



MINUTES OF ORDINARY MEETING OF COUNCIL

held on

Wednesday 27 July 2022

Commencing at 5.00pm

Shire of Donnybrook Balingup Council Chamber, Donnybrook

A handwritten signature in black ink, appearing to read 'Ben Rose'.

Ben Rose
Chief Executive Officer

04 August 2022

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SHIRE OF DONNYBROOK BALINGUP
MINUTES OF ORDINARY COUNCIL MEETING

Held at the Council Chambers
Wednesday, 27 July 2022 at 5.00pm

1 DECLARATION OF OPENING / ANNOUNCEMENT OF VISITORS

Shire President – Acknowledgment of Country

The Shire President acknowledged the traditional custodians of the land, the Wardandi People of the Noongar Nation, paying respects to Elders, past, present and emerging.

The Shire President declared the meeting open at 5:04pm and welcomed the public gallery.

The Shire President advised that the meeting is not being digitally recorded due to technical issues with the recording system. The Shire President further stated the following:

Members of the public are reminded that no other visual or audio recording of this meeting by any other means is allowed without the permission of the Chairperson.

2 ATTENDANCE

MEMBERS PRESENT

COUNCILLORS

STAFF

Cr Leanne Wringe (President)	Ben Rose – Chief Executive Officer
Cr Lisa Glover (Deputy President)	Steve Potter – Director Operations
Cr Shane Atherton	Kim Dolzadelli – Director Corporate and Community
Cr Peter Gubler	Archana Arun – Admin Officer Executive Services
Cr Phil Jones	
Cr Jackie Massey	
Cr Fred Mills	
Cr Chaz Newman	
Cr Chris Smith	

PUBLIC GALLERY

Six members of the public were in attendance.

2.1 APOLOGIES

Nil

2.2 APPROVED LEAVE OF ABSENCE

Nil

2.3 APPLICATION FOR A LEAVE OF ABSENCE

Nil

3 ANNOUNCEMENTS FROM PRESIDING MEMBER

PRESIDENT'S DIARY – JULY 2022 OCM

23 June 2022	Webinar – WA Strategic Trails Blueprint 2022-2042
23 June 2022	Meeting with Apple Festival Committee representative, Belinda O'Brien
23 June 2022	Heart Hub SW Inc – Alcohol & Young Person
24 June 2022	SW Zone Meeting, Australind
27 June 2022	Meeting with business owners, Village Harvest
29 June 2022	Meeting with Donnybrook Historical Society
29 June 2022	Meeting with Hall & Prior
29 June 2022	Meeting with CEO
30 June 2022	Beelerup Bushfire Brigade – Medal recipients
19 July 2022	Budget Workshop 1
20 July 2022	CEO Performance Appraisal Working Group meeting
20 July 2022	Agenda Briefing
20 July 2022	Concept Forum
20 July 2022	Jodie Hanns MP - Donnybrook RSL Memorial Hall refurbishment
26 July 2022	WALGA Training – Economic Development
27 July 2022	Meeting with CEO
27 July 2022	CEO Performance Appraisal Working Group meeting
27 July 2022	Budget Workshop 2
27 July 2022	July Ordinary Council Meeting

4 DECLARATION OF INTEREST

Division 6: Sub-Division 1 of the *Local Government Act 1995*. Care should be taken by all Councillors to ensure that a financial/impartiality interest is declared and that they refrain from voting on any matter, which is considered to come within the ambit of the Act.

Cr Wringe has declared an Impartiality Interest in item 12.1.1 Confidential – Unauthorised Development as she has held the position of 'Booking officer' of the Kirup Hall on a volunteer basis while 'the business' hired Kirup Hall equipment for events.

Cr Gubler has declared an Impartiality Interest in item 12.1.1 Confidential – Unauthorised Development as his business name appears on 'the business' website.

Cr Atherton has declared an Impartiality Interest in item 12.1.2 Confidential - Request for Tender 04-2122 and Expressions of Interest - VC Mitchell Park Project as he is a life member of the Donnybrook Football Club.

Cr Glover has declared a Proximity Interest in item 12.1.2 Confidential - Request for Tender 04-2122 and Expressions of Interest - VC Mitchell Park Project as she is a part owner of a property adjoining the VC Mitchell Park site (Emerald Street).

Cr Glover has declared a Financial Interest in item 12.1.2 Confidential - Request for Tender 04-2122 and Expressions of Interest - VC Mitchell Park Project as the above mentioned property is an investment property.

Cr Glover has declared an Indirect Financial Interest in item 12.1.2 Confidential - Request for Tender 04-2122 and Expressions of Interest - VC Mitchell Park Project as her partner is a joint owner of the above-mentioned property.

Cr Glover has declared an Impartiality interest in item 12.1.2 Confidential - Request for Tender 04-2122 and Expressions of Interest - VC Mitchell Park Project as she is a Member of the Tennis Club.

Cr Glover has declared an Impartiality Interest in item 12.1.2 Confidential - Request for Tender 04-2122 and Expressions of Interest - VC Mitchell Park Project as family members are members of the Donnybrook Tennis Club.

Cr Glover has declared an Impartiality Interest in item 12.1.2 Confidential - Request for Tender 04-2122 and Expressions of Interest - VC Mitchell Park Project as she is a Member of the Ladies Hockey Club.

Cr Glover has declared an Impartiality Interest in item 12.1.2 Confidential - Request for Tender 04-2122 and Expressions of Interest - VC Mitchell Park Project as a family member is a member of the Preston Thunder Football Club.

Cr Glover has declared an Impartiality Interest in item 12.1.2 Confidential - request for Tender 04-2122 and Expressions of Interest - VC Mitchell Park Project as she is a Volunteer (processing Kidsport Applications) for Donnybrook Football Club.

Cr Glover has declared an Impartiality Interest in item 12.1.2 Confidential - request for Tender 04-2122 and Expressions of Interest - VC Mitchell Park Project as a family member is a member of the Donnybrook Netball Association.

