



ORDINARY MEETING OF COUNCIL

MINUTES

16 DECEMBER 2021

These minutes were confirmed by Council as a true and correct record of proceedings by the Ordinary Council Meeting held on 20/1/22

Presiding Member:  Date: 20 January 2022

Disclaimer

The purpose of this Council Meeting is to discuss and, where possible, make resolutions about items appearing on the agenda.

Whilst Council has the power to resolve such items and may in fact, appear to have done so at the meeting, no person should rely on or act on the basis of such decision or on any advice or information provided by a Member or Officer, or on the content of any discussion occurring, during the course of the meeting.

Persons should be aware that the provisions of the Local Government Act 1995 (Section 5.25(e)) establish procedures for revocation or revision of a Council decision. No person should rely on the decisions made by Council until formal advice of the Council decision is received by that person.

The Shire of Brookton expressly disclaims liability for any loss or damage suffered by any person as a result or relying on or acting on the basis of any resolution of Council, or any advice or information provided by a Member or Officer, or the content of any discussion occurring, during the course of the Council Meeting.

Shire of Brookton
Ordinary Meeting of Council held 16 December 2021
Commenced at 6.00 pm

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1.12.21 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member declared the meeting open at 6.00pm.

On behalf of Council, I would like to acknowledge that this meeting is being held on the traditional lands of the Nyoongar People and pay respect to all Elders, past, present, and emerging. I wish to acknowledge and respect local people's continuing culture and the contribution they make to Country and its life.

2.12.21 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

Elected Members (Voting)

Cr KL Crute (Shire President)
Cr NC Walker (Deputy Shire President)
Cr TD Lilly
Cr BK Watts
Cr CE Hartl
Cr CKL Hayden
Cr MG Macnab

Staff (Non-Voting)

Paul Sheedy Acting Chief Executive Officer
Kellie Bartley Manager Corporate and Community
Cherie Delmage Acting Manager Corporate and Community
Danni Chard Executive Governance Officer

Apologies

Nil.

Leave of absence

Nil.

Members of the Public

Nil.

3.12.21 USE OF COMMON SEAL – NOVEMBER 2021

The Table below details the Use of Common Seal under delegated authority for the month of November 2021.

Use of Common Seal Register		
File Ref:	Purpose	Date Granted
Nil.		

4.12.21 DELEGATED AUTHORITY – ACTIONS PERFORMED – NOVEMBER 2021

The Table below details the actions of Council performed under delegated authority for the month November 2021.

Shire of Brookton, Delegation Register, 1.46 Building Matters – Permits, Certificates & Orders

BUILDING			
Application No.	Lot & Street	Type of Building Work	Date Granted
Nil.			

PLANNING

File Ref	Application Ref	Subject Land (incl. Scheme No.)	Purpose	Date Granted
Nil.				

5.12.21 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

6.12.21 PUBLIC QUESTION TIME

Ms. Rosalie Pech Eva

Director, Office of Regional Architecture Pty Ltd, forwarded the following question prior to the meeting which was read out by the Shire President.

QUESTION:

Regarding Meeting Item: 2.36 for the Council meeting of 16th December 2021, we note the following Buy Local Policy is stated as:

Buy Local

As much as practicable, the Shire will:

- Where appropriate, consider buying practices, procedures, and specifications that do not unfairly disadvantage local businesses.*
- Consider indirect benefits that have flow on benefits for local suppliers (i.e. servicing, and support)*
- Ensure that procurement plans address local business capability, and local content; and*
- Provide adequate and consistent information to potential suppliers.*

Buy Local Eligibility

- A preference is applicable to locally based contractors, and suppliers, within a fifty (50) kilometre radius of the Shire of Brookton town centre; and*
- To qualify as a local contractor, a supplier must have had a permanent office, and staff, within the fifty (50) kilometre radius for a period of at least six (6) months prior to the closing date of the quotation/tender submission.*

Price Preference for Local suppliers/contractors

- A 10% price preference to a maximum of \$10,000.00 in value applies to all goods and services for those supplier(s) that meet the eligibility requirements (as above).*
- Where the procurement is for goods and services for a period exceeding twelve (12) months, the 5% price preference to a maximum of \$10,000.00 shall be applied, per annum.*

We respectfully request that Council consider broadening the Shire of Brookton Buy Local Policy in line with like Councils, who typically have a Buy Local policy encompassing purchasing over \$10,000, per the following typical example. This would mean that projects requiring higher value goods and services, including professional services such as those supplied by our company, could benefit the local community and economy by including local input as a preference to metropolitan and State-wide providers.

2.5.2. Regional Price Preference

Respondents may be afforded a preference in accordance with Regulation 24(A-G) of the Local Government (Functions and General) Regulations and the Shire's Regional Price Preference Policy (2/016) adopted on 28 August 2013.

When a regional price preference is applied to tenders and requests for proposals, in accordance with the Local Government (Functions and General) Regulations (1996), the following levels of preference will be applied:

Goods and Services to a maximum price reduction of \$50,000

- 10% price preference to an eligible business, contractor or supplier as defined in this policy.

Construction (building) services up to a maximum price reduction of \$50,000 – not applicable Competitive Tendering

- 10% price preference to an eligible business, contractor or supplier as defined in this policy, applies where the contract is for goods and services (including construction [building] services) up to a maximum price reduction of \$500,000, if the Shire is seeking tenders for the provision of goods or services for the first time, due to those goods or services having been, until then, undertaken by the Town.

The successful Respondent will be required to report on the application of the Regional Price Preference Policy throughout the contract.

The Respondent must submit the price schedule in Section 6.5.2 – Price Schedule, inclusive of all information required to determine application of the Shire's Regional Price Preference Policy.

The entire policy is available here : [TYPICAL](#)

RESPONSE:

Shire President at the Ordinary Meeting of Council:

That Council defer taking any action on the question from Ms. Pech Eva with the Acting Chief Executive Officer to, provide a report to the January 2022 Council Briefing Forum as the proposed requested change to the policy by Ms. Pech Eva, would potentially have budget implications.

7.12.21 APPLICATIONS FOR LEAVE OF ABSENCE

OCM 12.21-01

COUNCIL RESOLUTION

MOVED Cr Lilly **SECONDED** Cr Watts

That Cr Hartl, be granted a leave of absence for the January 2022, Ordinary Meeting of Council.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

8.12.21 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil.

9.12.21 CONFIRMATION OF MINUTES OF PREVIOUS MEETING

9.12.21.01 ORDINARY MEETING OF COUNCIL – 18 NOVEMBER 2021

OCM 12.21-02

COUNCIL RESOLUTION

MOVED Cr Walker SECONDED Cr Lilly

That the minutes of the Ordinary meeting of Council held in the Shire of Brookton Council Chambers, on 18 November 2021, be confirmed as a true and correct record of the proceedings.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

9.12.21.02 LOCAL EMERGENCY MANAGEMENT COMMITTEE – 07 DECEMBER 2021

OCM 12.21-03

COUNCIL RESOLUTION

MOVED Cr Crute SECONDED Cr Hartl

That the minutes of the Local Emergency Management Committee meeting held in the Shire of Brookton Council Chambers, on 7 December 2021, be received by Council.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

10.12.21 ANNOUNCEMENTYS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President expressed her thanks on behalf of Council, to Kellie Bartley and wished Kellie all the success in her new role as Chief Executive Officer in the Shire of Woodanilling.

The Shire President then wished Councillors and Staff a Merry Christmas and Happy New Year.

11.12.21 DISCLOSURE OF INTERESTS

Members and Officers to declare Financial, Proximity or Impartiality Interests & submit forms to the Chief Executive Officer at the commencement of the meeting and prior to the item.

Disclosure of Financial & Proximity Interests

- a. Members must disclose the nature of their interest in matters to be considered at the meeting. (Sections 5.60B and 5.65 of the *Local Government Act 1995*).
- b. Employees must disclose the nature of their interest in reports or advice when giving the report or advice to the meeting. (Sections 5.70 and 5.71 of the *Local Government Act 1995*).

Disclosure of Interest Affecting Impartiality

- a. Members and staff must disclose their interest in matters to be considered at the meeting in respect of which the member or employee has given or will give advice.

Financial, Proximity and Impartiality Interests

Item no.	Members/Officers	Type of Interest	Nature of Interest
12.12.21.01	Cr Crute	Impartiality	Motor Vehicle Repair Service – Development Application
12.12.21.02	Cr Crute	Impartiality	I have been communicating over many months with Heartlands Vets about finding a suitable location for their business.
12.12.21.03	Cr Crute	Impartiality	I have been communicating over many months with Heartlands Vets about finding a suitable location for their business.
13.12.21.02	Cr Macnab	Impartiality	Is a financial member of the Brookton CWA.
12.12.21.01	Cr Hartl	Impartiality	Works for the company that owns the land next door.
13.12.21.01	Cr Hartl	Impartiality	Financial Member of Cricket Club
12.12.21.01	Cr Lilly	Impartiality	Works for the company that owns the land next door.

12.12.21 TECHNICAL & DEVELOPMENT SERVICES REPORTS

Cr Crute, Cr Lilly, and Cr Hartl declared impartiality interests in Item 12.12.21.01, and remained in the room, and voted on the item.

12.12.21.01 MOTOR VEHICLE REPAIR SERVICE DEVELOPMENT ON RURAL ENTERPRISE ZONING

File No:	A547
Date of Meeting:	16 December 2021
Location/Address:	Lot 76 (#121) Brookton Highway, Brookton
Name of Applicant:	Matthew & Jasmine Locke
Name of Owner:	As above
Author/s:	Laura Pikoss – Environmental Health/ Building Officer
Authorising Officer:	Paul Sheedy – Acting Chief Executive Officer
Declaration of Interest:	The author and authorising officer do not have an interest in this item.
Voting Requirements:	Simple Majority
Previous Report:	N/A

Description of Proposal:

The applicant is seeking approval to construct a new structure of 360m² with a total ridge height of 7.25m (5.5m to eave) to conduct LockeMess Pty Ltd T/As Brookton Tyre Service, which currently operates from 10 Richardson Street Brookton WA 6306 and continue to offer our onsite service to customers based on the new location.

The subject site is currently zoned 'Rural Enterprise' and under the current Shire of Brookton Local Planning Scheme No 4 the proposed activity, falls under the general definition as a 'Motor Vehicle Repair'. Under the permissibility of use is not permitted unless the local government has exercised its discretion by granting development approval.

The objectives of the 'Rural Enterprise' zone as follows:

- To provide for light industrial and ancillary residential development on one lot.
- To provide for lot sizes in the range of 1 ha to 4 ha. 11
- To carefully design rural enterprise estates to provide a reasonable standard of amenity without

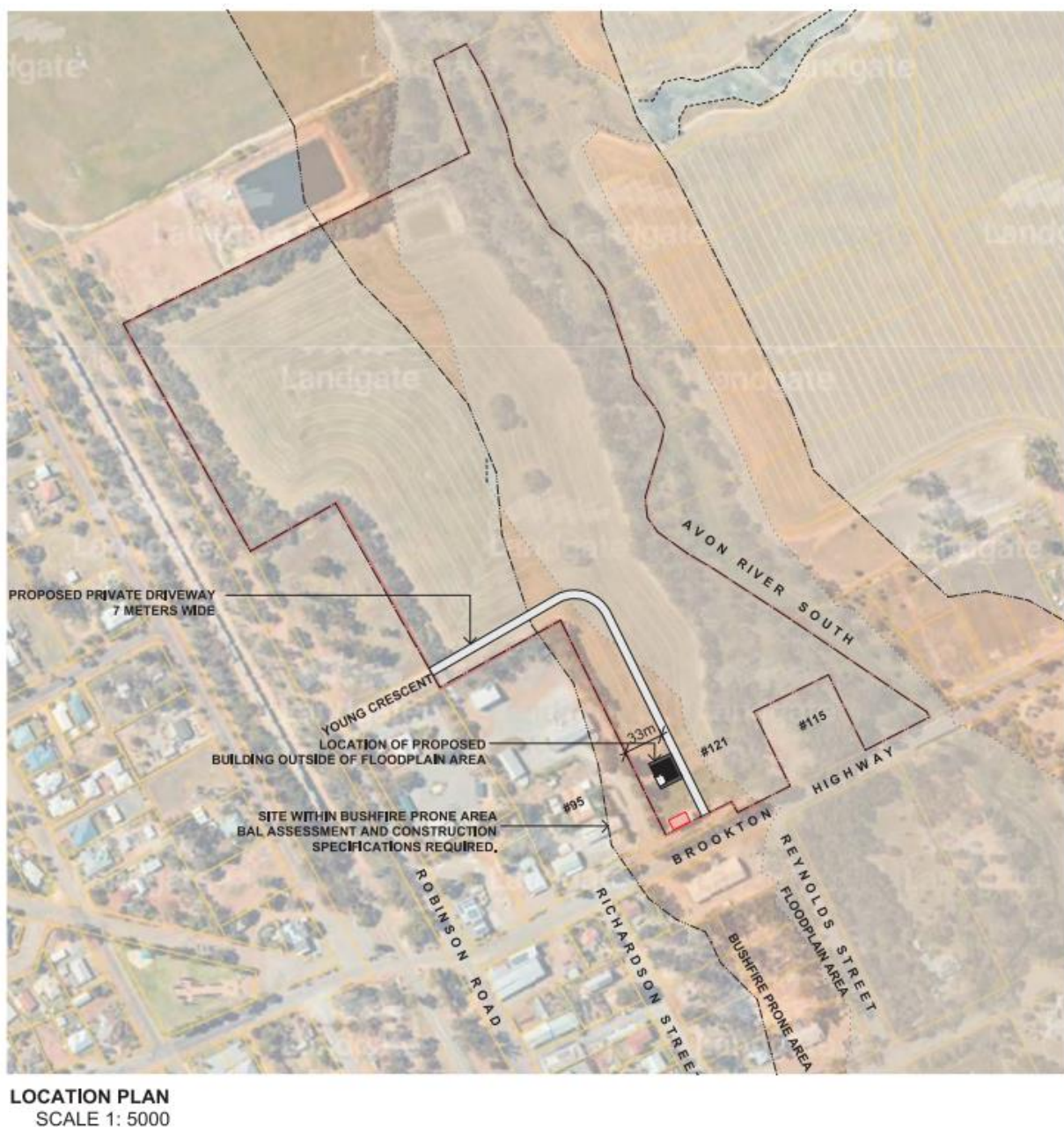
limiting light industrial land uses.

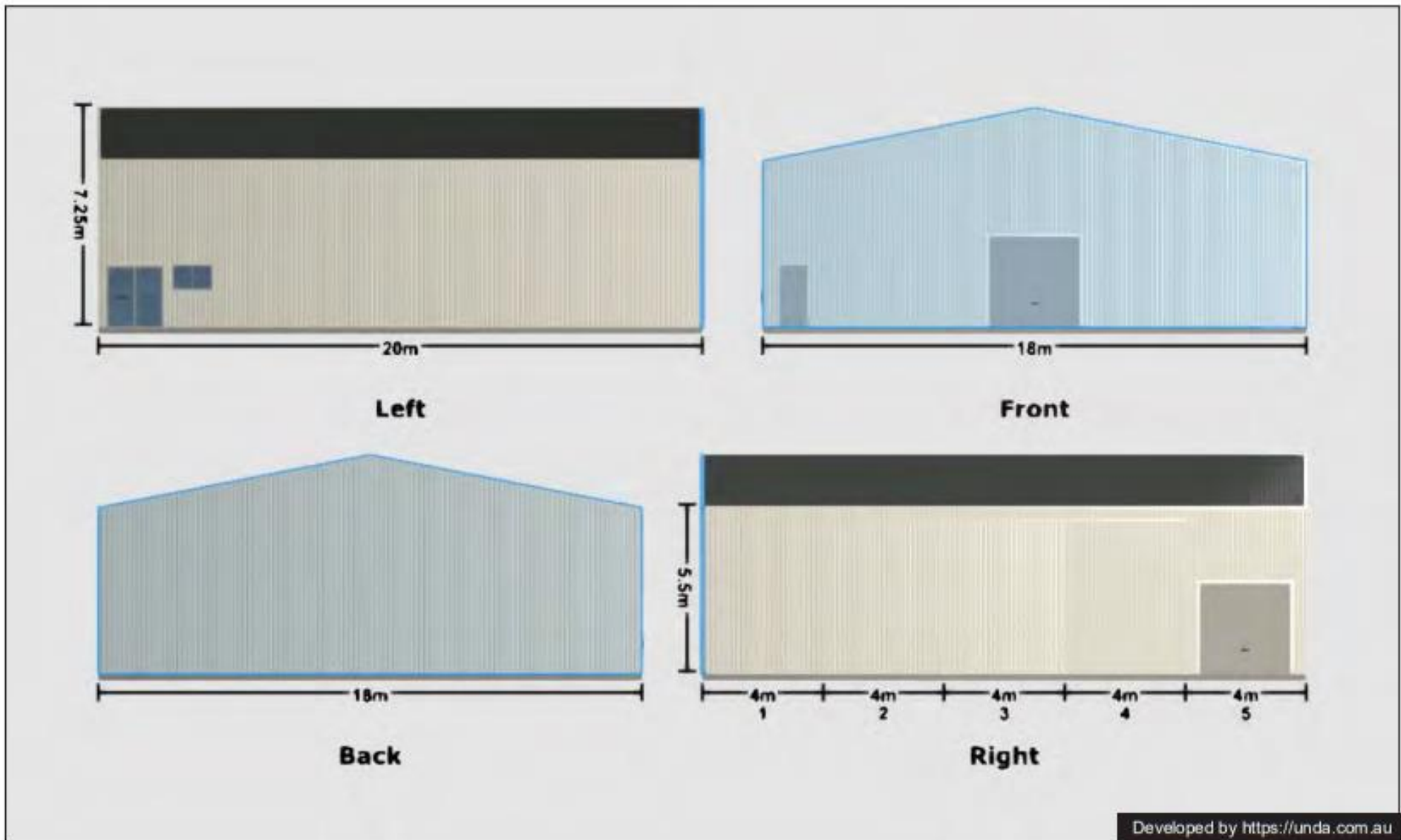
- To notify prospective purchasers of potential amenity impacts from light industrial land uses

The proposed development, of the Motor Vehicle Repair service partially aligns with the objectives by allowing light industrial development and not limiting the light industrial land use. It should be considered that this parcel of land was identified in the Shires of Brookton and Beverley Local Planning Strategy as 'light industrial' for future use in the long term anticipated zoning strategy, to which this development application aligns.

To reduce the amenity and street scape affected by this development a landscape plan has been indicated on figure seven (7) of this report. With a recommendation that the proposed landscape screening to be a minimum of 3.6m in height within 3 years of the completion of the development and a color scheme to be provided and to be to the satisfaction of the CEO, prior to the issue of a building permit.

The site does have a few constraints, regarding floodplain restrictions and a significant portion of the subject site is designated as a Bushfire Prone Area (BFPA), all of which have been considered and to be part of the recommended approval conditions.





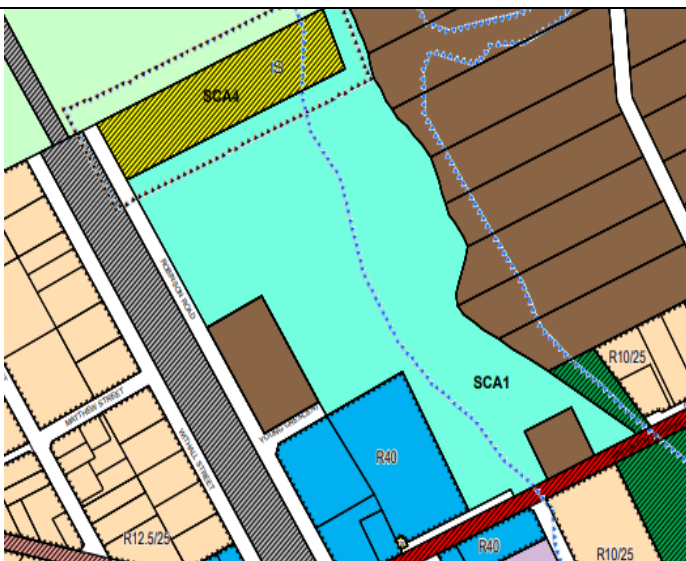
Background:

The site is currently zoned as 'Rural Enterprise', surrounded by 'residential', 'rural residential' and 'commercial' zoning. The subject site is located along Brookton Hwy and forms part of the entry of Brookton Street scape. It is surrounded by other commercial business, such as Coote Motors, Gull Brookton Roadhouse, and smaller commercial village shops.

On the subject site is a roadside historic display, featuring Mr. Gill's Wagon and a fiberglass Clydesdale horse. The planning approval does not interfere with the display and does not visually obscure or impact it.



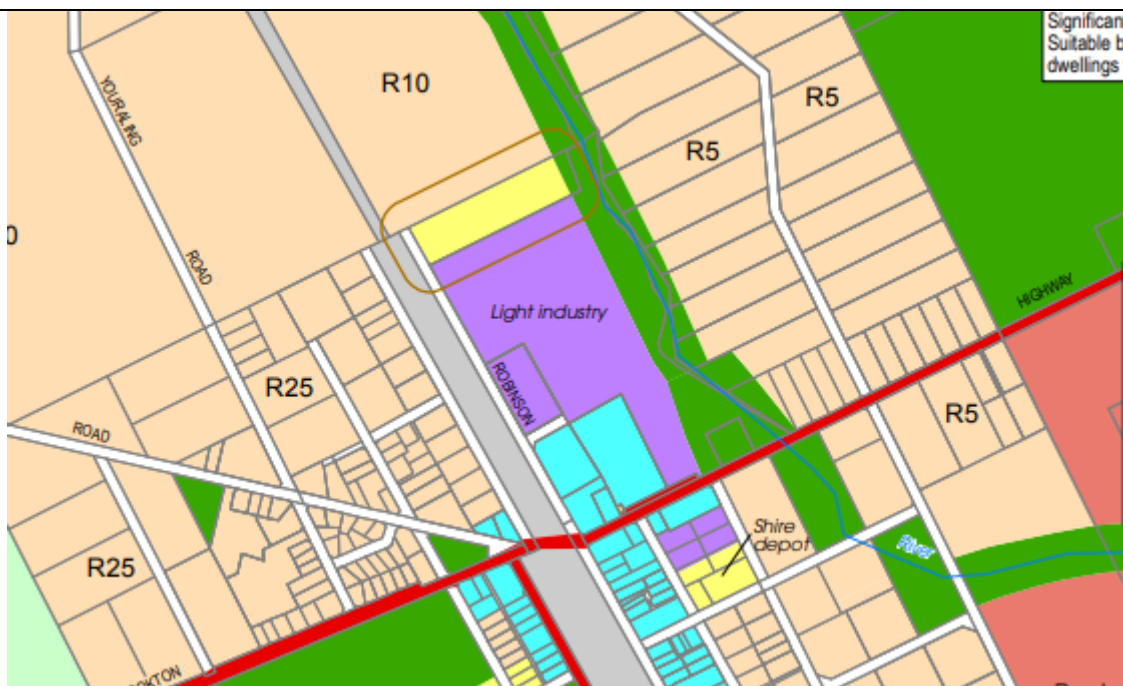
Figure 1 Mr Gill Wagon and Fiberglass Clydesdale located 121 Brookton Hwy, Brookton



Shire of Brookton Local Planning Scheme No 4 Map 3 Brookton Townsite North



Subject Site Aerial Image, extracted from Department of Planning, Lands, and heritage on the 24 November 2021



Shire of Brookton and Beverly Planning Strategy, approved in 2014

Consultation:

No formal consultation in relation to this proposal.

Statutory Environment:

Local Planning Scheme (LPS)

Shire of Brookton Scheme No. 4

Rural enterprise (Brookton)

No R-code

No Restricted or Additional Uses


Special Control Area - Special control area - Flood prone area - SCA1 (Brookton), Special Control Area - Special control area - Infrastructure - SCA4 (Brookton)

State Planning Policies (SPP)

3.7 Planning in Bushfire Prone Areas

5.4 Road and Rail Noise

Shire of Brookton Local Planning Scheme (LPS) No. 4 (Statutory instrument)	
Current Zoning	Rural Enterprise
Permissibility (Table 1 – Zoning Table):	Table 1 – Zoning Table of LPS 4 qualifies a Motor Vehicle Repair – as not permitted unless Local Government has exercised its discretion by granting development approval. <u>As defined in the Shire of Brookton Local Planning Scheme:</u> <i>Motor vehicle repair means premises used for, or in connection with:</i> a) <i>electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting, or chassis reshaping of vehicles; or</i> b) <i>repairs to tyres other than recapping, or re-treading of tyres</i>
Proposed:	To construct a new structure to conduct LockeMess Pty Ltd trading as Brookton Tyre Service, which currently operates from 10 Richardson Street, Brookton, and will continue to offer onsite service to customers based on the new location.
Objectives:	The Council's LPS 4, nominates the objectives of the Commercial Zone:

	<ul style="list-style-type: none">• To provide for light industrial and ancillary residential development on one lot.• To provide for lot sizes in the range of 1ha to 4ha.• To carefully design rural enterprise estates, to provide a reasonable standard of amenity, without limiting light industrial land uses.• To notify prospective purchases of potential amenity impacts from light industrial land uses.																																																																		
Special Control Areas:	<p>Special Control Area No. 1 – Avon River Flood Prone Area</p> <p><i>As outlined in the 1:100-year floor data by the Department of Waters, the development site has been identified as a floodplain area.</i></p> <p>The structures finished floor level (FFL), be no lower than 233.3m AHD (Australia Height Datum), and any habitable FFL, to have a minimum habitable floor level of 0.5 metres above the 1:100 year flood level.</p>  <p>Special Control Area No. 4 – Wastewater Infrastructure Buffer Area</p> <p><i>The subject site is located within 500m of the Shire of Brookton’s wastewater facility. As this is not a residential development proposal, no additional conditions, or impacts noted.</i></p>																																																																		
Development Standards	<p>LPS 4 stipulates the following standards for development in the Rural Enterprise Zone:</p> <ul style="list-style-type: none">• Table 5 details the minimum setback distance <table><tr><th rowspan="2">Zone</th><th colspan="3">Minimum setback (m)</th><th rowspan="2">Maximum plot ratio</th><th rowspan="2">Maximum site coverage (% of site area)</th><th rowspan="2">Minimum landscaping (% of site area)</th></tr><tr><th>Front</th><th>Side</th><th>Rear</th></tr><tr><td>Residential</td><td colspan="6">As per the R-Codes</td></tr><tr><td>Rural Residential</td><td>20</td><td>10</td><td>10</td><td>-</td><td>-</td><td>-</td></tr><tr><td>Rural Smallholdings</td><td>20</td><td>10</td><td>10</td><td>-</td><td>-</td><td>-</td></tr><tr><td>Rural</td><td>35</td><td>10</td><td>10</td><td>-</td><td>-</td><td>-</td></tr><tr><td>Rural Enterprise</td><td>20</td><td>10</td><td>10</td><td>-</td><td>-</td><td>10</td></tr><tr><td>Commercial</td><td>-</td><td>-</td><td>-</td><td>1.5</td><td>75</td><td>10</td></tr><tr><td>Light Industry</td><td>7.5</td><td>0</td><td>7.5</td><td>0.5</td><td>50</td><td>5</td></tr><tr><td>General Industry</td><td>7.5</td><td>0</td><td>7.5</td><td>0.5</td><td>75</td><td>5</td></tr></table>	Zone	Minimum setback (m)			Maximum plot ratio	Maximum site coverage (% of site area)	Minimum landscaping (% of site area)	Front	Side	Rear	Residential	As per the R-Codes						Rural Residential	20	10	10	-	-	-	Rural Smallholdings	20	10	10	-	-	-	Rural	35	10	10	-	-	-	Rural Enterprise	20	10	10	-	-	10	Commercial	-	-	-	1.5	75	10	Light Industry	7.5	0	7.5	0.5	50	5	General Industry	7.5	0	7.5	0.5	75	5
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	The structure is approximately 24m setback from the front, and 12m from the side. Tyre's to be stored behind the existing limestone wall, but as it is not a built structure, it does not impact the setback requirements.
Access	<p>Access from Brookton Highway: Condition as follows Satisfactory arrangements being made with MainRoads WA, for the upgrade of the existing vehicle access, prior to the use of the proposed development.</p> <p>Access from Young Crescent: Condition as follows Council grants permission to use access off Young Crescent, prior to the issue of the building permit, arrangements must be made with Council to assess if a road upgrade, or crossover is required.</p>
Parking	The proposed six (6) car parking bays, and universal bay, in accordance with the Australian Building Codes (BCA) requirements, as outlined in the site plan provided by the applicant, satisfies Table 6 & 7 of the Shire of Brookton's Planning Scheme No. 4.
Variation Permissibility	<p>34. Variations to development standards and requirements</p> <ol style="list-style-type: none"> 1. In this clause – general development standards, and requirements means requirements set out in clauses 32. 2. The local government may approve an application for a development approval that does not comply with a general development standard or requirement.

