



ORDINARY MEETING OF COUNCIL

MINUTES

16 SEPTEMBER 2021

These minutes were confirmed by Council as a true and correct record of proceedings by the Ordinary Council Meeting held on 21/10/21.

Presiding Member:  Date: 21 October 2021

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 September 2021
Commenced at 6.00 pm

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1.09.21 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 it's life.

2.09.21 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

Elected Members (Voting)

Cr KL Crute	(Shire President)
Cr NC Walker	(Deputy Shire President)
CR CE Hartl	
Cr RT Fancote	
Cr TD Lilly	
Cr BK Watts	
Cr MG Macnab	

Staff (Non-Voting)

Ian D'Arcy	Chief Executive Officer
Danni Chard	Executive Governance Officer

Apologies

Kellie Bartley	Manager Corporate and Community
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Leave of absence

Members of the Public

Mr. Rob Langley

3.09.21 USE OF COMMON SEAL – AUGUST 2021

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

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

4.09.21 DELEGATED AUTHORITY – ACTIONS PERFORMED – AUGUST 2021

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

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

BUILDING			
Application No.	Lot & Street	Type of Building Work	Date Granted
05.21-22	Lot 500 Richardson Street	Site Office	12/08/2021
06.21-22	Lot 1 Gaynor Street	Septic	26/08/2021

PLANNING

File Ref	Application Ref	Subject Land (incl. Scheme No.)	Purpose	Date Granted
A2681	2121-007	Lot 3 Reynolds (Lennard) Street	Dwelling	13/08/2021

5.09.21 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Mr. Graeme Wearne

Question tabled - Brookton Shire Council is requested to formally acknowledge and provide a written reply to the outstanding response to my initial request as at, 4 November 2018, whereby Shire was to advise what action has been taken to ensure there is no continuation of the illegal parking of the Brookton Plumbing septic truck on the public verge adjacent to the former company's property.

Response provided by Shire President

With reference to your previous emails to Councillors (Which have been acknowledged by return email), the Council is of a clear understanding you have lodged a formal complaint with both the WA Ombudsman, and the WA Public Sector Commission, alleging the Shire has failed in performing its statutory duty, and obligations to you as a resident and ratepayer.

Given your actions, the Shire will now await the outcomes of investigation from each of the respective State Government agencies, in relation to your concerns.

Note to minute: Since the publication of the agenda, Mr. Wearne has since withdrawn his complaints.

6.09.21 PUBLIC QUESTION TIME

Nil.

7.09.21 APPLICATIONS FOR LEAVE OF ABSENCE

OCM 09.21-01

COUNCIL RESOLUTION

MOVED Cr Lilly SECONDED Cr Hartl

That Councillor Walker be granted a leave of absence for the 21st October 2021, Ordinary Meeting of Council.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

8.09.21 PETITIONS/DEPUTATIONS/PRESENTATIONS

Mr. Rob Langley addressed Council in relation to Item 12.09.21.02 – Proposed Scheme Amendment No. 1 Local Planning Scheme No. 4, where he appealed to Council to be supportive in progressing this opportunity for Brookton to grow and prosper, through embracing new development proposals.

9.09.21 CONFIRMATION OF MINUTES OF PREVIOUS MEETING**9.09.21.01 ORDINARY MEETING OF COUNCIL – 19 AUGUST 2021****OCM 09.21-02****COUNCIL RESOLUTION****MOVED Cr Watts SECONDED Cr Lilly**

That the minutes of the Ordinary meeting of Council held in the Shire of Brookton Council Chambers, on 19 August 2021, be confirmed as a true and correct record of the proceedings.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

10.09.21 ANNOUNCEMENTYS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President expressed appreciation on behalf of Council to the Chief Executive Officer for his four and half years of service to the Brookton Shire, and the Community.

The Shire President also acknowledged Cr Fancote's many years of service on Council, and sincerely thanked her for your contribution to Council and the Community.

11.09.21 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
12.09.21.01	Cr Lilly	Impartiality	Family member is the Practice Manager for the Vines Medial Practice Perth, Brookton, and Beverley Clinics.

12.09.21 TECHNICAL & DEVELOPMENT SERVICES REPORTS

Cr Lilly declared an impartiality interest in Item 12.09.21.01, and remained in the room, and voted on the item.

12.09.21.01 PLANNING APPLICATION – PROPOSED MEDICAL CENTRE – LOT 208 WILLIAMS STREET, BROOKTON

File No:	A459
Date of Meeting:	19 August 2021
Location/Address:	Lot 208 (Hn.78) Williams Street, Brookton
Name of Applicant:	Hubble Design
Name of Owner:	Joydan (WA) Pty Ltd
Author/s:	Ian D'Arcy - CEO
Authorising Officer:	As above
Declaration of Interest:	The author does not have an interest in this item.
Voting Requirements:	Simple Majority
Previous Report:	Nil

Summary of Item:

The Council is in receipt of a planning application seeking approval for Medical Centre to be developed on Lot 208 Williams Street, Brookton.

The officer recommendation is for Council to grant planning approval subject to conditions.

Description of Proposal:

This proposal involves the construction of a Medical Centre on a vacant residential lot to accommodate the Vines Medical Practice and other allied visiting health services.

The subject property, being 1012 m² in area, is located on the western side of Williams Street in the Brookton townsite, as depicted in **Figure 1** below.

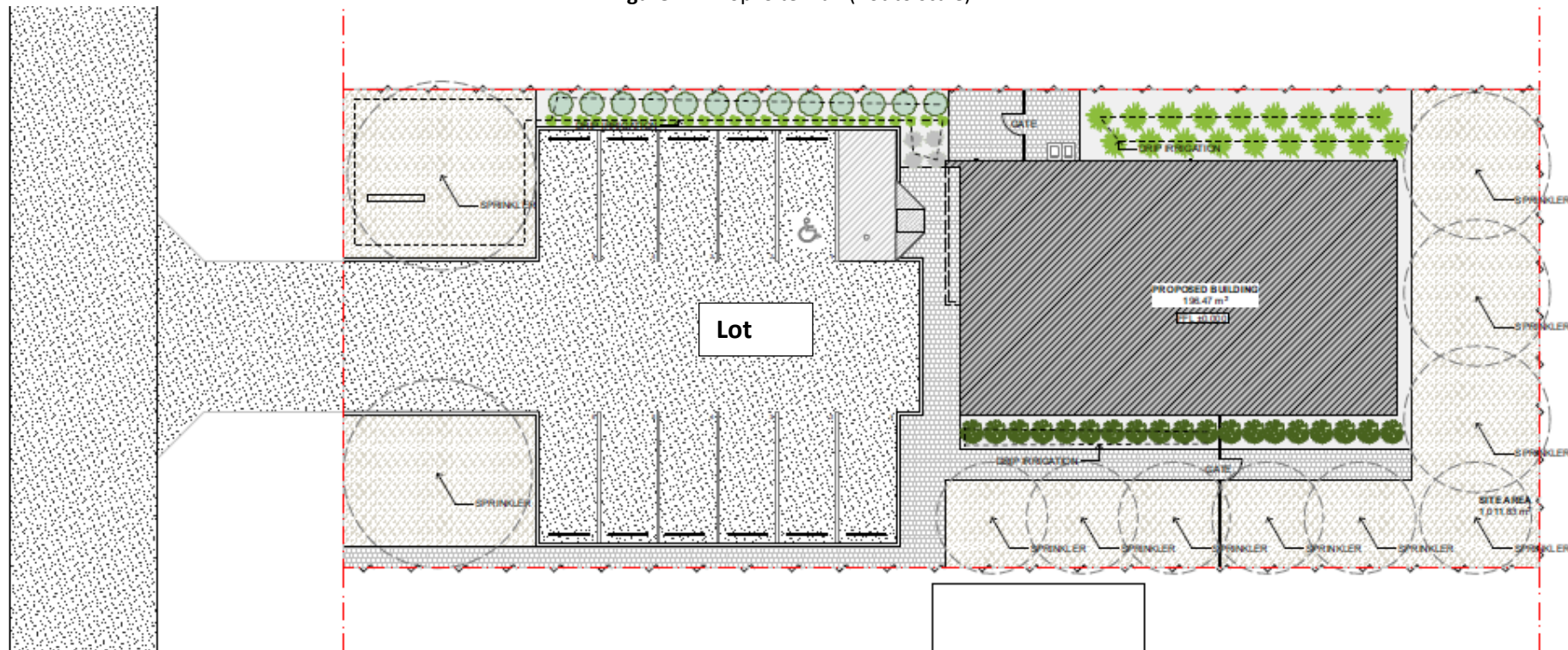
Figure 1 – Location Plan (not to scale)



The site plan (**Figure 2**) shows:

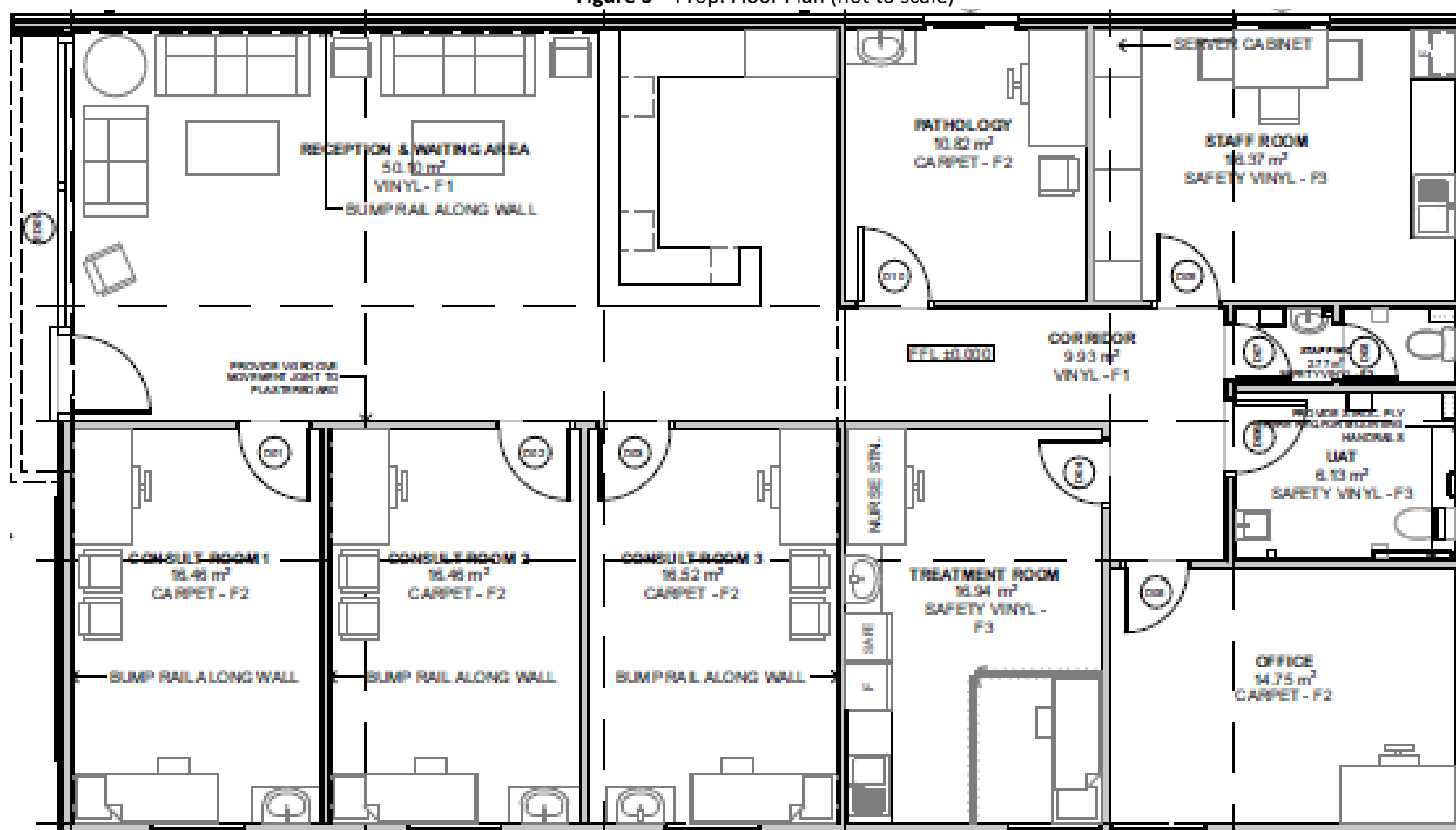
- An overall building area is 196.5 m².
- Provision of 11 bitumen sealed/line marked carparking bays (including 1 ACROD bay) with sealed vehicle access and manoeuvrability.
- Disability access ramp and paved pedestrian paths.
- Concealed bin store and landscaping around the building and adjacent to the car parking bays.

