

5.1.2 JURIEEN TOWN HALL – CONSIDERATION OF PUBLIC CONSULTATION OUTCOMES AND POSITION STATEMENT

Location:	Shire of Dandaragan
Applicant:	Not Applicable
Folder Path:	SODR-437506902-9707
Disclosure of Interest:	Nil
Date:	7 November 2022
Author:	Brent Bailey, Chief Executive Officer
Senior Officer:	Not Applicable

PROPOSAL

The purpose of this report is for Council to consider the public consultation outcomes following the advertising of Council's position statement regarding the future of the Jurien Town Hall. Direction is also sought from Council to formalise the lease arrangements with the Returned & Services League of Australia WA Branch Incorporated – Jurien Bay Sub-Branch (RSL) if redevelopment of the site remains the preferred option.

BACKGROUND

The Jurien Town Hall was constructed in 1971 at the corner of Bashford Street and Nineteenth Avenue. The Hall which is located on the Jurien Bay Recreation Reserve, has catered for community events and activities over the past five decades which has embedded fond memories and nostalgia in the minds of many local residents.

The building is timber framed and clad in asbestos however the structural integrity and aesthetic state of the facility has declined considerably over the years. In March 2021, the Shire Council endorsed a recommendation to close the facility due to safety reasons, while a heritage review was undertaken which would inform a decision on the building's future.

The Shire's Municipal Heritage Register identifies the building as a Category 3 item which is a place of some cultural heritage significance to the Shire of Dandaragan. Under Category 3, the Shire is encouraged to retain the building or document the place if retention is not possible.

The Jurien Town Hall has experienced a decline in use over recent times which is attributed to:

- Newer and modern facilities being constructed.
- Changing cultural and social practices.
- The decline in building condition and subsequent temporary closure.

In late 2021 and 2022, the Shire undertook a multi-faceted community consultation project to better understand the community's heritage values of the hall and gain insight into a range of proposed options about retention or disposal of the facility. At the September Ordinary Council meeting Council resolved as follows:

OFFICER RECOMMENDATION / COUNCIL DECISION

Moved Cr Eyre, seconded Cr Shanhun

That Council resolve to invite submissions from the community on its draft position for the future of the Jurien Town Hall as follows:

- 1. In light of the significant redevelopment or renewal costs, the Shire will authorise the demolition of the Jurien Hall which will be replaced by a new building constructed by the Returned & Services League of Australia WA Branch Incorporated – Jurien Bay Sub-Branch (RSL).*
- 2. The lease for the site to the (RSL) will contain conditions that require:*
 - a. The Shire to contribute \$60,000 towards the demolition and site preparation works subject to the salvaging of the timber flooring and structurally viable timbers from the building.*
 - b. The new RSL building is to feature the use of a significant quantity of the salvaged flooring and timbers to the satisfaction of the Shire of Dandaragan.*
 - c. All remaining flooring and structural timbers will be returned to the Shire of Dandaragan.*
 - d. The RSL is to design, install and maintain a suitable memorial plaque and foundation featuring an image and acknowledgement of the Jurien Town Hall within the leased area to the satisfaction of the Shire of Dandaragan.*
- 3. Prior to the demolition of the site the following activities are to be undertaken:*
 - a. A digital video and photographic capture of the site.*
 - b. A request for community members to supply copies of past photos of events at the Town Hall for interpretative projects and historical retention.*

CARRIED 8 / 0

There were five submissions received associated with the draft position statement which have been included in the attachments to this item.

In summary:

- 1 submission supported retention of the building for heritage values with minor upgrades.
- 1 submission supported the draft position statement.
- 2 submissions advocated for the RSL facility to be constructed at the Memorial Park site.
- 1 submission argued the proposal went against Council's recently endorsed Sport and Recreation Plan which promotes collocation of community facilities.