Digital recording

The Shire President advised that the technical issues are sorted, and the meeting is now being digitally recorded in accordance with Council Policy EM/CP-2.

5 PUBLIC QUESTION TIME

5.1 RESPONSES TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Question: Mr Brad Fowler

How much of the \$6m Covid funding is left?

Director Corporate and Community Response

\$5.75M

Question: Mr Brad Fowler

\$500,000 from reserves:

- What reserve funds and how much has been used?
- \$60,000 extra for tender documentation?

Director Corporate and Community Response

\$250K future/proposed Shire contribution from Land Development Reserve.
\$209K actual from Trust Fund (Cash in lieu of POS) + \$41K from insurance claim =
\$250K (for hockey pitch)

This will need to be funded through the Shire's project contribution.

Question: Mr Brad Fowler

Can you please explain how the overall budget is still \$9,500,000? When spent amounts are deducted the current budget should be \$8,950,000 and not \$9,500,000.

Director Corporate and Community Response

The overall project budget (including expended amounts to date but excluding Donnybrook Football Club proposed contribution) is \$9.5M.

5.2 PUBLIC QUESTION TIME

Question: Mr Brad Fowler

The CEO was directed by Council at the 27 April, 2022 meeting to commence immediate investigations including a temporary solution for implementation at the May Ordinary Council meeting. My question is where is the temporary solution and why hasn't it been implemented?

CEO Response

The resolution of Council required investigation of particular courses of action; not for implementation of investigation findings. The investigation was undertaken and the results were presented to elected members, with the recommendation to roll-out video livestreaming in a more staged and considered manner (not from May 2022), including for example, policy documents to be prepared first.

Shire President Response

My interpretation is that the CEO was requested to commence immediate investigation, including investigating a temporary solution for implementation at the May meeting. So, the resolution was to investigate implementation for the May meeting.

Question: Mr Brad Fowler

Has the Council any got any Foot and Mouth Disease mitigation policies in place at present?

CEO Response

No.

Question: Mr Simon McInnes

Why has the Park Cafe not been included in the updated Asset Management Plan?

Director Corporate and Community Response

The Goods Shed is included on Page 14 and 15 of the “Asset Management Plan – Buildings” which shows \$238,138 of planned renewal works over the life of the plan.

Question: Mr Simon McInnes

If it is not included, will that upset the Assets Management Plan ratio?

Director Corporate and Community Response

The asset is already included.

Question: Mr Simon McInnes

Could you explain why at the end of two years, we are still waiting for construction to begin on the VC Mitchell Park sport and recreation project?

CEO Response

It is a complicated project, in a complicated environment. COVID has created procurement challenges and there has been a lot of engagement and consultation steps along the way.

Question: Mr Simon McInnes

It is my understanding that a concrete cricket pitch will be placed at the centre of VC Mitchell Park before the commencement of this year’s cricket season. Is this the case and is the extra cost of this coming from the funding for the sporting development?

CEO Response

I’m not aware of this proposal.

Question: Rod Atherton

Do you think you should correct people when they say the VC Mitchell Park project is actually a football club building?

Shire President Response

It is a multi-purpose pavilion that is being planned at the moment. Yes, personally I have been correcting people. There is a perception out there that it's solely for football, but it is multi-purpose.

Question: Mr Brad Fowler

Why was the EOI advertising for VC Mitchell Park not run for a minimum of 14 days, as per Regulation 21 of the Functions and General Regulations and Council Policy?

CEO Response

Your reference to Regulation 21 of the Functions and General Regulations is misconceived. The expression of interest that was released to the market was a commercial consultation exercise, not an expression of interest for the purposes of Regulation 21. Therefore, there is no obligation for a minimum time period for it to be released.

Question: Mr Brad Fowler

Why did you not utilise the Shire's local government Tenderlink portal for the expression of interest?

CEO Response

The Tenderlink portal is established for tenders and expressions of interest in relation to Regulation 21 of the Functions and General Regulations. As I explained in my earlier response, that Expression of Interest was not for the purpose of Regulation 21, so there's no obligation or need to use the Tenderlink portal.

Question: Mr Brad Fowler

Why was the closing time for the expression of interest one hour later than the request for tender, and not at the same time (this allows for tampering of documentation)?

CEO Response

I don't agree that an hour difference allows for tampering of documentation.

Question: Mr Brad Fowler

How many people or companies downloaded the expression of interest?

CEO Response

I'll be able to find out, however, I don't have that data with me right now.

Question: Mr Brad Fowler

The EOI document includes metadata from the City of Busselton – was the document plagiarised from the City of Busselton or was the City of Busselton paid to prepare the document?

CEO Response

Neither. A copy of a publicly available document was accessed from the City of Busselton, which the Shire used, in-part.

6 PRESENTATIONS

6.1 PETITIONS

6.2 PRESENTATIONS

6.3 DEPUTATIONS

Mr John Keenan – Councillors and community.

Mr Brad Fowler – Item 12.1.2 Confidential – Request for Tender 04-2122 and Expressions of Interest - VC Mitchell Park Project

ADOPTION BY EXCEPTION

COUNCIL RESOLUTION 88/22

Moved: Cr Jones

Seconded: Cr Smith

That the following items be adopted 'en bloc':

- 7.1 Ordinary Meeting of Council – 22 June 2022**
- 9.2.2 Monthly Financial Report – June 2022**
- 9.2.4 Western Australia Strategic Trails Blueprint 2022-2027**

CARRIED 9/0

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

Against: Nil

7 CONFIRMATION OF MINUTES

7.1 ORDINARY MEETING OF COUNCIL – 22 JUNE 2022

Minutes of the Ordinary Meeting of Council held 22 June 2022 are attached (attachment 7.1(1)).

EXECUTIVE RECOMMENDATION

That the Minutes from the Ordinary Meeting of Council held 22 June 2022 be confirmed as a true and accurate record.