Planning and Development (Local Planning Scheme) Regulations 2015 <i>(Statutory instrument)</i>	
Schedule 2; Part 9; Clause 68(2)	This clause empowers Council to determine Development Applications under the planning legislation having regard to the zoning and other Scheme provisions pertinent to the application under consideration.
Schedule 2; Part 9; Clause 76 (1) and (2)	This part of the Planning Regulations affords the applicant the right to apply to the State Administration Tribunal (SAT) for a review of the Council's decision in relation to the decision on the proposed use and or development of the land.

State Planning Policy 3.7 – Planning in Bushfire Prone Areas <i>(Statutory instrument – tied to Planning Regulations)</i>	
Generally	<p>State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) directs how land use should address bushfire risk management across WA.</p> <p>It applies to all land which has been designated as bushfire prone by the Fire and Emergency Services (FES) Commissioner as highlighted on the Map of Bush Fire Prone Areas. SPP 3.7 is a guide to implementing effective risk-based land use planning to preserve life and reduce the impact of bushfire on property and infrastructure.</p>
6.2 Strategic planning proposals, subdivision and development applications	<p>Section 6.2 of SPP 3.7 a) states:</p> <ol style="list-style-type: none"> a) Strategic planning proposals, subdivision and development applications within designated bushfire prone areas relating to land that has or will have a Bushfire Hazard Level (BHL) above low and/or where a Bushfire Attack Level (BAL) rating above BAL-LOW apply, are to comply with policy measures. b) Any strategic planning proposal, subdivision, or development application in an area to which policy measure 6.2 a) applies, that has or will, on completion, have a moderate BHL and/or where BAL-12.5 to BAL-29 applies, may be

	<p>considered for approval where it can be undertaken in accordance with policy measures 6.3, 6.4 or 6.5.</p> <p>This policy also applies where an area is not yet designated as a bushfire prone area but is proposed to be developed in a way that introduces a bushfire hazard, as outlined in the Guidelines.</p>
Bushfire Planning Requirements	<p>c) BAL 12.5 applies</p> <p>i. as outlines in the BAL Report Plot 4 (121 Brookton Hwy) within 100m of the proposed structure the vegetation (grass) must be always maintained at no more than 100mm in height.</p>
5.4 Road and Rail Noise	<p>SPP 5.4 does not apply:</p> <p>a) Retrospectively to existing noise-sensitive land-use and/or development, within the policy's trigger distance of existing railways or roads.</p>
Other Considerations	<p>The Avon riverbanks located on the edges of the site, is a registered Aboriginal site. The proposed development does not impact or disturb the site.</p>

Relevant Plans and Policy:

There are no specific Council plans or policy documents that apply to this proposal. Consideration is only required to State Planning Policy 3.7, which is addressed in the Statutory Environment Section of this report.

Financial Implications:

Other than receipt of the statutory planning application fee and future building application fees the only other financial consideration could be a possible cost should an appeal be lodged by the applicant with the State Administration Tribunal (SAT). At this stage no such cost is known.

Risk Assessment:

The risk in relation to this matter is assessed as 'Low' as it largely centers on a right of appeal being lodged with the State Administration Tribunal (SAT) should the application be refused, or the applicant is not satisfied with a condition(s) imposed on a planning approval.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

This proposal relates to delivery of core business and services detailed in the Shire of Brookton Corporate Compendium – October 2020, duly appended to the Next Generation BROOKTON Corporate Business Plan <2024 and Strategic Plan 2018-2027

Function 2 – Land Use Planning**Action 2.3 – Process Development Applications**

Enterprise and Industry- 2. Small to Medium Enterprise BROOKTON'S small to medium businesses are celebrated, prosperous and diverse.

Comment

The application was assessed, based on the procedure and requirements set out in the Local Planning Scheme (LPSS) and Deemed Provisions of the Scheme and is considered to meet the objectives of the 'Rural Enterprise' zone.

OFFICER'S RECOMMENDATION

That the Council grant planning approval for a 'Motor Vehicle Repair' to be located at 121 Brookton Hwy, Brookton pursuant to Schedule 2, Clause 68 of the Planning and Development (Local Planning Schemes) Regulations, 2015 and subject to the following conditions and advice notes:

CONDITIONS:

- a) All stormwater runoff from new structure to be adequately controlled on-site.
- b) The new structure colour scheme is to be sympathetic to the surrounding rural environment. Prior to the issue of a building permit the structures colours scheme must be submitted to council and must be approved by the Chief Executive Officer.
- c) open storage purposes shall be screen from public view by a fence, wall, or screen landscaping to the satisfaction of the Chief Executive Officer
- d) at least one (1) refuse storage area readily accessible to service vehicles and screened from view from a public street by a close fence, wall, or screen landscaping by no less than 1.8 meters in height.
- e) The Structures Finished Floor Level (FFL) be no lower than 233.3m AHD and any habitable FFL to have a minimum habitable floor level of 0.5 meters above the 1 in 100-year flood level.
- f) Bushfire attack Level of 12.5 applies and any grass vegetation within 100m of the structure on the site must be maintained Guidelines for planning in bushfire prone areas appendices version 1.3 and SPP 3.7
- g) Landscape screening as indicated on attachment 3.0 of the planning application, must reach a minimum height of 3.6 meters within 3 years after the issue of an occupation certificate.
- h) Prior to the issue of Building Permit, an application under the health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 for the disposal of effluent and wastewater.
- i) Satisfactory arrangements being made with Main Roads WA for the upgrade of the existing vehicle

access prior to the use of the proposed development.

- j) Council grants permission to use access of Young Crescent, prior to the issue of the building permit arrangements must be made with Council to assess if the road requires to be upgraded for the proposed development.

ADVICE NOTES

The following advice notes are offered in addition to the notes provided in Form 4 of Clause 86 of the Deemed Provisions on the approval granted in condition(s) above:

- i. This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011; Health Act 2016 and Environmental Protection Act 1986 and all subsidiary legislation. It is the responsibility of the Applicant to determine any necessary approvals required and obtain such approvals in continuing the use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire's Building and Environmental Health Officer.
- ii. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
- iii. With regard to signage the applicant is advised that any sign affixed to the approved building does not require planning approval. However, any form of freestanding signage will require a further application for planning approval to be submitted and determined by the Local Government.
- iv. Should the applicant be aggrieved by the conditions of this planning approval, a right of appeal exists to the State Administrative Tribunal (SAT) subject to Part 14 of the Planning and Development Act 2005. Appeals must be lodged to SAT within 28 days. Further information can be obtained from the SAT website – www.sat.justice.wa.gov.au.

(Simple majority vote required)

OFFICER'S ALTERNATIVE RECOMMENDATION

That the Council grant planning approval for a 'Motor Vehicle Repair' to be located at 121 Brookton Hwy, Brookton pursuant to Schedule 2, Clause 68 of the Planning and Development (Local Planning Schemes) Regulations, 2015 and subject to the following conditions and advice notes:

CONDITIONS:

- a) All stormwater runoff from new structure to be adequately controlled on-site.
- b) The new structure colour scheme is to be sympathetic to the surrounding rural environment. Prior to the issue of a building permit the structures colours scheme must be submitted to ~~council~~ and ~~must~~ be approved by the Chief Executive Officer.
- c) open storage purposes shall be screen from public view by a fence, wall, or screen landscaping to the satisfaction of the Chief Executive Officer
- d) at least one (1) refuse storage area readily accessible to service vehicles and screened from view from a public street by a closed fence, wall, or screen landscaping by no less than 1.8 meters in height.
- e) The Structures Finished Floor Level (FFL) be no lower than 233.3m AHD and any habitable FFL to have a minimum habitable floor level of 0.5 meters above the 1 in 100-year flood level.
- f) Bushfire attack Level of 12.5 applies and any grass vegetation within 100m of the structure on the site must be maintained Guidelines for planning in bushfire prone areas appendices version 1.3 and SPP 3.7
- g) Landscape screening as indicated on attachment 3.0 of the planning application, must reach a minimum height of 3.6 meters within 3 years after the issue of an occupation certificate.
- h) Prior to the issue of Building Permit, an application under the health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 for the disposal of effluent and wastewater.
- i) Satisfactory arrangements being made with Main Roads WA for the upgrade of the existing vehicle access ~~from Brookton Highway~~ prior to the use of the proposed development.
- j) ~~Council grants permission to use access of Young Crescent, prior to the issue of the building permit arrangements must be made with Council to assess if the road requires to be upgraded for the proposed development.~~
- k) ~~All vehicles accessing and exiting the business must do so via Brookton Highway with no vehicle access or exit permitted via Robinson Road and Young Crescent or Satisfactory arrangements being made with the Shire of Brookton Chief Executive Officer for the upgrade of Young Crescent, to a sealed standard.~~
- l) ~~Construction and sealing of the six (6) car parking bays and universal bay, as outlined on the site plan must be completed prior to the proposed development commencing~~

ADVICE NOTES:

The following advice notes are offered in addition to the notes provided in Form 4 of Clause 86 of the Deemed Provisions on the approval granted in condition(s) above:

- i. This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011; Health Act 2016 and Environmental Protection Act 1986 and all subsidiary legislation. It is the responsibility of the Applicant to determine any necessary approvals required and obtain such approvals in continuing the use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire's Building and Environmental Health Officer.
- ii. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
- iii. With regard to signage the applicant is advised that any sign affixed to the approved building does not require planning approval. However, any form of freestanding signage will require a further application for planning approval to be submitted and determined by the Local Government.
- iv. Should the applicant be aggrieved by the conditions of this planning approval, a right of appeal exists to the State Administrative Tribunal (SAT) subject to Part 14 of the Planning and Development Act 2005. Appeals must be lodged to SAT within 28 days. Further information can be obtained from the SAT website – www.sat.justice.wa.gov.au.

PROPOSED AMENDED ALTERNATIVE MOTION (SHIRE PRESIDENT)

That the Council grant planning approval for a 'Motor Vehicle Repair' to be located at 121 Brookton Hwy, Brookton pursuant to Schedule 2, Clause 68 of the Planning and Development (Local Planning Schemes) Regulations, 2015 and subject to the following conditions and advice notes:

CONDITIONS:

- a) All stormwater runoff from new structure to be adequately controlled on-site.
- b) The new structure colour scheme is to be sympathetic to the surrounding rural environment. Prior to the issue of a building permit the structures colours scheme must be submitted to ~~council~~ and ~~must~~ be approved by the Chief Executive Officer.
- c) Open storage purposes shall be screened from public view by a fence, wall, or screen landscaping to the satisfaction of the Chief Executive Officer
- d) At least one (1) refuse storage area readily accessible to service vehicles and screened from view from a public street by a closed fence, wall, or screen landscaping by no less than 1.8 meters in height.
- e) The Structures Finished Floor Level (FFL) be no lower than 233.3m AHD and any habitable FFL to have a minimum habitable floor level of 0.5 meters above the 1 in 100-year flood level.
- f) Bushfire attack Level of 12.5 applies and any grass vegetation within 100m of the structure on the site must be maintained Guidelines for planning in bushfire prone areas appendices version 1.3 and SPP 3.7

- g) ~~Installation of the Landscape screening plan as indicated on attachment 3.0 of the planning application to be completed within 12 months of the finished construction of the business premises. must reach a minimum height of 3.6 meters within 3 years after the issue of an occupation certificate.~~
- h) A Dust suppression plan for the unsealed internal roadways & car parking bays must be completed and submitted to the satisfaction of the CEO prior to the commencement of proposed development works.
- i) Prior to the issue of Building Permit, an application under the health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974, for the disposal of effluent and wastewater.
- j) Satisfactory arrangements being made with Main Roads WA for the upgrade of the existing vehicle access from Brookton Highway prior to the use of the proposed development.
- k) ~~Council grants permission to use access of Young Crescent, prior to the issue of the building permit arrangements must be made with Council to assess if the road requires to be upgraded for the proposed development.~~
- l) All vehicles accessing and exiting the business must do so via Brookton Highway with no vehicle access or exit permitted via Robinson Road and Young Crescent, unless satisfactory arrangements being made with the Shire of Brookton Chief Executive Officer for the upgrade of Young Crescent, to a sealed standard.
- m) Construction and sealing of the six (6) car parking bays and universal bay, as outlined on the site plan must be completed prior to the proposed development commencing.

Advice Notes

The following advice notes are offered in addition to the notes provided in Form 4 of Clause 86 of the Deemed Provisions on the approval granted in condition(s) above:

- i. This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011; Health Act 2016 and Environmental Protection Act 1986 and all subsidiary legislation. It is the responsibility of the Applicant to determine any necessary approvals required and obtain such approvals in continuing the use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire's Building and Environmental Health Officer.
- ii. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
- iii. Nothing in the approval or these conditions gives RAV access to Robinson Road or Young Crescent, without the express approval of the Shire of Brookton and Main Roads WA.
- iv. With regard to signage the applicant is advised that any sign affixed to the approved building does not require planning approval. However, any form of freestanding signage will require a further application for planning approval to be submitted and determined by the Local Government.
- v. Should the applicant be aggrieved by the conditions of this planning approval, a right of appeal exists to the State Administrative Tribunal (SAT) subject to Part 14 of the Planning and Development Act 2005. Appeals must be lodged to SAT within 28 days. Further information can be

OCM 12.21-04

COUNCIL RESOLUTION

MOVED Cr Walker SECONDED Cr Hartl

That Council suspend standing orders at 6.07pm to facilitate discussion on Item 12.12.21.01.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

OCM 12.21-05

COUNCIL RESOLUTION

MOVED Cr Watts SECONDED Cr Walker

That Council resume standing orders at 6.22pm.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

OCM 12.21-06

COUNCIL RESOLUTION

MOVED Cr Crute SECONDED Cr Lilly

That the Council grant planning approval for a 'Motor Vehicle Repair' to be located at 121 Brookton Hwy, Brookton pursuant to Schedule 2, Clause 68 of the Planning and Development (Local Planning Schemes) Regulations, 2015 and subject to the following conditions and advice notes:

CONDITIONS:

- a) *All stormwater runoff from new structure to be adequately controlled on-site.*
- b) *The new structure colour scheme is to be sympathetic to the surrounding rural environment. Prior to the issue of a building permit the structures colours scheme must be submitted to and be approved by the Chief Executive Officer.*
- c) *Open storage purposes shall be screened from public view by a fence, wall, or screen landscaping to the satisfaction of the Chief Executive Officer*
- d) *At least one (1) refuse storage area readily accessible to service vehicles and screened from view from a public street by a closed fence, wall, or screen landscaping by no less than 1.8 meters in height.*
- e) *The Structures Finished Floor Level (FFL) be no lower than 233.3m AHD and any habitable FFL to have a minimum habitable floor level of 0.5 meters above the 1 in 100-year flood level.*
- f) *Bushfire attack Level of 12.5 applies and any grass vegetation within 100m of the structure on the site must be maintained Guidelines for planning in bushfire prone areas appendices version 1.3 and SPP 3.7*
- g) *Installation of the Landscape screening plan as indicated on attachment 3.0 of the planning application to be completed within 12 months of the finished construction of the business premises.*
- h) *A Dust suppression plan for the unsealed internal roadways & car parking bays must be completed and submitted to the satisfaction of the CEO prior to the commencement of proposed*

development works.

- i) Prior to the issue of Building Permit, an application under the health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974, for the disposal of effluent and wastewater.*
- j) Satisfactory arrangements being made with Main Roads WA for the upgrade of the existing vehicle access from Brookton Highway prior to the use of the proposed development.*
- k) All vehicles accessing and exiting the business must do so via Brookton Highway with no vehicle access or exit permitted via Robinson Road and Young Crescent, unless satisfactory arrangements being made with the Shire of Brookton Chief Executive Officer for the upgrade of Young Crescent, to a sealed standard.*
- l) Construction of the six (6) car parking bays and universal bay, as outlined on the site plan must be completed prior to the proposed development commencing.*

Advice Notes

The following advice notes are offered in addition to the notes provided in Form 4 of Clause 86 of the Deemed Provisions on the approval granted in condition(s) above:

- i. This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011; Health Act 2016 and Environmental Protection Act 1986 and all subsidiary legislation. It is the responsibility of the Applicant to determine any necessary approvals required and obtain such approvals in continuing the use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire's Building and Environmental Health Officer.*
- ii. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.*
- iii. Nothing in the approval or these conditions gives RAV access to Robinson Road or Young Crescent, without the express approval of the Shire of Brookton and Main Roads WA.*
- iv. With regard to signage the applicant is advised that any sign affixed to the approved building does not require planning approval. However, any form of freestanding signage will require a further application for planning approval to be submitted and determined by the Local Government.*
- v. Should the applicant be aggrieved by the conditions of this planning approval, a right of appeal exists to the State Administrative Tribunal (SAT) subject to Part 14 of the Planning and Development Act 2005. Appeals must be lodged to SAT within 28 days. Further information can be obtained from the SAT website – www.sat.justice.wa.gov.au.*

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Reason For Change to Officer's Recommendation

The proposed amended alternative motion was moved by the Shire President, which differed to the officer's recommendation, to provide more clarity and direction to the applicant, and addresses the concerns raised by the adjoining landowner.

Attachments

Attachment 12.12.21.01A – Location Map

Attachment 12.12.21.01B – SSP 5.4 Rail & Road Noise Buffer Map

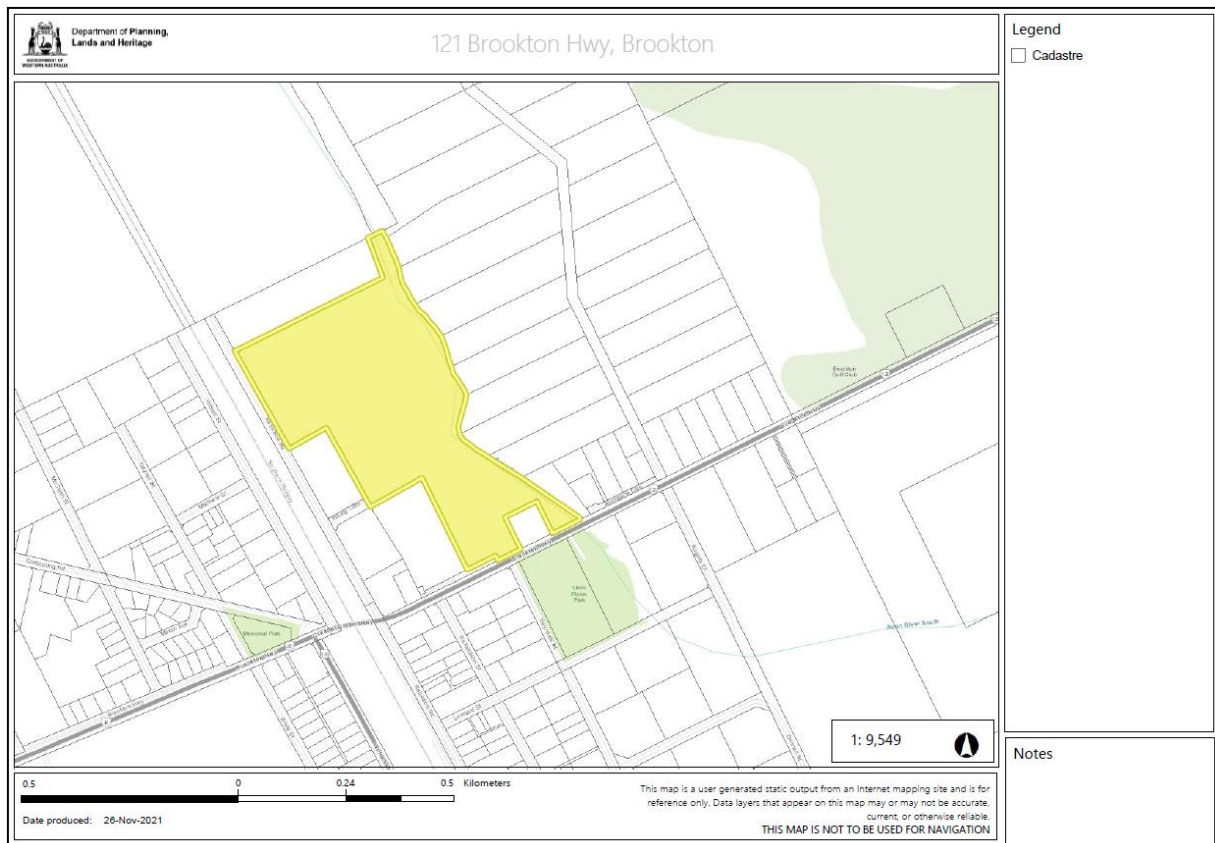
Attachment 12.12.21.01C – Registered Aboriginal Site Map

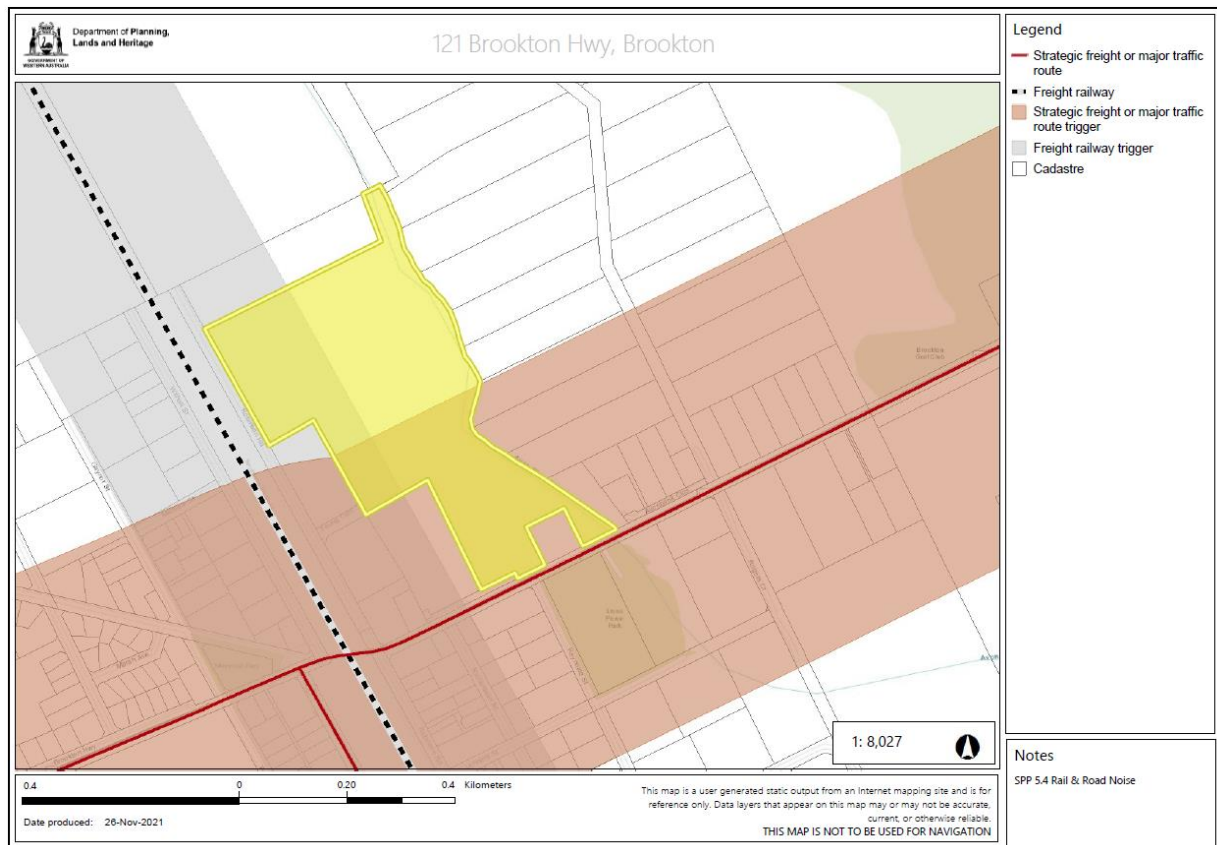
Attachment 12.12.21.01D – SSP 3.7 Bushfire Prone Area Map

