fee will be calculated and charged where relevant.

The following non-regulatory fees have been decreased in accordance with Council's COVID-19 Community Response Plan (SpC.01/0420):

- Rate Instalment Fee – fee has been reduced to no cost.
- Payment of Rates by Direct debit – fee has been reduced to no cost.

Other discounts and waivers included in Council's COVID-19 Community Response Plan are noted under the appropriate fee headings.

Many fees (e.g. development application fees, building fees, swimming pool inspection fees, dog/cat fees, FOI fees, etc) are regulatory and Council does not have the discretion to set fees higher than permitted by the applicable legislation. If these fees are changed during the year the revised fee automatically replaces the fee referenced in Council's Schedule of Fees & Charges without the need for Council to formally modify the schedule.

Historically Council sets its rubbish and recycling collection charges and waste rate at the time of budget adoption as these fees and the rate are imposed on a cost recovery basis.

In the event of Council adopting the fees & charges in May it is intended they will apply from 1 July 2020. A notice will be inserted in the Manjimup Bridgetown Times advising of the 2020/21 fees and the commencement date as per Section 6.19 of the Local Government Act.

Statutory Environment

Section 6.16(1) and (2) of the Local Government Act states:

- (1) *A local government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*
- (2) *A fee or charge may be imposed for the following —*

- (a) *providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
- (b) *supplying a service or carrying out work at the request of a person;*
- (c) *subject to section 5.94, providing information from local government records;*
- (d) *receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
- (e) *supplying goods;*
- (f) *such other service as may be prescribed.*

Section 6.17(1) of the Local Government Act states:

In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —

- (a) *the cost to the local government of providing the service or goods;*
- (b) *the importance of the service or goods to the community; and*
- (c) *the price at which the service or goods could be provided by an alternative provider.*

Section 6.19 of the Local Government Act states:

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) *its intention to do so; and*
- (b) *the date from which it is proposed the fees or charges will be imposed.*

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 5.2.6 Ensure the future financial sustainability of the Organisation
- Corporate Business Plan
 - Action 5.2.6.2 Assess level of fees and charges to apply cost recovery principle where appropriate
- Long Term Financial Plan
 - Council's Long Term Financial Plan proposes an annual increase in fees and charges of CPI plus 2% from 2019/20 to 2032/33.
- Asset Management Plans - Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications

The draft 2020/21 budget will have a number of income streams that will be estimated using the draft Schedule of Fees & Charges.

Whole of Life Accounting – Not Applicable

Risk Management – Not Applicable

Voting Requirements – Absolute Majority

| | | | |
|-----------------------|--|------------------|-----|
| ITEM NO. | C.13/0520 | FILE REF. | 131 |
| SUBJECT | April 2020 Financial Activity Statements and List of Accounts Paid in April 2020 | | |
| OFFICER | Senior Finance Officer | | |
| DATE OF REPORT | 20 May 2020 | | |

Attachment 11 April 2020 Financial Activity Statements

Attachment 12 List of Accounts Paid in April 2020

OFFICER RECOMMENDATIONS

1. That Council receives the April 2020 Financial Activity Statements as presented in Attachment 11.
2. That Council receives the List of Accounts Paid in April 2020 as presented in Attachment 12.

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 April 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

Development & Infrastructure

| | | | |
|-----------------------|---|------------------|--------|
| ITEM NO. | C.14/0520 | FILE REF. | R48886 |
| SUBJECT | Proposed Reserve Rationalisation | | |
| LOCATION | Reserve 48886, Lot 1 Balmoral Drive, Bridgetown | | |
| PROPONENT | Shire of Bridgetown-Greenbushes | | |
| OFFICER | Manager Planning | | |
| DATE OF REPORT | 15 May 2020 | | |

Attachment 13 Reserve Rationalisation Plan

OFFICER RECOMMENDATION

That Council noting that no public submissions were received, and pursuant to Section 51, 56 and 58 of the Land Administration Act 1997, supports the proposed change in purpose from Public Recreation to Public Purpose and rationalisation of Reserve 48886, Lot 1 Balmoral Drive, Bridgetown, facilitated through partial road widening and closure of Balmoral Drive, as shown on Attachment 13, and directs the Chief Executive Officer to seek approval from the Minister for Lands.

Summary/Purpose

Council in February 2020 gave in-principle support to rationalise the purpose, size and function of Reserve 48886, Lot 1 Balmoral Drive, Bridgetown, facilitated through partial road widening and closure of Balmoral Drive. Noting that no public submissions were received during the public consultation period, it is recommended that Council support the proposed rationalisation and seek formal approval from the Minister for Lands.

Background

A detailed background was presented to Council in February 2020, whereby Council resolved:

“C.07/0220 That Council gives in-principle support to the proposed change in purpose from Public Recreation to Public Purpose and rationalisation of Reserve 48886, Lot 1 Balmoral Drive, Bridgetown, facilitated through partial road widening and closure of Balmoral Drive, as shown on Attachment 8, and directs the Chief Executive Officer to undertake necessary public consultation with a subsequent report presented to Council for further consideration.