COUNCIL RESOLUTION 89/22

Moved: Cr Jones

Seconded: Cr Smith

That the Minutes from the Ordinary Meeting of Council held 22 June 2022 be confirmed as a true and accurate record.

CARRIED 9/0 by En Bloc Resolution

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

Against: Nil

8 REPORTS OF COMMITTEES

Nil.

9 REPORTS OF OFFICERS

9.1 DIRECTOR OPERATIONS

Nil.

9.2 DIRECTOR CORPORATE AND COMMUNITY

9.2.1 ACCOUNTS FOR PAYMENT

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

9.2.2 MONTHLY FINANCIAL REPORT – JUNE 2022

The Monthly Financial Report for June 2022 will be prepared and presented to the Ordinary Council Meeting in August 2022.

EXECUTIVE RECOMMENDATION

That the monthly financial report for the period ended June 2022 will be presented to the August 2022 Ordinary Council Meeting for compliance purposes.

COUNCIL RESOLUTION 90/22

Moved: Cr Jones

Seconded: Cr Smith

That the monthly financial report for the period ended June 2022 will be presented to the August 2022 Ordinary Council Meeting for compliance purposes.

CARRIED 9/0 by En bloc Resolution

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

Against: Nil

9.2.3 DRAFT LONG TERM FINANCIAL PLAN 2022 - 2042

Location	Shire of Donnybrook Balingup
Applicant	Shire of Donnybrook Balingup
File Reference	N/A
Author	Katie McIntyre, Manager Finance and Corporate
Responsible Manager	Kim Dolzadelli, Director Corporate and Community
Attachments	9.2.3(1) - Long Term Financial Plan 2022 - 2042
Voting Requirements	Simple Majority

Executive Recommendation
That Council adopt the Long Term Financial Plan 2022 – 2042, as attached.

STRATEGIC ALIGNMENT

The following outcomes from the Council Plan relate to this proposal:

Outcome	11	Strong, visionary leadership.
Objective	11.1	Provide strategically focused, open and accountable governance.
Priority projects	11.1.1	Provide an annual review of key informing strategies to the Integrated Planning and Reporting Framework to inform the Annual Budget.

EXECUTIVE SUMMARY

Council is requested to adopt the Draft Long Term Financial Plan 2022 – 2042 (Plan) as attached.

The Plan is part of the Shire’s ongoing commitment to planning for the future of the district. Despite the current uncertain times, it provides the Shire and the community with a picture of the Shire’s long term financial and asset management circumstances and assists to meet strategic objectives, both during and beyond the COVID-19 Pandemic.

The key components of the Plan are:

- Planning for a Sustainable and Stable Future
- Overall Financial Strategy
- Significant Financial Challenges
- Forecast Capital Projects

BACKGROUND

Previous versions of the Plan were adopted by Council in 2017 and 2020. Whilst there are no legislated requirements in the Local Government Act for the preparation and review of the Plan, the Office of the Auditor General recommends an annual review.

FINANCIAL IMPLICATIONS

The financial implications of the activities and projects contained in the Plan are contained within the document itself.

The Plan has been prepared with regard to the Budget assumptions approved by Council at the March 2022 Ordinary Meeting as well as the update provided to Councillors on 15 June 2022, with a high level summary of adjustments provided within the attachments (note: other adjustments have been made at a more granular level as required throughout the Plan, however the attachment provides a summary view).

This Plan contains all specific capital asset expenditure as adopted in the Asset Management Plans at the June 2022 Ordinary Meeting of Council, however in order to ensure that the Shire progresses towards being more financially sustainable, some general reductions to total expenditure on asset renewal works have been incorporated into the Plan. Over the first six years of the Plan, average expenditure reductions of 5.24% (~\$299,000) per annum have been applied to forecasted capital renewal works. Overall, total reductions for the twenty year period are 2.28% of forecasted total capital renewal expenditure. This reduction has not adversely impacted the Asset Sustainability Ratio of the Plan which is 94% and falls within the target range of 90% to 110%. The Asset Renewal Funding Ratio also sits at 99%, which is above the top end of the target range of 95% and indicates that the Shire is planning to complete almost all capital renewal works as identified through the Asset Management Plans.

Officers recommend that following adoption of the Plan, Council reviews the output of the Building Service Level Hierarchy Framework as approved at the March 2022 Ordinary Council Meeting (currently due for officers to report back to Council by March 2023). The output will enable Council to make decisions on how to prioritise the use of capital funds in order to best serve the community and its collective needs with regard to assets.

In addition, officers recommend that following the establishment of the service level hierarchy framework, a risk management exercise is performed to risk rate the impact of performing/not performing asset renewal works on an asset by asset basis. This exercise will provide a further balanced, considered and risk based view of the impacts of capital prioritisation, and ensure that Council is well placed to make decisions on how best to utilize Council funds.

POLICY COMPLIANCE

Not applicable.

STATUTORY COMPLIANCE

Not applicable.

CONSULTATION

Councillors and staff, with reference to the Council Plan and Asset Management Plan.

OFFICER COMMENT

The Plan is an informing document to the Integrated Planning and Reporting Framework and will support work on the Council Plan to achieve our goals and drive the Shire in achieving its vision of 'A proud community enjoying our rural lifestyle, cultural heritage and natural environment'.

EXECUTIVE RECOMMENDATION

Moved : Cr Atherton

Seconded : Cr Newman

That Council adopt the Long Term Financial Plan 2022 – 2042, as attached.

PROPOSED AMENDMENT : Cr Smith

Moved : Cr Smith

Seconded : Cr Glover

That Council adopt the Long Term Financial Plan 2022 – 2042, subject to updating the diagram on Page 15 to reflect Shire of Donnybrook Balingup processes.

CARRIED 9/0

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

Against: Nil

COUNCIL RESOLUTION 91/22

Moved : Cr Atherton

Seconded : Cr Newman

That Council adopt the Long Term Financial Plan 2022 – 2042, subject to updating the diagram on Page 15 to reflect Shire of Donnybrook Balingup processes.