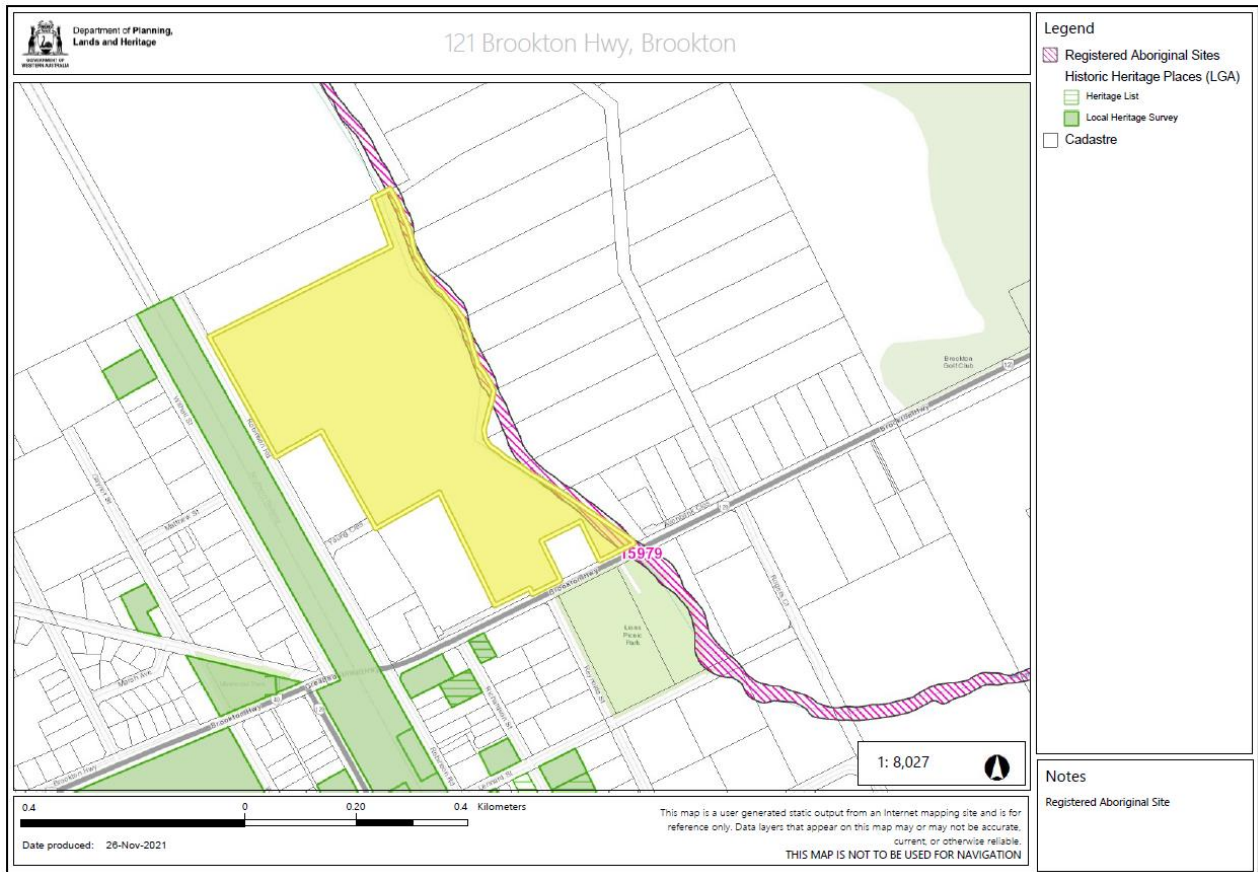
Attachment 12.12.21.01E – Shire of Brookton & Shire of Beverley Planning Strategy (exert) 2014

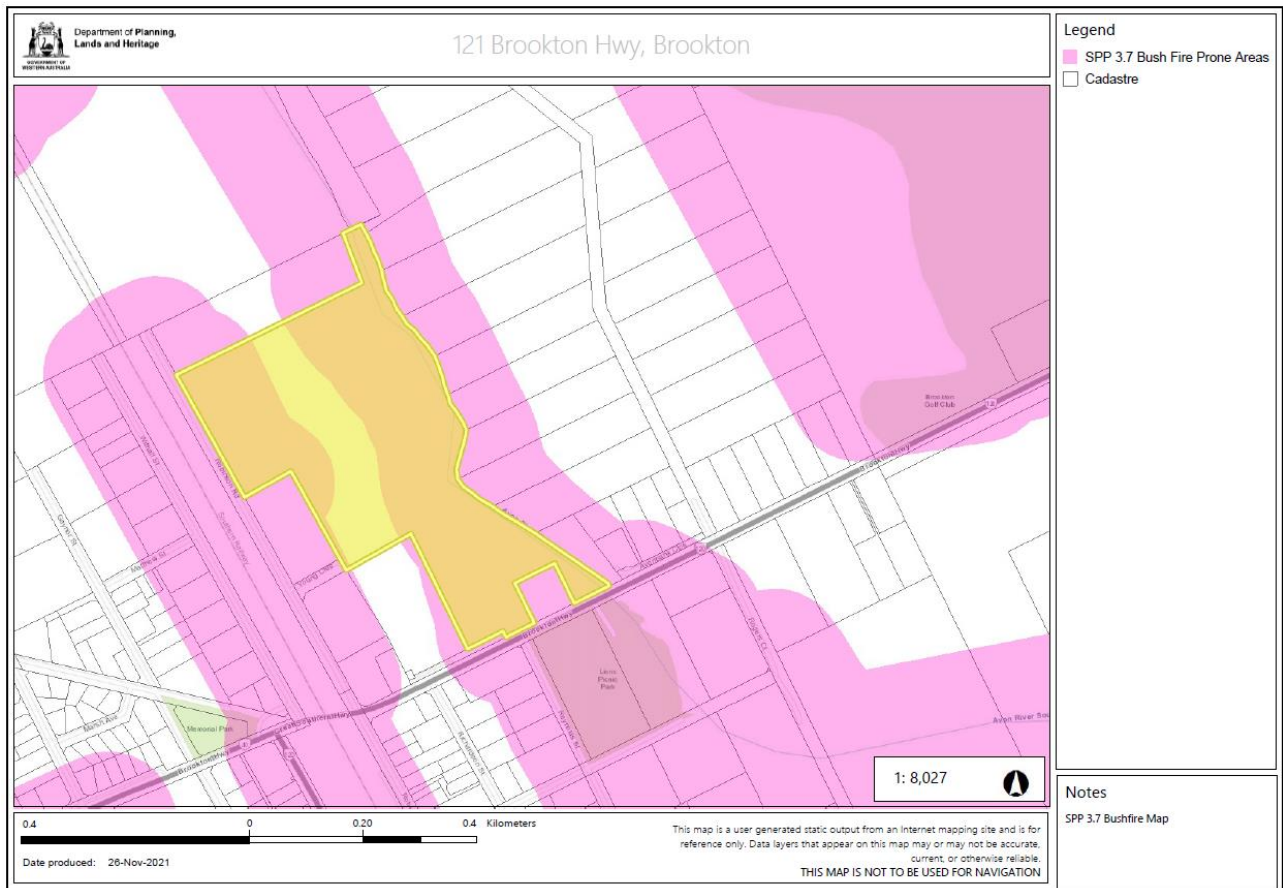
Attachment 12.12.21.01F – Site plan prepared and submitted by applicant

Attachment 12.12.21.01G – Structure Design









Brookton and Beverley Local Planning Strategy

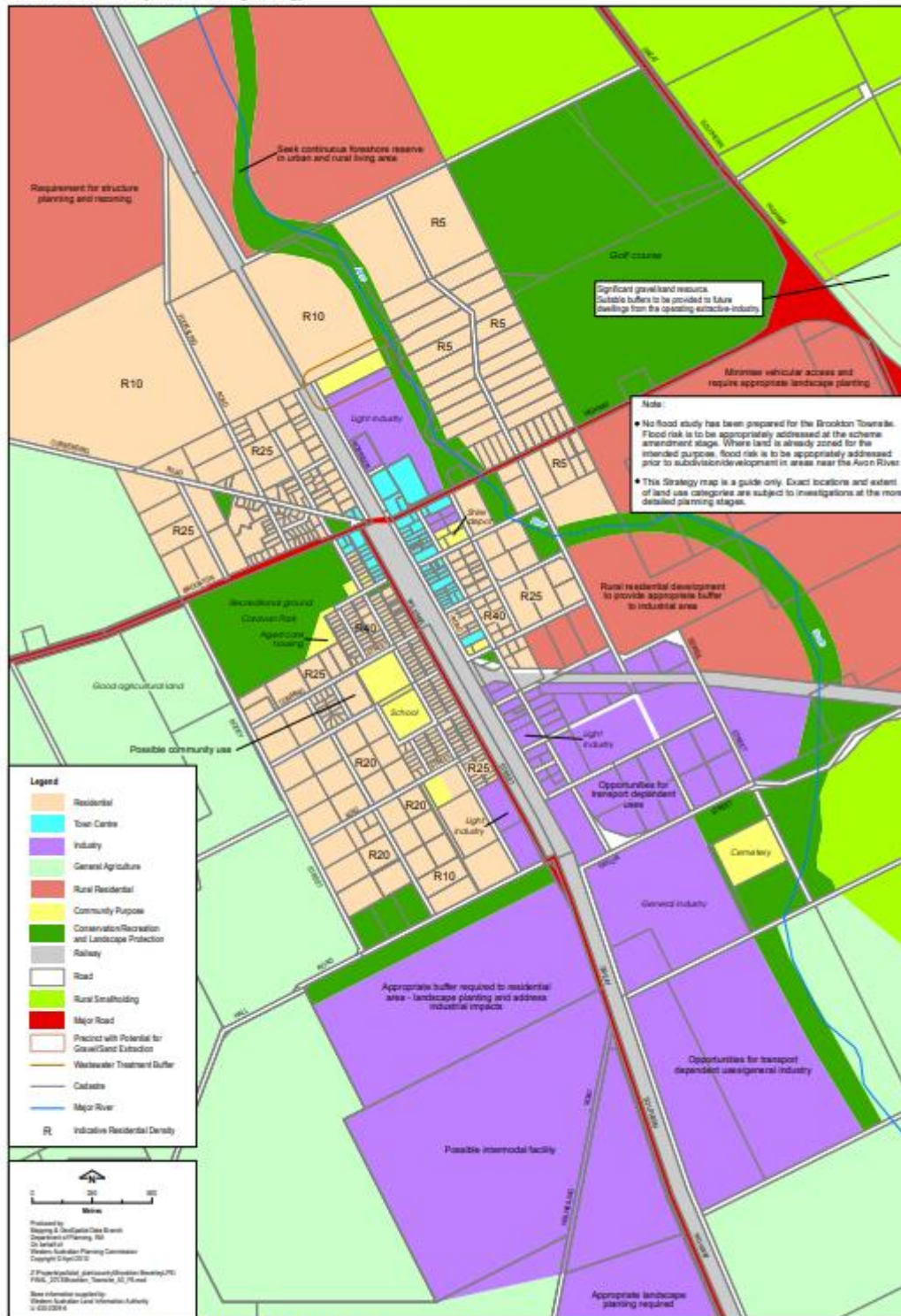
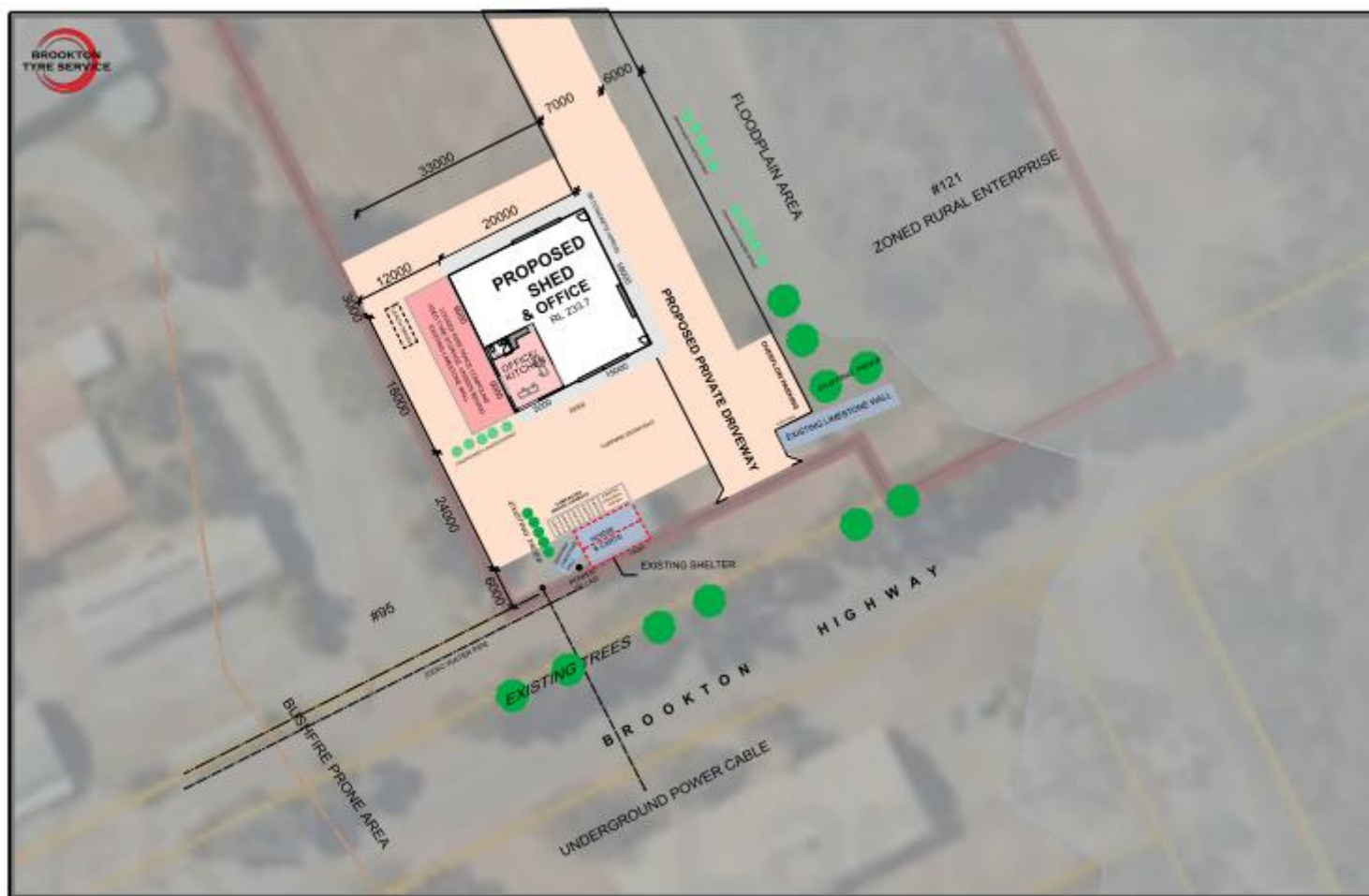


Figure 6





Cr Crute declared an impartiality interest in Item 12.12.21.02, and remained in the room, and voted on the item.

12.12.21.02 DEVELOPMENT APPLICATION – VETERINARY HOSPITAL – 87 BROOKTON HIGHWAY, BROOKTON

File No:	A368
Date of Meeting:	16 December 2021
Location/Address:	87 Brookton Hwy, Brookton
Name of Applicant:	Heartlands Veterinary Hospital
Name of Owner:	N & M Hathaway
Author/s:	Paul Sheedy – Acting Chief Executive Officer
Authorising Officer:	Paul Sheedy – Acting Chief Executive Officer
Declaration of Interest:	The author and authorising officer do not have an interest in this item
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This item is to report on a Development Application from Heartlands Veterinary Hospital to operate a Veterinary Clinic from the house situated at 87 Brookton Highway, Brookton.

Description of Proposal:

The intent of the proposal is for Council to exercise its discretion and grant Development Approval for a Veterinary Centre in the house at 87 Brookton Highway, Brookton

Background:

The Veterinary Hospital business has recently been required to vacate from its existing premises (old hospital) and are currently operating a mobile service until they can move into a permanent premises.

The Heartlands Veterinary Hospital has lodged two Development Applications, one for the house located at 87 Brookton Highway, Brookton and one for Unit 2, 87 Brookton Highway, Brookton as they are currently seeking quotations from a builder to undertake renovations to both premises. Once they have received the quotations, they will decide on with premises to establish the veterinary Centre in.

Consultation:

The 'D' classification in the Town Planning Scheme does not require the shire to advertise the proposal for public comment before exercising its discretion on this application, however the Acting Chief Executive Officer has provided a letter to the business operators of Units 1 and 3 providing the opportunity to provide comment back to the Shire by 4.00pm on Wednesday 15 December 2021.

The Acting Chief Executive Officer had a verbal conversation with the business operator in Unit 1 (butcher), they are aware of the proposal having had a conversation with the applicant and have no objections. The business at Unit 3 was closed and a letter has been left at the property.

The Acting CEO also met with the applicant to clarify further the proposal I regards to hours of operation etc.

Statutory Environment:

Under the Shire's Local Planning Scheme No.4 Lot 8 (87) Brookton Highway, Brookton is zoned 'Commercial'

The Town Planning Scheme the Zone objectives for the Commercial zone are:

- To provide for a range of shops, offices restaurants and other commercial outlets in defined townsites or activity centres.
- To maintain the compatibility with general streetscape, for all new buildings in terms of scale, height, style materials street alignment and design of facades.
- To ensure that development is not detrimental to amenity of adjoining owners or residential properties in the locality.

The Scheme Zoning Table indicates that a 'Veterinary Centre' has a 'D' classification which 'means that the use is not permitted unless the local government has exercised its discretion by granting development approval.

Relevant Plans and Policy:

Shire of Brookton Local Planning Scheme No.4

Financial Implications:

There are no financial implications regarding this item and the applicant has paid the relevant Development Application fee.

Risk Assessment:

Whilst there is some risk that adjoining landowner and businesses operators may object to the proposal and potentially could challenge the decision of the Council, only small animals will be allowed to be treated onsite and there is only one house adjoining the property (at the rear) the risk is consider low. The potential loss of confidence and respect in the community could be of a greater risk and so the overall risk has been determined as medium.

Consequence Likelihood	Insignificant	Minor	Moderate	Major	Extreme
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

Consideration of the Development Application aligns with the Shire of Brookton's Corporate Compendium.

- 2 Land Use Planning
 - 2.3 Process development applications

Comment

As indicated in the 'Statutory Environment' section of this report, Council can exercise its discretion to grant approval for a Veterinary Centre' in a Commercial zone under the Shire of Brookton Town Planning Scheme No. 4.

Discussion with the applicant has further clarified the proposed operation of the business, summarised as follows.

- The business will operate as a satellite facility with the main facility being at York
- The proposed hours of operation are Tuesday and Friday 9.00am to 1.00pm with some potential extensions only if required.
- The operation will be a clinic/consultation facility with only minor procedures undertaken on site, if required, and any animals that are required to be kept overnight, will be taken to York for housing.
- All waste material, euthanised animals will be removed from the premises and taken back to York for disposal

Ablution facilities are provided (male and female) at the rear of the existing shops to service the three premises.

The existing landowner has signed the Development Application and the closest house to this property is located to the north some distance away.

There are several additional site and development requirements in the Town Planning Scheme relevant to this application and these are outlined below.

Access

1. Development approval of land will generally only be granted where the land is, or can be, provided with direct frontage access to a constructed public road, which is connected to the road system.

Officer Comment

Whilst the lot has direct frontage access to Brookton Highway, the premises (house) does not have direct frontage access to a constructed road, given it's located behind the commercial shops at the front of the lot. Both are owned by the same landowner, the access to the house is partly sealed (from Brookton Hwy).

2. Vehicle access and manoeuvrability area for development, within the Commercial, Light Industry and general Industry zones, shall be designed and constructed to permit all vehicles of a type that may be reasonably expected to visit the site on a regular basis to enter and exit the site in a forward gear.

Officer Comment

There is currently good vehicle access to this premises and there will be no issues with vehicle accessing and leaving the site in a forward gear.

Car Parking and service area standards

Where a development application is made in respect to the development or use of land referred to in Table 3 – Zoning Table for which no provision is made in respect to Table 6 (Parking requirements), the car parking spaces required for the use shall be as determined by the local government.

Officer Comment

The lot currently has adequate parking availability adjoining the premises (house), on the west side of the existing shops at the front of the property, whilst there is also additional parking at the front of the existing shops and adjacent to Brookton Highway, that could be utilised if required.

OFFICER'S RECOMMENDATION

That Council exercise its discretion under the Shire of Brookton Town Planning Scheme No.4, to grant Development Approval for Heartlands Veterinary Hospital to operate a Veterinary Centre at (House) 87 Brookton Highway, Brookton, subject to the following conditions:

1. Operating hours will be restricted to 9.00am to 3.00pm Tuesday and Friday, unless it's considered an emergency, where the animal is required to be treated immediately.
2. The Veterinary Clinic/Practice shall only be permitted to attend to small animals onsite.
3. All medical waste and euthanised animals must be stored in appropriate bins and taken back to York for disposal of by the business operator and utilisation of the Shire's household waste collection service is not permitted for medical waste.
4. The housing of animals at the premises overnight is not permitted.
5. Should the applicant wish to extend the hours and days of operation and further Development Application to Council will be required.

(Simple majority vote required)

OCM 12.21-07

COUNCIL RESOLUTION

MOVED Cr Hartl SECONDED Cr Watts

That Council exercise its discretion under the Shire of Brookton Town Planning Scheme No.4, to grant Development Approval for Heartlands Veterinary Hospital to operate a Veterinary Centre at (House) #87 Brookton Highway, Brookton, subject to the following conditions:

- 1. Operating hours will be restricted to 9.00am to 3.00pm Tuesday and Friday, unless it's considered an emergency, where the animal is required to be treated immediately.***
- 2. The Veterinary Clinic/Practice shall only be permitted to attend to small animals onsite.***
- 3. All medical waste and euthanised animals must be stored in appropriate bins and taken back to York for disposal of by the business operator and utilisation of the Shire's household waste collection service is not permitted for medical waste.***
- 4. The housing of animals at the premises overnight is not permitted.***
- 5. Should the applicant wish to extend the hours and days of operation and further Development Application to Council will be required.***

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachment

Attachment 12.12.21.02A - Development Application.



**LOCAL PLANNING SCHEME NO. 4
APPLICATION FOR DEVELOPMENT APPROVAL**

Land Owner Details			
Full Name: Noel Hathaway and margorie Hathaway.			
ABN: (if applicable)			
Postal Address: 647 Bulyee Quairading Rd, Quairading			
Phone	Work:	Home:	Mobile:
Email:			
Contact Person for Correspondence: Noel Hathaway - 90658020 Suzanne Turner 0427426014			
The Signature of the owner(s) is required on this application in order for it to proceed. For the purposes of signing this application an owner includes the persons referred to in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 clause 62(2).			
Signature: <i>NHathaway</i>			Date:
Signature: <i>M Hathaway</i>			Date:

Applicant details (if different from owner)			
Name: Heartlands Veterinary Hospital			
Address: 14 Macartney St YORK WA 6302			
Phone	Work:	Home:	Mobile: Tracey Thornton.
	08 96411383		0427 323 886
Email: tracey@heartlandsvet.com.au			
Contact Person for Correspondence: Tracey Thornton.			
It is accepted the information and plans provided with this application may be made available by the Local Government for Public viewing.			
Signature: <i>Tracey Thornton</i>			Date: 3/12/2021

Property Details		
Lot No:	House/Street No: 87	Location No:
Diagram or Plan No:	Certificate of Title Vol. No:	Folio:
Title encumbrances (e.g. easements, restrictive covenants, etc):		
Street Name: Brookton Hwy		Suburb: Brookton
Nearest street intersection: Robinson Rd		

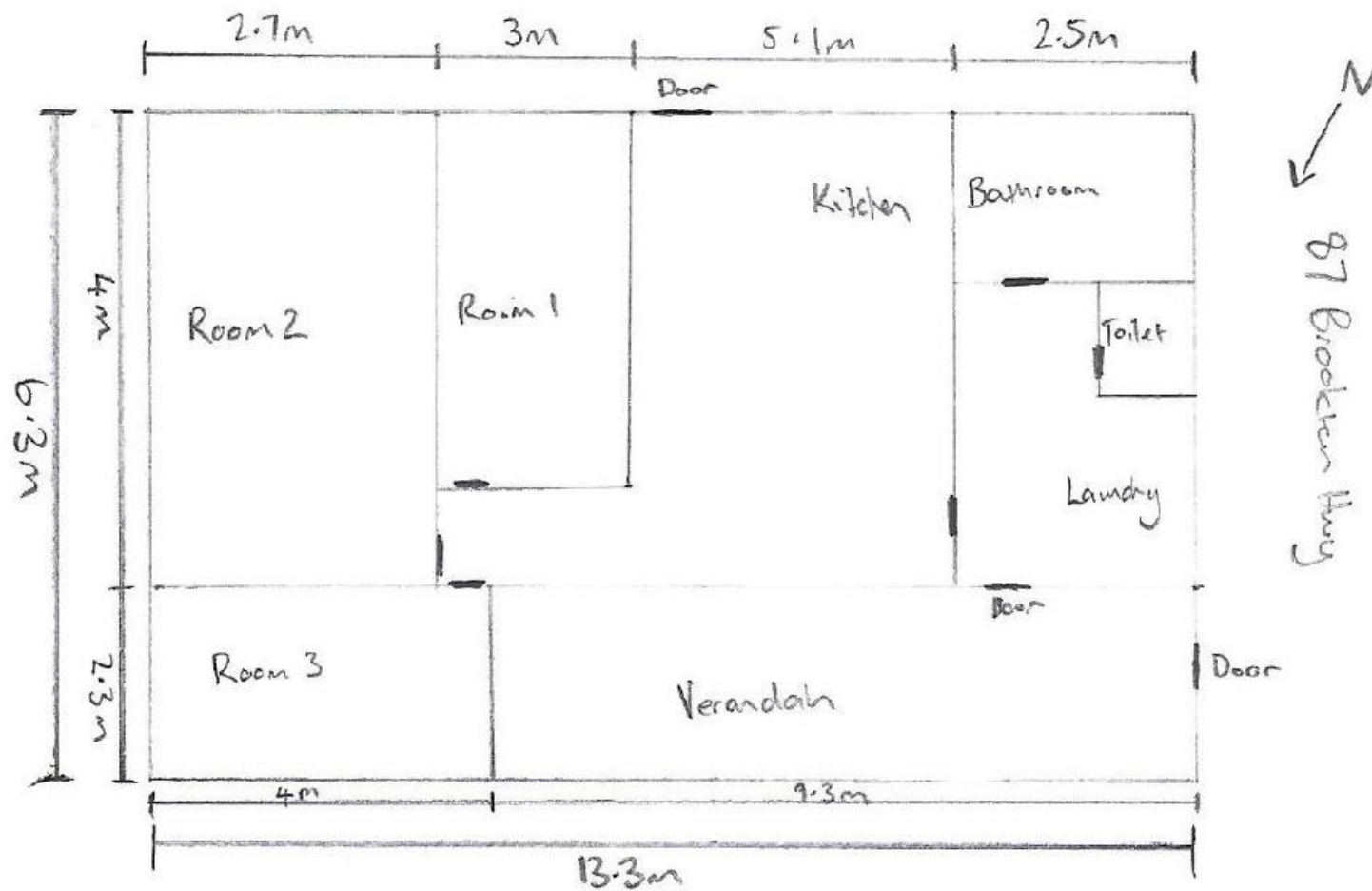
G:/AA Keyword Structure/Land Use & Town Planning/Town Planning/Forms/Development Application Form 2020