Officer Comment

Pursuant to the above resolution the proposed reserve rationalisation was advertised for public comment, with notices published in the Manjimup-Bridgetown Times and

posted on the Shire’s website and noticeboards on 25 March 2020, with a notice also erected on the site. Correspondence was sent directly to landowners of nine surrounding properties, including those on Balmoral Drive up to the junction with Kincaid Close. Written submissions were invited up to and including 30 April 2020 however no submissions were received.

The Reserve Rationalisation Plan (see Attachment 13) shows the proposed excision of approximately 140m² from Reserve 48886 for dedication as widening of Balmoral Drive to include the cul-de-sac head and verge area; and the closure of approximately 530m² of the Balmoral Road reserve to include the drainage compensation basin in a new Public Purpose reserve.

It is therefore recommended, noting that no public submissions were received during the public consultation period, that Council support the proposed reserve rationalisation and direct the Chief Executive Officer to seek formal approval from the Minister for Lands through the Department of Planning, Lands and Heritage.

Statutory Environment

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

Pursuant to Clauses 2.2 and 2.3 of Town Planning Scheme No. 4, development on a reserve requires development approval and regard must be given to the ultimate purpose intended for the reserve. As the ultimate purpose of Reserve 48886 is currently Public Recreation, the proposed rationalisation is considered necessary to better reflect the current use and site constraints.

Should the change in purpose ultimately be approved by the Minister for Lands then changes to the zoning of the modified reserve and road reserve can be made during preparation of draft Local Planning Scheme No. 6.

- Land Administration Act 1997

Under Section 51 of the *Land Administration Act 1997* the local government can initiate the potential cancellation, change in purpose or amend the boundaries or parcels of a reserve. Following public consultation the local government can then make a formal request to the Minister for Lands upon advice from the Department of Planning, Lands and Heritage. As Reserve 48886 does not currently have a management order in place, if the change in purpose to Public Purpose is approved by the Minister for Lands, the Shire could then accept an appropriate management order for the reserve. If a change in vesting is not supported then the Shire could still accept the offered management order for the purpose of ‘Public Recreation’ although not recommended.

Under Section 58 of the *Land Administration Act* the government power can initiate a road closure through a public consultation process. Following consultation the local government can then resolve to close a road through a formal request to the Minister for Lands. Ordinarily any closed portion of road reserve may then be made available for purchase and amalgamated with adjoining subject lots, however in this case it is proposed the closed portion of road be added to Reserve 48886.

Integrated Planning

➤ Strategic Community Plan 2019

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

Objective 2.1 Value, protect and enhance our natural environment

Strategy 2.1.1 Support and promote sound environmental management practices

Objective 2.2 Enhanced parklands, reserves and gardens

Strategy 2.2.1 Prepare and implement strategies for development and maintenance of parklands and reserves

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

Objective 3.2 Outdoor spaces, places and buildings are fit for purpose

Strategy 3.2.5 Provide and maintain a range of facilities that cater for the community's needs

➤ Corporate Business Plan 2019/23 - Nil

➤ Long Term Financial Plan - Nil

➤ Asset Management Plans - Nil

➤ Workforce Plan - Nil

➤ Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications

Should Council support the proposal and approval is granted by the Minister for Lands, the Shire will likely need to engage a licensed land surveyor to prepare a Deposited Plan to facilitate the rationalisation, with allocation of approximately \$3000 to be considered in 2020/21 Budget preparation.

Whole of Life Accounting

No ongoing costs can be attributed to the proposed reserve rationalisation, with the constructed road and drainage compensation basin to remain, and subject to normal operational and maintenance costs.

Risk Management

Reserve 48886 is informally under the care and control of the Shire however a Management Order has yet to be issued to the Shire. The proposed reserve rationalisation will formalise the existing layout of road and drainage infrastructure, and will not increase the Shire's risk management profile.

Voting Requirements – Simple Majority

| | | | |
|-----------------------|--|------------------|--------|
| ITEM NO. | C.15/0520 | FILE REF. | A36738 |
| SUBJECT | Proposed Building Envelope Extension (Setback Variation) | | |
| PROPONENT | Christopher and Monique Westley | | |
| LOCATION | Lot 101 (RSN 278) Henderson Road, Kangaroo Gully | | |
| OFFICER | Manager Planning | | |
| DATE OF REPORT | 15 May 2020 | | |

Attachment 14 Locality Plan
Attachment 15 Neighbours' Submission
Attachment 16 Proposed Site Plan/Applicant's Submission

OFFICER RECOMMENDATION

That Council, noting the single submission of support received as per Attachment 15, and pursuant to Clause 3.4.4 and Clause 4.5.6(b) of Town Planning Scheme No. 4, waives provisions of the Shire's Building Envelopes Policy TP.5 and grants development approval for the proposed building envelope extension and setback variation for Lot 101 (RSN 278) Henderson Road, Kangaroo Gully, as per Attachment 16, subject to the following conditions:

- 1. Approval is granted for a 200m² building envelope extension with a reduced setback of 10 metres to the southern side boundary.*
- 2. All future development to be contained within the approved building envelope.*

Summary/Purpose

A development application has been received for a proposed building envelope extension at Lot 101 (RSN 278) Henderson Road, Kangaroo Gully to accommodate a future outbuilding. The proposed setback variation requires determination by Council and noting the single submission of support received from adjoining neighbours, it is recommended that approval be granted subject to conditions.