Figure 2 – Prop. Site Plan (not to scale)



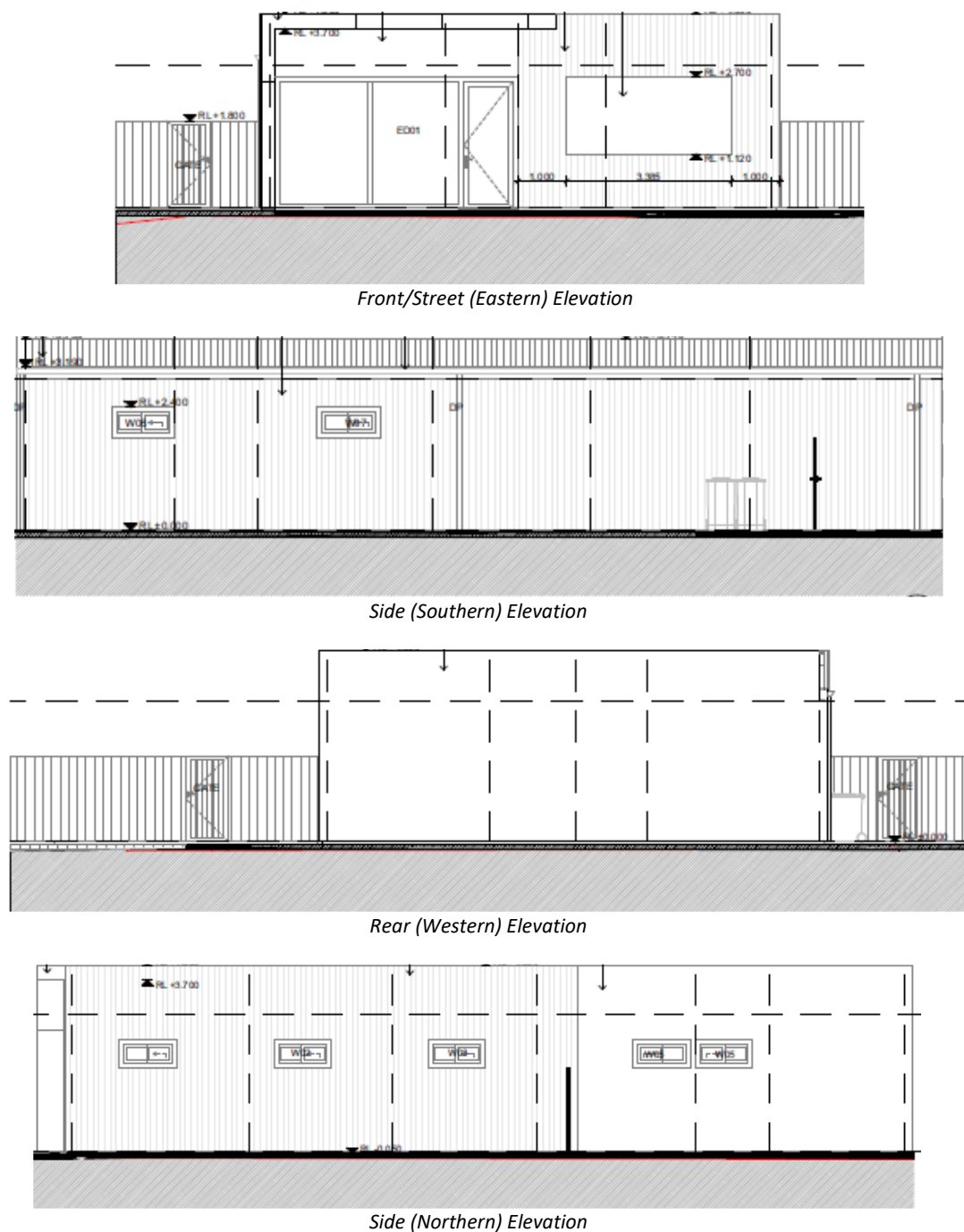
The Floor Plan (Figure 3) illustrates the building is to consist of 3 x consulting and 1 x treatment room together with a generous reception area and a pathology room, office, staff room, disability bathroom and water closet.

Figure 3 – Prop. Floor Plan (not to scale)



Basically, the building takes a 'box' form clad in a colourbond off-white 'surfmist' with the façade header above reception windows being deep 'monument' grey colour partly bordered by a lime green feature .

Figure 4 – Proposed Elevations (not to scale)



A complete copy of the planning application is provided as **Attachment 12.09.21.01A** to this report.

Background:

The Vines Medical Practice has been established in Brookton for approximately 18 months and over this time has extended its open times from 2 to 5 days per week and extending its range of health services to the local community.

This has generated the need for a more specialised and contemporary 'fit for purpose' building.

Consultation:

This application is not deemed complex and therefore was advertised in accordance Regulation 64(4) and

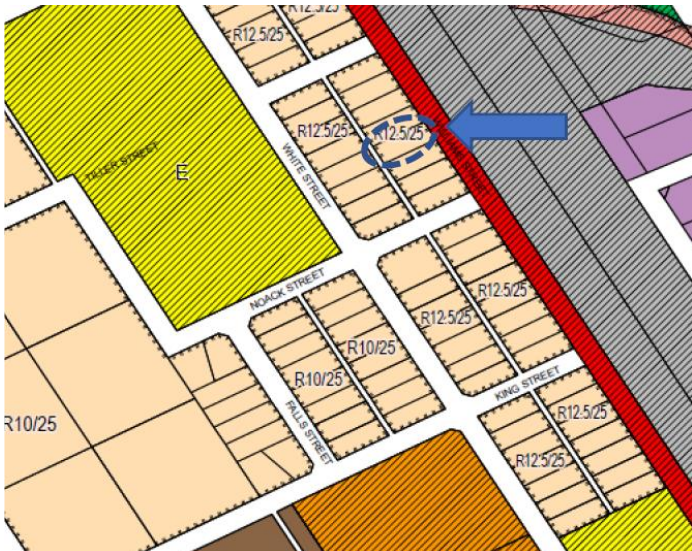
(7) of the Planning and Development (Local Planning Scheme) Regulations, 2015. This involved a number of letters being sent to adjoining/nearby neighbours and a notice being published on the Shire website, Facebook page, and in the Brookton Telegraph inviting submissions within a 23 day period.

At the conclusion of advertising there was a nil response to the invitation for public submissions.

Statutory Environment:

As to the planning framework 'Medical Centre' as a land use is assessed and determined under the provisions of the Shire of Brookton Local Planning Scheme No.4. Accordingly, the following **Table 1** provides a summary of legal and other requirements in relation to this proposal.

Table 1 – Statutory Requirements

Shire of Brookton Local Planning Scheme (LPS) No.4 (Statutory instrument)	
Current Zoning	<p>The subject property is zoned 'Residential R12.5/25' – See extract of Zoning Map below – property coloured cream.</p>  <p>Figure 5 – Extract of Zoning Map 4</p> <p>The property also has frontage to Williams Street (Great Southern Highway) which is zoned 'Primary Distributor Road' under the Local Scheme Reserves.</p>
Permissibility (Table 1 – Zoning Table)	Table 1 – Zoning Table of LPS 4 qualifies a 'Medical Centre' as an 'A' use meaning the Council has discretion to approve the respective use with or without relevant planning conditions or refuse the proposal with valid planning reasons following the application being advertised seeking public submissions on the proposed development.
Zone Objective	<p>The zoning objective pertinent to this application is outlined below:</p> <p><i>"To provide for a range of non-residential uses, which are compatible with and complementary to residential development."</i></p>
Definitions	<p>The draft LPS 4 defines:</p> <p>"medical centre" means premises other than a hospital used by 3 or more health practitioners at the same time for the investigation or treatment of human injuries or ailments and for general outpatient care."</p>
Development Standards	The following site and development requirements applicable to this application are prescribed under Schedule 1 of LPS No.4:

	<ul style="list-style-type: none">• <i>Minimum Boundary Setback Distances (as per R Codes)</i> Table 5<table><tr><th rowspan="2">Zone</th><th colspan="3">Minimum setback (m)</th></tr><tr><th>Front</th><th>Side</th><th>Rear</th></tr><tr><td>Residential R12.5</td><td>7.5</td><td>1.5</td><td>6.0</td></tr></table>• <i>Vehicle Access</i> Vehicle access and manoeuvrability areas for development, within the Commercial, Light Industry and General Industry zones, shall be designed and constructed so as 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. Although the proposed development is in a Residential zone the same standard should apply.• <i>Car Parking</i> Table 6 – Parking requirements stipulate the provision of 5 car parking bays for each consulting room plus 1 bay for each employee.• <i>Landscaping</i> There is no specific requirement specified.	Zone	Minimum setback (m)			Front	Side	Rear	Residential R12.5	7.5	1.5	6.0
Zone	Minimum setback (m)											
	Front	Side	Rear									
Residential R12.5	7.5	1.5	6.0									
Planning and Development (Local Planning Scheme) Regulations 2015 (Statutory instrument)												
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.											
Part 10A – Bushfire risk management – Regs 78C and 78D	<p>The section of the Planning Regulations stipulates:</p> <ul style="list-style-type: none">• <i>Proposed development in a bushfire prone area</i> Before commencing any development on a development site a person (the developer) must cause to be prepared a bushfire attack level assessment for the development site if the development site —<ul style="list-style-type: none">- is in a bushfire prone area; and- has been in a bushfire prone area for a period of at least 4 months.• <i>Definition</i> habitable building means a permanent or temporary structure on land that —<ul style="list-style-type: none">- is fully or partially enclosed; and- has at least one wall of solid material and a roof of solid material; and- is used for a purpose that involves the use of the interior of the structure by people for living, working, studying, or being entertained.											
State Planning Policy 3.7 – Planning in Bushfire Prone Areas (Statutory instrument – tied to Planning Regulations)												

6.2 – Strategic planning proposals, subdivision, and development applications and DFES mapping for Bushfire Prone Areas

The subject property is located within an identified Bushfire Prone Area as coloured purple on the aerial photo presented as **Figure 6**. The yellow rectangle depicts the location of Lot 208.



Figure 6 – Extract of Bushfire Zone Area Map – DFES

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 and Comment Sections of this report.

Financial Implications:

Other than receipt of the statutory planning application fee the only other financial consideration could be a possible cost should an appeal be lodged by the applicant with the State Administration Tribunal (SAT) if dis-satisfied with the Council decision. At this stage no such cost is applicable or known.

Risk Assessment:

The risk in relation to this matter is assessed as 'Low' as it largely centres 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.