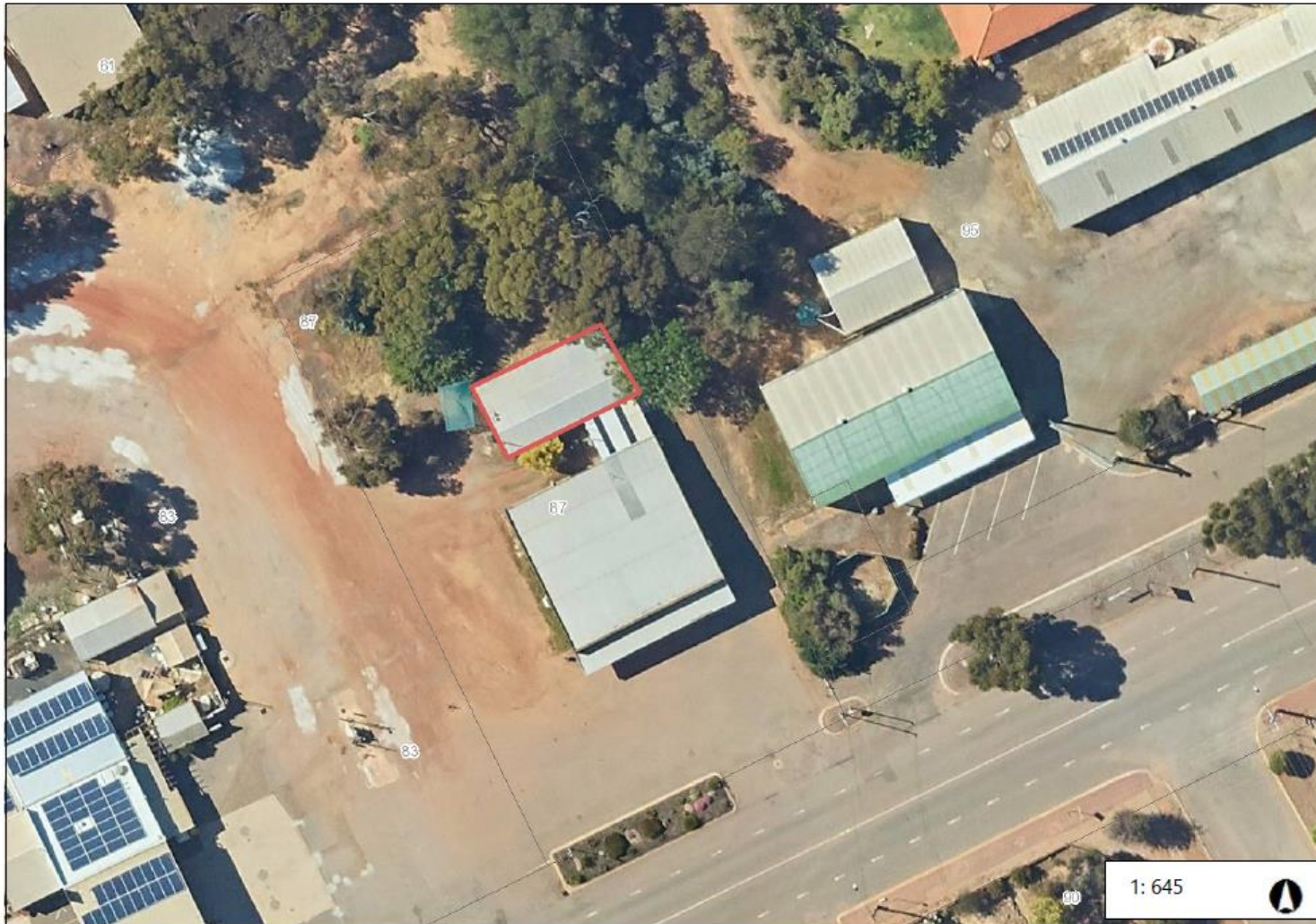
Proposed Development			
Nature of development OR use: <i>Veterinary Clinic</i>		Hours of operation Tuesday 9am - 130pm Friday 9am - 130pm	
Address: <i>87 Brookton Hwy Brookton WA 6306</i>			
Phone	Work:	Home:	Mobile:
Email:			
Contact Person for Correspondence:			
It is accepted the information and plans provided with this application may be made available by the Local Government for Public viewing.			
Signature: <i>Jacey Hunter</i>		Date: <i>3/12/2021</i>	

CHECK LIST FOR SUPPORTING DOCUMENTS
SITE PLANS <ul style="list-style-type: none"> • Electronic delivery – One (1) copy of the site plan with the proposed development at a scale of not less than 1:500 • Hard Copy delivery - Two (2) copies of the site plan with the proposed development at a scale of not less than 1:500 • Scale to be notated • North point • Street Name – Lot number and if appropriate house number • Location of existing and proposed buildings on site • Means of access (crossover, driveway, etc.)
HOME OCCUPATIONS, COTTAGE INDUSTRIES or LAND USE APPLICATIONS <ul style="list-style-type: none"> • Details of the proposal • Hours of operation (including operating times during the day and days of operation during the week) • Location of the proposal on site (see Site Plans) • Details of access and parking (see Site Plans)
<p>Should an Application for Development Approval not contain all the requirements, as detailed above, it will be considered incomplete and will not be accepted by the Shire of Brookton.</p>

OFFICE USE ONLY
Lodgment Date: _____ Property Assessment No.: _____ Fee Payable: _____ Payment Date: _____ Receipt No: _____

G:/AA Keyword Structure/Land Use & Town Planning/Town Planning/Forms/Development Application Form 2020





0.0 0 0.02 0.0 Kilometers

Date produced: 09-Dec-2021

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Cr Crute declared an impartiality interest in Item 12.12.21.03, and remained in the room, and voted on the item.

12.12.21.03 DEVELOPMENT APPLICATION – VETERINARY HOSPITAL – UNIT 2/87 BROOKTON HIGHWAY, BROOKTON

File No:	A368
Date of Meeting:	16 December 2021
Location/Address:	Unit 2, 87 Brookton Hwy, Brookton
Name of Applicant:	Heartlands Veterinary Hospital
Name of Owner:	N & M Hathaway
Author/s:	Paul Sheedy – Acting Chief Executive Officer
Authorising Officer:	Paul Sheedy – Acting Chief Executive Officer
Declaration of Interest:	The author and authorising officer do not have an interest in this item
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This item is to report on a Development Application from Heartlands Veterinary Hospital to operate a Veterinary Clinic from Unit 2 situated at 87 Brookton Highway, Brookton.

Description of Proposal:

The intent of the proposal is for Council to exercise its discretion and grant Development Approval for a Veterinary Centre at Unit 2, 87 Brookton Highway, Brookton

Background:

The Veterinary Hospital business has recently been required to vacate from its existing premises (old hospital) and are currently operating a mobile service until they can move into a permanent premises.

The Heartlands Veterinary Hospital has lodged two Development Applications, one for the house located at 87 Brookton Highway, Brookton and one for Unit 2, 87 Brookton Highway, Brookton as they are currently seeking quotations from a builder to undertake renovations to both premises. Once they have received the quotations, they will decide on with premises to establish the veterinary Centre in.

Consultation:

The 'D' classification in the Town Planning Scheme does not require the shire to advertise the proposal for public comment before exercising its discretion on this application, however the Acting Chief Executive Officer has provided a letter to the business operators of Units 1 and 3 providing the opportunity to provide comment back to the Shire by 4.00pm on Wednesday 15 December 2021.

The Acting Chief Executive Officer had a verbal conversation with the business operator in Unit 1 (butcher), they are aware of the proposal having had a conversation with the applicant and have no objections. The business at Unit 3 was closed and a letter has been left at the property.

Statutory Environment:

Under the Shire's Local Planning Scheme No.4 Lot 8 (87) Brookton Highway, Brookton is zoned 'Commercial'

The Town Planning Scheme the Zone objectives for the Commercial zone are:

- To provide for a range of shops, offices restaurants and other commercial outlets in defined townsites or activity centres.

- To maintain the compatibility with general streetscape, for all new buildings in terms of scale, height, style materials street alignment and design of facades.
- To ensure that development is not detrimental to amenity of adjoining owners or residential properties in the locality.

The Scheme Zoning Table indicates that a 'Veterinary Centre' has a 'D' classification which 'means that the use is not permitted unless the local government has exercised its discretion by granting development approval.

Relevant Plans and Policy:

Shire of Brookton Local Planning Scheme No.4

Financial Implications:

There are no financial implications regarding this item and the applicant has paid the relevant Development Application fee.

Risk Assessment:

Whilst the Veterinary Centre is proposing to be in an existing commercial premises, it's situated between two other existing commercial shops that are very different to a Veterinary Hospital. As consultation, albeit with a short timeframe, has been undertaken with the existing operators of these premises, the risk to Council and its reputation has been assessed as 'Medium'

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

Consideration of the Development Application aligns with the Shire of Brookton's Corporate Compendium.

2 Land Use Planning

2.3 Process development applications

Comment

As indicated in the 'Statutory Environment' section of this report, Council can exercise its discretion to grant approval for a Veterinary Centre' in a Commercial zone under the Shire of Brookton Town Planning Scheme No. 4.

Discussion with the applicant has further clarified the proposed operation of the business, summarised as follows.

- The business will operate as a satellite facility with the main facility being at York
- The proposed hours of operation are Tuesday and Friday 9.00am to 1.00pm with some potential extensions only if required.
- The operation will be a clinic/consultation facility with only minor procedures undertaken on site, if required, and any animals that are required to be kept overnight, will be taken to York for housing.
- All waste material, euthanised animals will be removed from the premises and taken back to York for disposal

Ablution facilities are provided (male and female) at the rear of the existing shops to service the three premises.

The existing landowner has signed the Development Application and the closes house to this property is located to the north approximately metres away.

Given that the Veterinary Hospital practice will locate in an existing commercial shop/premises at unit 2, 87 Brookton Highway, Brookton it's considered appropriate for Council to exercise its discretion and approve the Development Application, subject to conditions.

There are several additional site and development requirements in the Town Planning Scheme relevant to this application and these are outlined below.

Access

1. Development approval of land will generally only be granted where the land is, or can be, provided with direct frontage access to a constructed public road, which is connected to the road system.

Officer Comment

The premises has direct frontage access to Brookton Highway a constructed road, with a sealed access to the premises and parking area.

2. Vehicle access and manoeuvrability area for development, within the Commercial, Light Industry and general Industry zones, shall be designed and constructed to permit all vehicles of a type that may be reasonably expected to visit the site on a regular basis to enter and exit the site in a forward gear.

Officer Comment

There is currently good vehicle access to this premises and there will be no issues with vehicle accessing and leaving the site in a forward gear and safe manner.

Car Parking and service area standards

Where a development application is made in respect to the development or use of land referred to in Table 3 – Zoning Table for which no provision is made in respect to Table 6 (Parking requirements), the car parking spaces required for the sue shall be as determined by the local government.

Officer Comment

The lot currently has adequate parking availability in front of the shops, whilst there is also additional parking adjacent to Brookton Highway, that can be utilised if required, so no additional parking bays are required.

OFFICER'S RECOMMENDATION

That Council exercise its discretion under the Shire of Brookton Town Planning Scheme No.4, to grant Development Approval for Heartlands Veterinary Hospital to operate a Veterinary Centre at Unit 2, 87 Brookton Highway, Brookton, subject to the following conditions:

1. Operating hours will be restricted to 9.00am to 3.00pm Tuesday and Friday, unless it's considered an emergency, where the animal is required to be treated immediately.
2. The Veterinary Clinic/Practice shall only be permitted to attend to small animals onsite.
3. All medical waste, and euthanised animals, must be stored in appropriate bins, and taken back to York for disposal by the business operator, and utilisation of the Shire's household waste collection service is not permitted for medical waste.
4. The housing of animals at the premises overnight is not permitted.
5. Should the applicant wish to extend the hours and days of operation and further Development Application to Council will be required.

(Simple majority vote required)

OCM 12.21-08

COUNCIL RESOLUTION

MOVED Cr Hartl SECONDED Cr Lilly

That Council exercise its discretion under the Shire of Brookton Town Planning Scheme No.4, to grant Development Approval for Heartlands Veterinary Hospital to operate a Veterinary Centre at Unit 2, #87 Brookton Highway, Brookton, subject to the following conditions:

- 1. Operating hours will be restricted to 9.00am to 3.00pm Tuesday and Friday, unless it's considered an emergency, where the animal is required to be treated immediately.***
- 2. The Veterinary Clinic/Practice shall only be permitted to attend to small animals onsite.***
- 3. All medical waste, and euthanised animals, must be stored in appropriate bins, and taken back to York for disposal by the business operator, and utilisation of the Shire's household waste collection service is not permitted for medical waste.***
- 4. The housing of animals at the premises overnight is not permitted.***
- 5. Should the applicant wish to extend the hours and days of operation and further Development Application to Council will be required.***

CARRIED BY SIMPLE MAJORITY VOTE 6/1

Voted against the motion: Cr Macnab

Attachments

Attachment 12.12.21.03A – Development Applications



**LOCAL PLANNING SCHEME NO. 4
APPLICATION FOR DEVELOPMENT APPROVAL**

Land Owner Details			
Full Name: Noel Hathaway - <u>Margorie Hathaway</u>			
ABN: (if applicable)			
Postal Address: 647 Bulyee Quairading Rd, Quairading			
Phone	Work:	Home:	Mobile:
Email:			
Contact Person for Correspondence: <u>Noel Hathaway - 90658020 Suzanne Turner 0427426014</u>			
The Signature of the owner(s) is required on this application in order for it to proceed. For the purposes of signing this application an owner includes the persons referred to in the Planning and Development (Local Planning Schemes) Regulations 2015 Schedule 2 clause 62(2).			
Signature: <u>x Noel Hathaway</u>			Date:
Signature: <u>[Signature]</u>			Date:
Applicant details (if different from owner)			
Name: <u>Heartlands Veterinary Hospital</u>			
Address: <u>14 Macartney St</u> <u>YORK WA 6302</u>			
Phone	Work: <u>08 96411383</u>	Home:	Mobile: <u>0427 323 886</u>
Email: <u>tracey@heartlandsvet.com.au</u>			
Contact Person for correspondence: <u>Tracey Thornton</u>			
It is accepted the information and plans provided with this application may be made available by the Local Government for Public viewing.			
Signature: <u>Tracey Thornton</u>			Date: <u>3/12/2021</u>
Property Details			
Lot No:	House/Street No: <u>2/87</u>	Location No:	
Diagram or Plan No:	Certificate of Title Vol. No:	Folio:	
Title encumbrances (e.g. easements, restrictive covenants, etc):			
Street Name: <u>Brookton Hwy</u>		Suburb: <u>Brookton</u>	
Nearest street intersection: <u>Robinson Rd</u>			

G:/AA Keyword Structure/Land Use & Town Planning/Town Planning/Forms/Development Application Form 2020

Proposed Development

Nature of development OR use:

Veterinary Clinic

Hours of operation

Tuesday 9am - 130pm
Friday 9am - 130pmAddress: 2/87 Brookton Hwy
Brookton WA 6306

Phone

Work:

Home:

Mobile:

Email:

Contact Person for Correspondence:

It is accepted the information and plans provided with this application may be made available by the Local Government for Public viewing.

Signature:

Date:

CHECK LIST FOR SUPPORTING DOCUMENTS**SITE PLANS**

- Electronic delivery – One (1) copy of the site plan with the proposed development at a scale of not less than 1:500
- Hard Copy delivery - Two (2) copies of the site plan with the proposed development at a scale of not less than 1:500
- Scale to be notated
- North point
- Street Name – Lot number and if appropriate house number
- Location of existing and proposed buildings on site
- Means of access (crossover, driveway, etc.)

HOME OCCUPATIONS, COTTAGE INDUSTRIES or LAND USE APPLICATIONS

- Details of the proposal
- Hours of operation (including operating times during the day and days of operation during the week)
- Location of the proposal on site (see Site Plans)
- Details of access and parking (see Site Plans)

Should an Application for Development Approval not contain all the requirements, as detailed above, it will be considered incomplete and will not be accepted by the Shire of Brookton.

OFFICE USE ONLY

Lodgment Date: _____

Property Assessment No.: _____

Fee Payable: _____

Payment Date: _____

Receipt No: _____

Unit 2, 87 Brookton Hwy Location Map



0.1 0 0.03 0.1 Kilometers

Date produced: 08-Dec-2021

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

13.12.21 COMMUNITY SERVICES REPORTS

Cr Hartl declared an impartiality interest in Item 13.12.21.01, and remained in the room, and voted on the item.

13.12.21.01 COMMUNITY CHEST FUND APPLICATION – ANNUAL GRANTS: BROOKTON CRICKET CLUB

File No:	COM022
Date of Meeting:	16 December 2021
Location/Address:	N/A
Name of Applicant:	Brookton Cricket Club
Name of Owner:	N/A
Author/s:	Kylie Freeman – Community Development Officer
Authorising Officer:	Kellie Bartley – Manager Corporate & Community
Declaration of Interest:	The author and authorising officer has no interest in this item
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This report relates to the application made by Brookton Cricket Club for the Community Chest Funding under the Policy 2.34 – Annual Grants – Section ‘Equipment Purchase Grants’.

Brookton Cricket Club is seeking Council’s consideration for a grant of \$1,000 under the Community Chest Fund to purchase Junior and Senior Equipment – Electronic Scoring Equipment (MyCricket).

The Community Chest Fund Application Form is contained in **Attachment 13.12.21.01A**.

Description of Proposal:

The Brookton Cricket Club wish to purchase equipment for both the junior and senior playing groups and to additionally purchase an electronic device for scoring.

Background:

The Council adopted a Community Funding and Donations Policy 2.34 in June 2018 with amendments made in August 2019 and February 2020, recognising that community funding provides a significant opportunity to work collaboratively with local community groups, not-for-profit groups and individuals to facilitate and deliver projects and/or activities that have a number of community benefits, such as social inclusion and strengthening connections within the Shire.

Brookton Cricket Club is seeking funding under the Donations Policy section ‘Annual Grants – Section ‘Equipment Purchase Grant’” allows a maximum of \$1,000 cash support per financial year.

The grant money is intended to purchase equipment for both junior and senior playing groups, in addition to providing an electronic device for scoring on new compulsory MyCricket App.

By purchasing the equipment, it will allow players to continue, safely, to play cricket in our community, whilst complying with the National Policies.

Consultation:

There has been consultation concerning the Brookton Cricket Club application with the group and the Community Development Officer. This has been discussed with the Manager Corporate & Community.

Statutory Environment:

Council is able to offer a donation or afford a financial grant through the adopted budget and policy framework for the Community Chest Fund, which have been endorsed under the relevant provisions of the *Local Government Act 1995*.

Relevant Plans and Policy:

Policy 2.34 – Community Funding and Donations is applicable to this application, with assessment against the relevant selection criteria detailed below:

Annual Grants:

Funding category	Funding Amount	Guidelines
Equipment Purchase Grant	Maximum of \$1,000 cash per support, per financial year.	<ul style="list-style-type: none"> • Only available to incorporated bodies. • Can be used for the purchase of equipment, uniforms, etc. • Application must demonstrate the benefit of the equipment purchase to the wider community. • Equipment purchase must remain the property of the organisation, and not be used for the exclusive use of any individual. • Applicants must demonstrate their ability to <u>match</u> Shire of Brookton grant support. • Applications can be made at any time throughout the year.

*SELECTION CRITERIA (extracted from the Policy)**1. Only available to incorporated bodies.*

Brookton Cricket Club is an incorporated body.

2. Can be used for the purchase of equipment, uniforms etc.

The equipment to be purchased is Junior & Senior equipment for electronic scoring equipment (MyCricket).

3. Applications must demonstrate the benefit of the equipment purchase to the wider community.

By providing support to this request, will enable the Brookton Cricket Club to provide services that allows for health and social interaction for all the community.

4. Equipment purchase must remain the property of the organisation and not be used for the exclusive use of any individual.

The equipment will be held with the Brookton Cricket Club and utilised at the WB Eva Pavilion on game days. Providing both Junior and Seniors the chance to continue to play under the new guidelines issued by CricketWA.

5. Applicants must demonstrate their ability to match Shire of Brookton grant support.

The application is supported by the Brookton Cricket Club contributing the cash contribution of \$1,310 with a total spend of \$2,310 for the amount required to purchase the equipment.

6. Applications can be made at any time throughout the year.

This is the first application made to support the Brookton Cricket Club in the 2021/2022 financial year.

Recognition of Shire of Brookton support

The Shire of Brookton must be recognised for the support provided for all Annual Grants, Matched Funding Grants and Community Donations. Recognition requirements for all funding programs must be detailed to the Shire as part of the application process.

Financial Implications:

The Community Chest (COA E115050) was set at \$40,000, and a maximum of \$1,000 per application as cash support per financial year for the support of equipment purchase grant.

Risk Assessment:

The risk in relation to this matter with Brookton Cricket Club is assessed as “Low” and does not pose a risk to the Shire or the community.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

This proposal relates to delivery of core business and services detailed in the Shire of Brookton Corporate Compendium – October 2020, duly appended to the Next Generation BROOKTON Corporate Business Plan <2021.

Specifically, the proposal relates to:

Function 24 Community Support

Action 24.6 – Support seniors, youth, culture, sport / recreation group activities

Comment:

On assessment the application adequately addresses the stated criteria under Council Policy 2.34 – Community Funding and Donations, it is recommended Council endorse the grant of \$1,000 from the Community Chest Fund.

OFFICER'S RECOMMENDATION

That Council in relation to the application from Brookton Cricket Club under Council Policy 2.34 – Community Funding and Donations grant approval for \$1,000.00 (excl. GST) financial grant from the Community Chest Fund to be used for purchase of new Junior and Senior playing and electronic equipment.

(Simple majority vote required)

OCM 12.21-09

COUNCIL RESOLUTION

MOVED Cr Walker SECONDED Cr Lilly

That Council in relation to the application from Brookton Cricket Club under Council Policy 2.34 – Community Funding and Donations grant approval for \$1,000.00 (excl. GST) financial grant from the Community Chest Fund to be used for purchase of new Junior and Senior playing and electronic equipment.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachments

Attachment 13.12.21.01A – Community Chest Fund Application – Brookton Cricket Club



Community Chest Fund Application Form

Post your completed application to:

PO Box 42, Brookton, WA 6306

Or deliver to:

Shire of Brookton, 14 White Street, Brookton

Alternatively email your application to:

mail@Brookton.wa.gov.au

Community Chest Fund

Application Form

Before completing the application form: Please ensure you have read the Shire of Brookton Community Funding and Donations Policy and that your application meets the criteria outlined in the funding category.

NAME OF ORGANISATION: Brookton Cricket Club Inc.

CONTACT PERSON: Denise Blechynden

POSITION: Secretary/Treasurer

POSTAL ADDRESS: P O Box 2, Brookton WA 6306

PHONE: 0896424054

MOBILE: 0407423441

EMAIL: blechy@wn.com.au

ORGANISATION'S ABN: 69374704137

REGISTERED FOR GST? ☐ YES ☒ NO

IS YOUR ORGANISATION INCORPORATED? ☒ YES ☐ NO

NAME OF PROJECT OR EVENT: Junior & Senior Equipment - Electronic Scoring Equipment (MyCricket)

ESTIMATED START DATE: On going

ESTIMATED COMPLETION DATE: On going

REQUESTED COMMUNITY CHEST FUNDS: \$1 000

Please tick which funding category you are applying for	
Annual Grants	Community Donations
<input type="checkbox"/> Community & Strategic Partnership Grants	<input type="checkbox"/> Individual Donation
<input type="checkbox"/> Community Support Grants	<input type="checkbox"/> Not for Profit Community groups member donation
<input checked="" type="checkbox"/> Equipment Purchase Grant	<input type="checkbox"/> Not for Profit Community Organisation Utilities Financial Assistance Donation

1. BRIEF DESCRIPTION OF PROJECT/EVENT:

To up-date Junior and Senior Playing Equipment and purchase an Electronic device to scoring on new compulsory MyCricket App.

2. WHAT WILL THE COMMUNITY CHEST FUNDS BE USED FOR?

To help fund Junior and Senior Playing Equipment and purchase new Electronic Equipment for Scoring.

3. HOW WILL YOUR PROJECT/EVENT BENEFIT THE BROOKTON COMMUNITY?

Allow Junior and Senior Cricket to safely continue in our community, while complying with National Policies.

4. HOW DOES THIS PROJECT/EVENT ALIGN TO THE BROOKTON20

The Brookton Cricket Club are providing a service that allows for health and social interaction for all the community.

5. HOW WILL THE PROJECT/EVENT BE ADVERTISED AND PROMOTED?

With Cricket continuing in our community.

6. ACKNOWLEDGEMENT OF SHIRE OF BROOKTON SPONSORSHIP

It is a requirement of funding that the words "Sponsored by the Shire of Brookton" and the Shire's logo be displayed at your project/event.

Please advise the ways you will be able to acknowledge the Shire of Brookton's sponsorship:

- ☒ Display "Shire of Brookton" Logo: on your website and posters, in newspaper advertisements, on event signage, programs and flyers.
- ☐ Display the "Shire of Brookton" flag or banner at your event if possible. (Available from the Shire).
- ☒ Verbal announcements at the project/event.
- ☐ Other.

INCOME	\$	EXPENDITURE	\$
Applicant's cash contributions	\$1 310	Materials	Click or tap here to enter text.
Sponsorship	Click or tap here to enter text.	Labour	Click or tap here to enter text.
Donations in cash	Click or tap here to enter text.	Hire of Equipment	Click or tap here to enter text.
Other grants	Click or tap here to enter text.	Office/Administration	Click or tap here to enter text.
Catering Sales	Click or tap here to enter text.	Venue hire	Click or tap here to enter text.
Fees and Charges e.g. stalls	Click or tap here to enter text.	Advertising	Click or tap here to enter text.
Gate/Door entry fees	Click or tap here to enter text.	Catering Costs	Click or tap here to enter text.
		Entertainment	Click or tap here to enter text.
Other Income (Please List)	Click or tap here to enter text.	Other Expenditure (Please List)	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Ipad/Cover/Protector/Power Bank	\$1 400
Click or tap here to enter text.	Click or tap here to enter text.	Kookaburra Cricket Balls	\$580
Click or tap here to enter text.	Click or tap here to enter text.	Junior & Senior Keeping Gloves	\$120
Click or tap here to enter text.	Click or tap here to enter text.	Junior Keeping Pads	\$60
Click or tap here to enter text.	Click or tap here to enter text.	Female Abdominal Guard	\$20
Total of Community Chest Funds requested in cash*	\$1 000	Bat Grips	\$50
Click or tap here to enter text.	Click or tap here to enter text.	Junior Bales	\$40
Total of Community Chest Funds requested in-kind (e.g. Town Hall hire fee waived if applicable/required)	Click or tap here to enter text.	Junior Cone Markers	\$40
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.	Click or tap here to enter text.
TOTAL INCOME	\$2 310	TOTAL EXPENDITURE	\$2 310

YOUR INCOME MUST EQUAL YOUR EXPENDITURE

PLEASE INCLUDE SUPPORTING DOCUMENTATION (letters of support, quotes etc)

7. HAS YOUR ORGANISATION RECEIVED COMMUNITY CHEST FUNDING IN THE PREVIOUS FINANCIAL YEAR ☐ YES ☒ NO

HAS THE ACQUITTAL PROCESS BEEN COMPLETED? ☐ YES ☐ NO

IF YES, WHAT WAS THE AMOUNT AND WHAT WAS THE FUNDING FOR?

Click or tap here to enter text.

8. PLEASE LIST BELOW ANY IN-KIND CONTRIBUTIONS IF APPLICABLE (e.g. volunteer or donated labour, materials etc.) HOWEVER, DO NOT INCLUDE IN YOUR BUDGET ABOVE.

Click or tap here to enter text.

9. FUNDING CONDITIONS:

- I. The grant funds will be expended on the agreed project only.
- II. The Shire of Brookton's support of the project will be acknowledged in any advertising or promotional activities related to the project.
- III. Two invitations will be sent to the Shire of Brookton for your event or project.
- IV. The project will conform to all relevant Bylaws and Acts in force at the time.
- V. Any unexpended grant funds will be returned to the Shire of Brookton.
- VI. The funds must be expended and acquitted by 30th June of the financial year in which they are received.
- VII. Invoices and receipts for the expenditure of the Community Chest funds must be provided to Council within three months of the completion of your project/event along with a brief report on your event or project which includes copies of any advertisements, posters, programmes or newspaper coverage.