CARRIED 8/1

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

Against: Cr Mills

FORESHADOWED/ ALTERNATE MOTION : Cr Glover

That Council instruct the CEO to conduct a workshop with Councillors on the Long Term Financial Plan prior to consideration for adoption.

LAPSED AS SUBSTANTIVE MOTION CARRIED

9.2.4 WESTERN AUSTRALIA STRATEGIC TRAILS BLUEPRINT 2022-2027

Location	Shire of Donnybrook Balingup
Applicant	Shire of Donnybrook Balingup
File Reference	DEP62C, TRS15, TRS16, TRS20
Author	James Jarvis – Manager Community Development
Responsible Officer	Kim Dolzadelli – Director Corporate and Community
Attachments	9.2.4(1) - WA Strategic Trails Blueprint 2022-2027 9.2.4(2) - Shire of Donnybrook Balingup Trails Master Plan 2011 9.2.4(3) - WA Hiking Strategy 2020 -2030 9.2.4(4) - The Heart Foundation - What Australia Wants – Living Locally in Walkable Neighbourhoods 2020/21 9.2.4(5) - Shire of Donnybrook Balingup - Pathways and Trails Expansion Strategy 2017
Voting Requirements	Simple Majority

Recommendation
<p>That Council:</p> <ol style="list-style-type: none"> 1. Note the draft WA Strategic Blueprint 2022-2027 and the request for feedback from the Department of Local Government, Sport, and Cultural Industries. 2. Authorise the CEO to provide feedback to DLGSCI on the importance that the State Government: <ol style="list-style-type: none"> a. Invests in the planning and construction of smaller, community-based projects like those identified in the Shire of Donnybrook Balingup’s Trails Masterplan 2011 and, in particular, the Shire’s Council Plan 2022 – 2032 priority project 10.2.1 that advocates for the realignment of the Munda Biddi Trail through the centre of Donnybrook; b. Makes available a small grants funding program to enable the Shire of Donnybrook Balingup to refresh its existing Masterplan to achieve alignment with the WA Trails Strategic Blueprint 2022-2027; and c. Provides an investment fund that will enable the Shire to access external leveraged investment to further plan and then construct priority projects in the refreshed Trails Masterplan.

STRATEGIC ALIGNMENT

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

Outcome	10	A popular destination for visitors and tourists.
Objective	10.2	Improve tourist and visitor infrastructure and services.
Priority projects	10.2.1	Advocate for realignment of the Munda Bididi Trail through the Donnybrook townsite.

EXECUTIVE SUMMARY

The State Government has released a draft *WA Strategic Trails Blueprint 2022-2027* for comment with feedback to be directed to the Department of Local Government, Sport, and Cultural Industries (DLGSCI).

There are significant efforts being undertaken across the Bunbury Geographe and Warren Blackwood regions to attract investment into the development, planning, and construction of trails to ensure that ongoing economic, environmental, and social sustainability is realised. The coordination of effort is increasing across a diverse range of stakeholders in the region with the Shire of Donnybrook Balingup uniquely placed given its regional centrality and the surrounding swathes of forest and rolling farmland.

The Blueprint highlights that the State Government investment in trails has been significant, but concentrated in key regional areas such as Collie, Dwellingup and several Great Southern areas. That disjointed investment has created a two-speed trails economy where regional stakeholders, including the Shire of Donnybrook Balingup, have not been able to attract external investment to implement priority projects.

The Shire has an opportunity to feedback to DLGSCI that external investment is needed for small, community-based projects to proceed in our Shire, including the realignment of the Munda Bididi Trail through the Donnybrook town centre, the refresh of the Shire's Trails Masterplan 2011 and the funding of priority projects detailed in the Masterplan.

BACKGROUND

Shire of Donnybrook Balingup – Trails Masterplan 2011

In 2011, the Shire appointed consultant Transplan Pty Ltd, to undertake a Trails Master Plan of the Shire with the aim of providing direction for the future management and development of trails across the Shire.

The Donnybrook-Balingup region offers a broad spectrum of possible trail types and standards, and at the time the development of a Trails Master Plan was believed to provide an opportunity for various governments, private and community organisations to cooperate and plan. The Trails Masterplan also explored linkages with other local government jurisdictions.

Research and consultation for the Trails Masterplan began in March 2011. The consultant met with relevant stakeholders including Shire Officers, government departments and land holders, relevant groups and clubs based within the Shire, and individuals who were able to offer advice and comment on potential trail development within the Shire.

An assessment of several existing Shire documents and plans were reviewed and considered and a detailed assessment of existing trails within the Shire was undertaken, and an inventory of existing Trails was included.

The vision of the local Trails Master Plan was for *‘The Donnybrook-Balingup trails network to cater for local people and visitors, on quality trails that are well constructed, well maintained and well promoted, which enrich the users’ experience and knowledge of the natural features and history of the Shire, and which deliver economic, health, well-being and other benefits to the local communities.’*

The Trails Masterplan was approved by Council at the April 2012 Council Meeting and the masterplan itself has proven robust and comprehensive to date. Seven new trail projects were identified with three other significant trail related projects recommended. To date, only one of the seven new projects has been implemented (the Balingup Town Heritage Trail) with the Munda Biddi realignment through the Donnybrook town centre gaining some traction through recent community discussions with Mr Alan Coxall and the CEO of the Munda Biddi Foundation, Mr Oliver Laing.

Significantly, one of the seven proposed trail projects was the Donnybrook to Wilga Rail Trail. Members of the Yabberup Community Association and Donnybrook Regional Tourism Association are still actively pursuing this concept.

Shire of Donnybrook Balingup – Pathways and Trails Expansion Strategy

In July 2017, the Shire’s *Pathways and Trails Expansion Strategy* was adopted by Council Resolution 12.2.1. The aim of the strategy was to provide strategic direction for identifying, supporting, planning, and developing new pathways and trails within the townships of Donnybrook, Balingup, and Kirup. This strategy was a refresh of the expired strategy that had ceased in 2014. An annual budget allocation was approved of \$60,000 that the Shire’s Works and Service division use as leverage to obtain additional external investment to upgrade township trails, if possible. For example, the 2021 upgrade of the Meldene Estate Bike Path.

