



MINUTES ANNUAL GENERAL MEETING OF ELECTORS

Held on

Wednesday 06 April 2022

Commencing at 6.00pm

Station Square (Collins Street), Donnybrook

Pursuant to Section 5.27 of the *Local Government Act 1995*, a General Meeting of Electors is to be held within a local government district once every financial year.

**Ben Rose
Chief Executive Officer**

14 April 2022

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SHIRE OF DONNYBROOK BALINGUP
MINUTES
ANNUAL GENERAL MEETING OF ELECTORS

Held at the Station Square, Donnybrook
Wednesday 06 April 2022 at 6.00pm

1 DECLARATION OF OPENING

Shire President – Acknowledgement 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 6:00 pm and welcomed the public gallery.

The Shire President advised that the meeting is not being digitally recorded. 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	Loren Clifford – Corporate Planning and Governance Officer
Cr Jackie Massey	
Cr Fred Mills	
Cr Chaz Newman	
Cr Chris Smith	

PUBLIC GALLERY

Graeme Giudici
Alan Swarbrick
Anita Lindemann
Kev Johns
Clare Rosman
Simon McInnes
Michelle Fowler
Chris Sharp
Vivienne MacCarthy
Angelo Logiudice
Suzanne Hernan
Brad Fowler
Fred Mills
Gloria Waters
Mark Atherton
Shaun Nelson
David Steicke

Robyn Giudici
Jill Duncan
Peter Worsfold
Dianne Fry
Brian Piesse
Shane Sercombe
Derek Chapman
Colin Sharp
Kim MacCarthy
Mike King
Peter McCabe
Louise Dall
G. Mollington
Joanne Waters
Karen Miller
Neville Fry

Derek Louw
Linda Bell
Lisa Worsfold
Leith Crowley
Sandra Hough
Karyn Connor
Jo Torrisi
Michael Staffa
Joe Taylor
John Keenan
Chris Bilsby
D. Dall
Rod Atherton
Beryl Green
Peter Hearman
Shirley Steicke

2.1 APOLOGIES

Lui Tuia.
Sheryl Swarbrick.

3 PRESENTATIONS

Presentation in relation to the 2020/21 financial year, and an update on the 2021/22 financial year.

4 2020/21 ANNUAL REPORT

4.1 SHIRE OF DONNYBROOK BALINGUP ANNUAL REPORT 2020/21

Shire President read the President's Report for 2020/21.

Mr Dolzadelli, Director Corporate and Community provided a detailed presentation of the audited Annual Financial Statements for 2020/21.

RECOMMENDATION

That the Shire of Donnybrook Balingup Annual Report for 2020/21 be received.

ELECTOR'S DECISION

Moved Brian Piesse

Seconded Shane Sercombe

That the Shire of Donnybrook Balingup Annual Report for 2020/21 be received.

CARRIED 23/18

5 GENERAL BUSINESS

5.1 QUESTIONS FROM ELECTORS

Peter McCabe

You mentioned a figure towards spending for Netball and Basketball in your opening speech. I can't find reference to that in the speech notes provided?

Shire Response

It's not included.

Shane Sercombe

Why does the workers compensation appear to be twice the state average?

Shire Response

Our workers compensation insurance has historically been affected by the operation of Tuia Lodge. Going forward, our figures will improve as Tuia Lodge does not form part of the Shire's operations any longer.

Shane Sercombe

What would be the Shire's capacity to borrow once it borrows \$3 million for VC Mitchell Park?

Shire Response

There are many factors which affect a local government's capacity to borrow funds via the WA Treasury Corporation, and these factors are never static. The residual capacity to borrow would be impacted by factors such as the term of loan and the interest rates of the day. The WA Treasury Corporation only assess loan applications as they are lodged by a local government, they won't give advice/answers on loan capacity.

Shane Sercombe

Would it be fair to say that we are absolutely maxed out?

Shire Response

No, it would not be fair to make that claim.

Shane Sercombe

The tender request for the Pump Track included \$400,000 for CCTV, lights and clubroom upgrades. Why haven't they been completed?

Shire Response

They were separable components of the tender documentation, which were optional for the Shire to take-up, depending on the overall tender price.

Jill Duncan

Could next year's Electors Meeting be held in a lit environment as we find it difficult to read?

Shire Response

We will take that into consideration. We held it at Station Square, in an outdoor environment, to be more inclusive during the COVID pandemic.

Jill Duncan

Was there public consultation with regards to the waste management fee increase last year?

Shire Response

The Shire is constantly facing increased fees and costs with regards to disposing of waste materials. We do look at fees and charges while preparing the budget and will consider public consultation requirements depending on what changes are proposed.