PLEASE ENSURE YOU HAVE READ THE ABOVE GRANT CONDITIONS BEFORE SIGNING BELOW:

Our organisation agrees to comply with the funding conditions set out above. I declare that I have been authorised to prepare and submit this application, and that the information presented is correct to the best of my knowledge. I understand that if Council approves the application, we will abide by the funding conditions set out above.

PRINT NAME: Denise Blechynden

POSITION: Secretary/Treasurer

SIGNATURE:

DATE: 28 November 2021



Harvey Norman Costings for Electronic Devices



\$1199

Apple iPad Pro 11-inch Wi-Fi
128GB (3rd Generation) - Space
Grey

Limit 2 Per Customer



Apple SmartFolio for iPad
Pro 11-inch (3rd)

★★★★★ (1)

\$109



\$39.95

Cygnett ChargeUp Revive
10,000mAh Power Bank



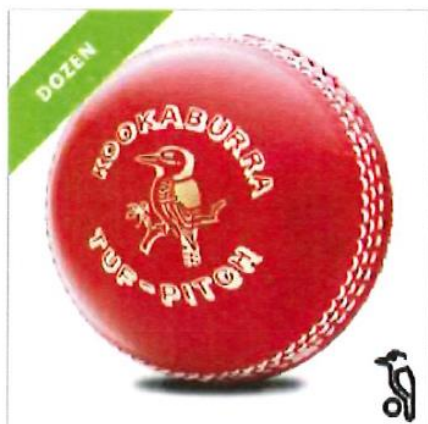
Cygnett Glass Screen
Protector for iPad Pro 11-

★★★★★ (5)

\$49.95

SCORING EQUIPMENT - JUNIORS & SENIORS

Meulemans Costings for Junior & Senior Equipment



TUF PITCH KOOKABURRA CRICKET BA...

~~\$728.66~~ **\$576.00**



GN 600 GRAY NICOLLS KEEPING GLOVES

\$59.00

GN 600 GRAY NICOLLS KEEPING GLOVES - SENIORS & JUNIORS

GRAY NICOLLS GN 600 KEEPING PADS - JUNIORS

GROVE BAT GRIPS - SENIORS & JUNIORS

FEMALE ABDOMINAL GUARD - JUNIORS



GRAY NICOLLS GN 600 KEEPING PADS

\$59.00



GROVE BAT GRIPS

\$10.00



FEMALE ABDOMINAL GUARD

\$6.00

Rebel Sport Costings for Junior Equipment



ZINGS

Zings Flashing Cricket Balls

\$39.99

★ ★ ★ ★ ★



TERRASPHERE

Terrasphere Collapsible Witches Hats
6 Pack

\$14.99

WICKET BALES - JUNIORS

BOUNDARY CONES - JUNIORS

Cr Macnab declared an impartiality interest in Item 13.12.21.02, and remained in the room, and voted on the item.

13.12.21.02 REQUEST FOR FEE WAIVER – BROOKTON COUNTRY WOMENS ASSOCIATION (CWA)

File No:	COM006
Date of Meeting:	16 December 2021
Location/Address:	N/A
Name of Applicant:	Brookton CWA
Name of Owner:	N/A
Author/s:	Kylie Freeman – Community Development Officer
Authorising Officer:	Kellie Bartley – Manager Corporate & Community
Declaration of Interest:	The author has no interest in this item
Voting Requirements:	Absolute Majority
Previous Report:	N/A

Summary of Item:

This report relates to the application made by Brookton CWA for the fee waiver for the hire of the Memorial Hall on Thursday 9th December 2021.

The Brookton CWA have offered to assist Anthea Cousins, Chaplain of Brookton District High School, to make 700 biscuits to be given to school families at the end of year concert.

The letter of request from the Brookton CWA is attached to this report as **Attachment 13.12.21.02A**.

Description of Proposal:

As detailed above.

Background:

Annually, Anthea Cousins, Chaplain of Brookton District High School takes it upon herself to make 700 biscuits that are presented as part of a gift basket to the families of those students who attend the school.

This year, the Brookton CWA ladies have offered to assist with this undertaking and due to the number of biscuits required, it is practical for the ladies to make use of the large kitchen at Memorial Hall.

The request for the waiver is to consider the day rate of \$40 per day to be waived. There is a bond of \$250.00, held by the Shire of Brookton from the Brookton CWA.

Consultation:

There has been no consultation in this matter.

Statutory Environment:

Pursuant to section 6.12 of the *Local Government Act 1995*, states:

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) waive 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.*

- (2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.
- (3) The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.
- (4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

Relevant Plans and Policy:

There are no relevant plans or policy applicable to this matter.

Financial Implications:

Under the Council's 2021/2022 Schedule of Fees and Charges, the following applies:

Details	Cost
Facility Hire (Commercial and other Agencies)	\$40
Bond (refundable bond that is held \$250)	\$250

The bond of \$250 is held by the Shire of Brookton for the calendar year, due to the number of events they may host. The Brookton CWA has requested that the facility hire fee be reduced to nil, meaning the cost to the Shire would be \$40.00. If Council supports this request, which fundamentally would be considered the Shire's contribution to the event.

Risk Assessment:

The risk in relation to this matter is assessed as "Low".

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

This proposal relates to delivery of core business and services detailed in the Shire of Brookton Corporate Compendium – October 2020, duly appended to the Next Generation BROOKTON Corporate Business Plan <2021.

Specifically, the proposal relates to:

Function 24 Community Support

Action 24.1 – Support community group activities

Comment:

In consideration, this initiative is heartfelt and generous. It is recommended that Council reduce the fee to nil for the Brookton CWA event which was held on 9th December 2021.

OFFICER'S RECOMMENDATION

That Council pursuant to Section 6.12 of the Local Government Act, 1995 waiver the fee for the Memorial Hall to Brookton CWA to host catering event \$40.00 to \$0.00 for the events scheduled for 9th December 2021.

(Absolute majority vote required)

OCM 12.21-10**COUNCIL RESOLUTION****MOVED Cr Walker****SECONDED Cr Watts**

That Council pursuant to Section 6.12 of the Local Government Act, 1995 waiver the fee for the Memorial Hall to Brookton CWA to host catering event \$40.00 to \$0.00 for the events scheduled for 9th December 2021.

CARRIED BY ABSOLUTE MAJORITY VOTE 7/0

Attachments

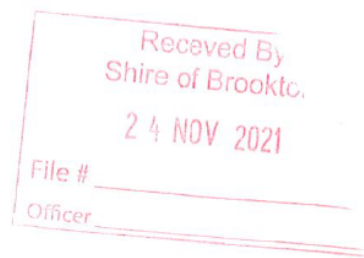
Attachment 13.12.21.02A – Letter of request received from Brookton CWA

Merilyn Marchesi

President

Brookton CWA

23rd November 2021



The CEO

Brookton Shire Council

The Brookton CWA have offered to help Anthea Cousins, who is the chaplain for the Brookton school. Anthea donates many food packages to the families in need at the presentation night.

We were wondering if the CWA Ladies could use the Memorial Hall on Thursday 9th December to make biscuits. We understand that not much notice is being given but at our meeting today we decided that if we don't ask, we will not receive your approval. Would Council consider waiving the booking fee for this special Community event.

As Anthea requires 700 biscuits, this will be a huge effort from us to the community.

We look forward to receiving an answer very shortly.

Yours in CWA friendship

Merilyn Marchesi

14.12.21 CORPORATE SERVICES REPORTS

14.12.21.01 LIST OF ACCOUNTS FOR PAYMENT – NOVEMBER 2021

File No:	N/A
Date of Meeting:	16 December 2021
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Charlotte Cooke – Finance Officer
Authorising Officer:	Kellie Bartley – Manager Corporate and Community
Declaration of Interest:	The author has no financial interest in this matter.
Voting Requirements:	Simple Majority
Previous Report:	18 November 2021

Summary of Item:

The purpose of this report is to present to Council the list of accounts paid, for the month ending 30 November 2021, as required under the *Local Government (Financial Management) Regulations 1996*.

Description of Proposal:

To approve the accounts for payment.

Background:

In accordance with *Local Government (Financial Management) Regulations 1996 Clause 13 (1)* schedules of all payments made through Council's bank accounts are presented to Council for inspection.

Consultation:

There are no community engagement implications that have been identified as a result of this report or recommendation.

Statutory Environment:

Regulation 13 of the *Local Government (Financial Management) Regulations 1996* states:

13. Payments from municipal fund or trust fund by CEO, CEO's duties as to etc.

- (1) If the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, a list of accounts paid by the CEO is to be prepared each month showing for each account paid since the last such list was prepared —
 - (a) the payee's name; and
 - (b) the amount of the payment; and
 - (c) the date of the payment; and
 - (d) sufficient information to identify the transaction.
- (2) A list of accounts for approval to be paid is to be prepared each month showing —
 - (a) for each account which requires council authorisation in that month —
 - (i) the payee's name; and
 - (ii) the amount of the payment; and
 - (iii) sufficient information to identify the transaction;and
 - (b) the date of the meeting of the council to which the list is to be presented.
- (3) A list prepared under subregulation (1) or (2) is to be —

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
- (b) recorded in the minutes of that meeting.

Relevant Plans and Policy:

The Chief Executive Officer, under relevant delegation, is authorized to arrange purchase of specific items in the budget, which do not require calling tenders, providing that it is within the approved and adopted budget.

Financial Implications:

There are no financial implications that have been identified as a result of this report or recommendation.

Risk Assessment:

The risk in relation to this matter is assessed as 'Medium' on the basis that if Council does not accept the payments. The risk identified would be failure to fulfil statutory regulations or compliance requirements. Shire Officer's provide a full detailed listing of payments made in a timely manner.

Consequence Likelihood	Insignificant	Minor	Moderate	Major	Extreme
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

This item relates to delivery of core business and services detailed in the Shire of Brookton Corporate Compendium – October 2020, duly appended to the Next Generation BROOKTON Corporate Business Plan <2021.

Specifically, the contract services support the following Business Unit and Functions:

- 7. Financial Control
 - 18.2 Conduct external/internal audits and reporting
 - 18.5 Process rates, other revenues, timely payments

Comment

Council has delegated, to the Chief Executive Officer, the exercise of its power to make payments from the Shire's Municipal and Trust funds. In accordance with Regulation 13 of the *Local Government (Financial Management) Regulations 1996*, a list of accounts paid is to be provide to Council, where such delegation is made.

The payment schedule is provided to Councilors' separately and not published on the Shire of Brookton website to mitigate against the potential of fraudulent activity that can arise from this practice. Members of the public can obtain the schedule from the Shire of Brookton Administration Office.

The following table summaries the payments for the period by payment type, with full details of the accounts paid contained within **Attachment 14.12.21.01A**.

Payments up to 30 November 2021

Payment Type	Account Type	Amount (\$)
Automatic Payment Deductions (Direct Debits)	Municipal	\$231,566.68
Cheque Payments – Nil	Municipal	\$0.00
EFT Payments #12718 to #12753 & #12756 to #12793	Municipal	\$173,719.20
Sub Total	Municipal	\$405,285.88
EFT Payments – Nil	Trust	\$0.00
Sub Total	Trust	\$0.00
EFT Payments – #12754	Bond	\$250.00
Sub Total	Bond	\$250.00
Totals		\$405,535.88

Contained within **Attachment 14.12.21.01A** is a detailed transaction listing of credit card expenditure paid for the period ended 30 November 2021. This amount is included within the total payments, listed above.

OFFICER'S RECOMMENDATION

That Council accepts the list of accounts, totalling \$405,535.88 paid under delegated authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 for the period ended 30 November 2021, as contained within Attachment 14.12.21.01A.

(Simple majority vote required)

OCM 12.21-11

COUNCIL RESOLUTION

MOVED Cr Lilly SECONDED Cr Hartl

That Council accepts the list of accounts, totalling \$405,535.88 paid under delegated authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 for the period ended 30 November 2021, as contained within Attachment 14.12.21.01A.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachment

Attachment 14.12.21.01A – List of accounts for payment – November 2021

Members of the public can obtain a copy of the List of Accounts by contacting the Shire Administration Office.

14.12.21.02 STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 30 NOVEMBER 2021

File No:	N/A
Date of Meeting:	16 December 2021
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Charlotte Cooke – Finance Officer
Authorising Officer:	Kellie Bartley – Manager Corporate & Community
Declaration of Interest:	The authors have no financial interest in this matter
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

The Statement of Financial Activity for period ending 30 November 2021 together with associated commentaries are present for Council's consideration.

Description of Proposal:

That Council receives the Statement of Financial Activity for the period ended 30 November 2021, as presented.

Background:

In accordance with regulation 34 of the *Local Government (Financial Management) Regulations 1996*, the Shire is to prepare a monthly Statement of Financial Activity for approval by Council. December and January's reports are presented in February as Council does not meet in January.

Consultation:

Reporting officers receive monthly updates to track expenditure and income.

Statutory Environment:

Section 6.4 of the *Local Government Act 1995* requires a Local Government to prepare an annual financial statement for the preceding year and other financial reports as they prescribed.

Regulation 34(1) of the *Local Government (Financial Management) Regulations 1996* as amended requires the Local Government to prepare monthly financial statements and report on actual performance against what was set out in the annual budget.

Relevant Plans and Policy:

There is no Council Policy relevant to this item.

Financial Implications:

The Budget is regularly monitored on at least a monthly basis, by the Chief Executive Officer, the Manager Corporate & Community and the Senior Finance Officer. Responsible Officers are also required to review their particular line items for anomalies each month, with a major review required by law, between 1 January and 31 March of each year pursuant to the *Local Government (Financial Management) Regulations 1996* (Regulation 33A).

Any material variances that have an impact on the outcome of the budgeted closing surplus position are detailed in the Monthly Financial Report contained within **Attachment 14.12.21.02A**.

Risk Assessment:

The risk in relation to this matter is assessed as 'Low' on the basis that if Council does not receive the Monthly Financial Reports for the month reported leading to the Shire not meeting legislative
Shire of Brookton, Ordinary Meeting of Council, 16 December 2021 - Minutes

requirements on financial reporting. The risk identified would be failure to fulfil statutory regulations or compliance requirements.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

Responsible financial management is critical to deliver on the Strategic Community Plan.

The Corporate Business Plan determines the local government's resource allocations which form the construction of the Annual Budget. The financial statements thus measure performance against the Corporate Business Plan by providing comparatives against the Annual Budget.

This item relates to delivery of core business and services detailed in the Shire of Brookton Corporate Compendium – May 2018, duly appended to the Next Generation BROOKTON Corporate Business Plan <2021.

Specifically, the contract services supports the following Business Unit and Functions:

18. *Financial Control*
 - 18.2 *Conduct external/internal audits and reporting*
 - 18.4 *Review/Manage financial investments*
 - 18.5 *Process rates, other revenues, timely payments*

Comment

The Monthly Financial Reports has been prepared in accordance with statutory requirements.

OFFICER'S RECOMMENDATION

That Council receives the Monthly Statements of Financial Activity for the 30 November 2021, in accordance with Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1995 as presented in Attachment 14.07.21.02A.

(Simple majority vote required)

COUNCIL RESOLUTION

MOVED Cr Watts

SECONDED Cr Macnab

That Council receives the Monthly Statements of Financial Activity for the 30 November 2021, in accordance with Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1995 as presented in Attachment 14.12.21.02A.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachment

Attachment 14.12.21.02A – Statement of Financial Activity – Ending 30 November 2021

Shire of Brookton
MONTHLY FINANCIAL REPORT
For the Period Ended 30 November 2021

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Note 10 - Trust Fund
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Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 30 November 2021

	Note	Adopted Annual Budget	Current Budget	YTD Budget (a)	This Month	YTD Actual (b)	Var. \$ (b)-(a) (c)	Var. % (b)-(a)/(b) 9	Var.
Operating Revenues									
04 Governance		\$ 23,510	23,510	\$ 13,575	1,410	\$ 13,705	\$ 130	0.96%	
03 General Purpose Funding		1,886,516	1,886,516	1,219,234	159,880	383,212	(836,023)	(68.57%)	▼
05 Law, Order and Public Safety		315,963	315,963	284,908	35,403	42,164	(242,744)	(85.20%)	▼
07 Health		300	300	125	0	18	(107)	(85.46%)	
08 Education and Welfare		65,906	65,906	27,455	4,497	25,915	(1,540)	(5.61%)	
09 Housing		71,296	71,296	29,700	8,038	45,174	15,474	52.10%	▲
10 Community Amenities		404,681	404,681	168,600	9,818	404,596	235,996	139.97%	▲
11 Recreation and Culture		36,101	36,101	15,025	8,424	15,988	963	6.41%	
12 Transport		684,303	684,303	282,700	100	240,582	(42,118)	(14.90%)	▼
13 Economic Services		100,160	100,160	41,725	10,410	67,185	25,460	61.02%	▲
14 Other Property and Services		27,000	27,000	11,240	0	22,080	10,840	96.44%	▲
Total (Excluding Rates)		3,615,736	3,615,736	2,094,287	237,981	1,260,619	(833,668)	(39.81%)	
Operating Expense									
04 Governance		(569,257)	(569,257)	(255,230)	(27,056)	(196,571)	58,659	22.98%	▲
03 General Purpose Funding		(250,387)	(250,387)	(97,835)	(16,129)	(91,744)	6,091	6.23%	
05 Law, Order and Public Safety		(470,954)	(470,954)	(209,500)	(24,078)	(164,295)	45,205	21.58%	▲
07 Health		(25,294)	(25,294)	(11,405)	(3,049)	(12,653)	(1,248)	(10.94%)	
08 Education and Welfare		(163,573)	(163,573)	(69,857)	(15,171)	(57,005)	12,852	18.40%	▲
09 Housing		(241,917)	(241,917)	(102,578)	(13,224)	(72,711)	29,867	29.12%	▲
10 Community Amenities		(573,400)	(573,400)	(243,602)	(33,321)	(161,677)	81,925	33.63%	▲
11 Recreation and Culture		(1,044,540)	(1,044,540)	(449,531)	(66,393)	(400,382)	49,149	10.93%	▲
12 Transport		(3,571,833)	(3,571,833)	(1,513,893)	(248,790)	(1,513,251)	642	0.04%	
13 Economic Services		(257,475)	(257,475)	(104,441)	(22,628)	(88,374)	16,067	15.38%	▲
14 Other Property and Services		(406,383)	(406,383)	(176,916)	(2,449)	(169,893)	7,023	3.97%	
Total		(7,575,013)	(7,575,013)	(3,234,788)	(472,287)	(2,928,556)	306,232	9.47%	
Funding Balance Adjustment									
Add back Depreciation		3,098,790	3,098,790	1,291,163		1,249,020	(42,143)	(3.26%)	
Adjust (Profit)/Loss on Asset Disposal	6	47,511	47,511	47,511		11,904	(35,607)	(74.95%)	▼
Correction of SSL78 adjustment		0	0	0		0	0		
Adjust (Profit)/Loss on Asset Revaluation		0	0	0		0	0		
Movement in Non Cash Provisions		0	0	0		0	0		
Net Operating (Ex. Rates)		(812,976)	(812,976)	198,173		(407,013)	(605,186)	(305.38%)	
Capital Revenues									
Proceeds from Disposal of Assets	6	122,000	122,000	0		63,841	63,841		
Proceeds from New Debentures	5	600,000	600,000	0		0	0	0.00%	
Self-Supporting Loan Principal		24,413	24,413	12,206		11,998	(208)		
Transfer from Reserves	5	2,406,197	2,406,197	1,002,582		0	(1,002,582)	(100.00%)	▼
Total		3,152,610	3,152,610	1,014,788		75,839	(938,949)		
Capital Expenses									
Land and Buildings	6	(1,514,000)	(1,514,000)	(71,660)		(262,278)	(190,618)	(266.00%)	▼
Plant and Equipment	6	(436,000)	(436,000)	(16,665)		(13,864)	2,801	16.81%	
Furniture and Equipment	6	(10,000)	(10,000)	0		(7,638)	(7,638)		
Infrastructure Assets - Roads & Bridges	6	(1,068,926)	(1,068,926)	(77,820)		(149,731)	(71,911)	(92.41%)	▼
Infrastructure Assets - Sewerage	6	(742,000)	(742,000)	(309,160)		(13,833)	295,327	95.53%	▲
Infrastructure Assets - Footpath	6	0	0	0		0	0		
Repayment of Debentures	7	(133,672)	(133,672)	(66,834)		(65,772)	1,062	1.59%	
Principal elements of finance lease payments	7	(1,419)	(1,419)	0		0	0		
Transfer to Reserves	5	(1,791,777)	(1,791,777)	(746,574)		(4,566)	742,007	99.39%	▲
Total		(5,697,794)	(5,697,794)	(1,288,713)		(517,682)	771,030	(59.83%)	
Net Capital		(2,545,184)	(2,545,184)	(273,925)		(441,843)	(167,919)	61.30%	
Total Net Operating + Capital		(3,358,160)	(3,358,160)	(75,752)		(848,857)	(773,105)	(1020.57%)	
Rate Revenue		2,376,497	2,376,497	2,409,727		2,409,585	(142)	(0.01%)	
Opening Funding Surplus(Deficit)		981,662	981,662	869,805		869,805	111,857	12.86%	▲
Closing Funding Surplus(Deficit)	3	0	0	3,203,780		2,430,533	(661,390)		

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Program by Nature and Type
For the Period Ended 30 November 2021

NOTE	2021/22 Adopted Budget	2021/22 Current Budget	2021/22 YTD Budget	2021/22 YTD Actual	Variance YTD Budget vs YTD Actual
	\$	\$	\$	\$	\$
REVENUES FROM ORDINARY ACTIVITIES					
Rates	2,410,607	2,410,607	2,409,727	2,409,585	(142)
Operating Grants, Subsidies and Contributions	1,167,520	877,666	1,120,590	422,038	(698,552)
Fees and Charges	682,928	689,173	287,090	569,329	282,239
Interest Earnings	130,111	135,249	33,557	25,141	(8,416)
Other Revenue	197,836	162,795	130,715	38,645	(92,070)
	4,589,002	4,275,490	3,981,679	3,464,738	(516,941)
EXPENSES FROM ORDINARY ACTIVITIES					
Employee Costs	(1,911,012)	(2,221,305)	(943,779)	(905,583)	38,196
Materials and Contracts	(1,531,907)	(1,718,866)	(690,157)	(462,959)	227,198
Utilities	(177,631)	(190,430)	(70,260)	(52,417)	17,843
Depreciation	(2,781,490)	(3,098,790)	(1,291,105)	(1,249,020)	42,085
Interest Expenses	(76,411)	(67,343)	(26,425)	(18,726)	7,699
Insurance	(193,031)	(230,647)	(189,855)	(192,678)	(2,823)
Other Expenditure	(112,453)	(850)	(640)	(163)	477
	(6,783,935)	(7,528,231)	(3,212,221)	(2,881,547)	330,674
	(2,194,933)	(3,252,741)	769,458	583,191	(186,267)
Non-Operating Grants, Subsidies & Contributions	740,579	1,713,243	520,880	205,466	(315,414)
Profit on Asset Disposals	0	0	0	0	0
Loss on Asset Disposals	(47,511)	(47,511)	(47,511)	(11,904)	35,607
NET RESULT	(1,501,865)	(1,587,009)	1,242,827	776,754	(466,073)

Note 1: MAJOR VARIANCES

Comments/Reason for Variance

OPERATING REVENUE (EXCLUDING RATES)

4 Governance

Within variance threshold of \$10,000 or 10%

3 General Purpose Funding

Less than anticipated. FAGS Grant received 8/6/2021 relating to FY21/22. Local Roads & Community Infrastructure Grant yet to be received.

5 Law, Order and Public Safety

Less than anticipated. Timing issue, will correct over time.

7 Health

Within variance threshold of \$10,000 or 10%

8 Education and Welfare

Within variance threshold of \$10,000 or 10%

9 Housing

More than anticipated. Timing issue, will correct over time.

10 Community Amenities

More than anticipated. Timing issue, will correct over time.

11 Recreation and Culture

Within variance threshold of \$10,000 or 10%

12 Transport

Less than anticipated. Timing issue, will correct over time.

13 Economic Services

More than anticipated. Timing issue, will correct over time.

14 Other Property and Services

More than anticipated. Timing issue, will correct over time.

OPERATING EXPENSES

4 Governance

More than anticipated. Timing issue, will correct over time.

3 General Purpose Funding

Within variance threshold of \$10,000 or 10%

5 Law, Order and Public Safety

More than anticipated. Timing issue, will correct over time.

7 Health

Within variance threshold of \$10,000 or 10%

8 Education and Welfare

More than anticipated. Timing issue, will correct over time.

9 Housing

More than anticipated. Timing issue, will correct over time.

10 Community Amenities

More than anticipated. Timing issue, will correct over time.

11 Recreation and Culture

More than anticipated. Timing issue, will correct over time.

12 Transport

More than anticipated. Timing issue, will correct over time.

13 Economic Services

More than anticipated. Timing issue, will correct over time.

14 Other Property and Services

Within variance threshold of \$10,000 or 10%

CAPITAL REVENUE

Proceeds from Disposal of Assets

Within variance threshold of \$10,000 or 10%

Self-Supporting Loan Principal

Within variance threshold of \$10,000 or 10%

Transfer from Reserves

Less than anticipated. Timing issue, will correct over time.

CAPITAL EXPENSES

Land and Buildings

Less than anticipated. Timing issue, will correct over time.

Plant and Equipment

Within variance threshold of \$10,000 or 10%

Furniture and Equipment

Within variance threshold of \$10,000 or 10%

Infrastructure Assets - Roads & Bridges

Less than anticipated. Timing issue, will correct over time.

Infrastructure Assets - Sewerage

More than anticipated. Timing issue, will correct over time.

Repayment of Debentures

Within variance threshold of \$10,000 or 10%

Transfer to Reserves

More than anticipated. Timing issue, will correct over time.