Specifically, the proposed Medical Centre aligns to:

Function 2 – Land Use Planning

Action 2.3 – Process Development Applications

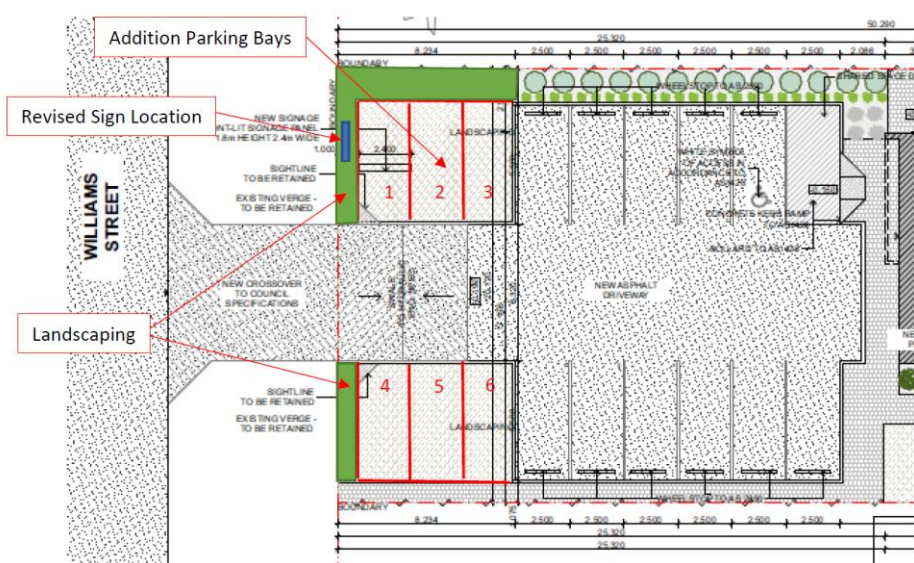
Comment

Although the permissibility for this proposal sufficiently accords with the Residential Zone and is a relatively small-scale development, upon assessment there is the need for conditions to be applied to ensure satisfactory compliance and alignment to the Local Planning Scheme provisions.

In summary the following **Table 2** provides an understanding of the standards and level of compliance that should be imposed through the application of planning conditions commensurate with the land use and overall scale of the development.

Table 2

Development Standard	Extent of Compliance
Minimum boundary setback distances	The following boundary setback distances as presented on the site plan accord to the min. Scheme requirements: <ul style="list-style-type: none"> • Front – 25.3 m • Northern Side – 6.5 m • Southern Side – 2.9 m • Rear – 7.4 m
Building design and materials	For the post part the building is designed with a concealed roof and clad in a neutral 'surfmist' custom orb colourbond profile. With generous proposed front setback distances from all boundaries, the building does not present adversely on the streetscape nor the amenity of neighbouring properties.
Vehicle access	The vehicle access is from William Street within a 50km speed zone. Provision is shown on the site plan for a truncated 6.3m wide sealed crossover. This accords to the min. access standards for vehicles entering and exiting the property in a safe manner using forward gear. Additionally, it is noted that a culvert with head walls will need to be installed as part of the crossover access.
Car parking and service areas	The site plan indicates all car parking and manoeuvring / service areas will be constructed to a bitumen asphalt standard with line marking of each bay to accord to the prescribed dimensions as per Table 7 – Parking Dimensions of

	<p>LPS No.4.</p> <p>As a minimum there is a requirement for 18 car parking bays to be provided on site, with 12 illustrated on the site plan. This shortfall in parking of 6 bays can be provided within the from landscaping area as indicated below:</p>  <p>Figure 7 – Additional Car Parking</p>
Landscaping	<p>Acknowledging the is no specific min. percentage of area for landscaping, the provision if a 700mm strip along the front of the property, together with considerable landscaping to the sides and rear indicate a total area of approximately 290 m² of landscaping. This is in the order of 28% of the property area, which is considered generous.</p>
Waste / Bin Storage area	<p>The site plan illustrates rubbish bin storage behind a screen fence and gate on the southern side the building. This is deemed adequate to and satisfies clause 41 (8) and (9) of the LPS 4 development standards.</p>
Bushfire assessment	<p>As reflected in Figure 6 of this report Lot 208 falls with the identified Bushfire Prone Area and therefore will require a Bushfire Attach Level (BAL) assessment to determined BAL rating and required mitigation measures prior to the issue of a building permit for the Medical Centre.</p>
Signage	<p>Although not specifically addressed in the application a sign affixed to a building are exempt from planning approval. However, a free-standing sign as illustrated on the site plan is subject to a separate application and planning approval being granted.</p>

OFFICER RECOMMENDATION

That Council grant planning approval for the Medical Centre Development on Lot 208 Williams Street Brookton pursuant to Schedule 2 Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015, subject to the following:

Conditions

1. The APPROVED development shall be carried out in accordance with the terms of the application as approved herein, and the respective plans inclusive of site plan (as modified in Figure 7 of this report), floor plan and elevations that form part of this approval.

2. Any proposed change to wall cladding for the approved Medical Centre building (colourbond custom orb in nominated surf mist and monument) shall be subject to further assessment and approval from the Local Government.
3. Vehicle access to the property from Williams Street shall be via a concrete or bitumen paved crossover (min. 6.3 metre wide) constructed to the satisfaction of the Local Government.
4. The car park shall consist of 18 customer and staff car parking bays (includes 1 ACROD bay) sufficiently line marked and signed posted to the satisfaction of the Local Government.
5. All car parking, manoeuvring and service areas shall be constructed to a concrete or bitumen paved and drained standard to the satisfaction of the Local Government.
6. The proponent within 6 months from commencement of the use shall established the landscaping as shown on the revised approved site plan to the satisfaction of the Local Government.
7. The proponent shall lodge with an application for a building permit a certified Bushfire Attach Level (BAL) assessment report that details the BAL rating and applicable mitigation measures.

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:

- a. 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.
- b. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
- c. 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.
- d. 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.

COUNCIL RESOLUTION

MOVED Cr Hartl SECONDED Cr Walker

That Council grant planning approval for the Medical Centre Development on Lot 208 Williams Street Brookton pursuant to Schedule 2 Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015, subject to the following:

Conditions

- 1. The APPROVED development shall be carried out in accordance with the terms of the application as approved herein, and the respective plans inclusive of site plan (as modified in Figure 7 of this report), floor plan and elevations that form part of this approval.***
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further application for planning approval to be submitted and determined by the Local Government.

- d. 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

Attachment

Attachment 12.09.21.01A – Complete planning application

DRAWING NAME	NO.	REV	ISSUED
COVER			
LOCATION SCHEME	A00-01	B	0
SITE PLANS AND DETAILS			
SITE PLAN	A01-01	B	0
LANDSCAPE PLAN	A01-02	B	0
PLANS			
GROUND FLOOR PLAN	A02-01	B	0
ROOF LEVEL PLAN	A02-02	B	0
ELEVATIONS			
ELEVATION 01 & 02	A03-01	B	0
ELEVATION 03 & 04	A03-02	B	0
INTERIOR ELEVATIONS			
INTERIOR ELEVATIONS	A04-01	B	0
INTERIOR ELEVATIONS	A04-02	B	0
RCP & LIGHTING			
RCP & LIGHTING - GROUND FLOOR PLAN	A05-01	B	0
SECTIONS			
SECTIONS	A06-01	B	0
ELECTRICAL			
ELECTRICAL PLAN - GROUND FLOOR	A08-01	B	0
HYDRAULIC			
HYDRAULIC PLAN - GROUND FLOOR	A09-01	B	0
WALL LAYOUT			
WALL SETOUT DIAGRAM	A10-01	B	0
WINDOW & DOOR SCHEDULES			
WINDOW SPECIFICATION	A11-01	B	0
DOOR SPECIFICATION	A11-02	B	0
DOOR SPECIFICATION	A11-03	B	0