Jill Duncan

What is the waste management reserve at?

Shire Response

\$1.4 million.

Rod Atherton

Does the Shire know who is the Administrator for the Donnybrook Progress Association?

Shire Response

No.

Rod Atherton

Does the Shire know how many members form part of Donnybrook Balingup Residents Ratepayers Association?

Shire Response

No.

Rod Atherton

Do the Shire know if the other group have more members?

Shire Response

Since we don't know how many members form part of DBRRA, we cannot compare.

John Keenan

Can we get an update on where the \$6 million COVID recovery fund has gone?

Shire Response

The Shire was released a sum of \$250,000 from the State Government which has been allocated to detailed planning such as site surveys, geotechnical surveys, architects fees, cost estimator fees etc. The remaining \$5.75 million has not been released by the State Government as yet.

Simon McInnes

In 2018, the auditor identified contract management as a significant risk to Shire. The risk is still ongoing and hasn't been addressed because of financial constraints. Are you comfortable with this risk?

Shire Response

The Audit and Risk Management Committee and Council have recognised these findings together with the OAG's industry-based findings and will be pursuing the matter via a recently appointed internal audit function.

Simon McInnes

Are you comfortable with this risk?

Shire Response

Council have resolved to identify areas of improvement via an independent Internal Auditor.

Simon McInnes

The Councillors form a budget every year, vote and allocate money within that budget. Who decides not to spend that money and reallocate somewhere else?

Shire Response

Reallocation of funds cannot be done without Council approval. If officers feel there is a need elsewhere or if contractors are not available, they can request a change via a report to Council.

Simon McInnes

How are priorities set when the decision is made not to spend the money allocated?

Shire Response

There are many factors which impact on the ability to expend budgeted funds, for example - contractor availability, escalating costs, Shire resource availability, other funding opportunities that arise during the year.

Simon McInnes

The Department of Sport and Recreation produce charts to help Councillors to gauge the ongoing maintenance costs of a new build. My understanding is that the formula is 10% of the build cost. Is this correct?

Shire Response

Without knowing which document you are referring to, we cannot confirm the figure you are quoting.

Simon McInnes

What could be the cost of maintenance of the football club centre? Are the councillors comfortable with the ratepayers paying the \$1 million annual maintenance bill for this new facility?

Shire Response

The recurrent maintenance costs will depend on what is built.

Simon McInnes

What will the repayments of the principal and interest be on the proposed loan?

Shire Response

At current interest rates, annual repayments for a \$3m loan over a 20 year period would be \$215,724 through the WA Treasury Corporation.

Mike King

Council recently made the decision to increase the rates. Is this correct?

Shire Response

No. A Budget Outline document was presented to Council recently for draft budget preparation purposes.

Mike King

My rates will increase by around 32% if there is another rate rise this year. Is it the President's call to increase the rates?

Shire Response

Adoption of a local government budget is an absolute majority decision of the full Council – it is not a decision for the Shire President..

Mike King

Will you cap the rate increase at 8% or will it go up?

Shire Response

Draft budget preparations are underway and the instruction from Council to staff is to develop the draft budget with an 8% increase in overall rates revenue.

Mike King

So, no one will pay more than 8%?

Shire Response

It will depend on what is in the final adopted budget. As you will remember from your time on Council, local government rating is very complicated and a uniform increase across all rateable properties is not possible due to the State Government's mandated rating calculation methodology and the process of individual valuations of each rateable property.

Mike King

I recall that \$100k was budgeted to upgrade the Irishtown Arboretum. What has been spent?

Shire Response

The amount is actually closer to \$50,000 as a result of later Council decisions. Much of the works are being funded via the Federal Local Roads and Community Infrastructure program, with the project only receiving approval in recent weeks under those Federal funding arrangements. The works will commence shortly and be complete over the next 12 months or so.

Mike King

With regards to Preston Village, there is a contingent liability of \$4 million. Is the \$3million that we are now borrowing on top of that?

Shire Response

The Preston Retirement Village financial liability is not considered loan borrowings (by our Auditor / OAG) and is offset with the asset held by the Shire.

Mike King

96% of the project money is to be spent on the Donnybrook Football Club. The Football Club should be putting in one third of the cost. Why can't we reconsider borrowing the \$3million and ask the football club to provide?

Shire Response

The Shire is presently negotiating with the Football Club for a financial co-contribution into the project, remembering that this State Government funding does not have the usual 'one third (State) – one third (Shire) – one third (Club)' funding arrangements that are normally seen in the Community Sports and Recreation Facilities Fund. The ability for a local football club to raise several million dollars is not realistic.