OTHER ITEMS

Rate Revenue

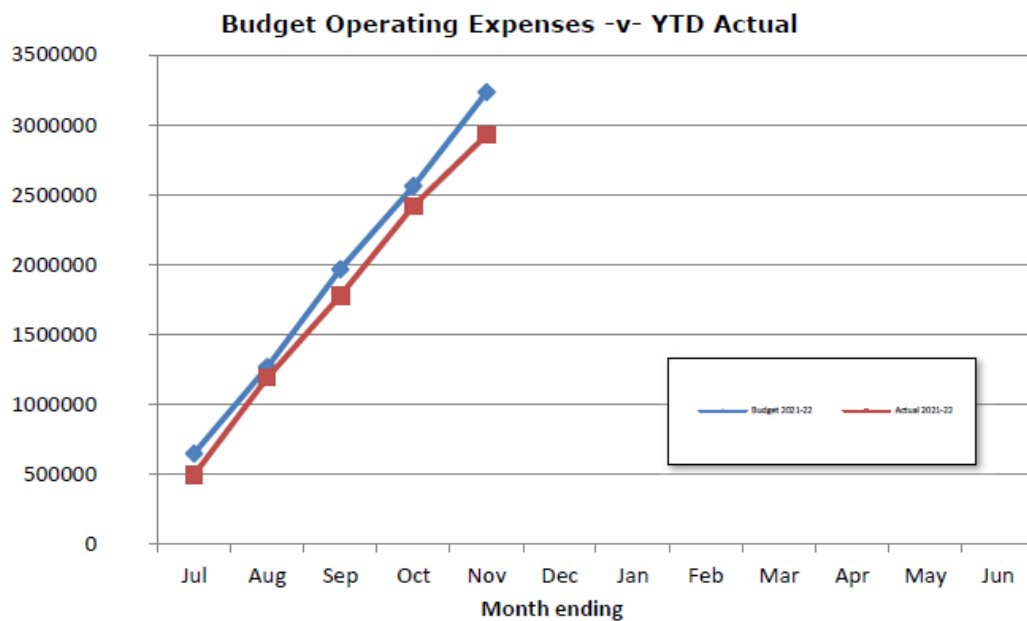
Within variance threshold of \$10,000 or 10%

Closing Funding Surplus (Deficit)

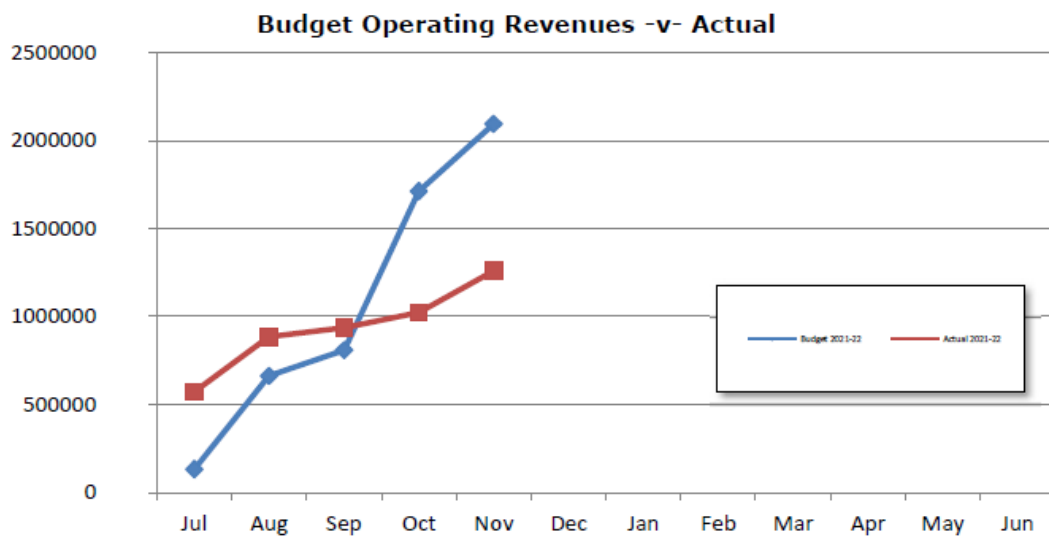
Will adjust as income and expenditure occur over the year

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2021

Note 2 - Graphical Representation - Source Statement of Financial Activity



Comments/Notes - Operating Expenses

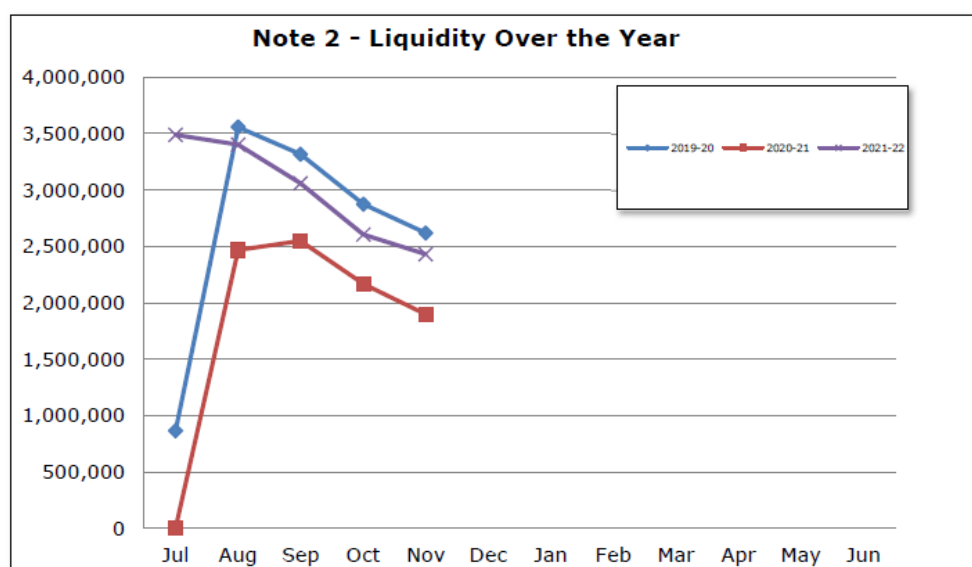


Comments/Notes - Operating Revenues

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2021

Note 3: NET CURRENT FUNDING POSITION

Positive=Surplus (Negative=Deficit)				
2021-22				
Note	This Period	Same Period 2020/21	Same Period 2019/20	Surplus C/F 1 July 2021
	\$	\$	\$	\$
Current Assets	Nov 2021	Nov 2020	Nov 2019	
Cash Unrestricted	2,228,087	1,689,602	2,081,663	1,132,706
Cash Restricted	11,631,308	11,895,901	5,280,644	11,626,742
Receivables	579,497	657,834	4,232,820	120,462
Non Cash Movements		0	0	0
Inventories	25,661	16,311	39,798	27,060
	14,464,553	14,259,647	11,634,925	12,906,970
Less: Current Liabilities				
Payables and Provisions	(402,712)	(465,096)	(3,733,429)	(410,423)
	(402,712)	(465,096)	(3,733,429)	(410,423)
Less: Cash Restricted	(11,631,308)	(11,895,901)	(5,280,644)	(11,626,742)
Net Current Funding Position	2,430,533	1,898,651	2,620,852	869,805



Comments - Net Current Funding Position

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2021

Note 4: RECEIVABLES

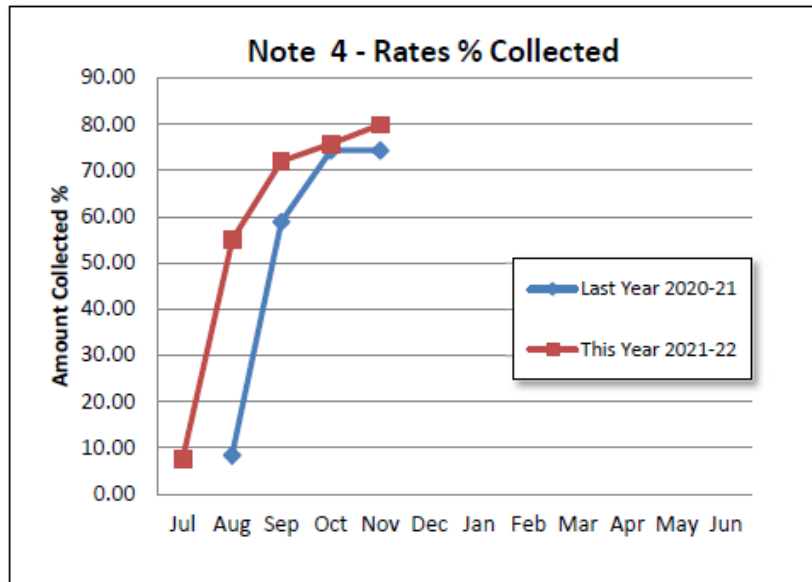
Receivables - Rates, Sewerage and Rubbish

Opening Arrears Previous Years
 Rates, Sewerage & Rubbish Levied
 this year
Less Collections to date
 Equals Current Outstanding

Net Rates Collectable

% Collected

Current 2021-22	Previous Year 2020-21
\$	\$
98,570	234,381
2,795,385	2,699,336
(2,310,399)	(2,179,820)
583,556	753,897
583,556	753,897
79.84%	74.30%



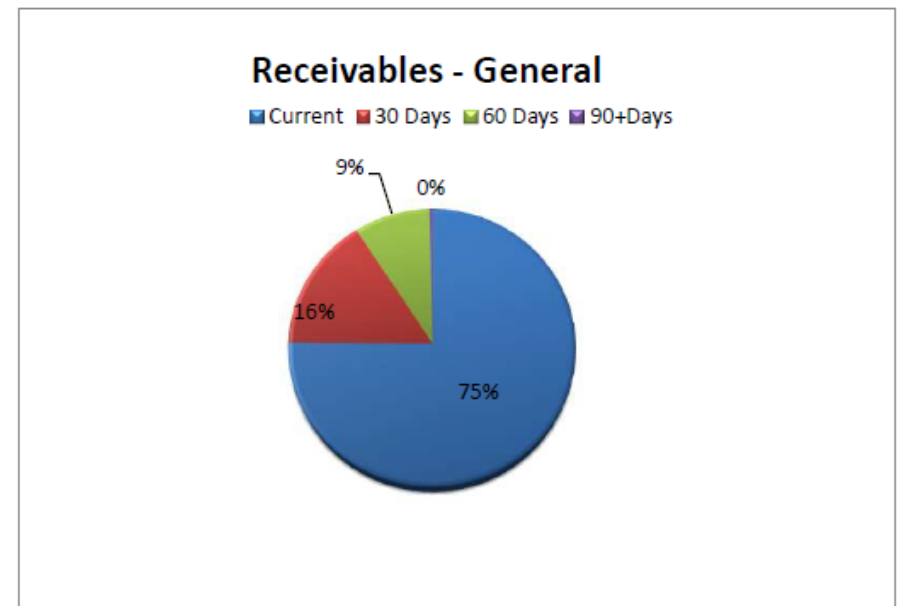
Comments/Notes - Receivables Rates, Sewerage and Rubbish

Receivables - General

Current	30 Days	60 Days	90+Days
\$	\$	\$	\$
13,348	2,800	1,573	59
17,779			

Total Outstanding

Amounts shown above include GST (where applicable)



Comments/Notes - Receivables General

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2021

Note 5: Cash Backed Reserves

Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Adopted Budget Transfers In (+)	Current Budget Transfers In (+)	Actual Transfers In (+)	Adopted Budget Transfers Out (-)	Current Budget Transfers Out (-)	Actual Transfers Out (-)	Adopted Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$		\$	\$		\$	\$	\$
Leave Reserve	138,900	1,111	24	0		0	0	0	0	140,011	138,923
Plant and Vehicle Reserve and Community Bus Reserve	337,435	2,699	58	545,000		0	(314,000)	0	0	571,134	337,493
Land & Housing Development Reserve/Independent Living Units	1,392,425	11,139	238	0		0	(30,000)	0	0	1,373,564	1,392,663
Furniture and Equipment Reserve	21,213	170	4	0		0	(10,000)	0	0	11,383	21,217
Municipal Buildings & Facilities Reserve	631,068	5,049	108	0		0	(180,000)	0	0	456,117	631,175
Townscape and Footpath Reserve	125,177	1,001	21	0		0	(47,000)	0	0	79,178	125,199
Sewerage Scheme Reserve	445,787	3,566	76	65,000		0	(50,000)	0	0	464,353	445,863
Road and Bridge Infrastructure Reserve	115,816	927	20	758,764		0	(484,433)	0	0	391,074	115,836
Health & Wellbeing reserve	554,349	4,415	95	0		0	(558,764)	0	0	(0)	554,444
Sport & Recreation Reserve	31,653	253	5	0		0	0	0	0	31,906	31,658
Rehabilitation & Refuse Reserve	210,991	1,708	36	55,000		0	(50,000)	0	0	217,699	211,027
Caravan Park Reserve	354,061	2,832	60	0		0	0	0	0	356,893	354,122
Brookton Heritage/Museum Reserve	47,189	378	8	0		0	0	0	0	47,567	47,197
Kweda Hall Reserve	18,042	144	3	0		0	0	0	0	18,186	18,045
Aldersyde Hall Reserve	0	0	0	0		0	0	0	0	0	0
Railway Station Reserve	330,082	2,641	56	200,000		0	(70,000)	0	0	462,723	330,138
Madison Square Units Reserve	30,680	245	5	0		0	0	0	0	30,925	30,685
Cemetery Reserve	30,735	246	5	50,000		0	(40,000)	0	0	40,981	30,740
Water Harvesting Reserve	109,633	877	19	0		0	(42,000)	0	0	68,510	109,653
Developer Contribution	2,742	22	0	0		0	0	0	0	2,764	2,743
Cash Contingency Reserve	131,689	1,054	22	0		0	0	0	0	457,361	131,711
Brookton Aquatic Reserve	456,307	3,650	78	25,000		0	(30,000)	0	0	130,339	456,385
Future Fund Reserve	4,097,368	32,779	2,431	0		0	0	0	0	4,130,147	4,099,798
Innovations Fund Reserve	2,013,401	16,107	1,194	0		0	(500,000)	0	0	1,529,508	2,014,595
	11,626,742	93,013	4,566.27	1,698,764	0	0	(2,406,197)	0	0	11,012,322	11,631,308

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2021

Note 6: CAPITAL DISPOSALS AND ACQUISITIONS

Original Budgeted Profit(Loss) of Asset Disposal			Disposals	Actual Profit(Loss) of Asset Disposal			
Net Book Value	Proceeds	Profit (Loss)		Net Book Value		Proceeds	Profit (Loss)
31,746	22,000	(9,746)	PAV4 - Commodore (MCC Vehicle)	\$ 31,603		\$ 22,727	\$ (8,876)
44,931	40,000	(4,931)	PAV116 -2018 FORD RANGER MC 2019	44,142		41,114	(3,028)
		0					0
		0					0
		0					0
		0					0
76,677	62,000	(14,677)		75,745		63,841	(11,904)

Comments - Capital Disposal

Summary Acquisitions				
	Budget	Current Budget	Actual	Variance
Property, Plant & Equipment	\$		\$	\$
Land and Buildings	1,514,000	1,514,000	262,278	1,251,722
Plant & Equipment	436,000	436,000	13,864	422,136
Furniture & Equipment	10,000	10,000	7,638	2,362
Infrastructure				
Roadworks & Bridge Works & Footpaths	1,068,926	1,068,926	149,730	919,196
Footpath Construction - Richardson Street	0	0	0	0
Sewerage & Drainage	742,000	742,000	13,833	728,167
Totals	3,770,926	3,770,926	447,343	3,323,583

Comments - Capital Acquisitions

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2021

Note 7: INFORMATION ON BORROWINGS

					Principal 1-Jul-21 \$	New Loans \$	Principal Repayments		Principal Outstanding		Interest Repayments	
Particulars	Loan Purpose	Due Date	Term (yrs)	Rate (%)			Actual \$	Budget \$	Actual \$	Budget \$	Actual \$	Budget \$
Self Supporting Loans												
*Loan 82 Country Club	Extension and Refurbishment of the Club House	15/11/2027	20	6.95	215,828	-	11,998	24,413	203,830	201,217	4,994	14,611
Education & Welfare												
Loan 80 Kalkarni Residency	Kalkarni Residence	1/02/2026	25	5.63	63,602	-	4,787	9,710	58,815	60,149	262	3,453
Housing												
Loan 80 Staff Housing	Staff Housing	1/02/2026	25	5.63	104,944	-	7,899	16,021	97,045	99,246	433	5,698
Community Amenities												
Loan 80 Sewerage	Sewerage Extension	1/02/2026	25	5.63	44,521	-	3,351	6,797	41,170	42,104	184	2,417
Transport												
Loan 80 Grader	New Grader	1/02/2026	25	5.63	104,944	-	7,899	16,021	97,045	99,246	433	5,698
Recreation and Culture												
Loan 81 Sport & Recreation	Recreation Plan	1/11/2027	20	6.95	536,706	-	29,837	60,710	506,869	492,286	12,419	44,420
					1,070,545	-	65,772	133,672	1,004,773	994,248	18,726	76,297
Right of Use	Seabrook Dam										-	810
											18,726	77,107

(*) Self supporting loan financed by payments from third parties.
All other loan repayments were financed by general purpose revenue.

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2021

Note 8: CASH AND INVESTMENTS

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Investments \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits								
Municipal Cash at Bank - Operating Account	0.00%	28,656				28,656	Bendigo	
Municipal Cash at Bank - Cash Management Account	0.05%	2,246,400				2,246,400	Bendigo	
Bond Fund	0.00%	12,060				12,060	Bendigo	
Trust Cash at Bank	0.00%			13,820		13,820	Bendigo	
(b) Term Deposits								
Savings Account	0.05%		7,194,393			7,194,393	Bendigo	
Reserves	0.20%		4,436,915			4,436,915	Bendigo	20/12/2021
(c) Investments								
Bendigo Bank Shares					10,000	10,000	Bendigo	
Total		2,228,087	11,631,308	13,820	10,000	13,942,245		

Comments/Notes - Investments

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2021

Note 9: BUDGET AMENDMENTS

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Account Code	Description	Council Resolution	Classification	No Change - (Non Cash Items) Adjust.	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
	Adopted Budget Net Asset Surplus 30 June 2021		Opening Surplus(Deficit)	\$	\$	\$	\$
							869,805
							869,805
							869,805
							869,805
							869,805
							869,805
	Closing Funding Surplus (Deficit)			0	0	0	869,805

Classifications Pick List
Operating Revenue
Operating Expenses
Capital Revenue
Capital Expenses
Budget Review
Opening Surplus(Deficit)
Non Cash Item

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2021

Note 10: TRUST FUND

Funds held at balance date over which the Shire has no control and which are not included in this statement are as follows:

Description	Opening Balance For the Period 1 July 2021	Amount Received	Amount Paid	Closing Balance For the Period Ended 30 November 2021
	\$	\$	\$	\$
Public Open Space Contributions	13,820	0	0	13,820
	13,820	0	0	13,820

1. Public Open Space Contribution:

T148 - Paul Webb \$13,820

Contribution to be retained in Trust as required under the Planning and Development Act 2005.

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Sewerage Program by Nature and Type
For the Period Ended 30 November 2021

Note 11 Sewerage Operating Statement

NOTE	2021/22 Adopted Budget \$	2021/22 YTD Budget \$	2021/22 YTD Actual \$	Variance YTD Budget vs YTD Actual \$
REVENUES FROM ORDINARY ACTIVITIES				
Sewerage Connection Fees and Charges	1,690	1,690	236	(1,454)
Annual Sewerage Rates	196,268	196,268	195,452	(816)
	197,958	197,958	195,688	(2,270)
EXPENSES FROM ORDINARY ACTIVITIES				
Employee Costs	(3,559)	(1,483)	(776)	707
Materials and Contracts	(51,200)	(21,333)	(7,614)	13,719
Utilities	(3,300)	(1,375)	(1,296)	79
Depreciation	(36,542)	(15,226)	(18,982)	(3,756)
Interest Expenses	(2,315)	(965)	(184)	781
Insurance	(322)	(134)	(160)	(26)
General Operating Expenses	(1,920)	(800)	(689)	111
Allocation of Administration Expense	(50,243)	(20,935)	(18,979)	1,956
	(149,401)	(62,250)	(48,680)	13,571
	48,557	135,708	147,009	11,301
Add Back Depreciation	36,542	15,226	18,982	3,756
Non-Operating Grants, Subsidies & Contributions	0	0	0	0
Profit on Asset Disposals	0	0	0	0
Loss on Asset Disposals	0	0	0	0
Transfer to Sewerage and Drainage Reserve	(65,000)	(27,083)	0	(27,083)
Transfer from Sewerage and Drainage Reserve	50,000	50,000	0	50,000
NET RESULT	70,099	173,850	165,990	37,973
Capital Loan Repayments			(3,351)	

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
WB Eva Pavilion by Nature and Type
For the Period Ended 30 November 2021

Note 12 WB Eva Pavilion Operating Statement

NOTE	2021/22	2021/22	2021/22	Variance
	Adopted Budget	YTD Budget	YTD Actual	YTD Budget vs YTD Actual
	\$	\$	\$	\$
REVENUES FROM ORDINARY ACTIVITIES				
Hire Fees - WB Eva Pavilion	4,000	1,667	1,830	163
Sporting Club Fees	4,000	1,667	673	(994)
Gymnasium Income	7,000	2,917	3,700	783
	15,000	6,250	6,202	(48)
EXPENSES FROM ORDINARY ACTIVITIES				
Employee Costs	-	-	-	-
Materials and Contracts	-	-	-	-
Utilities	-	-	-	-
Interest Expenses	(35,688)	(14,870)	(12,419)	2,451
Insurance	-	-	-	-
General Operating Expenses	-	-	-	-
Gymnasium Operating	(11,983)	(4,980)	(1,640)	3,340
	(47,671)	(19,850)	(14,059)	5,791
	(32,671)	(13,600)	(7,857)	5,743
NET RESULT	(32,671)	(13,600)	(7,857)	5,743
Capital Loan Repayments			(29,837)	

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Brookton Caravan Park and Brookton Aquatic Centre
For the Period Ended 30 November 2021

	Note	Adopted Annual Budget 2021/22	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a) 9	Var. % (b)-(a)/(b) 9
Note 13 (a): Brookton Caravan Park		\$	\$	\$	\$	%
Operating Revenue						
Caravan Park Fees		85,000	35,417	65,134	29,718	83.91%
Total Revenue		85,000	35,417	65,134	29,718	83.91%
Operating Expenses						
Brookton Caravan Park	CARAOP	(75,846)	(31,603)	(29,276)	2,326	(7.36%)
Brookton Caravan Park	MARKOP	(2,000)	(833)	(418)		
Caravan Park Depreciation		(2,179)	(908)	(3,603)	(2,695)	296.89%
Caravan Park Abc Administration Expenses		(30,146)	(12,561)	(11,387)	1,173	(9.34%)
Total		(110,171)	(45,905)	(44,685)	804	1.75%
Operating Surplus (Deficit)		(25,171)	(10,488)	20,449	30,522	291%
Excluding Non Cash Adjustments						
Add back Depreciation		2,179	908	3,603	2,695	296.89%
Net Operating Surplus (Deficit)		(22,992)	(9,580)	24,053	33,217	(346.74%)
Note 13 (b): Brookton Aquatic Centre						
Operating Revenue						
POOL FEES & CHARGES		13,100	5,458	7,052	1,593	29.19%
POOL GRANTS & SUBSIDIES		0	0	0	0	0.00%
Total Revenue		13,100	5,458	7,052	1,593	29.19%
Operating Expenses						
POOL EMPLOYEE COSTS		(79,061)	(32,942)	(34,087)	(1,145)	0.00%
POOL GENERAL OPERATING EXPENSES		(49,439)	(20,600)	(7,218)	13,382	(64.96%)
POOL BUILDING MAINTENANCE		(15,978)	(6,658)	(8,689)	(2,032)	30.52%
POOL DEPRECIATION		(11,272)	(4,697)	(5,092)	(395)	8.41%
POOL ABC ADMINISTRATION EXPENSES		(30,146)	(12,561)	(11,387)	1,173	(9.34%)
Total		(185,896)	(77,457)	(66,473)	10,984	14.18%
Operating Surplus (Deficit)		(172,796)	(71,998)	(59,421)	12,577	17.47%
Excluding Non Cash Adjustments						
Add back Depreciation		11,272	4,697	5,092	395	8.41%
Net Operating Surplus (Deficit)		(161,524)	(67,302)	(54,330)	12,972	19.27%

Note 14

Description	Adopted Annual Budget	Amended Budget	YTD Actual	% Completed	Federal Funding		State Funding				Own Source Funding		
					R2R	LRCIP Other	RRG	RRG Carryover	Direct Grant	FAGS	Reserve	Contributions	Muni
	\$	\$	\$		\$	\$	\$	\$	\$	\$	\$	\$	\$
Town Street Maintenance	179,285	179,285	59,952	33%									179,285
Rural Road Maintenance	472,983	472,983	297,615	63%					84,910				388,073
Bridge Maintenance	96,314	96,314	35,159	37%									96,314
R2R Work Schedule													0
Richardson Street	218,633	218,633	221	0%	218,633								0
Other Construction													0
Brookton-Kweda Road	186,779	186,779	134,118	72%							186,779		0
Davis Road	150,537	150,537	0	0%							150,537		0
Koormong Drive	59,117	59,117	0	0%							59,117		0
Lefroy Street	20,000	20,000	0	0%									20,000
Collard Street	10,000	10,000	0	0%									10,000
Crm Whithall, Corberding & Br	8,000	8,000	0	0%							8,000		0
Drainage Works Various Road	40,900	40,900	2,948	7%		10,900					30,000		0
RRG Approved Projects													0
Brookton-Kweda Road	374,960	374,960	12,443	3%			374,960						0
	1,817,508	1,817,508	542,457	30%	218,633	10,900	374,960	0	84,910	0	434,433	0	693,672

Note 15

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Capital Works Program
For the Period Ended 30 November 2021

Description	Adopted Annual Budget	Amended Budget	YTD Actual	% Completed	Capital Funding					
					Muni	Grants	Reserves	Sale of Assets	Loan	Total Funding
	\$	\$	\$		\$	\$	\$	\$	\$	\$
Chambers & Reception Area Upgrade	35,000	35,000	17,095	49%			35,000			35,000
Robinson Road - StreetBins	17,000	17,000	0	0%			17,000			17,000
Landfill Ground Water Monitoring Bores x2	15,000	15,000	0	0%			15,000			15,000
Ablution Facility at Cemetery	30,000	30,000	0	0%			30,000			30,000
Memorial Hall upgrade/constuction works	1,000,000	1,000,000	0	0%		500,000	500,000			1,000,000
Railway Station Fencing, signage & crossing improven	30,000	30,000	0	0%			30,000			30,000
Community Garden/Mensshed building	0	0	1,802			0				0
Youth/Girl Guides Building	0	0	2,809			0				0
Aquatic Centre Improvements	30,000	30,000	0	0%			30,000			30,000
Memorial Park Gazebo and Disable access	30,000	30,000	0	0%			30,000			30,000
Tourist Information Bay	17,000	17,000	0	0%	17,000					17,000
Caravan Park Upgrade Stage 1	180,000	180,000	169,228	94%		180,000				180,000
Depot Improvements	130,000	130,000	71,345	55%			130,000			130,000
Chambers Chairs x 24	10,000	10,000	7,638	76%			10,000			10,000
CEO Vehicle change over	45,000	45,000	0	0%			5,000	40,000		45,000
MCC Vehicle change over	36,000	36,000	0	0%			14,000	22,000		36,000
Water Tank & Wood Chipper 6"	50,000	50,000	13,864	28%			50,000			50,000
Single Axle Tipper small Parks & Garden (trade PT13)	65,000	65,000	0	0%			55,000	10,000		65,000
Tandem Truck (trade PT10)	200,000	200,000	0	0%			165,000	35,000		200,000
Parks and Garden (trade PU33)	40,000	40,000	0	0%			25,000	15,000		40,000
Brookton-Kweda Road	374,960	374,960	12,443	3%		374,960				374,960
Richardson Street	218,633	218,633	221	0%		218,633				218,633
Brookton-Kweda Road	186,779	186,779	134,118	72%			186,779			186,779
Davis Road	150,537	150,537	0	0%			150,537			150,537
Koormong Drive	59,117	59,117	0	0%			59,117			59,117
Lefroy Street	20,000	20,000	0	0%	20,000					20,000
Collard Street	10,000	10,000	0	0%	10,000					10,000
Cm Whithall, Corberding & Brookton Hwy	8,000	8,000	0	0%			8,000			8,000
Sewel Road - Closure	0	0	2,948							0
Drainage Works Various Roads	40,900	40,900	0	0%		10,900	30,000			40,900
Happy Valley Bore Field	92,000	92,000	13,833	15%		50,000	42,000			92,000
Upgrade- Refurb/Refining Pipe Network	650,000	650,000	0	0%			50,000		600,000	650,000
	3,770,926	3,770,926	447,343		47,000	1,334,493	1,667,433	122,000	600,000	3,770,926

Note 16

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Grants, Subsidies and Contributions Register
For the Period Ended 30 November 2021

Funding Provider	Project	Operating/Non-Operating	Adopted Annual Budget	Amended Budget OCM	Amount Applied For	Amount Approved	Amount Invoiced/Received	% Received
			\$	\$	\$	\$	\$	
Main Roads WA	Regional Road Group	Non Operating	(374,960)	(374,960)	Recurrent	(374,960)	(149,982)	40%
Federal Government	Roads to Recovery	Non Operating	(218,633)	(218,633)	Recurrent	(218,633)	-	0%
WA Grants Commission	GPG Grants Commission - General	Operating	(668,176)	(668,176)	Recurrent	(668,176)	(209,347)	31%
WA Grants Commission	GPG Grants Commission - Roads	Operating	(382,494)	(382,494)	Recurrent	(382,494)	(92,480)	24%
WA Grants Commission	GPG Grants Commission - Bridges	Operating	-	-	-	-	-	0%
DFES	ESL Grant - Emergency Services Levy - Operating	Operating	(56,600)	(56,600)	Recurrent	(56,600)	(29,912)	53%
Main Roads WA	Direct Grant	Operating	(84,910)	(84,910)	Recurrent	(84,910)	(90,300)	106%
			(1,785,773)	(1,785,773)		(1,785,773)	(572,020)	32%

15.12.21 GOVERNANCE

15.12.21.01 EXTENSION OF CONTRACT RANGER SERVICES

File No:	ADM 0402
Date of Meeting:	16 December 2021
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Kellie Bartley – Manager Corporate and Community
Authorising Officer:	Paul Sheedy – Acting Chief Executive Officer
Declaration of Interest:	The author and authorising officer do not have an interest in this item
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This item seeks Council's endorsement of a 1 year extension for the Ranger Services Agreement for the Shire of Brookton (the Shire) and the need for officers of WA Contract Ranger Services to be appointed as an Authorised Persons under various legislation applicable to the function and jurisdiction of the Shire of Brookton.