Background

Nil. No previous Council resolutions relating to this application.

Officer Comment

A development application has been received seeking approval for a minor building envelope extension, with a setback variation to the southern side boundary of 10 metres in lieu of 20 metres, with an area of 200m², to accommodate a future outbuilding.

The property is zoned 'Special Rural SR17' under Town Planning Scheme No. 4 and has an approximate area of 2.0453 hectares. The existing dwelling and small outbuilding are located within the existing building envelope. The applicant intends to construct a new outbuilding setback approximately 12 metres from the southern boundary, to take advantage of existing services and access via the existing driveway. The applicant's justification is provided in Attachment 16.

The application was referred to landowners of four adjoining properties for comment with the submission period closing on 24 April 2020. One submission was received from the landowners of adjoining Lot 111 to the north, indicating no concerns (see Attachment 15). No submission was received from the landowners of adjoining Lot 102 to the south, potentially most affected by the proposed envelope extension.

The proposed building envelope extension with a setback variation from 10 metres in lieu of 20 metres to the southern side boundary, to accommodate the future outbuilding, is not expected to have an adverse effect upon the amenity of surrounding properties or the wider locality.

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.

Whilst the current building envelope is large, the proposed minor building envelope extension is modest in size and the setback variation is considered reasonable to accommodate a future outbuilding, and approval is recommended.

Statutory Environment

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

Clause 3.4.4 of TPS4 provides Council with the power to waive or modify a development requirement. *“The power conferred by this clause may only be exercised if the Council is satisfied that:*

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

Clause 4.5.6 (b) of TPS4 requires development to be contained within a defined building envelope. Council may permit construction of buildings in areas other than the building envelope if satisfied that the proposed location thereof will not be detrimental to the landscape or the environment but in any case the distance from a lot boundary will not be less than 25 metres to a road frontage or 20 metres from the side or rear boundaries of a lot. Council however has the power to extend the building envelope into the setback area.

Clause 7.6.4 of TPS4 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.”*

See Officer Comment above.

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

Part 10A Local Planning Scheme Regulations 2015 relates to bushfire risk assessment. Whilst the subject property is wholly located within the bushfire prone area, the property already has a single house, and the proposed building envelope extension relates to a future outbuilding. Assessment pursuant to SPP 3.7 Planning in Bushfire Prone Areas and the Guidelines for Planning in Bushfire Prone Areas is not considered necessary. Should a habitable building be proposed within the new

envelope then a BAL Assessment plus assessment against the bushfire protection criteria may be necessary at that time.

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 building envelope extension, noting the setback variation, is consistent with the objective of the Special Rural zone under Town Planning Scheme No. 4. |
| (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 building envelope modification, noting the setback variation, is consistent with the orderly and proper planning of Town Planning Scheme No. 4. The draft Local Planning Strategy and Local Planning Scheme No. 6 are currently being prepared. |
| (c) any approved State planning policy; | Assessment against SPP 3.7 Planning in Bushfire Prone Areas is not considered necessary in this case. |
| (e) any policy of the Commission; | Assessment against the Guidelines for Planning in Bushfire Prone Areas is not considered necessary in this case. |
| (g) any local planning policy for the Scheme area; | Building Envelopes Policy, see below. |
| (h) any structure plan, activity centre plan or local development plan that relates to the development; | SR17 zone Structure Plan is applicable. Consistent noting the building envelope extension and setback variation. |
| (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; | 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; | Landscaping not considered necessary. |

| | |
|---|--|
| (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 issues above. No evidence of flooding, soil erosion or landslip issues. |
| (y) any submissions received on the application; | One submission from adjoining neighbours has been received indicating no objection. |

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 2019/23
 - Key Goal 1 – Our Economy will be Strong, Diverse and Resilient
 - 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
 - Action 2.6.1.2 Development application process allows a balance between sensitively developed places and progressive development

 - 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
 - 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 Building Envelopes Policy TP.5

Under the Shire's Building Envelopes Policy TP.5, the purpose of a building envelope is to ensure buildings are sited on a suitable location on a lot taking into account topography, vegetation, amenity, watercourses, physiographic features and access.

The policy provides scope for minor alterations of a building envelope of no more than 20 metre extensions to cater for unforeseen physiographic constraints or other circumstances. The Policy states that no intrusion into the specific setback area is permitted however Council may vary the 25 and 20 metre setbacks required by TPS4, therefore permitting the proposed envelope extension if Council is satisfied that the proposal will not have a detrimental impact upon the landscape or the environment.