COMMENT**Jurien Town Hall Building**

As outlined in the Officer's report presented in September, Councillors were invited to participate in a workshop to review the

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community consultation outcomes and establish a draft position statement for public advertising based on a range of identified options.

The five options that were considered are summarised as follows:

Option	Indicative Cost	Summary Assessment	Councillor Ranking
Demolish the Hall and lease the land to the RSL for redevelopment with conditions to retain some heritage or interpretive components from the Jurien Hall within the new building and/or grounds.	\$60,000 demolition. The RSL have \$1.3m available to construct their facility.	Most preferred option attributed to retention of some building components, reintroduces a community space for use and offers the best cost / benefit outcome for the community.	1
Demolish the Hall and leave the land empty until plans for the Recreation Reserve are in place	\$60,000 (2 quotes approx. \$56,000 plus contingency)	Addresses the requirement to mitigate adverse impacts of failing asbestos and building condition. Retains the space for future recreational development.	2
Demolish the Hall and create an interpretive (art) project on the current site to honour the heritage and history of the Hall	\$100,000 (\$60,000 demolition costs, \$40,000 per interpretive project)	Addresses the requirement to mitigate adverse impacts of failing asbestos and building condition. Provides the opportunity for interpretative and public art project to improve main street appeal with affordable cost.	3
Refurbish at component level for baseline public building standard	\$500,000 (1 indicative quote for \$465,000 plus contingency)	Addresses the requirement to mitigate adverse impacts of failing asbestos and building condition. Provides the opportunity to improve building condition and main street appeal. This option is generally unaffordable in the context of the likely ongoing utilisation of space that is replicated at other	4

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		more desirable venues.	
Redevelop / reconstruct in current format	\$650,000 (1 indicative quote for \$632,450 plus contingency)	Addresses the requirement to mitigate adverse impacts of failing asbestos and building condition. Provides the opportunity to improve building condition and main street appeal. This option is generally unaffordable in the context of the likely ongoing utilisation of space that is replicated at other more desirable venues.	5
Demolish the Hall and design/construct a new Shire owned building in its place	No scope exists for this option. Allow approximately \$3,250 per m2.	Addresses the requirement to mitigate adverse impacts of failing asbestos and building condition. Provides the opportunity to improve building condition and main street appeal. This option has not been significantly entertained due to the lack of feasible identified utilisation.	6
Do nothing	\$5,000 per annum (routine utility costs and overheads)	Not a viable option. Does not address safety & compliance criteria.	N/A

A structural engineering assessment (attached) was undertaken in October by WML Consulting Engineers. While the assessment was limited to areas that could be accessed without interfering with asbestos sheeting, the report details that from a structural perspective the buildings structural integrity is adequate and fit for purpose but a number of critical maintenance and improvement efforts are needed including replacement of asbestos sheeting and addressing corrosion. The report also highlights that if the asbestos sheeting is to be removed, the structural frame will require re-assessment against modern building standards as part of the statutory building approval process.

Council direction is now sought to make a determination on the future redevelopment or retention of the Jurien Town Hall building. The officer's recommendation reaffirms Council's previous direction on the matter and is separated into two separate recommendations

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to address the proposed leased outcome which is discussed in greater detail below.

Returned & Services League of Australia WA Branch Incorporated – Jurien Bay Sub-Branch Proposed Lease

Preliminary discussions and negotiations with the RSL to date have identified the area marked on the image below as their preferred lease area which sits on the Shire's Recreation Reserve. Reserve 31884 is classified as 'Parks and Recreation' under the Shire's Local Planning Scheme No.7. The Shire currently holds a management order over Reserve 31884 with the ability to lease for no longer than 21 years for the land use of 'recreation'. RSL's proposed uses of the new building would be consistent with the Reserve's classification and land use.