The Heart Foundation’s: What Australia Wants – Living Locally in Walkable Neighbourhoods.

In 2020/2021, The Heart Foundation surveyed 2895 people on what makes a healthy neighbourhood and what features matter most when deciding where to live. A significant finding from this national survey found that just over 69% of Australians wanted more walking and running trails and better movement networks around their communities.

WA Hiking Strategy 2020-2030

In 2020, the WA Hiking Strategy was produced in partnership between the State Government Departments of Local Government, Sport, and Cultural Industries (DLGSCI) and Biodiversity, Conservations and Attractions (DBCA). The purpose of the strategy

was to provide strategic direction for hiking in WA, focused primarily on bushwalking and trail running.

The Strategy's vision is that all Western Australians and visitors could connect to country and explore natural landscapes through bushwalking and trail running. The Strategy also extols the many participation and health related outcomes from hiking, yet it is the tourism potential of trails that is highlighted also that identifies 88% of repeat visitors to WA sought activities in natural landscapes. It discusses different trail models from an individual trail, trail network, trail centre and trail town to enable communities to target their level of investment in trail development.

Warren Blackwood Alliance of Councils – Tourism – Total Trails Website.

The Shire of Donnybrook Balingup is a paid member of the Warren Blackwood Alliance of Councils (WBAC) that recently assumed management responsibility for the former Southern Forests and Valleys Tourism Association (SFVTA). The Shire partnered with SFVTA and the four WBAC Councils to bring the SBS Trail Towns documentary producers to develop a 30-minute episode that aired during the 2021 Tour De France. Raw filming footage was provided to each of the five partnered councils for use in future tourism promotions. SFVTA is now referred to as WBAC Tourism and has recently implemented the Total Trails website (www.totaltrails.com.au) which includes comprehensive information on the trails in the Shire and WBAC areas.

The Balingup and Districts Tourism Association (BADTA) works closely with WBAC Tourism via the Balingup Visitor's Centre, which the Shire funds via a Service Level Agreement to the value of \$35,000 per annum for three years. BADTA actively promotes Balingup and surrounds trails and activities and is currently developing the Blackwood Bike Park concept to link a variety of non-powered cycle activities and trails. The Donnybrook Regional Tourism Association (DRTA) is also funded by a Service Level Agreement for \$35,000 per annum for three years and has an indirect association with WBAC Tourism as it is more orientated to the BunGeo Tourism Partnership that is auspiced by Australia's South West. DRTA actively promotes existing trails in Donnybrook and surrounds and is continuing to explore the development of the Donnybrook to Wilga Rail Trail.

WA Strategic Trails Blueprint 2022-2027 – Draft

Common Ground Trails Pty Ltd have been commissioned by the DLGSCI and DBCA to review and build on the successes of the *Western Australia Strategic Trails Blueprint 2017-2021*. The draft 2022-2027 draft is being circulated for feedback via DLGSCI.

The Draft's Executive Summary identifies what smaller regional locations have noted as they endeavour to invest in local trail projects. That is, despite record State Government investment in trail developments, those investments have been largely centred on Collie, Dwellingup, and several Great Southern locations. The Shire's Trails Masterplan, while ageing, is a comprehensive audit of the Shire's existing trails and possible future trails connected to economic, tourism, and socially important outcomes. Many of these projects remain unfunded and unable to be implemented without external investment, much of which LotteryWest will not fund.

An important Trails model introduced by the Blueprint is the focus on quality trails that can create ‘Trail Towns’, ‘Trail Centres’, and ‘Trail Networks’. The Shire has world class trails that traverse our heavily forested Shire:

1. The Munda Biddi Trail for mountain bikes trekking through the northern end of the Shire as it tracks from Collie to Nannup with an annual track participation exceeding 30,000 visits; and
2. The Bibbulman track for hikers connecting Mumballup to Balingup and Golden Valley Tree Park with an annual walker participation rate far exceeding 30,000 visits across the length of the trail. The Bibbulman track celebrates it’s 25th year anniversary that Balingup Progress Association is focused on delivering with the Bibbulman Track Foundation

The presence of these world class trails is a significant asset on which the Shire can activate further trails for use by visitors and residents alike.

The Draft Strategy highlights the following aspects of trail development and management, all of which are relevant to the Shire, including:

1. Greater trail use, and awareness;
2. Consistent and collaborative planning;
3. Sustainable design, construction, and maintenance;
4. Community Engagement;
5. Sound knowledge base;
6. Effective governance;
7. Investment and financing; and
8. Growing the visitor economy.

An opportunity exists to provide DLGSCI feedback on how the Shire will align its Masterplan to the *WA Trails Strategic Blueprint 2022-2027*, including:

- Highlighting the importance of state government investment in the planning and construction of smaller, community-based projects as identified in the Shire’s Trails Masterplan and, in particular, the Shire’s Council Plan priority project 10.2.1 that advocates for the realignment of the Munda Biddi Trail through the centre of Donnybrook;
- Enabling the Shire to access small grants funding to assist in refreshing the existing Masterplan to achieve alignment with the *WA Trails Strategic Blueprint 2022-2027*; and
- The provision of a funding pool that will enable the Shire to access external leveraged investment to enable the further planning and construction of the Shire’s Masterplan priority projects.

FINANCIAL IMPLICATIONS

The Shire allocates an annual budget allocation of \$60,000 (through its Works and Services business unit) to enable it to meet the objectives set out in the Shire’s Pathways and Trails Expansion Strategy. This funding is targeted to township-based paths and trails and is not available to non-township-based trails that may grow visitor numbers to the Shire.

POLICY COMPLIANCE

Nil.

STATUTORY COMPLIANCE

Nil.