Given the terms of the policy, circumstances exist that could allow Council to approve the proposed building envelope including the setback variation, as no objections were received from surrounding landowners and no detrimental impacts upon surrounding properties are anticipated following future construction within the proposed envelope.

Budget Implications

The required development application fee has been paid to consider the application including the setback 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

| | | | |
|-----------------------|---|------------------|--------|
| ITEM NO. | C.16/0520 | FILE REF. | A35493 |
| SUBJECT | Application for Retrospective Approval for Rural Home Business (Policy Variation) and Two Relocatable Storage Units | | |
| PROPONENT | Roger Machin | | |
| LANDOWNERS | Alan and Roger Machin | | |
| LOCATION | Lot 6882 (RSN 542) Winnejup Road, Kangaroo Gully | | |
| OFFICER | Manager Planning | | |
| DATE OF REPORT | 18 May 2020 | | |

| | |
|---------------|---------------------------------------|
| Attachment 17 | Locality Plan |
| Attachment 18 | Site Inspection Photographs |
| Attachment 19 | Proposed Plans/Applicant's Submission |

OFFICER RECOMMENDATION

That Council, noting that no submissions were received, and pursuant to Clause 7.6.4 of Town Planning Scheme No. 4 waives provisions of the Shire's Home Based Business Policy TP.20 and grants retrospective development approval for the proposed rural home business and two relocatable storage units at Lot 6882 (RSN 542) Winnejup Road, Kangaroo Gully as per Attachment 19, subject to the following conditions:

- 1. Approval is granted for the rural home business within the existing demountable building and two relocatable storage units, with a maximum separation distance of 40 metres from the main dwelling.*
- 2. The rural home business including buildings and outdoor storage space is to be carried out within a maximum area of 200m² only as shown on the approved plan. Under no circumstances can an extension of the approved area for business use be permitted.*
- 3. The rural home business can 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.*
- 4. The rural home business is to be carried out by permanent residents of the dwelling and a maximum of two employees only who are not members of the occupier's household.*
- 5. All customers must be by appointment only and timed to avoid more than one appointment being onsite at any one time. Customers may attend the property between the hours of 8am to 6pm Monday to Saturday, excluding Public Holidays, unless otherwise approved.*
- 6. Provision onsite of customer and/or staff parking bays, in addition to parking bays available for residents.*
- 7. The rural home business is restricted to a sign not exceeding 0.2m².*
- 8. The rural home business is not to cause injury to or adversely affect the amenity of the local area.*
- 9. The rural home business does not involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling or business is located.*
- 10. The rural home business does not involve the presence, use or calling of more than three vehicles at any one time or of a vehicle of more than 30 tonnes gross weight.*
- 11. The external appearance of the relocated demountable building to be finished to good standard including painting, treatment or replacement of wall cladding, gutters, downpipes, roof sheeting, ridge caps or flashing, or replacement of*

damaged external timber (ie. architraves, fascias, barge boards, etc), with all works completed within twelve (12) months from the date of approval, and thereafter maintained.

12. *The exterior of the two relocatable storages unit shall be in good condition. Any rusted/damaged areas are to be treated/repared within 28 days of this approval and thereafter maintained.*
13. *The two relocatable storage units are to be used for non-habitable, storage purposes only.*
14. *The relocatable storage units must rest directly on compacted, level ground and is not permitted to rest on sleepers or concrete skids, unless a building permit has been granted by the Shire of Bridgetown-Greenbushes.*

Summary/Purpose

To determine a development application for a rural home business at Lot 6882 (RSN 542) Winnejup Road, Kangaroo Gully including a variation to the Home Based Business Policy. 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 a rural home business, primarily as an administrative base for a land surveying business, plus possible mobile mechanical business

The application was lodged in December 2019 originally for a Home Business classification, however that use is limited in area to only 50m². As the new building has a floor area of 72m², plus additional space required for the verandah and garage/storage area, the application was modified to a Rural Home Business classification. Since lodging the application the proponent has already undertaken some development and commenced administrative activities within the demountable building, meaning retrospective approval is now required.

The property is zoned Rural 1 – Extensive Farming under Town Planning Scheme No. 4 (TPS4) and has an approximate area of 20.8489 hectares. A Rural Home Business is listed as an 'SA' Special Approval use within the Rural 1 zone, requiring determination by Council following public consultation.

The property contains an existing dwelling, outbuildings and water tanks, located centrally within the farming property. The proponent has positioned the demountable building, a former school classroom from the Bunbury area, 40 metres to the east of the existing dwelling and is completing external repairs (see Attachment 18). Two sea containers have been positioned in proximity to the new demountable building, for storage of surveying equipment and archived records, with a covered area for vehicle storage planned.

A 200m² area has been nominated for the main building and storage area, consistent with provisions of TPS4 and the Home Based Business Policy for a Rural Home Business. The demountable building is separated by 40 metres from the main dwelling, in lieu of the 20 metre maximum separation, with the applicant providing written justification (see Attachment 19) for the Policy variation, discussed below in Policy Implications.