Site area approximately 3900m² - 75m x 52m

Council will note that the proposed lease area also takes up a portion of the existing tennis courts which will be utilised by the RSL for their outdoor display space. While currently there is no tennis club in Jurien Bay, the Jurien Bay Sport and Recreation Centre does hire out the courts for casual use and there is a summer junior tennis coaching program currently scheduled.

The synthetic courts are currently in a deteriorated condition and the Shire has fielded a number of complaints about the presence of mould at the southern end of the facility. The two courts within the proposed lease area are in the best condition of the four. The two courts outside of the lease area are in need of surface renewal and there is known structural failure underneath the synthetic surface.

If the proposed lease area is supported, the Shire should concurrently commence planning and detailed design work on multi-courts to be established at the JSRC outdoor courts which is consistent with the outcomes identified in the Shire's Sport and

Recreation Plan. Project delivery plans and funding arrangements would need to be brought back to Council at a later date on this element.

CONSULTATION

A range of consultation activities have been undertaken with the community on this project. The Shire has sourced information from interviews, a community workshop, an open day at the Jurien Hall, an advertised draft position statement and through the utilisation of a heritage expert to guide the review process.

This item results in the conclusion of the public consultation process with Council now asked to decide on the matter.

STATUTORY ENVIRONMENT

Local Government Act 1995 Section 3.58 - Disposing of Property

3.58. Disposing of property

- (1) *In this section —*
- dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;*
 - property includes the whole or any part of the interest of a local government in property, but does not include money.*
- (2) *Except as stated in this section, a local government can only dispose of property to —*
- (a) the highest bidder at public auction; or*
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
- (a) it gives local public notice of the proposed disposition —*
 - (i) describing the property concerned; and*
 - (ii) giving details of the proposed disposition; and*
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
 - and*
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

*Local Government (Functions and General) Regulations 1996 -
30. Dispositions of property excluded from Act s. 3.58 (2)(b)*

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(2) A disposition of land is an exempt disposition if —

- (b) the land is disposed of to a body, whether incorporated or not —**
- (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and**
 - (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;**

POLICY IMPLICATIONS

Policy 6.2 - C-6R02 – Reserves

PART A- Policy

Objective

To provide guidance regarding the usage and leasing arrangement of Shire Reserves.

Policy Statement

1. Lease Provisions - Reserves

Where Council resolves to lease a Reserve Vested in its control or resolves to lease land owned by it to a local sporting or community organisation, the following notes are to form the basis for the lease agreement:

- (a) Length of lease to be for twenty-one (21) years unless otherwise terminated. (Maximum permissible under management order).*
- (b) Annual rental to be “a peppercorn.”*
- (c) The Lessee shall not carry out any permanent structural improvements on the reserve without the prior written approval from the Council.*
- (d) All structural improvements on the reserve shall be and remain at law, the property of the Shire. The Club shall have the sole use, benefit and enjoyment of the reserve and all structural improvements thereon during the operation of the lease.*
- (e) The Lessee shall comply with all Acts of Parliament, Orders, Regulations, Local Laws, etc, that apply to the reserve and structural improvements.*
- (f) The Lessee shall keep the Reserve area and all structural improvements in a maintained, clean and tidy condition at all times and shall comply with any directions of the Council that may be issued requiring works to have the Reserve area and structural improvements placed in a maintained, clean and tidy condition.*
- (g) The Lessee shall not disturb the surface soil and vegetation in a manner likely to cause erosion. If erosion damage does occur, the Club shall take remedial action as directed by the Council.*

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- (h) *The Lessee shall permit the Shire's officers access to the Reserve and structural improvements at all reasonable times to ensure that the lease conditions are being complied with.*
- (i) *The lease may be terminated by the Council if the Club fails to comply with provisions of the lease agreement. The Council shall give the Lessee at least thirty (30) days notice in writing requiring the Club to rectify the breach of lease before taking action to terminate the lease under this provision.*
- (j) *The Lessee shall not assign or part with possession of any Crown lease without prior approval from the Council and the responsible Minister.*
- (k) *The Lessee shall meet all costs in relation to preparing and stamping the lease document.*
- (l) *Any leases entered into relating to Council's Reserves are to include a plan completed by a licensed surveyor depicting the area of land to be leased as an attachment to the lease document.*

FINANCIAL IMPLICATIONS

There are a range of financial implications associated with the future options for the Jurien Town Hall which are outlined in the options summary above.