LOCAL GOVERNMENT: SHIRE OF BROOKTON



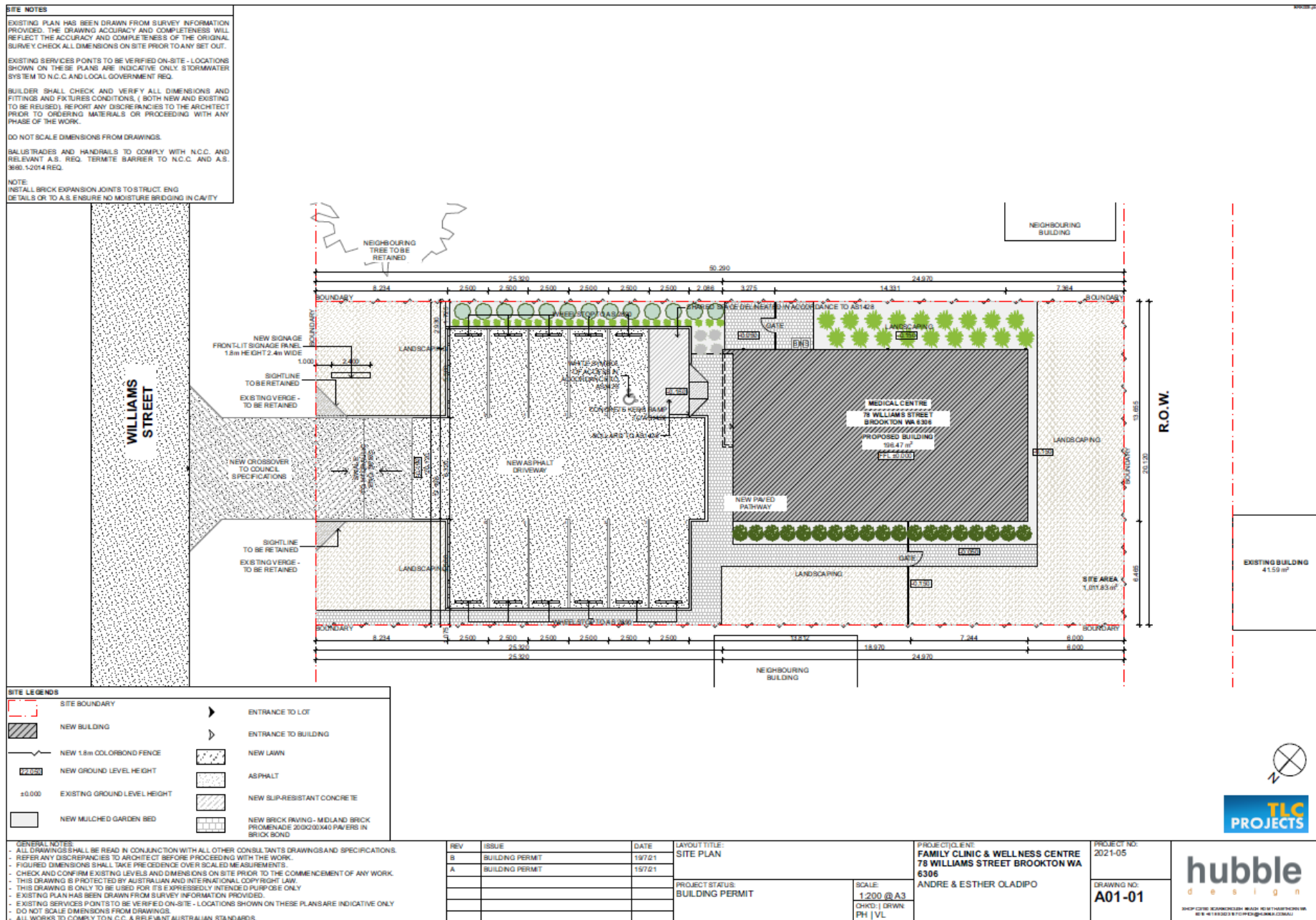
SITE LOCATION

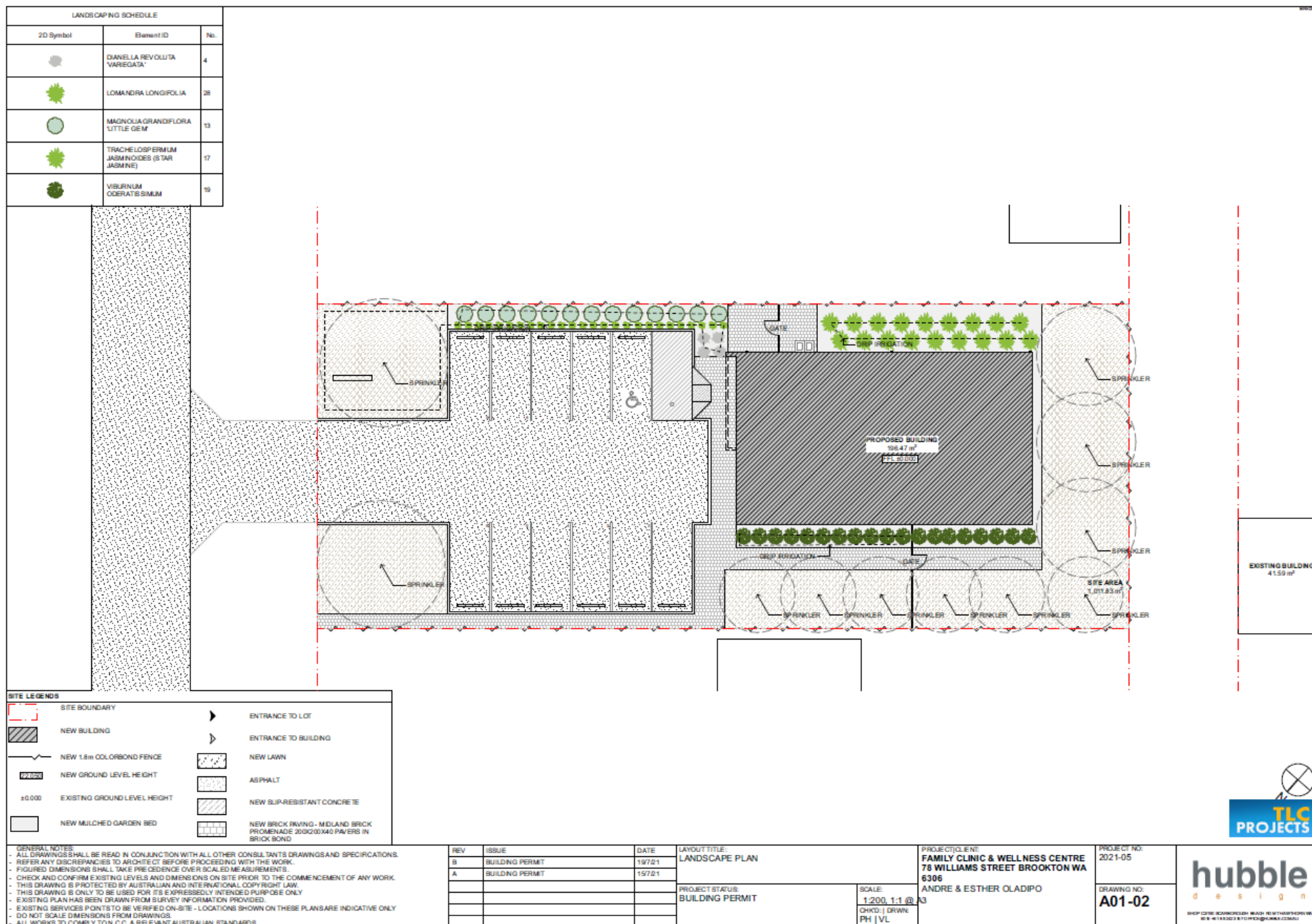
GENERAL NOTES

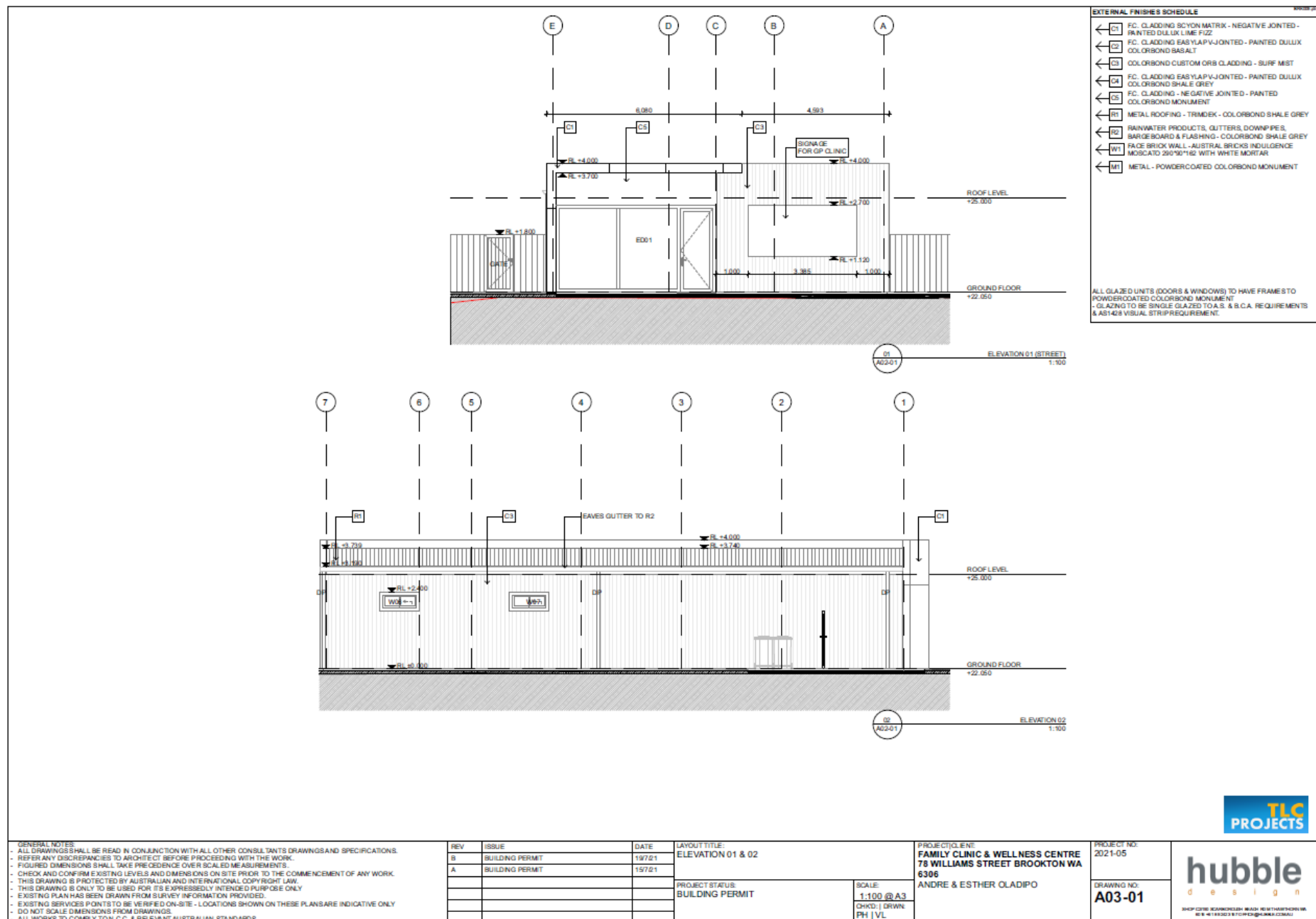
- ALL DRAWINGS SHALL BE READ IN CONJUNCTION WITH ALL OTHER CONSULTANTS DRAWINGS AND SPECIFICATIONS.
- REFER ANY DISCREPANCIES TO ARCHITECT BEFORE PROCEEDING WITH THE WORK.
- FIGURED DIMENSIONS SHALL TAKE PRECEDENCE OVER SCALED MEASUREMENTS.
- CHECK AND CONFIRM EXISTING LEVELS AND DIMENSIONS ON SITE PRIOR TO THE COMMENCEMENT OF ANY WORK.
- THIS DRAWING IS PROTECTED BY AUSTRALIAN AND INTERNATIONAL COPYRIGHT LAW.
- THIS DRAWING IS ONLY TO BE USED FOR ITS EXPRESSED INTENDED PURPOSE ONLY.
- EXISTING PLAN HAS BEEN DRAWN FROM SURVEY INFORMATION PROVIDED.
- EXISTING SERVICES POINTS TO BE VERIFIED ON-SITE - LOCATIONS SHOWN ON THESE PLANS ARE INDICATIVE ONLY.
- DO NOT SCALE DIMENSIONS FROM DRAWINGS.
- ALL WORKS TO COMPLY TO N.C.C. & RELEVANT AUSTRALIAN STANDARDS.

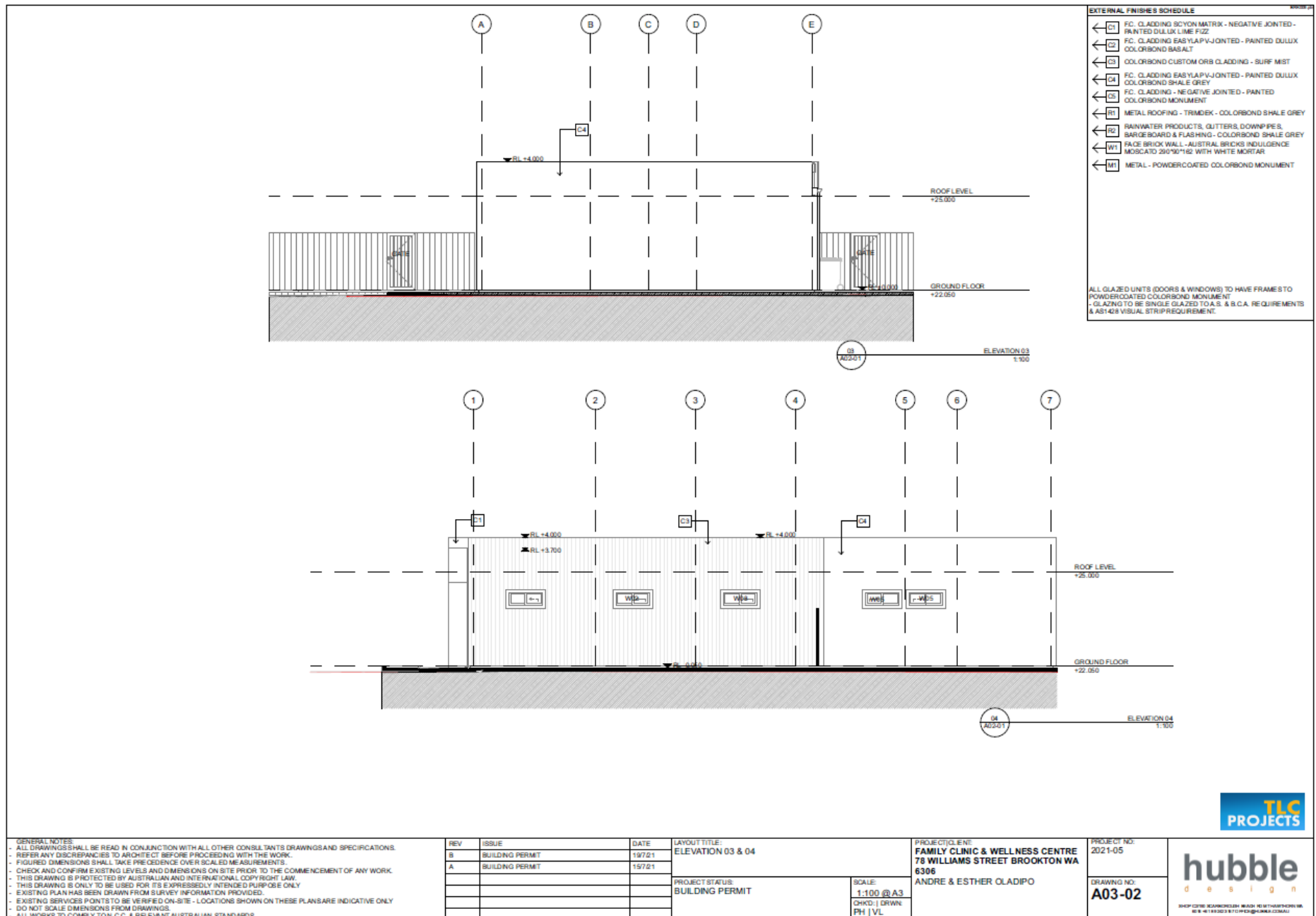
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A	BUILDING PERMIT	19721