Officer Comment

The application was referred to landowners of surrounding properties with the comment period closing on 15 May 2020, however no submissions were received. Given the modest nature of the proposed use, a notice was not published in the local newspaper or Shire website, or a sign erected onsite.

Noting the large size of the property, separation distances to surrounding agricultural land and State Forest, and that no submissions were received, it is recommended that the separation distance required under the Home Based Business Policy be waived and retrospective development approval be granted subject to conditions.

Statutory Environment

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

Under Clause 4.3.1 *“Council’s objective, recognising the physical characteristics and location of land within the Zone are conducive to agriculture on an extensive basis and that this constitutes a major component of the District’s economy, will be to give priority to the continued viability of this activity.”*

Council’s Policies will there be to (inter alia):

“(b) permit a range of uses reasonably appropriate to the objective.”

The proposed rural home business, although noting the increased separation distance to the main house of 40 metres, will not have a detrimental impact on the agricultural use of property and surrounding land, and is therefore consistent with the objective and policies of the zone.

Clause 7.6.4 of TPS4 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. Whilst significant portions of the subject land are identified within the designated bushfire prone area at the time of application, the development site is outside of the bushfire prone area. Assessment against SPP 3.7 and the associated Guidelines for Planning in Bushfire Prone Areas is therefore exempt.

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 use of a demountable classroom as an administration office, and the use of two sea containers for business storage, to form the rural home business is generally consistent with the objective of the Rural 1 – Extensive Farming zone under Town Planning Scheme No. 4. |
| (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 use of a demountable classroom as an administration office base, and use of two sea containers for business storage, to form the rural home business is generally consistent with the objective of the Rural 1 – Extensive Farming zone under Town Planning Scheme No. 4. The draft Local Planning Strategy and Local Planning Scheme No. 6 is currently being prepared. |
| (c) any local planning policy for the Scheme area; | Demountable Buildings Policy TP.16, Relocatable Storage Units Policy TP17 and Home Based Business Policy TP.20. See 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; | No detrimental impacts upon the local area are anticipated. |
| (n) the amenity of the locality including the following: (iv) environmental impacts of the development; (v) the character of the locality; (vi) social impacts of the development; | No detrimental impacts upon the local environment, character of the locality or adjoining land are anticipated. |
| (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 issues above. There is no evidence of soil erosion, flooding risk, etc, noting the minor watercourse that traverses the site. |
| (r) the suitability of the land for the development taking into account the possible risk to human health or safety. | Acceptable. |
| (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 is via the existing road network is adequate utilising the new crossover and internal driveway. |

| | |
|---|---|
| (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; | Minimal additional traffic levels are anticipated given visits by clients will be very limited, with most work to be conducted offsite. |
| (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; | Reticulated power and onsite water supply and wastewater disposal provided. |
| (v) the potential loss of any community service or benefit resulting from the development other than potential loss that may result from economic competition between new and existing businesses; | Nil. |
| (x) the impact of the development on the community as a whole notwithstanding the impact of the development on particular individuals; | Nil |
| (y) any submissions received on the application; | 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 2019/23

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

Action 2.6.1.2 Development application process allows a balance between sensitively developed places and progressive development

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

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 Demountable Buildings Policy TP.16

The relocation of demountable buildings is prohibited in some zones, however can be considered in the Rural 1, 2, 3 and 4 zones, Commercial zone and Industrial zones if the proposed building is not visually intrusive on surrounding properties, with screen vegetation and external appearance of the building to be considered. The proposed use of a demountable building on the subject property can be supported with no additional screening considered necessary.

- Shire of Bridgetown-Greenbushes Relocatable Storage Units Policy TP.17

The purpose of this policy is to regulate the use of relocatable storage units and establish guidelines for the assessment of proposals to place such units to ensure that they do not detract from the visual amenity of an area. The proposed use of two sea containers for storage on the subject property is consistent with policy requirements.

- 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 Rural Home Business must satisfy a list of requirements, including (inter alia):

- *“be carried out within a maximum area of 200m² only and under no circumstances can an extension of the business area be permitted;*
- *be carried out within an outbuilding or designated yard separated by no more than 20 metres from the principal dwelling;*
- *be carried out by permanent resident(s) of the dwelling plus a maximum of two people who are not members of the occupier’s household;”*

Section 4.6 of the Policy also lists a range of general requirements to address car parking, customer visits, the use, storage and servicing of vehicles, machinery and equipment and environmental issues.

The proposed rural home business is consistent with the above requirements, with the exception of the maximum 20 metre separation distance. As no objections were received from surrounding landowners and that no detrimental impacts upon

surrounding properties are anticipated, Council could waive the Policy and approve the use with the 40 metre separation between the main dwelling and nominated area for the rural home business.