CONSULTATION

- WBAC Tourism on the Total Trails website and associated tourism promotions.
- BADTA and Balingup Visitor's Centre.
- DRTA and Donnybrook Visitor's Centre.
- BunGeo Tourism Partnership auspiced by Australia's South West.
- Oliver Laing, CEO, Munda Bididi Trail.

OFFICER COMMENT

The Shire has great pride in its natural assets, including the Blackwood and Preston River Valleys, rolling farmland and pastures, and heavily forested areas bristling with flora and fauna that is found only in the South West of Western Australia. Residents and ratepayers fight hard to create an environmentally friendly Shire with the expansion of the Wellington National Park an excellent example of how new opportunities arise through persistent commitment to a shared vision.

Equally, the Shire's Trails Masterplan 2011 is an example of the Shire and its community sharing a vision of a trail network that seeks to enhance existing trails and develop exciting and innovative new priority projects. However, new trails and the further development of existing trails requires investment and funding to be made available. The Shire has a long history of achieving outstanding results using low-cost approaches. By providing targeted feedback to the DLGSCI, the Shire can highlight that the State Government is an important investment partner and that investment in smaller community-based trail development and construction the Shire and the broader Western Australian community will further develop its status as a domestic Trails leader.

COUNCIL RESOLUTION 92/22

Moved: Cr Jones

Seconded: Cr Smith

That Council:

- 1. Note the draft WA Strategic Blueprint 2022-2027 and the request for feedback from the Department of Local Government, Sport, and Cultural Industries.**
- 2. Authorise the CEO to provide feedback to DLGSCI on the importance that the State Government:**
 - a. Invests in the planning and construction of smaller, community-based projects like those identified in the Shire of Donnybrook Balingup's Trails Masterplan 2011 and, in particular, the Shire's Council Plan 2022 – 2032 priority project 10.2.1 that advocates for the realignment of the Munda Biddi Trail through the centre of Donnybrook;**
 - b. Makes available a small grants funding program to enable the Shire of Donnybrook Balingup to refresh its existing Masterplan to achieve alignment with the WA Trails Strategic Blueprint 2022-2027; and**
 - c. Provides an investment fund that will enable the Shire to access external leveraged investment to further plan and then construct priority projects in the refreshed Trails Masterplan.**

CARRIED 9/0 by En bloc Resolution

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

Against: Nil

9.3 CHIEF EXECUTIVE OFFICER

9.3.1 LIVE STREAMING AND RECORDING OF COUNCIL MEETINGS POLICY

Location	Shire of Donnybrook Balingup
Applicant	Shire of Donnybrook Balingup
File Reference	N/A
Author	Maureen Keegan, Manager Executive Services
Responsible Manager	Maureen Keegan, Manager Executive Services
Attachments	9.3.1(1) - Amended Policy 9.3.1(2) - RedFish Technologies Quote
Voting Requirements	Simple Majority

Recommendation
<p>That Council:</p> <ol style="list-style-type: none"> 1. Endorse the amended policy EM/CP-2 Live Streaming and Recording of Council Meetings. 2. Acknowledge the likely implementation costs for live streaming and video recording, as per the attached quote. 3. Subject to 2022-23 Budget approval, instruct the Chief Executive Officer to implement a live streaming and recording system from the September 2022 Ordinary Council Meeting onwards.

STRATEGIC ALIGNMENT

The following outcome from the Council Plan relate to this proposal:

Outcome	11	Strong visionary leadership.
Objective	11.2	Improve community consultation and engagement.
Priority Project	11.2.4	Live stream council meetings.

EXECUTIVE SUMMARY

Council is requested to endorse the updated EM/CP-2 Audio Recording of Council Meetings Policy to include live streaming and video recordings of Council meetings. Council is further requested to acknowledge the attached quotation from RedFish Technologies and instruct the CEO to make provision in the draft 2022-23 Budget to enable live streaming and video recording to commence at the September 2022 OCM, onwards.

BACKGROUND

The 6 April 2022 Annual General Meeting of Electors an Electors Motion was submitted: “That Council initiate live streaming by July 2022”, the motion was considered by Council and endorsed at the 27 April 2022 meeting.

7.1 Acknowledges that it has considered Motion 3 from the 2022 Annual General Meeting of Electors and give consideration as part of the 2022-23 Budget deliberations to a specific budget allocation for implementing video livestreaming.

7.2 Request the CEO to commence immediate investigation including a temporary solution for implementation at the May Ordinary Council Meeting.

CARRIED 7/2

Council received a memorandum on the 24 May 2022 outlining several factors to take into consideration before live streaming and/or recording of Council meetings can be implemented to ensure high-quality transmission of sound and visual professional system.

Officers contacted a local IT company to provide a submission to provide live streaming and video recording for the Shire. The proprietor advised that a quote could be given however stock is not available rendering them unable to deliver the service.

FINANCIAL IMPLICATIONS

The draft 2022-23 will accommodate implementation costs, for Council’s consideration.

POLICY COMPLIANCE

EM/CP-2 Live Streaming and Recording of Council Meeting applies to this report.

STATUTORY COMPLIANCE

Not applicable.

CONSULTATION

Shire of Donnybrook Council Plan.
Elected Members motion at the 2021 AGME 6 April 2022.

OFFICER COMMENT/CONCLUSION

Good Governance determines that Policy “EM/CP-2 Audio Recording” be amended to include live streaming and video recordings in place of audio recordings.