A copy of the existing Ranger Services Contract Agreement is provided as **Attachment 15.12.21.01A** under separate confidential cover for Councillor's information.

Description of Proposal:

As above.

Background:

Contract Agreement

The Shire's existing Ranger Services Agreement (RSA) provisions expires on 31 December 2021. The agreement was a term of 2 years, commencing on 3 January 2018, with the opportunity for extension. Council agreed for the initial 12 month contract extension. This report seeks Council approval to authorise the Acting Chief Executive Officer to enter into a contract for an additional 1 year (1 January 2022 - 31 December 2022).

The current service provides for a professional Local Government Ranger service of 1 rostered day a fortnight, or more often if requested by the Shire, in addition to an emergency on-call service. The services may include (but are not limited to):

- Dog and cat management;
- Bushfire hazard reduction;
- Off road vehicle management;
- Little and illegal dumping management;
- Abandoned vehicle management;
- Animal control including reptile handling;
- Caravan and camping control;
- All other areas of State legislation pertaining to a Local Government Ranger service;
- All other management of local laws; and
- All other law enforcement within the Shire of Brookton.

Authorised Officer(s)

Local Government is bound to enforce certain legislation and as a result is required that officers be authorised to undertake various roles and responsibilities in relation to the legislation. It is essential that these officers are properly authorised under the appropriate legislation to undertake their duties.

With the extension of the current agreement will enable the incoming Chief Executive Officer time to investigate the services for the Shire and to ascertain if or how these services may be improved and supported in the long term.

Consultation:

Consultation has been discussed with the Acting Chief Executive Officer, Manager Corporate and Community and Mr. Matt Sharpe, WA Rangers Services.

Statutory Environment:

The authorisation for extension of the Ranger Services contract is enacted under Section 9.49(A) and 9.49(b) of the *Local Government Act 1995*.

Specifically, section 9.49 (A)(4) states:

“A local government may, by resolution, authorise the CEO, another employee or an agent of the local government to sign documents on behalf of the local government, either generally or subject to conditions or restrictions specified in the authorisation.”

The authorisations will enable WA Contract Ranger Services when working on behalf of the Shire to administer law enforcement under a range of legislation, including:

- *Road Traffic Act 1974 (Road Traffic Code 2000) – Part 12*
- *Cat Act 2011 and Regulations*
- *Dog Act 1976 and Regulations*
- *Litter Act 1979 and Regulations*
- *Animal Welfare Act 2002*
- *Control of Vehicle (Off Road Areas) 1978 and Regulations*
- *Caravan and Camping Grounds Act 1995 and Regulations*
- *Dogs (Restricted Breeds) Regulations 2002*
- *Local Government Act 1995 and Regulations*
- *Local Government (Parking for Disabled Persons) Regulations 1988*
- *Local Government (Miscellaneous Portions) Act 1960*
- *Shire of Brookton Local Laws (various)*
- *Bushfires Act 1954*

Relevant Plans and Policy:

There are no other existing plans or policies that apply to this matter.

Financial Implications:

The financial costs for the provisions of services are currently within the adopted Annual Financial Budget 2021/2022 for contracted Ranger Services.

Risk Assessment:

The risk in relation to this matter is assessed as ‘High’ on the basis that:

- (a) With the myriad of legislation (see statutory section above) needing to be administered and enforced by the Local Government, and without a dedicated, authorised, and suitably qualified and trained officer, the Local Government would not be able to effectively fulfil its statutory obligation under the various legislation.
- (b) Without appropriate authorisation the Rangers cannot effectively and lawfully perform their duties, placing the Local Government at risk of breaching its statutory responsibilities. The failure of providing necessary ranger services can lead to concerns within the community with regards to the areas identified specific in legislation related to service delivery.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

This item relates to delivery of core business and services detailed in the Shire of Brookton Corporate Compendium – October 2020, duly appended to the Next Generation BROOKTON Corporate Business Plan <2021.

Specifically, the contract services supports the following Business Unit and Functions:

19. Ranger Services

19.1 Perform cat/dog registrations

19.2 Conduct fire break inspections

19.3 Perform animal control and management

20. Contract Management

20.2 Review Ranger Services Contract

Comment

This report seeks Council to accept the recommendation for an additional 1 year extension for Ranger Services until 31 December 2022 and to authorise the Chief Executive Officer to finalise the contract.

It is considered an imperative that authorizations be granted to enable the WA Contract Ranger Services Officers to administer law enforcement under the various pieces of legislation as listed in the Statutory Section of this report.

OFFICER'S RECOMMENDATION

That Council pursuant to Section 9.49(A)(4) of the Local Government Act, 1995 authorises the Chief Executive Officer to enter in to a one (1) year extension for contracted Ranger Services Agreement with WA Contract Ranger Services for the period of 1 January 2022 to 31 December 2022.

(Simple majority vote required)

OCM 12.21-13

COUNCIL RESOLUTION

MOVED Cr Hayden SECONDED Cr Walker

That Council pursuant to Section 9.49(A)(4) of the Local Government Act, 1995 authorises the Chief Executive Officer to enter in to a one (1) year extension for contracted Ranger Services Agreement with WA Contract Ranger Services for the period of 1 January 2022 to 31 December 2022.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachment under separate confidential cover

Attachment 15.12.21.01A– Existing WA Contract Ranger Services (Signed contract)

15.12.21.02 CENTRAL AGCARE – COUNCIL REPRESENTATIVE

File No:	ADM 0684
Date of Meeting:	16 December 2021
Location/Address:	N/A
Name of Applicant:	Central Agcare
Name of Owner:	N/A
Author/s:	Paul Sheedy – Acting Chief Executive Officer
Authorising Officer:	Paul Sheedy – Acting Chief Executive Officer
Declaration of Interest:	The author and authorising officer do not have an interest in this item
Voting Requirements:	Absolute Majority
Previous Report:	N/A

Summary of Item:

This item is to report on the request received from Central Agcare Inc. seeking a Councillor representative to become a committee member

Description of Proposal:

The intent is for Councillor Walker to be nominated as a Shire of Brookton representative on the Central Agcare Committee.

Background:

Central Agcare is based in Corrigin and is a non-for-profit organisation that provides counselling face to face or by phone servicing the Corrigin, Bruce Rock, Narembreen, Kulin, Kondinin, Hyden, Quairading, Brookton, Pingelly, Cuballing & Wickepin areas.

In the past a nominated Shire Councillors have become committee members to provide input from each Shire.

Consultation:

Consultation has been undertaken between the Acting Chief Executive Officer, Shire president and Councillors on this matter.

Statutory Environment:

Local Government Act 1995, section 5.98(2A) & ((2)

5.98. Fees etc. for council members

- (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,

Relevant Plans and Policy:

There are not relevant plans or policies in relation to this item.

Financial Implications:

Councillors representing Council on external Committees are entitled to a meeting attendance fee of \$50 per attendance and travel reimbursement. This cost can be covered with the current 2021/2022 adopted budget allocation under Members General Operating expenses

Risk Assessment:

The Council does not have to maintain representation on external committees, including those outside the Shire. However, it can be beneficial for all parties if the Shire is appropriately represented and participates. Therefore, on assessment the risk is determined as 'Low' as reflected in the Matrix Table below

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

This proposal generally aligns with the Corporate Compendium appended to the Shire of Brookton Corporate Business Plan 2018 – 2021. Specifically the nomination and appointment of Council representative on external groups and Committees accords with:

Business Function 1: Governance

Function 1.10 Attend regional/external meetings.

Comment

Central Agcare Inc., based in Corrigin, extended an invitation to see if a Councillor from the Shire of Brookton would be interested in joining the Committee and invited any person interested to attend their Christmas lunch on Monday 6th December at the Corrigin Hotel.

Councillor Walker was suggested by the Shire President as a suitable nomination and Councillor Walker agreed to attend the luncheon on the 6 December 2021 and can provide comment back to Council.

OFFICER'S RECOMMENDATION

That Council nominates Councillor Neil Walker as its representative to the Central Agcare Inc. Committee and reimburse appropriate meetings fees, and travel costs.

(Absolute majority vote required)

OCM 12.21-14

COUNCIL RESOLUTION

MOVED Cr Lilly SECONDED Cr Hartl

That Council nominates Councillor Neil Walker as its representative to the Central Agcare Inc. Committee and reimburse appropriate meetings fees, and travel costs.

CARRIED BY ABSOLUTE MAJORITY VOTE 7/0

15.12.21.03 DELEGATION REGISTER – DELEGATION 1.5 – DISPOSAL OF ASSETS

File No:	ADM 0427
Date of Meeting:	16 December 2021
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Paul Sheedy – Acting Chief Executive Officer
Authorising Officer:	Paul Sheedy – Acting Chief Executive Officer
Declaration of Interest:	The author/authorising officers have an operational interest in this item.
Voting Requirements:	Absolute Majority
Previous Report:	21 October 2021

Summary of Item:

Under the Local Government Act 1995 a delegation from Council to the Chief Executive Officer, allowing for the acquiring or disposal of property is required to determine a maximum amount that the delegation is not to exceed. - see **Attachment 15.12.21.03A**.

Description of Proposal:

This item deals with an amendment to Delegation 1.5 Disposal of Assets to comply with section 5.43(d) of the Local Government Act including the consideration of the delegation for the sale of land in the Koornong Residential Estate under Policy 2.11.

Background:

Western Australian Local Governments are empowered under various pieces of State Government legislation to perform certain duties and exercise certain powers. Under the *Local Government Act, 1995* Council can delegate its power and to discharge a duty to the Chief Executive Officer (CEO). At least once each year the Council is required under the legislation to review, and if considered necessary, amend the schedule of delegations, although more than one review can be entertained.
October 2021

Council at its meeting on 21 October 2021 (OCM 15.10.21.01) endorsed the annual review of the entire Delegations Register.

Consultation:

As the proposed amendment to the current Delegation Register are relatively minor, there has been no prior discussion on this matter.

Statutory Environment:

Local Government Act 1995 sections 5.42, 5.43(d)

5.42. Delegation of some powers and duties to CEO

- (1) A local government may delegate* to the CEO the exercise of any of its powers or the discharge of any of its duties under —
 - (a) this Act other than those referred to in section 5.43; or
 - (b) the *Planning and Development Act 2005* section 214(2), (3) or (5).
- * *Absolute majority required.*
- (2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

5.43. Limits on delegations to CEO

- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph.

Relevant Plans and Policy:

Policy 2.11 is relevant to this proposal.

Financial Implications:

There are no additional financial implications currently in relation to this matter.

Risk Assessment:

Without appropriate delegation to the Chief Executive Officer allowing for the efficient disposal and obsolete property (land, plant and equipment and infrastructure) the organisation will find it difficult to operate in an effective and efficient manner and potentially the Shire has a risk of missing out on a sale, especially land, when there is a level of interest

The risk of Chief Executive Officer, who is being delegated this authority by Council, exceeding that authority, would be 'Unlikely', but the consequences could be Moderate' or Major' depending on the nature or circumstances of the breach occurs, hence the risk has been assessed as 'Medium.'

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

This proposal relates to delivery of core business and services detailed in the Shire of Brookton Corporate Compendium – May 2018, duly appended to the Next Generation BROOKTON Corporate Business Plan <2021.

Specifically, the proposed amendments to the Delegation Register aligns to the following Business Unit and Function:

1. Governance
 - 1.2 Review delegation register

Comment

A recent review of the current delegation and an enquiry with the Department of Local Government, Sport and Cultural Industries in relation to the CEO dealing with the sale of lots in the Koornong Residential Estate, when no submissions have been received after advertising for public comment, identified that the Council had not determined an amount at which a delegation to dispose or acquire property could not be exceeded.

In reviewing the current delegation, the opportunity has been taken to upgrade the Conditions of Delegation in line with the WALGA model delegation in relation to:

1. Removing the specific reference to motor vehicles, plant, and equipment as part of trade-ins as that is already covered in the Regulations and disposal and trade of the property, in many instances would be included in the adopted budget, so the CEO has authority to act on that decision.
2. Clarification being provided in the delegation regarding disposal by public auction, public tender, and private treaty.

This minor adjustment to the current Delegation 1.25 rectifies this matter.

OFFICER RECOMMENDATION

That Council in accordance with Section 5.46(2) of the Local Government Act, 1995 adopt the changes to the Shire of Brookton Delegation 1.5 Disposal of Assets, as presented in Attachment 15.12.21.03A to this report.

(Absolute majority vote required)

OCM 12.21-15

COUNCIL RESOLUTION

MOVED Cr Hartl SECONDED Cr Lilly

That Council in accordance with Section 5.46(2) of the Local Government Act, 1995 adopt the changes to the Shire of Brookton Delegation 1.5 Disposal of Assets, as presented in Attachment 15.12.21.03A to this report.

CARRIED BY ABSOLUTE MAJORITY VOTE 7/0

Attachments

Attachment 15.12.21.02A – Existing Delegation with suggested amendments.

1.5 Disposal of Assets

Delegator:	Council
Express Power to Delegate:	<i>Local Government Act, 1995</i> ✓ S.5.42 Delegation of some powers or duties to the CEO ✓ S.5.43 Limitations on delegations to the CEO
Delegated to:	Chief Executive Officer
Delegated Function:	Power to dispose of: <ol style="list-style-type: none"> Shire owned property to: <ol style="list-style-type: none"> To the highest bidder at public auction [s. 3.58(2)(a)]. To the person who at public tender called by the local government makes what is considered (by the delegate) to be the most acceptable tender, whether or not it's the highest tender [s.3.58(2)(b)]. Property by private treaty only in accordance with section 3.58(3) and prior to disposal, to consider any submissions received following the giving of public notice [s. 3.58(3)]. Including the execution of all transfer and sale documents. Heavy plant and vehicles included in the Budget for disposition/trade. Shire owned property by way of periodic or fixed term residential tenancy and lease, including the execution of all the necessary tenancy and lease agreements and associated documents.
Conditions of Delegation:	<ol style="list-style-type: none"> This delegation extends to compliance with the prescribe provisions under s3.58, s5.42, s6.10 of the <i>Local Government Act 1995</i>. and r.30 of the <i>Local Government (Functions and General) Regulations, 1996</i> and any applicable Council Policy at the time of disposal. Action performed under this delegation shall as a minimum be advertised through local media platforms (print and digital) to ensure maximum circulation. Where public auction is determined as the method of disposal. Disposal of land or buildings is limited to items specified in the Annual Budget, and Policy 2.11 Koornong Residential Estate, and in any other case, a Council resolution is required. In accordance with s.5.43(d), disposal of property, for any single project where not part of a project but part of a single transaction, is limited to a maximum value of \$20,000.00, or less, and equal to, or above, the reserve price in regard to land identified in Policy 2.11. Where public auction is determined as the method of disposal: <ul style="list-style-type: none"> The reserve price has been set by independent valuation. If the reserve price is not achieved at auction, negotiation may be undertaken to achieve the sale at up to a -10% variation on the set reserve price. Where a public tender is determined as the method of disposal, and the tender does not achieve a reasonable price for the disposal of the property, then the CEO is to determine if better value could be achieved through another disposal method, and

Shire of Brookton – Delegation Register

	<p>if so, must determine not to accept any tender, and use an alternative disposal method.</p> <p>g) Where a private treaty is determined [s.358(3)], as the method of disposal, authority to:</p> <ul style="list-style-type: none"> • Negotiate the sale of the property up to a -10% variance on the valuation; and • Consider any public submissions received, and determined if to proceed with the disposal, ensuring that the reasons for such a decision are recorded. <p>h) Where the market value of the property is determined as being less than \$20,000 [(F&G r30(3) excluded] disposal may be undertaken:</p> <ul style="list-style-type: none"> • Without reference to Council for resolution; and • In any case, be undertaken to ensure that the best value return is achieved, however, where the property is determined as having a nil market value, then the disposal must ensure environmentally responsible disposal. <p>i) This delegation allows for a surplus asset of less than \$300.00 to be gifted to a local community group of incorporated status, without the need to advertise the item.</p>		
Delegation adopted by Council:	Meeting:	Date: 21 Oct 2021	Minute:
Delegation reviewed by Council:	Meeting:	Date: April 2022	Minute:
Sub-delegator:	Chief Executive Officer		
Express Power to Sub-delegate:	<p><i>Local Government Act, 1995</i></p> <p>✓s.5.44 CEO may delegate some powers and duties to other employees.</p>		
Subdelegated to:	Nil.		
Additional conditions of Sub-delegation:	Nil.		
Sub-delegation approved by:	Name:	Signature:	Date:
Compliance References:	<p>✓ <i>Local Government Act 1995 s3.58, s5.42, s6.10</i></p> <p>✓ Local Government (Functions and General) Regulations 1996, r.30</p> <p>✓ Policy 2.11 – Koornong Residential Estate</p> <p>✓ Policy 2.33 – Employee and Community Housing Policy 2.37 – Lease Licence and Tenancy Agreements Policy 2.41 – Community Engagement</p> <p>✓ Delegation 1.38 - Common Seal</p>		
Record Keeping	<p>The delegate (or sub-delegate) must keep a written record of the exercise the power or discharge the duty including the persons or classes of persons directly affected and ensure all evidentiary documents accord with Regulation 19 of the Local Government (Admin) Regulations, 1996.</p>		

15.12.21.04 AMENDMENT TO COUNCIL POLICY 1.11 – SENIOR EMPLOYEES

File No:	Gov 031a
Date of Meeting:	16 December 2021
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Paul Sheedy – Acting Chief Executive Officer
Authorising Officer:	Paul Sheedy – Acting Chief Executive Officer
Declaration of Interest:	The author and authorising officer has an interest in this item as the amendment involves the CEO
Voting Requirements:	Absolute Majority
Previous Report:	N/A

Summary of Item:

This item is to report on the proposed amendment to Policy 1.11 to reflect the changes made to the Employment Committee at the October 2021 Council meeting

The draft Policy 1.1 – Senior Employees is contained in **Attachment 15.12.21.04A**.

Description of Proposal:

The intent is to remove the reference to the Chairperson of the Employment Committee participating in the performance review of nominated Senior Employees.

Background:

Council at its Ordinary meeting on 21 October 2021 when considering the Councillor representatives to the various Council Committees resolved (OCM 10.21-17) in relation to the Purpose of the Employment Committee agreed to remove the reference to the Committee assisting the Chief Executive Officer in the selection and review the performance of designated Senior Employees.

Consultation:

No further consultation is required regarding this item.

Statutory Environment:

Local Government Act 1995, section 2.7

2.7. Role of council

- (1) The council —
 - (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to —
 - (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies.

Relevant Plans and Policy:

Council "Policy 1.11 – Senior Employees" is relevant to this report.

Financial Implications:

There are no financial implications in relation to this item.

Risk Assessment:

Should the Council not support this item and a change to the current policy, which would be against a previous decision of the Council, there could be a risk of a management/operational disagreement with the CEO albeit the consequences may be minor. For this reason, the risk is classified as “Low”.

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

There are no Community and Strategic Objectives relevant to this item.

Comment

The updating of the policy, in line with the Council decision, will provide a level of confidence to the incoming Chief Executive Officer and allow that person to operate in an efficient manner in the management of the Senior Staff.

OFFICER'S RECOMMENDATION

That Council pursuant to Section 2.7(2)(b) of the Local Government Act 1995 endorse the amendments to Council Policy 1.11 – Senior Employees, as presented in Attachment 15.12.21.04A in this report.

(Absolute majority vote required)

OCM 12.21-16**COUNCIL RESOLUTION**

MOVED Cr Watts

SECONDED Cr Hartl

That Council pursuant to Section 2.7(2)(b) of the Local Government Act 1995 endorse the amendments to Council Policy 1.11 – Senior Employees, as presented in Attachment 15.12.21.04A in this report.

CARRIED BY ABSOLUTE MAJORITY VOTE 7/0

Attachment

15.12.21.04A – Council Policy 1.11 – Senior Employees

1.11 SENIOR EMPLOYEES

Directorate:	Executive			
Statutory Environment:	<i>Local Government Act 1995 s. 5.37</i>			
Council Adoption:	Date:	Aug 2009	Resolution #:	13.04.09.03
Last Amended:	Date:	August 2021	Resolution #:	OCM 09.21-11
Review Date:	June 2023			

Objective:

To nominate Senior Employee positions and assist the CEO with the selection and performance evaluation of these employee positions.

Policy:

1. The following positions are nominated as Senior Employees under Section 5.37(1) of the *Local Government Act, 1995*:
 - Manager Corporate and Community Services (MCC)*
 - Manager Infrastructure and Assets (MIA)
2. The CEO shall prepare a short list of candidates, conduct the interviews with the participation from two members of the Employment Committee and proceed to report to Council on the appointment the successful candidate.
- ~~3. The Chairperson of the Employment Committee shall participate in the performance review of nominated Senior Employees (other than the CEO) to provide input on behalf of the Shire Council.~~

*Note: * Designated Acting CEO – refer to Council Policy 1.18 – Appointment of Acting CEO*

15.12.21.05 AMENDMENT TO COUNCIL POLICY 2.36 - PROCUREMENT

File No:	GOV 031A
Date of Meeting:	16 December 2021
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Paul Sheedy – Acting Chief Executive Officer
Authorising Officer:	Paul Sheedy – Acting Chief Executive Officer
Declaration of Interest:	The Author, and authorising officer has an interest in this item, as an employee who issues purchase orders.
Voting Requirements:	Absolute Majority
Previous Report:	N/A

Summary of Item:

This item is to report on the proposed amendments to Policy 2.36 to address matters raised in the 2020/2021 Audit Management letter regarding providing some clarity around Purchasing Exemptions, Anti Avoidance Emergency Purchases.

The draft Policy 2.36 – Procurement is contained in **Attachment 15.12.21.05A**.

Description of Proposal:

The intent is to provide greater clarity to all staff regarding which scenarios have a purchase order exemption, what are considered emergency events and how they are dealt with, reiterating the splitting contracts/quotes is not acceptable to avoid purchasing thresholds or tender requirements and the removal of tender Exemption details that are covered in the Local Government Act and Regulations

Background:

The current policy was identified by the Auditor in the 2020/21 Audit as being deficient providing adequate clarity to staff in relation to purchases, obtaining quotations and documenting the process.

Consultation:

Consultation has been undertaken with OAG staff during their visits and with other local government officers.

Statutory Environment:

Local Government Act 1995, section 2.7

2.7. Role of council

- (1) The council —
 - (a) governs the local government's affairs; and
 - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to —
 - (a) oversee the allocation of the local government's finances and resources; and
 - (b) determine the local government's policies.

Relevant Plans and Policy:

Council "Policy 2.36 – Procurement" is relevant to this report.

Financial Implications:

There are no financial implications in relation to this item.

Risk Assessment:

Should the Council not support this item and a change to the current policy there is a risk that staff will continue to be non-compliant with the policy in relation to issuing purchase orders, be in breach of the Local Government Act and Financial Management Regulations and result in the matter being reported in the annual Independent Audit Report as a significant issue as it was in the 2019/2021 Report. For this reason, the risk is classified as "Medium".

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

There are no Community and Strategic Objectives relevant to this item.

Comment

The updating of the policy, together with the introduction of documented procedures, in relation to purchasing and the authorisation, and processing, of payments, and accounts, will hopefully reduce the number of instances on non-compliance with seeking quotations, issuing of purchases orders, and appropriate record keeping to justify when the Procurement Policy is not followed and satisfy the OAG and reducing its reporting in the Independent Audit Report.

OFFICER'S RECOMMENDATION

That Council pursuant to Section 2.7(2)(b) of the Local Government Act 1995 endorse the amendments to Council Policy 2.36 – Procurement, as presented in Attachment 15.04.21.01A in this report.

(Absolute majority vote required)

OCM 12.21-17

COUNCIL RESOLUTION

MOVED Cr Lilly SECONDED Cr Watts

That Council pursuant to Section 2.7(2)(b) of the Local Government Act 1995 endorse the amendments to Council Policy 2.36 – Procurement, as presented in Attachment 15.04.21.01A in this report.

CARRIED BY ABSOLUTE MAJORITY VOTE 7/0

Attachment

15.12.21.05A – Proposed Policy 2.36 - Procurement

2.36 PROCUREMENT

Directorate:	Corporate			
Statutory Environment:	<i>Local Government Act 1995 sections 5.42, 5.44, 6.2(4a)</i> <i>Local Government (Financial Management) Regulations 1996, Part 4</i> <i>Corruption, Crime and Misconduct Act 2003 (CCC legislation)</i> <i>Shire of Brookton Employee Code of Conduct</i>			
Council Adoption:	Date:		Resolution #:	13.11.18.02
Last Amended:	Date:	Sept 2021	Resolution #:	OCM 09.21-11
Review Date:	June 2023			

Objective:

The objectives of this policy are to ensure all purchasing activities:

- Demonstrate that best value for money is attained for the Shire.
- Are compliant with relevant legislation including any Acts and Regulations that apply to procurement
- Are documented and recorded in compliance with the *State Records Act 2000* and associated records and information management policies and procedures as adopted by the Shire from time to time
- Mitigate probity risk by establishing consistent and demonstrated processes that promote openness, transparency, fairness, and equity to all potential suppliers,
- Deliver sustainable benefits such as environmental, social, and local economic factors in the context of overall value for money assessment and
- Are conducted in a consistent and efficient manner across the Shire and that ethical decision making is demonstrated.