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

Community Services

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|-----------------------|---|------------------|-----|
| ITEM NO. | C.17/0520 | FILE REF. | 500 |
| SUBJECT | Bridgetown Youth Precinct Community Consultation and Concept Design | | |
| PROPONENT | Council | | |
| OFFICER | Manager Community Development | | |
| DATE OF REPORT | May 2020 | | |

| | |
|---------------|--|
| Attachment 20 | Bridgetown Youth Precinct Community Consultation and Concept Design Report |
| Attachment 21 | Bridgetown Youth Precinct –Quote – Detailed Design and Costings |
| Attachment 22 | Bridgetown Youth Precinct Design Renders |

OFFICER RECOMMENDATION

That Council

- 1. Endorse the Bridgetown Youth Precinct Community Consultation and Concept Design Report.*
- 2. Progress the Bridgetown Youth Precinct project to detailed design and costing stage including engineering certification.*
- 3. Increase expenditure in the Youth Precinct Hang Out Space account (PJ06) from \$7,599 to \$28,580 by transferring \$20,981 from the Strategic Projects Reserve.*

4. *Endorse the design of a new ablution facility including two gender specific, universally accessible toilets to replace the existing single ablution located at the Bridgetown Skate Park.*

Summary/Purpose

These recommendations seek to progress the planning of the Bridgetown Youth Precinct at Somme Creek Parkland to detailed design and costings. The Bridgetown Youth Precinct development is identified in Councils 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

On 14 February 2019 the draft Bridgetown Youth Precinct Community Consultation Report was presented to Councillors for discussion at the Concept Forum. The report included the findings of the preliminary community consultation and proposed recommendations based on those findings. During the forum Councillors indicated the total expenditure for the construction of the Bridgetown Youth Precinct would be capped at approximately \$500,000. Councillors also outlined the scope of the project and the design elements to be included as part of the concept design.

The Youth Precinct Community Consultation Report was formally endorsed by Council in May 2019. The final report included a basic layout of the Bridgetown Youth Precinct that corresponded with the findings of the consultation, designated area constraints and the direction received from Councillors at the Concept Forum. At the same meeting Council determined to progress the Bridgetown Youth Precinct project to concept design and preliminary cost estimates and to transfer funds from the Youth Events account (PJ07) to cover the costs associated with appointing a consultant to complete the concept design and preliminary cost estimates.

After seeking quotes from a number of consultants, Skate Sculpture was appointed to carry out the concept design process. The concept design process included a second community consultation to refine the original design outline, completed as part of the initial stage of planning.

The second community consultation was completed in November 2019. The consultation consisted of four sessions in total, one held at each of the local schools (Bridgetown Primary, St Brigid’s and Bridgetown High School) and a session at the skate park after school hours. There were 138 community members involved in the consultation, 76 male and 52 female ranging in age from 12 and under to 35 years (Attachment 20, Bridgetown Youth Precinct Community Consultation and Concept Design Report for more detail).

The top 8 elements identified in the consultation (from most to least popular) were;

- Pump track (75 participants)
- Bowl (57 participants)
- Parkour (45 participants)
- Wifi (45 participants)
- Basketball (41 participants)
- Log seating (17 participants)
- Shelter (16 participants)

- Basketball court art (11 participants)

A site meeting between shire officers and the consultant in late November 2019 clarified the shires stance on a number of requested changes to the current lay out of the skate park and surrounding area. This meeting also afforded the consultants an understanding of the technical and operating requirements of the skate park and surrounding areas. These changes included;

- Reducing the bus zone
- Widening the driveway adjacent to the toilet block for access
- Pruning bushes at the northern end of the proposed pump track
- Drainage of the bowl into Somme Creek
- Moving the existing piece of gym equipment and path
- Confirmation of reticulation surrounding the skate park

The Draft Community Consultation and Concept Design Report was presented to Councillors for feedback and guidance at the Concept Forum in March 2020. Councillors were supportive of the design and also indicated their support for replacing of the current single, unisex toilet with two, gender specific, universally accessible toilets. Councillors also indicated that the cost of the replacement toilets would not be included as part of the Bridgetown Youth Precinct construction budget but would be funded separately through Council's annual budget allocation process.

At the same Concept Forum Councillors also agreed to consider the Future development of a larger pump track on the northern side of Somme Creek Parkland as a second stage development of the Bridgetown Youth Precinct given the local popularity of a full scale pump track and the potential attraction it would be for regional and state visitors.

Officer Comment

The concept design and preliminary cost estimates outlined in the Bridgetown Youth Precinct Community Consultation and Concept Design Report includes both skate and non-skate elements and presents an outdoor youth precinct that will cater to a wide range of users and interests. The concept design is in alignment with the findings from the second community consultation, site constraints and the construction budget set by Council. Details of the concept design can be seen in the design renders (Attachment 22) There are seven proposed areas of development in the Bridgetown Youth Precinct concept design;

- Junior Pump Track
- Skate Bowl
- Street Elements
- Three Throw Basketball Court
- Parkour area
- Skate Park Upgrade
- Seating Area

If Council supports the recommendations of this report the detailed design and costing of the Bridgetown Youth Precinct will be developed and presented to Council for endorsement, (Attachment 21 – Quote). The detailed design stage includes detailed design, associated costing and engineering certification for the Bridgetown

Youth Precinct. This process is in alignment with the Project Management Framework and would ensure that the project was “construction ready” by the 2020/2021 financial year.