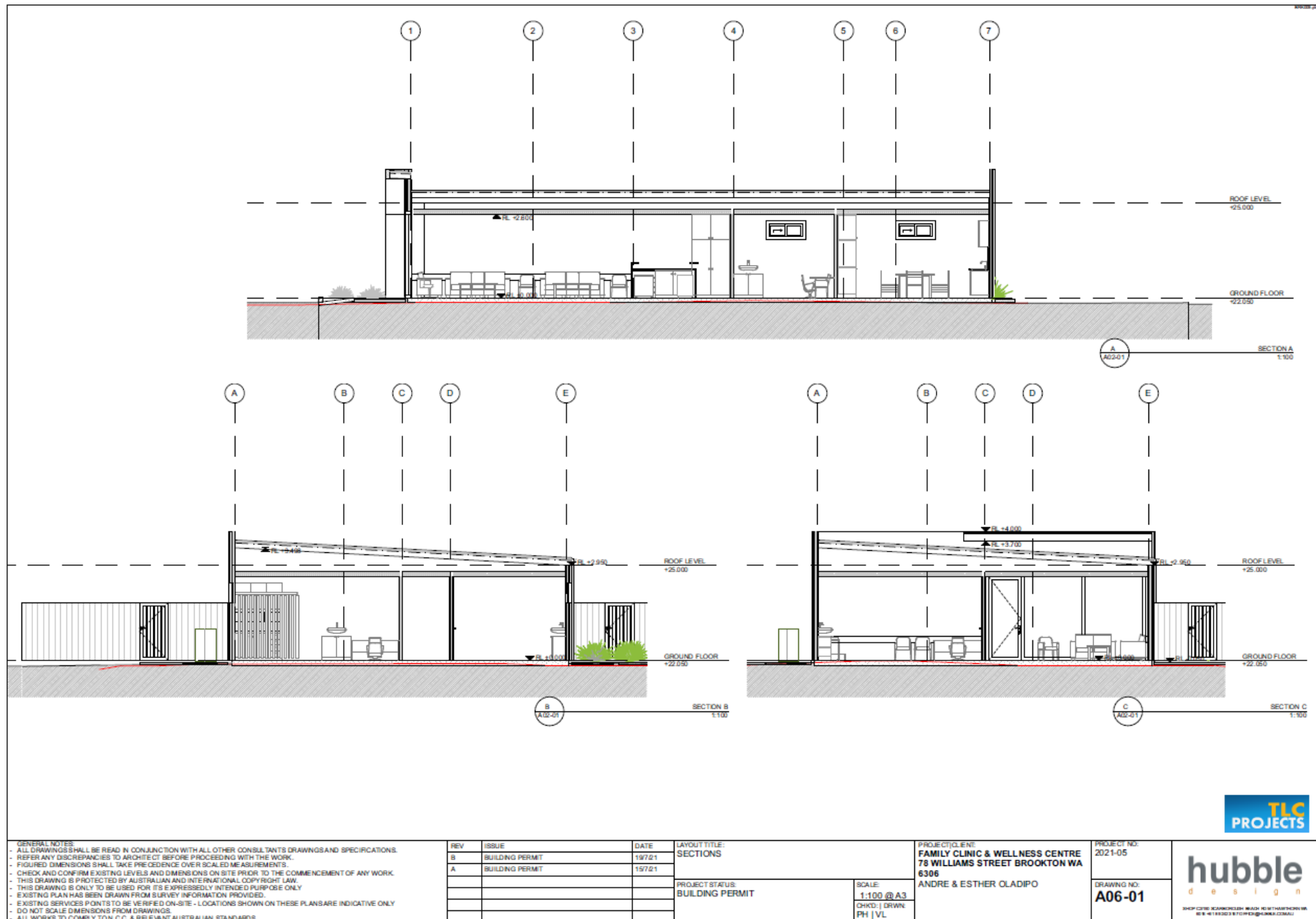
LAYOUT TITLE
LOCATION SCHEMEPROJECT STATUS
BUILDING PERMITSCALE:
N.T.S. @ A3
CHKD: J | ORWN:
PH | VLPROJECT CLIENT
FAMILY CLINIC & WELLNESS CENTRE
78 WILLIAMS STREET BROOKTON WA
6306
ANDRE & ESTHER OLADIPOPROJECT NO.
2021-05DRAWING NO.
A00-01











12.09.21.02 PROPOSED SCHEME AMENDMENT NO. 1 – LOCAL PLANNING SCHEME NO. 4

File No:	A2861 & A2799
Date of Meeting:	16 September 2021
Location/Address:	Lots 51 and 181 Boyagarra Road Brookton
Name of Applicant:	Edge Planning and Property
Name of Owner:	Langley Management Pty Ltd
Author/s:	Ian D'Arcy – Chief Executive Officer
Authorising Officer:	As above
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

Council consideration is sought regarding the initiation of a proposed 'standard' amendment to Local Planning Scheme No.4 (LPS 4) by:

1. Rezoning Lots 51 and 181 Boyagarra Road, Brookton from the 'Rural' zone to the 'Rural Smallholding' zone.
2. Amending the Scheme Map (including legend) accordingly.

Upon assessment, the proposed amendment generally aligns with the objectives of existing State and local strategic planning framework. Specifically, the proposal does appear to accord with the Shire of Brookton Local Planning Strategy that identifies the subject land as suitable for Rural Smallholding subdivision of between 4 – 40 hectares in lot size, subject to a satisfactory land capability assessment. The amendment also affords opportunity for country 'lifestyle' living without adverse impact on surrounding land uses.

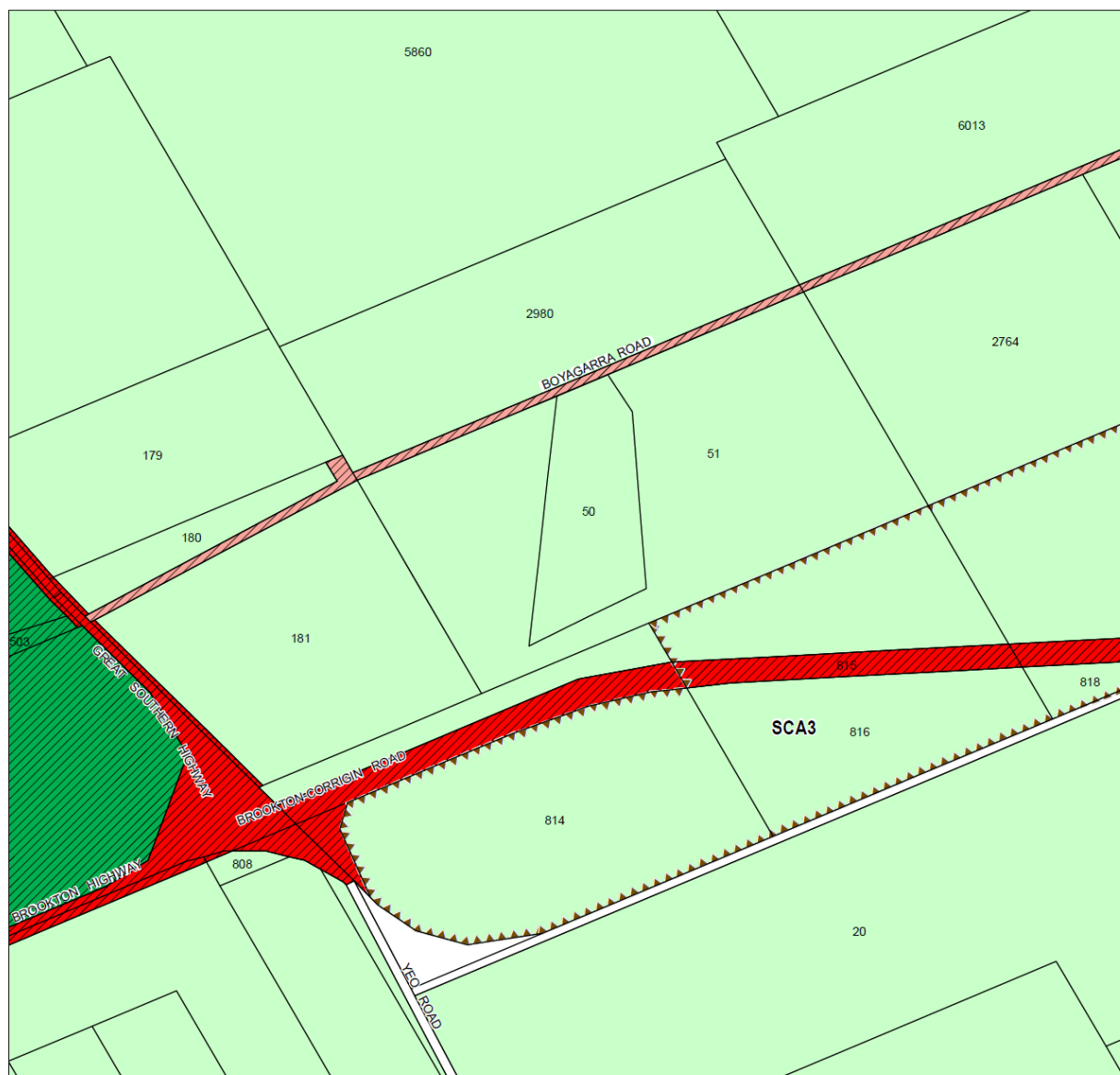
However, it is noted there is no designated Landscape Protection Zone over the existing creek that traverses the subject lots, and no specific development standards applicable to the 'Rural Smallholdings' zone to afford a basic level of development control. Accordingly, the officer recommendation is for Council to support initiation of the scheme amendment, subject to some enhancement of the documentation.

Proposal:

As reflected in the summary section of this report, this proposal involves a change in zoning to allow future subdivision of Lots 51 and 181 Boyagarra Road into 8 'lifestyle' lots from 5.9 to 20.6 hectares in area. For reference following **Figures 1 – 4** have been extracted from the Scheme Amendment documentation as submitted by the applicant and presented as **Attachment 12.09.21.02B** to this report under separate cover. **Attachment 12.09.21.02A** is a letter of request from the applicant seeking initiation of the scheme amendment.