STRATEGIC IMPLICATIONS

Strategic Community Plan - Envision 2029

04 - Community	The Shire's resident population will be the fastest growing population in the region supported by increased community recreation and cultural opportunities and access to key liveability factors such as health and wellbeing services and educational opportunities
Priority Outcomes	Our Roles
A region that develops and supports community leadership and collective values	Provide governance support for community groups to deliver their objectives

ATTACHMENTS

Circulated with the agenda is the following item relevant to this report:

- Schedule of Submissions (Doc Id: SODR-437506902-9698)
- Summarised community survey results report (Doc Id: SODR-437506902-8511)
- Structural Engineering Report (Doc Id: SODR-437506902-9654)

VOTING REQUIREMENT

Simple Majority

OFFICER RECOMMENDATION 1 / COUNCIL DECISION 1**Moved Cr Shanhun, seconded Cr Eyre****That Council:**

1. Authorise the demolition of the Jurien Town Hall which is to be replaced by a new building constructed by the Returned & Services League of Australia WA Branch Incorporated – Jurien Bay Sub-Branch.
2. Prior to the demolition of the site the following activities are to be undertaken:
 - a. A digital video and photographic capture of the site.
 - b. A request for community members to supply copies of past photos of events at the Jurien Town Hall for retention.

CARRIED 7 / 0**OFFICERS RECOMMENDATION 2**

1. Authorise the Chief Executive Officer to negotiate a lease for the Jurien Town Hall site to the Returned & Services League of Australia WA Branch Incorporated – Jurien Bay Sub-Branch which will contain the following material lease conditions:
 - a. Lease Term: 21 Years
 - b. Further term: Nil
 - c. Annual Rent: \$1
 - d. Council to meet all lease preparation costs
 - e. The Shire to contribute \$60,000 towards the demolition and site preparation works subject to the salvaging of the timber flooring and structurally viable timbers from the building.
 - f. The new RSL building is to feature the use of a significant quantity of the salvaged flooring and timbers to the satisfaction of the Shire of Dandaragan.
 - g. All remaining salvaged flooring and structural timbers will be returned to the Shire of Dandaragan.
 - h. The RSL is to design, install and maintain a suitable memorial plaque and foundation featuring an image and acknowledgement of the Jurien Town Hall within the leased area to the satisfaction of the Shire of Dandaragan.

COUNCIL DECISION 2**Moved Cr Shanhun, seconded Cr Eyre**

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 - a. Lease Term: 21 Years
 - b. Further term: Nil
 - c. Annual Rent: \$1
 - d. Council to meet all lease preparation costs

- e. The Shire to contribute \$60,000 towards the demolition and site preparation works subject to the salvaging of the timber flooring and structurally viable timbers from the building.
- f. Subject to the material being safe to reuse, the new RSL building is to feature the use of a significant quantity of the salvaged flooring and timbers to the satisfaction of the Shire of Dandaragan.
- g. Subject to the material being safe to reuse, all remaining salvaged flooring and structural timbers will be returned to the Shire of Dandaragan.
- h. The RSL is to design, install and maintain a suitable memorial plaque and foundation featuring an image and acknowledgement of the Jurien Town Hall within the leased area to the satisfaction of the Shire of Dandaragan.

CARRIED 7 / 0

Note: Reason for variation from Officer's Recommendation: Council noted that the preparation of an Asbestos Management Plan is a mandatory requirement in the demolition process and the results of any sampling undertaken should be considered to determine the safety of reusing any salvaged materials.