Discussions with Lotterywest representatives has indicated that, under their new “outcome based” framework, they were unlikely to cover costs associated with the concept or detailed design of a project, however, they will include planning costs as part of the organisation’s overall contribution to the project when considering the funding application for construction.

By transferring funds (\$20,981) from the Strategic Projects Reserve, Council will complete the planning stage for the Bridgetown Youth Precinct.

Statutory Environment - Not Applicable

Integrated Planning

- Strategic Community Plan
 - Key Goal 3 – Our built environment is maintained, protected and enhanced
 - Objective 3.2 – Outdoor spaces, places and buildings are fit for purpose
 - Strategy 3.2.1 – Community spaces and buildings accommodate a wide range of interests and activities
- Corporate Business Plan
 - Action 3.2.1.2. – Prepare detailed design plans for the Bridgetown Youth Precinct.
- Long Term Financial Plan
 - The Long Term Financial Plan incorporates the expenditure identified under the Corporate Business Plan. Development of concept and detailed project plans and costings assists to inform the accuracy of these plans.
- Asset Management Plans
 - As the infrastructure involved in the Youth Precinct Project will be constructed on Shire managed land this infrastructure will be included in Councils Asset Management and Building Maintenance Plans on completion of the construction stage of the project.
- Workforce Plan – Not Applicable
- Other Integrated Planning
 - Youth Plan 2017-2021
 - Focus area – Spaces and Places To Be
 - Goal – Outdoor spaces and physical places used by young people are fit-for-purpose and resources based on demonstrated demand
 - Strategy S1 – Community spaces and buildings can be adapted to accommodate a wide range of interests and activities
 - Action S1.1 – Plan for a youth precinct and hang out space in Bridgetown by completing and enhancing the skate park, creating linkages with the leisure centre, library and improving amenities such as shade, seating, landscaping and Wi-Fi.

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 strategic plans.*

Budget Implications

Should Council endorse recommendation 3 it is proposed that expenditure will increase in the Youth Precinct Hang Out Space account (GL PJ06) from \$7,599 to \$28,580 by transferring \$20,981 from the Strategic Projects Reserve. The current balance of the Reserve is \$95,000.

Whole of Life Accounting

During the planning and detailed design stage of this project, an assessment of the maintenance requirements of the final outcome of the Youth Precinct Project will be undertaken to identify the ongoing whole of life cycle costings associated with infrastructure maintenance and the required workforce implications to inform Council decision making processes.

Risk Management

The recommendations mitigate Council’s exposure to risk by adhering to the Project Management Framework policy which outlines a comprehensive planning process as part of project development and project management.

Voting Requirements - Simple Majority

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|-----------------------|--------------------------------------|------------------|--|
| ITEM NO. | C.18/0520 | FILE REF. | |
| SUBJECT | Youth Services | | |
| PROPONENT | Council | | |
| OFFICER | Executive Manager Community Services | | |
| DATE OF REPORT | 18 May 2020 | | |

Attachment 23 Table of Service Provision and Budget Allocations

OFFICER RECOMMENDATION

That Council:

- 1. Determine to cease provision of youth services as outlined in Attachment X effective from 1 July 2020.*
- 2. Determine to write to Blackwood Youth Action and request the Manager Community Development be considered as an ex-officio member on their Committee to provide a conduit between Blackwood Youth Action and Council.*
- 3. Determine not to proceed with the proposed review of the Youth Plan.*
- 4. Determine to disband the Youth Leadership Team and Youth Services Advisory Committee.*

Summary/Purpose

The purpose of this agenda report is to formalize the direction provide to officers with regard to the provision of youth services.

Background

The officer presented a service review of Youth Services at the May 2020 Concept Forum. Key outcomes of that review were:

1. The service provision is no longer considered a worthwhile return on investment of Council resources.
2. There is an existing service provider within the community working in the area of youth development/services (Blackwood Youth Action).

This agenda report seeks to formalize Council's views with regard to the future provision of youth services.

Officer Comment

In considering service provision post COVID-19 within the Community Services Department the need for ongoing investment in youth development is questioned in term of relevance and return on investment of officer time and expenditure (materials and contracts).

Blackwood Youth Action (BYA) has gone from strength to strength and is a vibrant, community driven service. Their key operations include the op shop (social enterprise) which funds the employment of a part time youth worker; mental health support and advocacy and significant progress on the procurement of a building and extensive community support to redevelop that building (on a 21 year lease) for the exclusive purpose of provision of youth support service and activities. This includes

physical and mental health and wellbeing as well as vocational guidance and support, peer support and a range of other initiatives.

Council's commitment to youth development is outlined in the Instrument of Appointment for the Youth Services Advisory Committee. This revolves around the implementation of Council's Youth Plan which is currently due for review. It is proposed that this review not proceed.