Figure 1 – Location Plan



EXISTING SCHEME MAP

Legend

- | | | |
|--|---|---|
| | Cadastre with Lot number | LPS Other Categories |
| | LPS Zones
Rural |
Special Control Area - Basic Raw Material |
| | LPS Reserves
Local Distributor Road | |
| | Local Road | |
| | Primary Distributor Road | |
| | Public Open Space | |



Department of Planning,
Lands and Heritage

Produced by Geospatial Research and Modelling,
Department of Planning, Lands and Heritage, Perth WA
Base Information supplied by Western Australian
Land Information Authority SLIP 1096-2018-1

Shire of Brookton

Local Planning Scheme No. 4

Amendment No. 1

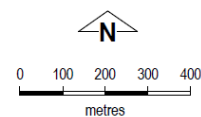


Figure 2 – Existing Zoning Map – LPS 4

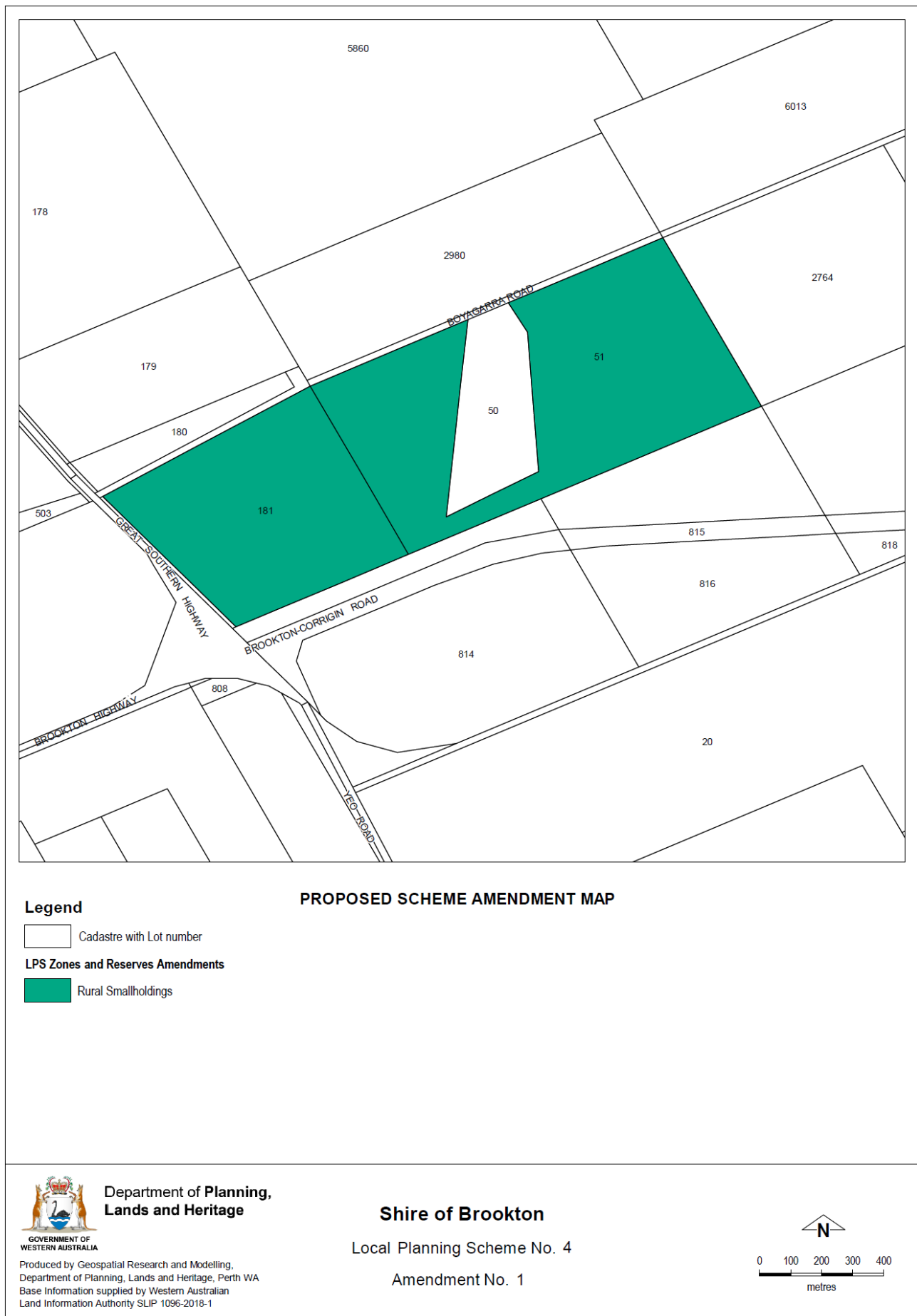


Figure 3 – Proposed Scheme Amendment Map

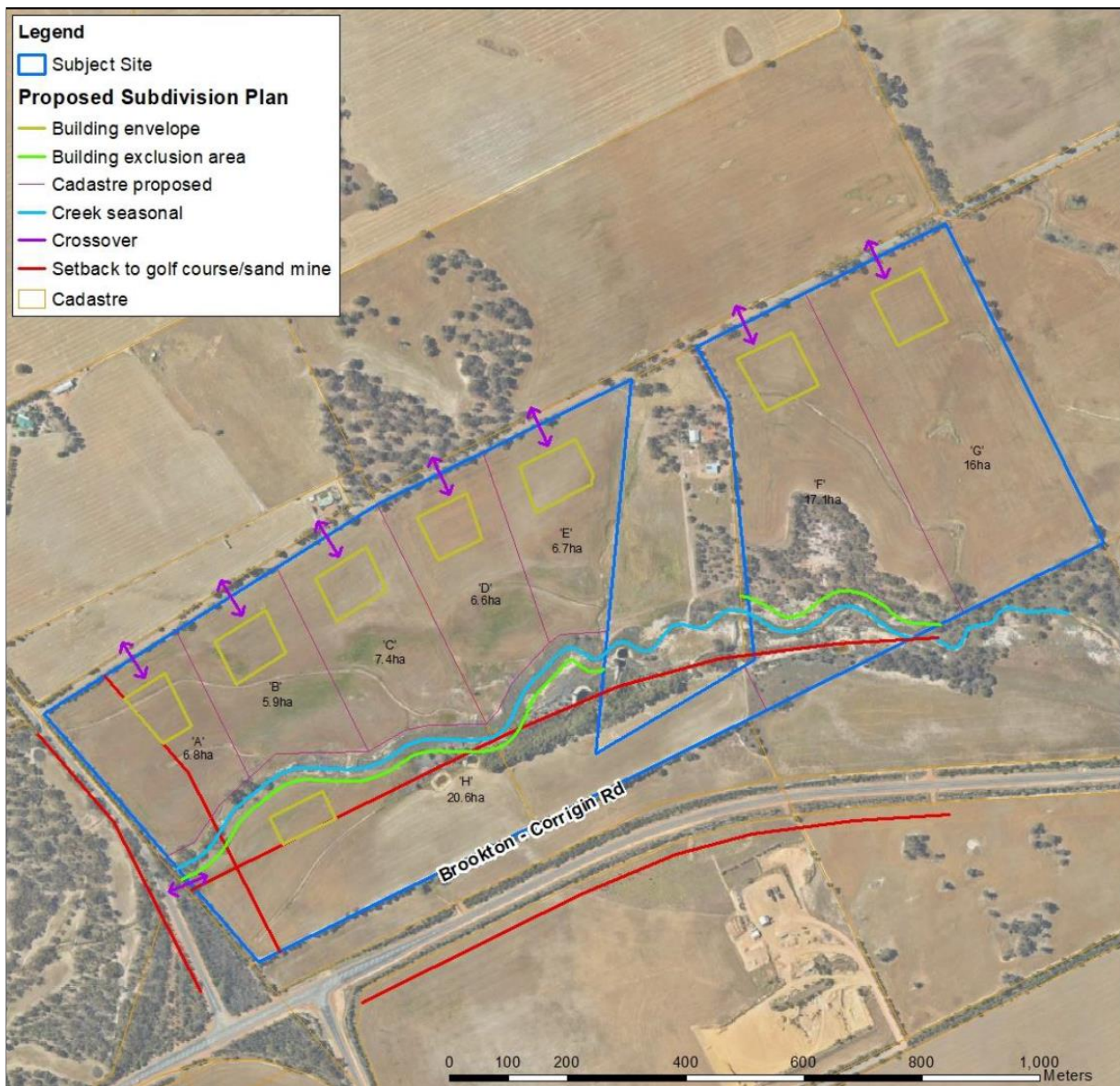


Figure 4 – Subdivision Concept Plan.

Background:

Subject Site

In summary Lot 51 is 53.06 hectares and Lot 181 is 34.18 hectares in area that combined amounts to 87.24 hectares that has traditionally be used for broad-acre farming purposes.

As shown in **Figures 1 and 4**, the subject land:

- Is approximately 3 kilometres east of the Brookton townsite, abuts Great Southern Highway and Boyagarra Road (both bitumen sealed).
- Provides some undulation but mostly drains to the centre of the land with defined water course that traverses both existing lots in an east - west direction.
- Consists of cleared pasture with some remnant vegetation aligned along the water course.
- Abuts arable farmland to the north and east.

Surrounding Land Use

The subject land:

- Surrounds Lot 50 Boyagarra Road on three sides adjoining the western, southern, and eastern boundaries of this property. An existing residence and outbuildings is positioned within the

northern portion of this lot that is presently zoned 'Rural' under LPS 4.

- Is opposite the Brookton Golf Course that is presently zoned 'Public Open Space' and separated by Great Southern Highway, designated as a 'Primary Distributor Road' aligned in a north-south direction. This Crown Reserve is predominantly vegetated with the Brookton Country Clubhouse located some 900 metres from Lot 181.
- Is also opposite Lot 814 to the south that is zoned 'Rural' and accommodates a relatively small extractive industry and small grain storage facility. This land is separated by Brookton Corrigin Road as a primary Distributor Road aligned in an east-west direction with the active industrial activities being approximately 600 – 650 metres for the existing dwelling on Lot 50 and similar distance to the closest building envelope as shown on the Subdivision Concept Plan – **Figure 4** above.
- Abuts 'Rural' zoned land to the east and north that is actively farmed, inclusive of cropping and grazing. A dwelling is located on the opposite/northern side of Boyagarra Road

Servicing Constraints

As mentioned, the subject land has existing bitumen sealed road access from Great Southern Highway and Boyagarra Road and is connected to a reticulated mains power supply and telecommunications. There is no reticulated scheme water or sewerage disposal available.

Relevant Strategic Planning Framework

The relevant planning framework pertinent to this proposal includes:

State

- State Planning Policy (SPP) 2.5 – Rural Planning
- State Planning Policy (SPP) 2.9 - Water
- State Planning Policy (SPP) 3.7 - Planning in Bushfire Prone Areas
- State Planning Policy (SPP) 3 - Urban Growth and Settlement
- State Planning Policy (SPP) 5.4 - Road and Rail Noise
- Government Sewerage Policy
- EPA Guidance Statements including Guidance Statement 33 – Environmental Guidance for Planning and Development and Guidance Statement 3 – Separation Distances between Industrial and Sensitive Land Uses.

Local

- Shire of Brookton and Beverley Local Planning Strategy (LPS) – March 2014

Specifically, the LPS states:

4.7 Rural Smallholdings

Aim

The aims are to:

- *provide for rural lifestyle and intensive agricultural opportunities in strategic locations consistent and compatible with adjacent land use activity, environmental and landscape attributes of the land;*
- *encourage the opportunity for a range of rural and semi-rural pursuits where part-time or full time income may be generated;*
- *encourage rural smallholdings with a variety of lot sizes consistent with the physical, environmental and landscape characteristics of the land which are capable and suitable of sustaining appropriate development;*
- *facilitate the conservation of native vegetation and other environmental assets;*

- *provide sufficient land to enable a variety of lot sizes and development to be achieved in a manner that reflects the character, setting and land capability of the area within which it is located; and*
- *in appropriate circumstances, make use of innovative design and clustering of houses and other structures to minimise the impacts on adjacent land (including agriculture) and provide for on-going use of land for rural pursuits, whilst protecting landscape and environmental values and utilising services efficiently.*

Strategy

The Council's strategy is to:

- *require that any new subdivision/development suitably addresses WAPC SPP 2.5;*
- *support a request for a scheme amendment where the land is identified as "Rural Smallholding" on the Strategy Plan subject to the proponent appropriately addressing relevant zoning, structure planning, environmental, servicing, fire management, landscape and other planning considerations as relevant to the site's context, characteristics and the proposal. In particular, the Council will require the proponent to provide the following prior to possible adoption of the scheme amendment:*
 - *scheme amendment report;*
 - *a Structure Plan;*
 - *a fire management plan;*
 - *land capability assessment; and*
 - *Local Water Management Plan (as a minimum addressing key principles and "fatal flaws");*
- *prevent the creation of new rural smallholding lots beyond those identified in the Strategy;*
- *prevent increasing servicing demands on the local government or State Government agencies through rural smallholding lots being located in relatively isolated areas or serviced by unsealed roads;*
- *discourage ribbon development so as to maintain the rural ambience of transport corridors generally;*
- *establish minimum development standards to ensure development is consistent with, and does not detract from, the rural character or landscape qualities as well as providing an appropriate standard of amenity;*
- *require proponents to appropriately justify land suitability and land capability of their proposal and demonstrate how it coordinates with existing and planned/anticipated development;*
- *require that buffers to agricultural land for dwellings and other development are accommodated within Rural Smallholding land and not within General Agricultural land;*
- *encourage subdivision of land for rural smallholding purposes within areas designated as Rural Smallholding on the Strategy Plan and where the land has been zoned appropriately, and to comply with the following criteria and design guidelines:*
 - *depending on land suitability and capability, lot sizes are between 4 and 40 hectares. Proposals are to appropriately address land capability and enhance the environmental qualities of the land and/or water, such as revegetation of cleared land or eroded areas;*
 - *flood immunity outside of the 100 year floodway;*
 - *the proposed lot sizes are capable for the intended use;*
 - *land stability;*
 - *all required services and infrastructure is available to the site or can be reasonably provided;*
 - *all lots are serviced by an appropriately sealed and drained public road;*
 - *all lots have a sustainable water supply for domestic, fire fighting and land management purposes consistent with WAPC Policy DC3.4;*
 - *a comprehensive drainage system;*
 - *suitable on-site effluent disposal;*
 - *connected to the reticulated electricity network or an approved alternative;*
 - *other infrastructure as required by the site conditions;*

- the proponent shall provide information on fire protection and subdivision design and bush fire prevention plans shall address the performance criteria contained in Planning for Bush Fire Protection (edition 2) (WAPC, FESA 2010) or any updates;
- require subdivider contributions, based on cost sharing principles that do not burden the community, for the subdivision of Rural Smallholding lots accessed from existing unsealed roads to an appropriately sealed standard; and
- consider whether or not to contribute towards road upgrading to facilitate rural smallholding subdivision.