Statement:

The Shire of Brookton (the Shire) is committed to delivering best practice in the procurement of goods, services and works that align with the principles of transparency, probity and good governance as promoted in the *Local Government Act, 1995* and subsidiary regulations.

The procurement processes and practices to be complied with are defined within this Policy.

Policy Scope:

This policy encompasses all procurement undertaken by the Shire.

Ethics & Integrity**Misconduct**

All employees of the Shire authorised to undertake purchasing activities must:

- Apply accountable and ethical decision-making principles within the work environment.
- Behave in accordance with legislation, the Shire of Brookton Code of Conduct and the Shire of Brookton adopted policies.
- Understand and observe the definitions, guidelines and legislative obligations in the *Corruption Crime and Misconduct Act 2003* and any Auditor General (WA) recommendations or guidelines as issued from time to time.
- Report any information about actual or potentially fraudulent, corrupt, or illegal activities including breaches of the Shire Code of Conduct to the CEO.

Purchasing Principles

The following principles, standards and behaviours must be observed and enforced through all stages of the purchasing process to ensure fair and equitable treatment of all parties:

- All purchases of goods and services must have an allocated Council budget prior to purchase.
- Full accountability shall be taken for all purchasing decisions and the efficient, effective, and proper expenditure of public monies based on achieving value for money
- All purchasing practices shall comply with relevant legislation, regulation, and requirements consistent with the Shire's policies and Code of Conduct.
- Purchasing is to be undertaken on a competitive basis where all potential suppliers are treated impartially, honesty and consistently.
- All process, evaluation and decisions shall be transparent, free from bias and fully documented in accordance with applicable policies, audit requirements and relevant legislation.
- Any actual or perceived conflict of interest are to be identified, disclosed, and appropriately managed.

Value for Money

Value for money is determined when the consideration of price, risk and qualitative factors are assessed to determine the most advantageous outcome to be achieved for the Shire. As such, purchasing decisions must be made with greater consideration than obtaining lowest price, but also to incorporate qualitative and risk factors into the decision.

An assessment of the best value for money outcome for any purchasing process should consider:

- All relevant Total Costs of Ownership (TCO) and benefits including transaction costs associated with acquisition, delivery, distribution, as well as other costs such as but not limited to holding costs, consumables, deployment, maintenance, supplier changeover costs and disposal.
- The technical merits of the goods or services being offered in terms of compliance with specifications, contractual terms and conditions and any relevant methods of assuring quality, including but not limited to an assessment of levels and currency of compliances, value adds offered, warranties, guarantees, repair and replacement policies, ease of inspection, ease of after sales service, ease of communications etc.
- Financial viability and capability and capacity to supply to the Shire without risk of default (competency of the prospective suppliers in terms of managerial and technical capabilities and compliance history).
- A strong element of competition in the allocation of orders or the awarding of contracts. This is achieved by obtaining a sufficient number of competitive quotations wherever practicable.
- The safety requirements associated with both the product design and specification offered by suppliers and the evaluation of risk when considering purchasing goods and services from suppliers.
- Purchasing of goods and services from suppliers that demonstrate sustainable benefits and good corporate social responsibility; and
- Providing opportunities for businesses within a fifty (50) kilometre radius of the Shire of Brookton municipal boundary are to be given the opportunity to quote for providing goods and services wherever possible and where the supplier can demonstrate compliance with the principles of this policy.

Purchasing Requirements

Legislative/Regulatory Requirements

The requirements that must be complied with by the Shire, including purchasing thresholds and processes, are prescribed within the Regulations, this Policy and associated purchasing procedures in effect at the Shire.

Purchasing that is \$250,000 or below in total value for the life of the contract (excluding GST) must be in accordance with the purchasing requirements under the relevant threshold as defined in this Procurement Policy. Purchasing that exceeds \$250,000 in total value for the life of the contract (excluding GST) must be put to public Tender when it is determined that a regulatory Tender exemption is not deemed to be suitable - refer to Purchasing Value Definition below.

Purchasing Value Definition

Determining purchasing value is to be based on the following considerations:

1. Exclusive of Goods and Services Tax (GST).
2. The actual or expected value of a contract over the full contract period, including all options to extend; or the extent to which it could be reasonably expected that the Shire will continue to purchase a particular category of goods, services or works and what total value is or could be reasonably expected to be purchased. A best practice suggestion is that if a purchasing threshold is reached within three (3) years for a particular category of goods, services or works, then the purchasing requirement under the relevant threshold (including the tender threshold) must apply.

Purchasing from Existing Contracts

Where the Shire has an existing contract in place, it must ensure that goods and services required are purchased under these contracts to the extent that the scope of the contract allows. When planning the purchase, the Shire must consult its Contracts Register through the Finance Team in the first instance before seeking to obtain quotes and tenders on its own accord.

Purchasing Thresholds

The table below prescribes the purchasing process that the Shire must follow, based on the purchase value:

Purchase Value Threshold	Purchasing Requirements
\$0 up to \$1,000	<p>Purchase of a good or service using a Purchase Order or Corporate Credit Card issued by the Shire following at least one (1) <u>oral or written</u> quotation being requested, and the officer being satisfied with:</p> <ul style="list-style-type: none"> • Quality of the good or service to an adequate industry/trade standard. • Delivery of the good or service within a timely manner based on need. • Level of customer service being attentive, respectful, and friendly. • Cost of the good or service is competitively priced taking into account the price preference section of this policy. <p>Where goods and services can be acquired <u>locally</u>, the officer is to request a local price and acquire the good or service from the <u>local</u> supplier providing the above criteria is met.</p>
\$1,001 up to \$3,000	<p>Request at least one (1) <u>written</u> quotation from a supplier after providing a brief, outlining the specified requirements, and the officer being satisfied with:</p> <ul style="list-style-type: none"> • Quality of the good or service to an adequate industry/trade standard. • Delivery of the good or service within a timely manner based on need. • Level of customer service being attentive, respectful, and friendly. • Cost of the good or service is competitively priced taking into account the price preference section of this policy. <p>Where goods and services can be acquired <u>locally</u>, the officer is to request a local price and acquire the good or service from the <u>local</u> supplier providing the above criteria is met.</p>
Over \$3,001 and up to \$15,000	<p>Request at least two (2) written quotations from a supplier after providing a brief, outlining the specified requirements either through:</p> <ul style="list-style-type: none"> • An existing panel of pre-qualified suppliers administered by the Shire or • A pre-qualified supplier on the WALGA Preferred Supply Program or State Government Common Use Arrangement (CUA) or • From the open market. <p>Where the value of the procurement is considered high risk, the Officer shall seek advice from the CEO to establish if a formal contract process is required.</p> <p>Where the value of the procurement is considered high risk, the Officer shall seek advice from the CEO to establish if a formal contract process is required.</p>
\$15,001 and up to \$40,000	<p>Request at least three (3) written quotations from a supplier after providing a brief, outlining the specified requirements either from:</p> <ul style="list-style-type: none"> • An existing panel of pre-qualified suppliers administered by the Shire or • A pre-qualified supplier on the WALGA Preferred Supply Program or State Government Common Use Arrangement (CUA) or • From the open market.

	<p>Where the value of the procurement is considered high risk, the Officer shall seek advice from the CEO to establish if a formal contract process is required.</p> <p>Where three (3) written quotations cannot be provided, the Officer must provide written evidence of why quotations could not be provided. The Officer must also demonstrate that every attempt was made to source written or verbal quotations.</p>
\$40,001 and up to \$250,000	<p>Request at least three (3) <u>written</u> quotations from suppliers by formal invitation under a <u>Request for Quotation</u>, containing price and detailed specification of goods and services required.</p> <p>The procurement decision is to be based on pre-determined evaluation criteria that assesses all value for money considerations in accordance with the definition stated within this Policy. The Finance Team shall facilitate the quotation process. Quotations within this threshold may be obtained from:</p> <ul style="list-style-type: none"> • an existing panel of pre-qualified suppliers administered by the Shire; or • a pre-qualified supplier on the WALGA. • Preferred Supply Program or State Government CUA; or • from the open market utilising the electronic tendering portal and placing an advertisement in the local paper. <p>Requests for quotation from a pre-qualified panel of suppliers (whether administered by the Shire through the WALGA preferred supply program or State Government CUA) are not required to be invited using a Request for Quotation form, however at least three written quotes are still required to be requested.</p>
\$250,000 and above	<p>Conduct a public tender process.</p> <p>Where the purchasing requirement is not suitable to be met through a panel of pre-qualified suppliers, or any other tender exempt arrangement, conduct a public Request for Tender process in accordance with Part 4 of the Local Government (Functions and General) Regulations 1996, this policy and the Shire's tender procedures. The procurement decision is to be based on pre-determined evaluation criteria that assesses all value for money considerations in accordance with the definition stated within this Policy.</p>

Approval Limits

- The Chief Executive Officer has delegated authority from Council to undertake purchases of goods and services which are, or expected to be, up to the value of \$250,000.
- The Chief Executive Officer may on delegate authority from Council to any employee to maintain efficient and effective purchasing operations.

Tendering Exemptions

~~An exemption to publicly invite tenders may apply in the following instances:~~

- ~~• The purchase is obtained from a pre-qualified supplier under the WALGA Preferred Supply Program or State Government Common Use Arrangement.~~
- ~~• The purchase is from a Regional Local Government or another Local Government.~~

- ~~The purchase is acquired from a person registered on the WA Aboriginal Business Directory, as published by the Small Business Development Corporation, where the consideration under contract is worth \$250,000 or less and represents value for money.~~
- ~~The purchase is acquired from an Australian Disability Enterprise and represents value for money.~~
- ~~The purchase is from a pre-qualified supplier under a Panel established by the Shire; or~~
- ~~Any of the other exclusions under Regulation 11 of the Local Government (Functions and General) Regulations 1996 apply.~~

Purchasing Exemptions

Certain circumstances may arise where it is not reasonably practicable to adhere to the requirements of this Policy. The following purchases are specifically exempt from the requirements of this policy:

- a) The supply of goods or services obtained through the Western Australian Local Government Association ("WALGA") Preferred Suppliers Program.
- b) Purchases where a legitimate sole source of supply exists.
- c) An emergency event as defined by the Local Government Act 1995 and detailed below under 'Emergency Purchases.'
- d) The purchase is under public auction and has been authorised by Council.
- e) The purchase is for petrol, oil or other liquid or gas used for internal combustion engines.
- f) Reactive maintenance of plant and machinery which does not exceed \$5,000 (ex GST) per transaction. Reactive maintenance is defined as unscheduled maintenance such as machinery break down or where a routine inspection identifies additional works are required.
- g) Shelf acquired, non-bulk, grocery, alcohol, and sundry hardware. No quotations are required for the procurement of non-bulk fixed price retail grocery, alcohol and sundry hardware products sourced off the shelf from retail stores that are open to the public. It is considered that the nonnegotiable pricing together with strong competition within the grocery and hardware sector is sufficient to provide best pricing.

Note: The Shire issues monthly purchase orders to some retail businesses in Brookton with a limit on the dollar amount allowed per transaction to allow for efficient work operations to continue.

- h) Annual memberships and subscriptions.
- i) Artwork.
- j) Procurement of performing arts defined as forms of creative activity that are performed in front of an audience, such as drama, music, or dance.
- k) Eligible staff reimbursements (TAFE, training course fees, eligible travel costs including meals and accommodation, telephone, and internet).
- l) Purchases from Original Equipment Manufacturer or a sole agent thereof, where warranty provisions may otherwise be void.
- m) Provision of contributions to community groups in accordance with agreements to assist with their administrative and operating costs or as directed by a resolution of council.
- n) Software support / licences / renewals / maintenance. No quotations are required for contracts for the provision, licensing, annual renewal, annual lease payment, maintenance or support of information technology hardware or software where:
 - i. The value of the contract is less than \$100,000 (ex GST); and
 - ii. The responsible officer has good reason to believe that because of the unique nature of the product and/or services, it is unlikely that there is more than one potential supplier

This exemption must be approved by the CEO or Manager Community and Corporate.

- o) At the discretion of a Manager, or the CEO which may be applied upon receiving written justification for the waiver, and only in the following situations:
 - i. The purchasing officer has sought the required number of quotations from suitable suppliers however an insufficient number of suppliers were willing to provide a valid quotation.
 - ii. The goods or services are to be supplied by, or obtained through, the Government of the State or Commonwealth or any of its agencies, or by another Local Government or Regional Local Government; and
- p) In an instance where any of the exemptions or exclusions under r.11 of the Local Government (Functions and General) Regulations apply.

Inviting Tenders under the Tender Threshold

Where considered appropriate and beneficial, the Shire may consider publicly advertising Tenders in lieu of undertaking a Request for Quotation for purchases under the tender threshold. This decision should be made after considering the benefits of this approach in comparison with the costs, risks, and timeliness and compliance requirements and whether the purchasing requirement can be met through the WALGA Preferred Supply Program or State Government CUA.

If a decision is made to undertake a public Tender for contracts expected to be ~~\$150,000~~ \$250,000 or less in value, the Shire's tendering procedures must be followed in full.

Sole Source of Supply

Where the purchasing requirement is over the value of ~~\$21,000~~ and of a unique nature that can only be supplied from one supplier, the purchase is permitted without undertaking a tender or quotation process. This is only permitted in circumstances where the Chief Executive Officer of the Shire is satisfied and can evidence that there is only one source of supply for those goods, services or works. The Shire must use its best endeavours to determine if the sole source of supply is genuine by exploring if there are any alternative sources of supply. Once determined, the justification must be endorsed by the Chief Executive Officer, prior to a contract being entered into.

From time to time, the Shire may publicly invite an expression of interest to effectively determine that one sole source of supply still genuinely exists.

CEO Discretion

Where it is not practical to obtain multiple written and/or verbal quotations for amounts between \$1,000 and less than \$250,000 the Chief Executive Officer may approve the purchase of goods and services were deemed appropriate after approving a written request from the Officer justifying the reasons for the purchase.

Anti-Avoidance

The Shire shall not enter into two or more contracts or create multiple purchase order transactions of a similar nature for the purpose of "splitting" the value of the purchase or contract to take the value of the consideration of the purchase below a particular purchasing threshold, particularly in relation to Tenders and to avoid the need to call a public Tender.

This does not preclude the legitimate documentation of separable portions in any Request for Tender or Quotation to determine the capacity of a supplier to deliver contractually separable portions of a contract. Separable portions will not be used to "split" a contract to avoid a particular purchasing threshold.

Emergency Purchases

~~An emergency purchase is defined as an unanticipated and unbudgeted purchase which is required in response to an emergency situation as provided for in the Local Government Act 1995. In such instances,~~

~~quotes and tenders are not required to be obtained prior to the purchase being undertaken. An emergency purchase does not relate to purchases not planned for due to time constraints. Every effort must be made to anticipate purchases required by the Shire in advance and to allow sufficient time to obtain quotes and tenders, whichever may apply.~~

Emergency purchases are defined as the supply of goods or services associated with:

- a) A local emergency and the expenditure are required (within existing budget allocations) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets; or
- b) A local emergency and the expenditure is required (with no relevant available budget allocation) to respond to an imminent risk to public safety, or to protect or make safe property or infrastructure assets in accordance with s.6.8 of the Local Government Act 1995 and the Local Government (Functions and General) Regulations r.11(2)(a); or
- c) A State of Emergency declared under the Emergency Management Act 2005 and therefore, the Local Government (Functions and General) Regulations r.11(2)(aa), (ja) and (3) apply to vary the application of this policy.

Time constraints, administrative omissions and errors **DO NOT** qualify for definition as an emergency purchase. Instead, every effort must be made to research and anticipate purchasing requirements in advance and to allow sufficient time for planning and scoping proposed purchases and to then obtain quotes or tenders, as applicable.

Records Management

Records of all purchasing activity must be retained in compliance with the *State Records Act 2000* (WA).

Buy Local

As much as practicable, the Shire will:

- Where appropriate, consider buying practices, procedures and specifications that do not unfairly disadvantage local businesses.
- Consider indirect benefits that have flow on benefits for local suppliers (i.e., servicing and support).
- Ensure that procurement plans address local business capability and local content; and
- Provide adequate and consistent information to potential suppliers.

Buy Local Eligibility

- A preference is applicable to locally based contractors and suppliers within a fifty (50) kilometre radius of the Shire of Brookton town centre; and
- To qualify as a local contractor a supplier must have had a permanent office and staff within the fifty (50) kilometre radius for a period of at least six (6) months prior to the closing date of the quotation/tender submission.

Price Preference for Local suppliers/contractors

- A 10% price preference to a maximum of \$10,000.00 in value applies to all goods and services for those supplier(s) that meet the eligibility requirements (as above).
- Where the procurement is for goods and services for a period exceeding twelve (12) months, the 5% price preference to a maximum of \$10,000.00 shall be applied per annum.

Purchasing from Disability Enterprises & Aboriginal Businesses

Pursuant to Part 4 of the Local Government (Functions and General) Regulations 1996, the Shire may purchase from Disability Enterprises and Aboriginal Business contingent upon demonstration of value for money.

Panels of Pre-Qualified Suppliers

Objectives for Panels

In accordance with Regulation 24AC of the Local Government (Functions and General) Regulations 1996, a Panel of Pre-qualified Suppliers ("Panel") may be created where most of the following factors apply:

- The Shire determines that a range of similar goods and services are required to be purchased on a continuing and regular basis.
- There are numerous potential suppliers in the local and regional procurement related market sector(s) that satisfy the test of 'value for money'.
- The purchasing activity under the intended Panel is assessed as being of a low to medium risk.
- The Panel will streamline and will improve procurement processes; and
- The Shire has the capability to establish, manage the risks and achieve the benefits expected of the proposed Panel.

The Shire will endeavour to ensure that Panels will not be created unless most of the above factors are firmly and quantifiably established.

Establishing a Panel

Should the Shire determine that a Panel is beneficial to be created, it must do so in accordance with Part 4, Division 3 the Local Government (Functions and General) Regulations 1996. Panels may be established for one supply requirement, or a number of similar supply requirements under defined categories within the Panel. Panels may be established for a minimum of two (2) years and for a maximum length of time deemed appropriate by the Shire. Evaluation criteria must be determined and communicated in the application process by which applications will be assessed and accepted.

Where a Panel is to be established, the Shire will endeavour to appoint at least two (2) suppliers to each category, on the basis that best value for money is demonstrated. In each invitation to apply to become a pre-qualified supplier (through a procurement process advertised through a state-wide notice), the Shire must state the expected number of suppliers it intends to put on the panel. Should a Panel member leave the Panel, they may be replaced by the next ranked Panel member determined in the value for money assessment should the supplier agree to do so, with this intention to be disclosed in the detailed information set out under Regulation 24AD(5)(d) and (e) when establishing the Panel.

Distributing Work amongst Panel Members

To satisfy Regulation 24AD (5) of the Regulations, when establishing a Panel of prequalified suppliers, the detailed information associated with each invitation to apply to join the Panel must either prescribe whether the Shire intends to:

- i. Obtain quotations from each pre-qualified supplier on the Panel with respect to all purchases; and/or
- ii. Purchase goods and services exclusively from any pre-qualified supplier appointed to that Panel, and under what circumstances; and/or
- iii. Purchase goods and services on a rotational basis from each pre-qualified supplier and endeavour to provide an even amount of work amongst prequalified suppliers.

In considering the distribution of work among Panel members, the detailed information must also prescribe whether:

- a) Each Panel member will have the opportunity to bid for each item of work under the Panel, with pre-determined evaluation criteria forming part of the invitation to quote to assess the suitability of the supplier for particular items of work. Contracts under the pre-qualified panel will be awarded on the basis of value for money in every instance; and/or

- b) Service requests that are not possible to obtain a fixed price may be rotated between pre-qualified supplier(s) to obtain the most advantageous result for the Shire which may take into account the existing familiarity with a supplier's previous work on a specific Council asset; and/or
- c) Should the list of panel members be exhausted with no panel member accepting the offer to provide goods/services under the Panel, the Shire may then invite suppliers that are not on the panel to provide the goods/services in line with the purchasing thresholds. In every instance, a contract must not be formed with a pre-qualified supplier for an item of work beyond twelve (12) months, which includes options to extend the contract.

Purchasing from the Panel

The invitation to apply to be considered to join a panel of pre-qualified suppliers must state whether quotations are either to be invited to every member (within each category, if applicable) of the Panel for each purchasing requirement, whether a ranking system is to be established, or otherwise. Each quotation process, including the invitation to quote, communications with panel members, quotations received, evaluation of quotes and notification of award communications must all be captured on the Shire's electronic records system. A separate file is to be maintained for each quotation process made under each Panel that captures all communications between the Shire and Panel members.

Recordkeeping

Records of all communications with Panel members, with respect to the quotation process and all subsequent purchases made through the Panel, must be kept. For the creation of a Panel, this includes:

- The Procurement initiation document such as a procurement business case which justifies the need for a Panel to be created.

Procurement planning and approval documentation which describes how the procurement is to be undertaken to create and manage the Panel including (but not limited to).

- Request for Applications documentation.
- Copy of public advertisement inviting applications.
- Copies of applications received.
- Evaluation documentation, including clarifications sought.
- Negotiation documents such as negotiation plans and negotiation logs.
- Approval of award documentation.

Must be kept.

Legislation and other References:

- *Local Government Act 1995*
- *Local Government Act (Financial Management) Regulations 1996, Reg 11, Reg 24A-24G*
- *Local Government (Functions and General) Regulations 1996, Part 4*
- *Shire of Brookton Employee Code of Conduct*
- *Corruption Crime and Misconduct Act 2003*
- *State Records Act 2000*

15.12.21.06 APPOINTMENT OF MANAGER CORPORATE AND COMMUNITY

File No:	EMP#(TBA)
Date of Meeting:	16 December 2021
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Paul Sheedy – Acting Chief Executive Officer
Authorising Officer:	Paul Sheedy – Acting Chief Executive Officer
Declaration of Interest:	The author and authorising officer do not have an interest in this item
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This item is to report on the process of advertising, interviewing, and recruitment of a manager Corporate and Community to replace the existing Senior employee, who is vacating the position on 31 December 2021 (on leave from 20 December 2021).

Description of Proposal:

The intent is for Council to endorse the proposal by the Acting Chief Executive Officer to appoint the preferred candidate to the position of Manager Corporate and Community on a contract for a period of five (5) years, with a commencement date of 28 March 2022, with the remuneration package as negotiated.

Background:

The existing Manager Corporate and Community tendered her resignation in early October 2021 providing three (3) notice as per the contract.

Advertising for the position commenced in November 2021 with applications closing on Wednesday 17th November 2021. At the close of the application period five (5) applications were received for the position and three (3) candidates were selected for an interview, which were undertaken by the Selection Panel of Shire President, Deputy Shire President, new Chief Executive Officer and Executive Governance Officer on 3 December 2021.

Consultation:

Consultation on the preferred candidate was undertaken following the completion of the interviews by the Selection Panel

Statutory Environment:

Local Government Act 1995, sections 5.37 & 5.39

5.37. Senior employees

1. A local government may designate employees or persons belonging to a class of employee to be senior employees.
2. The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for it doing so.
3. Unless subsection (4A) applies, if the position of a senior employee of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.

5.39. Contracts for CEO and senior employees

1. Subject to subsection (1a), the employment of a person who is a CEO or a senior employee is to be governed by a written contract in accordance with this section.
2. A contract under this section —
 - a. in the case of an acting or temporary position, cannot be for a term exceeding one year;
 - b. in every other case, cannot be for a term exceeding 5 years.
3. A contract under this section is of no effect unless —
 - a. the expiry date is specified in the contract; and
 - b. there are specified in the contract performance criteria for the purpose of reviewing the person's performance; and
 - c. any other matter that has been prescribed as a matter to be included in the contract has been included.
4. A contract under this section is to be renewable and subject to subsection (5), may be varied.

Relevant Plans and Policy:

Council "Policy 1.11 – Senior Employees" is relevant to this report.

Financial Implications:

The remuneration negotiated as part of the contract and appointment will be covered within the existing adopted 2021/2022 annual budget.

Risk Assessment:

Should the Council not support this item and the recommendation to appoint the preferred candidate to the position, the position would have to be readvertised and potentially applicants of a lesser quality may apply, the position may be difficult to fill and would result in an extended period of the permanent position being vacant, therefore if the appointment is not endorsed by Council the risk is assessed as "High".

Consequence	Insignificant	Minor	Moderate	Major	Extreme
Likelihood					
Almost Certain	Medium	High	High	Severe	Severe
Likely	Low	Medium	High	High	Severe
Possible	Low	Medium	Medium	High	High
Unlikely	Low	Low	Medium	Medium	High
Rare	Low	Low	Low	Low	Medium

Risk Rating	Action
LOW	Monitor for continuous improvement.
MEDIUM	Comply with risk reduction measures to keep risk as low as reasonably practical.
HIGH	Review risk reduction and take additional measures to ensure risk is as low as reasonably achievable.
SEVERE	Unacceptable. Risk reduction measures must be implemented before proceeding.

Community & Strategic Objectives:

Appointment of a suitably qualified Manager Corporate and Community aligns with the Shire of Brookton's Corporate Compendium.

- 16 Org. Development/Industrial Relations
16.2 Conduct employee recruitment

Comment

Following the completion of the interviews the Selection Panel determined that the most suitable candidate was the preferred candidate given the person's current level of experience in a similar role at another local government and overall local government experience over a number of years in the Corporate and Community areas.

The successful applicant will be published in the minutes of Council.

OFFICER'S RECOMMENDATION

That Council, pursuant to section 5.37(2) of the Local Government Act 1995, accepts the recommendation of the Acting Chief Executive Officer, to appoint the preferred candidate _____, to the position of Manager Corporate and Community for a contract period of five (5) years, commencement date to be negotiated, with a total remuneration package of \$140,132.00.

(Simple majority decision required)

OCM 12.21-18

COUNCIL RESOLUTION

MOVED Cr Crute

SECONDED Cr Walker

That Council, pursuant to section 5.37(2) of the Local Government Act 1995, accepts the recommendation of the Acting Chief Executive Officer, to appoint the preferred candidate Mrs. Deanne Sweeney, to the position of Manager Corporate and Community for a contract period of five (5) years, commencement date to be negotiated, with a total remuneration package of \$140,132.00.

CARRIED BY ABSOLUTE MAJORITY VOTE 7/0

16.12.21	ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
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Nil.

17.12.21	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
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Nil.

18.12.21	CONFIDENTIAL REPORTS
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Nil.

19.12.21	NEXT MEETING & CLOSURE
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The next Ordinary meeting of the Council will be held on Thursday 20th January 2022 commencing at 6.00 pm.

There being no further business the meeting was closed at 6.42pm.