Amendments to the policy include:

- Live streaming will occur for agenda briefings, ordinary and special council meetings. Confidential meetings or confidential sections of a meeting will not be live streamed. Committee meetings and concept forums will neither be live streamed or recorded.
- The live streaming will be accessible on the Shire’s website and/or social media platform upon commencement of the relevant Council Meeting. It is to be noted that should any unforeseen technical difficulties arise, the live stream or recording may not be available or may be delayed.
- Recordings of Council Meetings will be published on the Shire’s website no later than the publishing of the Unconfirmed Minutes on the Shire website.
- The Shire retains copyright over its recordings of its Council Meetings. Video, images, and audio contained in a live stream or recording must not be altered, reproduced, or republished without the permission of the Shire.
- Images of elected members, relevant officers, and members of public participating during Public Question Time or Deputations will appear on the live streaming and recording of relevant meetings. By participating in a Council Meeting, those members of the public in attendance agree to being recorded. While every endeavour will be made to ensure the image of members of the public who attend the meeting in the gallery will not appear in either the live streaming or recording, any loud comments made by the public may be captured on the recording.

Council is recommended to approve the amended policy and instruct the CEO to implement hardware/software to enable live streaming and recording of meetings to commence as requested by the community.

COUNCIL RESOLUTION 93/22

Moved: Cr Glover

Seconded: Cr Jones

That Council:

- 1. Endorse the amended policy EM/CP-2 Live Streaming and Recording of Council Meetings.**
- 2. Acknowledge the likely implementation costs for live streaming and video recording, as per the attached quote.**
- 3. Subject to 2022-23 Budget approval, instruct the Chief Executive Officer to implement a live streaming and recording system from the September 2022 Ordinary Council Meeting onwards.**

CARRIED 9/0

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

Against: Nil

10 ELECTED MEMBER MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

10.1 PROPOSED MOTION FOR WALGA STATE COUNCIL AGM - TO ADVOCATE FOR UPGRADES TO MOBILE TELECOMMUNICATIONS TOWERS TO PROVIDE 12 HOUR BATTERY BACK-UP IN BUSHFIRE PRONE TOWNSHIPS

Location	Western Australia
Applicant	Cr. Leanne Wringe – Shire President
File Reference	CSV23
Author	Cr. Leanne Wringe – Shire President
Responsible Officer	Not applicable
Attachments	10.1(1) - Correspondence – Shire and Telstra 10.1(2) - Email - Hon. Jane Kelsbie (Member for Warren Blackwood)
Voting Requirements	Simple majority

Recommendation
<p>That Council:</p> <ol style="list-style-type: none"> Approves the following motion to be presented to the WALGA State Council AGM: <i>‘That WALGA State Council advocate via ALGA to seek the upgrade of mobile telecommunications towers to provide 12 hour battery backup systems in all bushfire prone townships across Australia.’</i> Acknowledges that the Shire President and Chief Executive Officer will continue to advocate on this matter with relevant Federal and State Members of Parliament.

STRATEGIC ALIGNMENT

The following outcomes from the Council Plan relate to this proposal:

Outcome	2	A safe and healthy community.
Objective	2.1	Improve access to facilities and services to support community health and wellbeing.
Objective	2.3	Maintain Community safety.

Outcome	3	Our plan for the future.
Objective	3.2	Develop community readiness to cope with natural disasters and emergencies.

SUMMARY

Having personally experienced a bushfire in February and after discussions with Balingup Progress Association (BPA) members, it has been identified that communication was the major concern for residents. Invariably, when there is a bushfire, the power goes out. Currently the Telstra mobile towers in the Shire of Donnybrook Balingup have an approximately 4-hour battery backup system, however, various factors may reduce the operational time.

With conversations with the BPA and the presentation of a 'Community Care' plan to the Shire's Local Emergency Management Committee (LEMC), the current Telstra backup system is considered inadequate during times of power outages and emergencies. The Shire is currently working with the BPA to liaise with Telstra to 'harden' key mobile phone tower sites in Balingup and Kirup under the Strengthening Telecommunications Against Natural Disasters (STAND) program.

After discussions with community members and other Councils, it is evident this is not an isolated issue in the Shire of Donnybrook Balingup. I believe this issue should be recognised at a WALGA State Council level to bring awareness and seek advocacy for upgrades, not only in our Shire but also across the State and the nation.

BACKGROUND

Western Australia (and Australia generally) is experiencing a drying climate and many towns and settlements are in close proximity to bushland, which results in an increased fire risk to lives and property.

It is understood that a number of mobile telecommunications towers in cyclone risk areas in the Northwest of Western Australia have 12 hour battery backup. It is considered that this same standard should be applied to townships at risk of bushfire throughout the State.

Community members who have experienced a bushfire are aware of the physical and mental fatigue that follows the emotions of fear, uncertainty and anger. Communication is not only vital for the safety of lives and property but also for the mental wellbeing of those people who are faced with, what could be termed as, a nightmare. It gives people access to accurate emergency information, advice, the ability to plan, and to communicate with loved ones.

With increased reliance on mobile phone coverage to make or receive calls, access internet data and use 'apps', these devices are a lifeline for all (especially during a bushfire).

If this motion is passed by the Shire of Donnybrook Balingup Council at the July Ordinary Council Meeting, this motion and accompanying report will be presented at the 2022 WALGA State Council AGM on 3 October 2022. The deadline for the submission of proposed motions to WALGA is 12 August 2022.

FINANCIAL IMPLICATIONS

Nil.

POLICY COMPLIANCE

Nil.

STATUTORY COMPLIANCE

Nil.

CONSULTATION

I attended the BPA's June committee meeting and have held discussions with the BPA President, Ms. Wendy Trow. Following the February 2022 fires, the BPA submitted a written request to the Shire and delivered a presentation with recommendations at the Shire's LEMC Meeting held on 30 March 2022. A report was considered on this matter at the LEMC meeting which was subsequently ratified by Council at the April 2022 Ordinary Council Meeting which included (in part) the following resolution:

"6. Instructs the Chief Executive Officer to:

- 6.1 Prepare written correspondence to Telstra to request that battery capacity be increased at key mobile phone tower sites at Balingup and Kirup (and any other applicable sites within the Shire) to provide a minimum of 12 hours battery reserve;"*

The Shire has submitted formal correspondence to Telstra, however the initial response has not been overly encouraging with a copy of such correspondence provided at Attachment 1.