Actions

The Council will:

- introduce a Rural Smallholdings Zone in the new Local Planning Scheme. For land that is identified as Rural Smallholding on the Strategy Plan, but not currently used for rural smallholding purposes and/or where there are outstanding environmental, servicing or planning issues, zone this land as “General Agriculture” A scheme amendment, generally associated with a Structure Plan, will be required prior to subdivision;
- for land that is identified as Rural Smallholding on the Strategy Plan, that is used for rural smallholding purposes and where there are no outstanding environmental, servicing or planning issues, zone this land as “Rural Smallholding” in the new Local Planning Scheme;
- establish minimum development standards in the new Local Planning Scheme to ensure subdivision/development is consistent the rural character landscape qualities and amenity; and
- provide increased consistency of development standards for each separate Rural Smallholding zone, unless there is a unique characteristic relating to that zone.

Section 5.3 of SPP 2.5 also states in relation to the rezoning and subdivision of ‘Rural Smallholding’ lots:

The following policy measures apply in regard to decision making for rural living proposals:

- (a) rural living proposals shall not be supported where they conflict with the objectives of this policy or do not meet the criteria listed at 5.3 (b) and (c);
- (b) the rural living precinct must be part of a settlement hierarchy established in an endorsed planning strategy;
- (c) the planning requirements for rural living precincts are that –
 - (i) the land be adjacent to, adjoining or close to existing urban areas with access to services, facilities and amenities;
 - (ii) the proposal will not conflict with the primary production of nearby land, or reduce its potential;
 - (iii) areas required for priority agricultural land are avoided;
 - (iv) the extent of proposed settlement is guided by existing land supply and take-up, dwelling commencements and population projections;
 - (v) areas required for urban uses are avoided;
 - (vi) water supply shall be as follows –
 - where lots with an individual area of four hectares or less are proposed and a reticulated water supply of sufficient capacity is available in the locality, the precinct will be required to be serviced with reticulated potable water by a licensed service provider. Should an alternative to a licensed supply be proposed it must be demonstrated that a licensed supply is not available; or
 - where a reticulated supply is demonstrated to not be available, or the individual lots are greater than four hectares, the WAPC may consider a fit-for-purpose domestic potable water supply, which includes water for fire fighting. The supply must be demonstrated, sustainable and consistent with the standards for water and health; or
 - the development cannot proceed if an acceptable supply of potable water cannot be demonstrated;

- (vii) *electricity supply shall be as follows –*
 - *where a network is available the precinct is to be serviced with electricity by a licensed service provider, or*
 - *where a network is not available, the precinct is to be serviced by electricity from renewable energy source/s, by a licensed service provider, and this has been demonstrated;*
- (viii) *the precinct has reasonable access to community facilities, particularly education, health and recreation;*
- (ix) *the land is predominantly cleared of remnant vegetation, or the loss of remnant vegetation through clearing for building envelopes, bushfire protection and fencing is minimal and environmental values are not compromised;*
- (x) *the proposal demonstrates and will achieve improved environmental and landscape outcomes and a reduction in nutrient export in the context of the soil and total water management cycle, which may include rehabilitation as appropriate;*
- (xi) *the land is capable of supporting the development of dwellings and associated infrastructure (including wastewater disposal and keeping of stock) and is not located in a floodway or an area prone to seasonal inundation;*
- (xii) *the land is not subject to a separation distance or buffer from an adjoining land use, or if it is, that no sensitive land uses be permitted in the area of impact;*
- (xiii) *the lots can be serviced by constructed road/s capable of providing access during all weather conditions, including access and egress for emergency purposes; and*
- (xiv) *bushfire risk and natural hazards can be minimised and managed in accordance with State policy, without adversely affecting the natural environment. Proposals in areas of extreme bushfire risk will not be supported;*
- (d) *development standards for rural living zones are to be included in local planning schemes;*
- (e) *further subdivision of existing rural living lots into smaller parcels is not supported, unless provided for in a local planning strategy and/or scheme; and*
- (f) *rural strata proposals with a residential component are considered to be rural living and will be considered in accordance with the criteria listed at clauses 5.3 (a), (b) and (c) of this policy.*

Where there may be a conflict between endorsed planning strategies, the higher order and/or more recent document shall prevail.

Consultation:

A level of consultation has occurred at an officer level in progressing this scheme amendment to be initiated.

Furthermore, the applicant has advised by email that initial consultation has also been entertained with the owners of Lot 50 seeking their willingness to participate in the proposed rezoning process at no cost, however this was declined due to there being no desired to subdivide Lot 50 and expressed concern that the rates levied by the Shire would likely increase with a change in zoning from 'Rural' to 'Rural Smallholdings'.

Further, in the event the proposed scheme amendment is initiated by Council, the amendment documentation will be submitted by the applicant and forwarded to the Department of Water and Environmental Regulation (DWER) for assessment, in accordance with the requirements of Part 5 of the Planning and Development (Local Planning Schemes) Regulations 2015 for assessment and comment.

Upon receiving Notice of Assessment from the DWER the proposed amendment will be advertised for public comment for a minimum period of 42 days by way of:

- Notification being published in Brookton Telegraph newsletter;
- Adjoining landowners being notified in writing of the amendment details;

- Relevant public authorities being notified in writing of the amendment details;
- Information being placed on the Shire of Brookton website; and
- Hard copies of the Scheme Amendment documentation being made available for inspection at the Shire administration Office.

Statutory Environment:

Part 4 of the Planning and Development (Local Planning Schemes) Regulations 2015 prescribes the process for the preparation of scheme amendments. In accordance with the Regulations a landowner (or consultant on behalf of a landowner) may submit a scheme amendment to be assessed and initiated by the local government, who may:

- initiate the scheme amendment; or
- not initiate the scheme amendment.

Once the scheme amendment is initiated, the Minister for Planning is the final decision maker on all scheme amendments. The Council can provide a recommendation to the Minister to:

- support the amendment without modification;
- support the amendment with proposed modifications to address issues raised in the submissions (both public and agency); or
- not support the amendment.

The Minister will then determine whether the proposed amendment is approved or not.

Relevant Plans and Policy:

Refer to Background Section of this report.

Financial Implications:

The current fee for a 'standard' scheme amendment is \$3,200 (incl GST) which has been paid.

Risk Assessment:

There is negligible risk to the Shire as to whether the land is successfully zoned and subdivided or not. Therefore, the risk is determined 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 2021, duly appended to the Next Generation BROOKTON Corporate Business Plan <2024.

Specifically, the proposed scheme amendment broadly aligns to:

2. *Land Use Planning*
 - 2.1 *Review Local Planning Scheme (LPS) No.4*

Comment

On assessment the scheme amendment document (**Attachment 12.09.21.02B** to this report) for the most part addresses the abovementioned strategy / policy documents and associated requirements as outlined in the Background Section of this report. This is specifically addressed in Part 3, commencing Page 7 of the document and in respective Attachments 1 – 10.

However, there are number of matters in the officer's view requires attention as outlined below:

1. Local Structure Plan – This Plan lacks definition of a Landscape Protection Zone over the existing water course and associated remanent vegetation areas. Although section 8 (including Figure 20) of *Attachment 5 – Environmental Assessment Report and Site Soil Evaluation* broadly promotes a 15.0 metre wide revegetation buffer for the existing creek line to enhance protection of this corridor, and *Attachment 7 – Bushfire Management Plan and BAL Contour Plan* similarly highlights the significance of this area as a bushfire prone area with a heightened risk and level of management recommended, there is no clear representation of protection and management illustrated on the Local Structure Plan nor in accompanying provisions. To this end, a copy of the Local Structure Plan from the scheme amendment document is presented below. This graphic can also be viewed under Attachment 9 of the scheme amendment document.

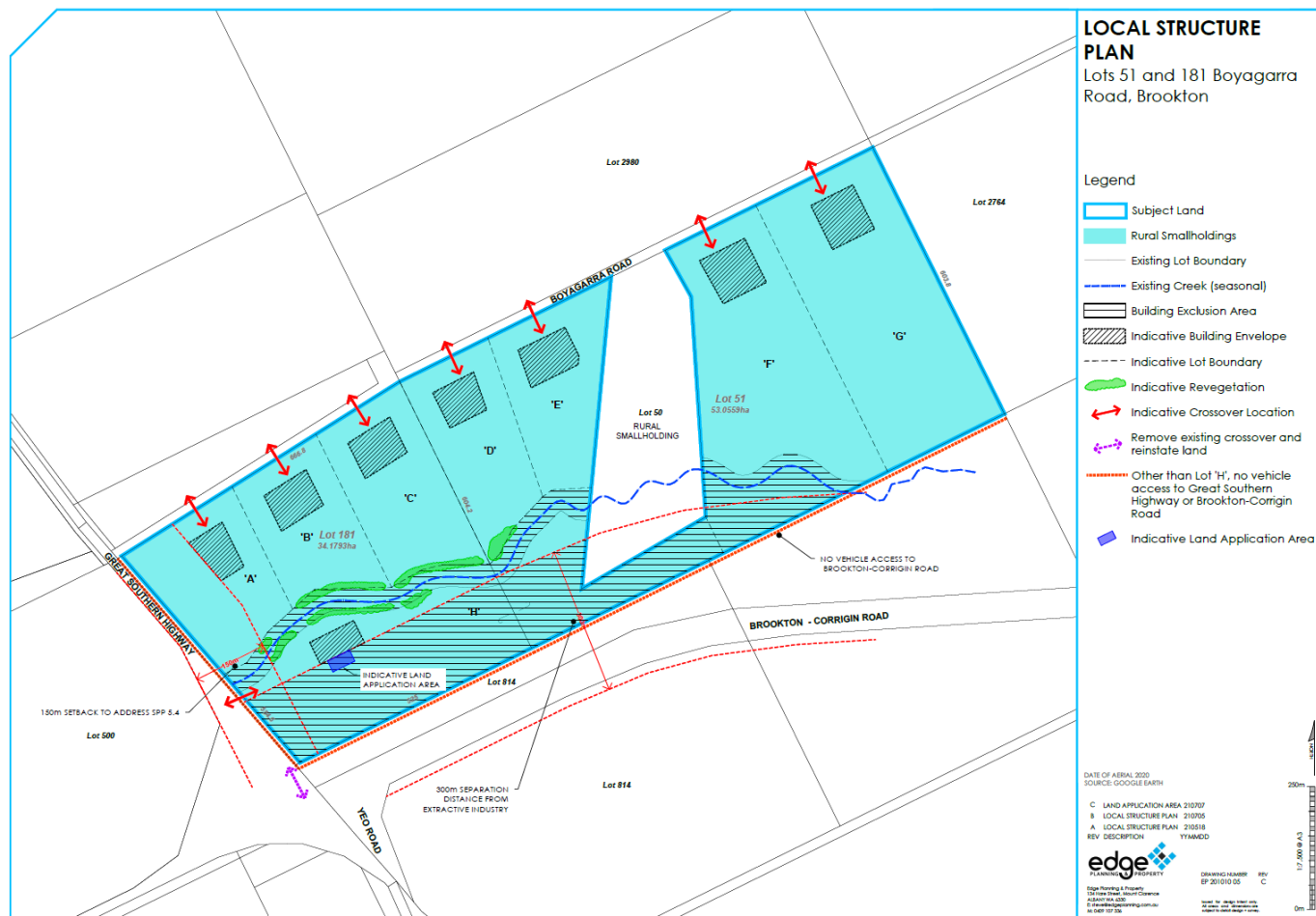


Figure 5 - Local Structure Plan

From a landscape, bushfire management, and environmental perspective there is a need to define this area on the Local Structure Plan and incorporate provisions in the amendment text (see point 3. below) that places a clear emphasis on the enhancement, ongoing protection, and appropriate management on this area by the future landowners.