It is the officer's view that the time has come to step out of the 'youth development space'. While the resourcing implications are small, there are savings to be made. More importantly, the capacity to support an existing community group, delivering a wide range of youth services, will be a better alignment of resources. This proposal aligns with the existing (albeit informal) model of working collaboratively with community groups (Blackwood Creatives) to achieve community driven objectives. The provision of aged care (Geegelup Village) and family care (BFCC) are two other examples.

It is not intended, at this stage, to recommend to Council that BYA should receive annual funding in lieu of this withdrawal of service. The group currently have a service agreement (currently in its first year) of \$1,651 to assist with rubbish collection, internet and promotion. The group can seek financial support through future community grants and service agreements; the process allowing for Council to determine 'non contestable' funding allocations at any time in the future.

The recommendations will see a savings of \$14,750 predominantly on materials and contracts, with a small portion of savings on salaries (\$1,750). Overhead costs/savings have not been factored into this review.

It is further proposed that should Council support the intent of this review, support would also be sought from Council and BYA to request to have the Community Development Manager (Megan Richards) sit on the BYA Board/Committee as an ex-officio member to provide a direct conduit between BYA and Council.

The recommendations do not prohibit Council from continuing to actively support young people in the community, however it is intended that future activities and programs for that demographic group would be delivered within the operations of the Leisure Centre, Aquatics Complex and Library through targeted (and externally funded) programs.

Statutory Environment

The *Local Government Act at Section 5.11 Tenure of committee* states at 5.11(1)(c) that:

Where a person is appointed as a member of a committee under section 5.10(4) or (5) the person's membership of the committee continues until the committee is disbanded.

Integrated Planning

➤ Strategic Community Plan

- There are a number of Strategic Community Plan key goals objectives, strategies (directly linked to the Youth Plan) which would cease (and be removed) from future reviews in alignment with the officer recommendations.

- Corporate Business Plan
 - There are a number of Corporate Business Plan Action items, directly linked to the Youth Plan, which would cease (and be removed) from future reviews in alignment with the officer recommendations.
- Long Term Financial Plan – not applicable
- Asset Management Plans – not applicable
- Workforce Plan – not applicable
- Other Integrated Planning
 - Youth Plan – officers would not review the current Youth Plan as an informing Strategy within the Integrated Planning Framework.

Policy Implications - Nil

Budget Implications

Any 2019/20 budget allocations not yet expended would be quarantined for the remainder of this financial year and be incorporated into the end of financial year position.

Whole of Life Accounting – Nil

Risk Management

The recommendations seek to minimize the risk of financial loss service provision by cessation of a service no longer considered a worthwhile return on investment of Council resources.

Voting Requirements – Absolute Majority

Receival of Minutes from Management Committees – Nil

Urgent Business Approved by Decision

Responses to Elected Member Questions Taken on Notice - Nil

Elected Members Questions With Notice

Notice of Motions for Consideration at the Next Meeting

Matters Behind Closed Doors (Confidential Items)

Closure

The Presiding Member to close the Meeting

List of Attachments

| Attachment | Item No. | Details |
|-------------------|-----------------|--|
| 1 | C.03/0520 | Commonwealth Government Media Statement on 5G Safety |
| 2 | C.03/0520 | Australian Mobile Telecommunications Association Media Statement on 5G Safety |
| 3 | C.04/0520 | Draft Funding Agreement |
| 4 | C.05/0520 | 2020 Determination of the Salaries and Allowances Tribunal for Local Government Chief Executive Officers and Elected Members |
| 5 | C.06/0520 | Local Government (COVID-19 Response) Order 2020 |
| 6 | C.06/0520 | COVID-19 Financial Hardship Policy with proposed amendments shown as track changes |
| 7 | C.08/0520 | Correspondence from Jubilee Singers |
| 8 | C.10/0520 | Rolling Action Sheet |
| 9 | C.11/0520 | Shire of Bridgetown-Greenbushes Consolidated Asset Management Plan Summary 2019/20-2033/34 |
| 10 | C.12/0520 | Draft 2020/21 Schedule of Fees & Charges |
| 11 | C.13/0520 | April 2020 Financial Activity Statements |
| 12 | C.13/0520 | List of Accounts Paid in April 2020 |
| 13 | C.14/0520 | Reserve Rationalisation Plan |
| 14 | C.15/0520 | Locality Plan |
| 15 | C.15/0520 | Neighbours Submission |
| 16 | C.15/0520 | Proposed Site Plan/Applicant's Submission |
| 17 | C.16/0520 | Locality Plan |
| 18 | C.16/0520 | Site Inspection Photographs |
| 19 | C.16/0520 | Proposed Plans/Applicant's Submission |
| 20 | C.17/0520 | Bridgetown Youth Precinct Community Consultation and Concept Design Report |
| 21 | C.17/0520 | Bridgetown Youth Precinct –Quote – Detailed Design and Costings |
| 22 | C.17/0520 | Bridgetown Youth Precinct Design Renders |
| 23 | C.18/0520 | Table of Service Provision and Budget Allocations |

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| Agenda Papers checked and authorised by T Clynych, CEO |  | 21.5.20 |
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