Separately, the BPA have also received an email of support from the Hon. Jane Kelsbie (Member for Warren Blackwood) for increased battery service at Telstra mobile towers (Attachment 2).

OFFICER COMMENT/CONCLUSION

Where there is a combination of a drying climate, native vegetation and population growth there will be an increasing bushfire risk to lives and property.

During a bushfire event, residents experience power outages which affect their ability to access accurate emergency information, be given advice, make appropriate arrangements and communicate with family and friends. These are very emotional times for people who are reliant on accurate information and staying connected.

It is considered that 4-hour battery backup systems for mobile telecommunications towers are insufficient. With increased bushfire risk due to impacts of climate change I believe all mobile telecommunications towers servicing towns that are bushfire prone, should be equipped with a battery backup system of at least 12 hours in case of emergencies.

COUNCIL RESOLUTION 94/22

Moved : Cr Wringe

Seconded : Cr Massey

That Council:

- 1. Approves the following motion to be presented to the WALGA State Council AGM:**

‘That WALGA State Council advocate via ALGA to seek the upgrade of mobile telecommunications towers to provide 12 hour battery backup systems in all bushfire prone townships across Australia.’

- 2. Acknowledges that the Shire President and Chief Executive Officer will continue to advocate on this matter with relevant Federal and State Members of Parliament.**

CARRIED 9/0

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

Against: Nil

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

12 MEETINGS CLOSED TO THE PUBLIC

12.1 MATTERS FOR WHICH THE MEETING MAY BE CLOSED

12.1.1 CONFIDENTIAL – UNAUTHORISED DEVELOPMENT

This report is confidential in accordance with Section 5.23(b) and (d) of the Local Government Act 1995, which permits the meeting to be closed to the public.

(b) the personal affairs of any person;

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

12.1.2 CONFIDENTIAL – REQUEST FOR TENDER 04-2122 AND EXPRESSIONS OF INTEREST - VC MITCHELL PARK PROJECT

This report is confidential in accordance with Section 5.23(c) of the Local Government Act 1995, which permits the meeting to be closed to the public.

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

12.1.3 CONFIDENTIAL – FACILITATION OF CONTRACT RENEWAL

This report is confidential in accordance with Section 5.23 (a) and (c) of the Local Government Act 1995, which permits the meeting to be closed to the public.

(a) a matter affecting an employee or employees.

(c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting;

RECOMMENDATION

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

12.1.1 CONFIDENTIAL – UNAUTHORISED DEVELOPMENT

12.1.2 CONFIDENTIAL – REQUEST FOR TENDER 04-2122 AND EXPRESSIONS OF INTEREST - VC MITCHELL PARK PROJECT

12.1.3 CONFIDENTIAL – FACILITATION OF CONTRACT RENEWAL

COUNCIL RESOLUTION 95/22

Moved : Cr Atherton

Seconded : Cr Massey

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

12.1.1 CONFIDENTIAL – UNAUTHORISED DEVELOPMENT

12.1.2 CONFIDENTIAL – REQUEST FOR TENDER 04-2122 AND EXPRESSIONS OF INTEREST - VC MITCHELL PARK PROJECT

12.1.3 CONFIDENTIAL – FACILITATION OF CONTRACT RENEWAL

CARRIED 9/0

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

Against: Nil

The meeting was closed to the public at 6:58pm

COUNCIL RESOLUTION 103/22

Moved: Cr Jones

Seconded: Cr Smith

That the meeting be re-opened to the public.

CARRIED 9/0

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

Against: Nil

The meeting was re-opened to the public at 9:34pm.

12.2 PUBLIC READING OF RESOLUTIONS THAT MAY BE MADE PUBLIC

That Council:

- 1. Acknowledges that no tenders were submitted for the Shire of Donnybrook Balingup Request for Tender RFT 04-2122 Design & Construction of Built Form and Infrastructure Works at the Donnybrook VC Mitchell Park Precinct.**
- 2. Acknowledges that one Expression of Interest was inadvertently lodged in the Tenderlink Portal, however, that Expression of Interest was also correctly lodged via email to the Chief Executive Officer.**
- 3. Acknowledges that, as no tenders were received for RFT 04-2122 in accordance with regulation 11(2)(c) of the Local Government (Functions and General) Regulations 1996, the Shire does not need to publicly invite tenders for the previously tendered works for a period of six months from 13 July 2022.**
- 4. Subject to Point 7, based on the Commercial Consultation Expressions of Interest lodged, instruct the Chief Executive Officer to undertake further due diligence and commercial negotiation with Perkins Builders as to the previously tendered works and present a negotiated draft contract to Council for deliberation no later than 31 October 2022.**
- 5. Reaffirms its previous resolution that the Shire's capital co-contribution to the project is not to exceed \$3.5 million inclusive of a loan up to \$3 million.**
- 6. Instruct the Chief Executive Officer to investigate opportunities to reduce the proposed borrowings for the project.**
- 7. The process of due diligence and commercial negotiation include discussion of project scope through a Concept Forum with Councillors. The Concept Forum include consideration of:**
 - (a) a scaled-down version of Multi-Purpose Pavilion 1;**
 - (b) addressing the needs of as many other clubs;**
 - (c) opportunities to reduce the proposed loan from the State Government.**
- 8. Instruct the Chief Executive Officer to advise Smith Constructions that they are presently not the preferred proponent, however, that should negotiations fail with the preferred proponent, the Shire may re-engage with Smith Constructions for further due diligence and negotiation.**
- 9. Release this Resolution within the Minutes.**

CARRIED 8/0

13 CLOSURE

The Shire President to advise that the next Ordinary Council Meeting will be held on 24 August 2022 commencing at 5.00pm in the Shire of Donnybrook Balingup Council Chamber.

The Shire President declared the meeting closed at 9:36 pm.

These Minutes were confirmed by the Council as a true and accurate record at the Ordinary Council Meeting held 24 August 2022.



Cr Leanne Wringe
SHIRE PRESIDENT