Angelo Logiudice

How is the \$3m loan going to be serviced?

Shire Response

The loan will be serviced through operating revenues of the Shire and will allow for intergenerational equity.

Angelo Logiudice

So, no rate increases in the years to come?

Shire Response

At current interest rates annual repayments for a \$3m loan over a 20 year period would equate to a once off 3.53% increase.

Angelo Logiudice

So, a cost revenue problem does not exist?

Shire Response

You will need to explain what you mean by a "cost revenue problem" as it is not a term we are familiar with. As explained in the earlier presentation, net available cash from operations for the year ended 30 June 2021 was \$1.186 million.

Angelo Logiudice

Could you please provide a detailed breakdown of the \$250,000 of the \$6 million spent?

Shire Response

As advised on previous occasions, this State funding has been expended on detailed planning, including activities such as site surveys, geotechnical surveys, hydrogeological surveys, electrical engineering surveys, cost estimators, architect fees and many more. You are welcome to review the monthly list of accounts, which is free and easy to access for anyone via the Shire website, if you are keen to breakdown these costs.

Angelo Logiudice

Could you please advise why the disability equipment at the Apple Fun Park was not replaced?

Shire Response

Most of the 'old' fun park equipment did not meet contemporary all-ability access standards (understandable, as it was 13 years old), including the dedicated 'disability' equipment. Contemporary trends in planning for all-ability access is to design and integrate play equipment and play spaces through the entire playground, rather than having an isolated / dedicated space for children with extra accessibility needs. This is what has been achieved with the revitalised fun park – a more inclusive space for children and adults with different accessibility needs.

Angelo Logiudice

I directed a person to you, Shire President, who had feedback to offer on the updated fun park - did you have a conversation with that person?

Shire Response

I have met and discussed this with the resident.

Angelo Logiudice

Where is the balance of \$425,000 of the \$1.75 million that was spent?

Shire Response

\$421,748 was expended in the 2020/2021 financial year and \$1,078,450 in the 2021/2022 financial year being a total of \$1,500,198.

Angelo Logiudice

Is the Shire President listening to the ratepayers and making the best decisions?

Shire Response

I appreciate the feedback and comments that I both seek and receive. Everyone has opinions, great advice and I make sure that I listen to them.

Angelo Logiudice

So, the ratepayers can expect action?

Shire Response

I try and help ratepayers or point them in the right direction, and I try to see the matter from their point of view and treat them with respect.

Colin Sharp

Maintenance of roads, fire control at Noggerup Hall and empty shops in Donnybrook.

Shire Response

Our road network is our largest individual asset class. The Shire is working towards improving asset maintenance and renewals. Fire hazard at Noggerup Hall and reference to empty shops noted.

5.2 MOTIONS FROM ELECTORS

Motions made by Electors at an Annual General Meeting of Electors are presented to a meeting of Council for consideration per Section 5.33 of the *Local Government Act 1995*, which reads:

'All decisions made at an electors' meeting are to be considered at the next ordinary council meeting, or if that is not practicable, at the first ordinary council meeting after that meeting or at a special meeting called for that purpose, whichever happens first.'

Moved: Simon McInnes

Seconded: Brad Fowler

That the Council and administration asks the State Government Auditor General to conduct an independent forensic audit of all contracts over the last 5 years with a value over \$15,000 and all contract variations over the last 5 years with a value over \$5,000 be conducted immediately and a report made directly to Council and released to the public and should the auditor general decline the request that the Shire make funds available and engage a suitably qualified independent and professional person to conduct this audit.

LOST 6/20

ELECTOR'S DECISION

Moved: Brad Fowler Seconded: Neville Fry

That Council consider establishing an independent coordinating committee as recommended by the Department of Local Government, Sports and Cultural Industries to deal with the VC Mitchell Park project.

CARRIED 25/12

ELECTOR'S DECISION

Moved: John Keenan Seconded: Mike King

That the \$6 million COVID recovery grant for the Shire be allocated to the sporting precinct development at VC Mitchell as was originally intended. That any additional funds that are requested for the development above the \$6 million already allocated, be put to a referendum of rate payers for approval.

CARRIED 20/14

ELECTOR'S DECISION

Moved: Shane Sercombe Seconded: Angelo Logiudice

That Council initiate live streaming by July 2022 OCM.

CARRIED 19/8

6 CLOSURE

The Shire President advised that the next Ordinary Meeting of Council will be held on 27 April 2022 commencing at 5.00pm in the Shire of Donnybrook Balingup Council Chamber.

The Shire President closed the meeting at 8.56pm and thanked the public gallery for their attendance and interest.