2. **Bushfire Management Plan** – In consideration of point 1 above it is suggested that Section 6.1 Future Lot Owner's Responsibility – Table 5 of the *Attachment 7 – Bushfire Management Plan and BAL Contour Plan* be amended to:
 - a) Reflect an ongoing responsibility applied to the future landowners to manage fuel loads within the designated Landscape Protection Zone of each applicable allotment in accordance with the Shire of Brookton Bushfire Risk Management Plan 2021 - 2026 (as amended) and annual Bushfire Notice issued under section 33 of the *Bushfire Act, 1954*.
 - b) Qualify that any fencing of the Landscape Protection Zone erected by the landowner must incorporate an unlocked swing farm gates for ease of access, particularly in the event of a bushfire.
 - c) Amend the provision of a dedicated water tank for firefighting by each future landowner to read a minimum capacity of 15,000 litres as opposed to 10,000 litres as detailed in the Management Plan to ensure the minimum holding capacity aligns with Section 44. of LPS 4.
3. **Development Standards for Rural Smallholdings** – As already mentioned, it is promoted that additional development standards be introduced to *Schedule 1 – Additional Site and Development Requirements* of LPS 4. These standards will specifically apply to the development of 'Rural Smallholdings' lots where it is suggested the following provisions be inserted:

54. On a lot zoned Rural Smallholding:

- (1) *All dwellings and incidental development must:*

 - (a) accord with the prescribed minimum boundary setbacks as prescribed in Table 5 of the Shire Local Planning Scheme No.4; or*
 - (b) be located within an approved building envelope (as may be shown on an approved Structure Plan or approved building envelope plan); or*
 - (c) be located in such other manner that may be identified on a Structure Plan.*
- (2) *The clearing of vegetation is prohibited, unless required:*

 - (a) for construction of dwelling and associated outbuildings; or*
 - (b) under the direction of a bushfire attack level assessment and for other fire mitigation purposes; or*
 - (c) to allow for vehicular access to such buildings.*
- (3) *Fencing:*

 - (a) must be of a standard 'farm style' post and wire construction.*
 - (b) is prohibited from being erected inside a defined 'Landscape Protection Zone Area' unless approved by the local government.*
 - (c) is permitted along the perimeter of a defined 'Landscape Protection Zone Area' but must incorporate at least one unlocked swing farm style gate for access purposes.*
- (4) *Dams are not permitted unless they are shown on an approved Structure Plan, or in circumstances where the proposed dam:*

 - (a) will not adversely affect environmental flows within the catchment or downstream of the dam;*
 - (b) will only capture sufficient water to be used for domestic requirements, and/or, for the irrigation of a domestic garden, or for the purposes of a water supply to an approved land-use on the site;*
 - (c) is an off stream dam; and*
 - (d) will not significantly or unreasonably diminish the flow of water for use by downstream users including the environment.*
- (5) *The landowner is responsible for managing and maintaining a 'Landscape Protection Zone Area' as shown on an approved Structure Plan, inclusive of:*

 - (a) Bushfire management through the performance of fire prevention and mitigation works in consultation with the Local Government.*
 - (b) Environmental repair (ie weed eradication, erosion works and revegetation planting) to affected areas.*

It is viewed that the above provisions provide a base level of development control to all land within the Shire of Brookton zoned 'Rural Smallholdings' where most landowners are expected to be hobby farmers.

OFFICER RECOMMENDATION

That Council:

1. Requests the applicant modify the scheme amendment document (including the Local Structure Plan – Attachment 9) for the Rezoning Lots 51 and 181 Boyagarra Road, Brookton by:
 - a) Including a designated Landscape Protection Zone Local on the Local Structure Plan that covers the existing water course and associated remanent vegetation areas.
 - b) Amending Attachment 7 – Bushfire Management Plan and BAL Contour Plan of the scheme amendment document to reflect:
 - i. An ongoing responsibility applied to the future landowners to manage fuel loads within the designated Landscape Protection Zone.
 - ii. Fencing of the Landscape Protection Zone must incorporate an unlocked swing farm gate(s) for ease of access.
 - iii. The provision of a dedicated water tank for firefighting by each future landowner to a minimum capacity of 15,000 litres.
 - c) Inserting into Schedule 1 – Additional Site and Development Requirements of the Scheme Text clause 54. Development in the Rural Smallholdings zone as detailed in 3b). below.
 2. Endorses the Local Structure Plan (Attachment 9 of the scheme amendment document) for Lots 51 and 181 Boyagarra Road Brookton, subject to modification as per 1.a) above.
 3. Initiates subject to the modification of the scheme amendment document (as per 1. above to the satisfaction of the Shire CEO) and pursuant to Section 75 of the Planning and Development Act, 1995 and Regulation 35(1) of the Planning and Development (Local Planning Schemes) Regulations, 2015 an amendment to the Shire of Brookton Local Planning Scheme No.4 by:
 - a) Rezoning Lots 51 and 181 Boyagarra Road, Brookton from the 'Rural' zone to the 'Rural Smallholding' zone.
 - b) Inserting into Schedule 1 – Additional Site and Development Requirements of the Scheme Text:
 54. Development in the Rural Smallholdings zone
- (1) All dwellings and incidental development must:
 - (a) accord with the prescribed minimum boundary setbacks as prescribed in Table 5 of the Shire Local Planning Scheme No.4; or
 - (b) be located within an approved building envelope (as may be shown on an approved Structure Plan or approved building envelope plan); or
 - (c) be located in such other manner that may be identified on a Structure Plan.
 - (2) The clearing of vegetation is prohibited, unless required:
 - (a) under a bushfire attack level assessment and for other fire mitigation purposes; or
 - (b) under the direction of a bushfire attack level assessment and for other fire

- mitigation purposes; or
- (c) to allow for vehicular access to such buildings.

(3) Fencing:

- (a) must be of a standard 'farm style' post and wire construction.
- (b) is prohibited from being erected inside a defined 'Landscape Protection Zone Area' unless approved by the local government.
- (c) is permitted along the perimeter of a defined 'Landscape Protection Zone Area' but must incorporate at least one unlocked swing farm style gate for access purposes.

(4) Dams are not permitted unless they are shown on an approved Structure Plan, or in circumstances where the proposed dam:

- (a) will not adversely affect environmental flows within the catchment or downstream of the dam;
- (b) will only capture sufficient water to be used for domestic requirements, and/or, for the irrigation of a domestic garden, or for the purposes of a water supply to an approved land-use on the site;
- (c) is an off stream dam; and
- (d) will not significantly or unreasonably diminish the flow of water for use by downstream users including the environment.

(5) The landowner is responsible for managing and maintaining a 'Landscape Protection Zone Area' as shown on an approved Structure Plan, inclusive of:

- (a) Bushfire management through the performance of fire prevention and mitigation works in consultation with the Local Government.
- (b) Environmental repair (ie weed eradication, erosion works and revegetation planting) to affected areas.
- (c) Renumbering the clauses in Schedule 2 – Special Control Areas of the Scheme Text from 54. through to 58. to read 55. through to 59, inclusive.
- (d) Amending the Scheme Map accordingly.

c) Considers the proposed amendment to the Shire of Brookton Local Planning Scheme No.4 to be a 'standard' amendment under Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations, 2015 for the following reasons:

- d) The amendment will have minimal impact on land within the Scheme area that is not the subject of the amendment;
 - (e) The Amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and
 - (f)
 - (g) The amendment is not a basic or complex amendment.

4. Requests the applicant submit the required scheme amendment documentation once modified by the applicant and accepted by the Shire CEO to:

- a) Forwarded the scheme amendment to the Department of Water and Environmental Regulation for assessment as per Section 48A. of the Environmental Protection Act, 1986 and the Department of Planning, Lands and Heritage for its comment and records.

- b) Advertise for public comment as per Part 5; Division 3; Regulation 47 the Planning and Development (Local Planning Schemes) Regulations, 2015 upon notice of assessment from the Department of Water and Environmental Regulation and issues raised being addressed.
- c) Present the scheme amendment back to Council for further consideration of submissions in accordance with Regulation 50 the Planning and Development (Local Planning Schemes) Regulations, 2015 inclusive of those received from public advertising and government agencies.

OCM 09.21-04

COUNCIL RESOLUTION

MOVED Cr Lilly SECONDED Cr Watts

That Council:

- 1. Requests the applicant modify the scheme amendment document (including the Local Structure Plan – Attachment 9) for the Rezoning Lots 51 and 181 Boyagarra Road, Brookton by:**
 - a) Including a designated Landscape Protection Zone Local on the Local Structure Plan that covers the existing water course and associated remanent vegetation areas.**
 - b) Amending Attachment 7 – Bushfire Management Plan and BAL Contour Plan of the scheme amendment document to reflect:**
 - iv. An ongoing responsibility applied to the future landowners to manage fuel loads within the designated Landscape Protection Zone.**
 - v. Fencing of the Landscape Protection Zone must incorporate an unlocked swing farm gate(s) for ease of access.**
 - vi. The provision of a dedicated water tank for firefighting by each future landowner to a minimum capacity of 15,000 litres.**
 - c) Inserting into Schedule 1 – Additional Site and Development Requirements of the Scheme Text clause 54. Development in the Rural Smallholdings zone as detailed in 3b). below.**
- 2. Endorses the Local Structure Plan (Attachment 9 of the scheme amendment document) for Lots 51 and 181 Boyagarra Road Brookton, subject to modification as per 1.a) above.**
- 3. Initiates subject to the modification of the scheme amendment document (as per 1. above to the satisfaction of the Shire CEO) and pursuant to Section 75 of the Planning and Development Act, 1995 and Regulation 35(1) of the Planning and Development (Local Planning Schemes) Regulations, 2015 an amendment to the Shire of Brookton Local Planning Scheme No.4 by:**
 - a) Rezoning Lots 51 and 181 Boyagarra Road, Brookton from the ‘Rural’ zone to the ‘Rural Smallholding’ zone.**
 - b) Inserting into Schedule 1 – Additional Site and Development Requirements of the Scheme Text:**

55. Development in the Rural Smallholdings zone

- (1) All dwellings and incidental development must:**
 - (a) accord with the prescribed minimum boundary setbacks as prescribed in Table 5 of the Shire Local Planning Scheme No.4; or**
 - (b) be located within an approved building envelope (as may be shown on an approved Structure Plan or approved building envelope plan); or**
 - (c) be located in such other manner that may be identified on a Structure Plan.**
- (2) The clearing of vegetation is prohibited, unless required:**
 - (a) under a bushfire attack level assessment and for other fire mitigation purposes; or**
 - (b) under the direction of a bushfire attack level assessment and for other fire mitigation purposes; or**
 - (c) to allow for vehicular access to such buildings.**
- (3) Fencing:**
 - (a) must be of a standard 'farm style' post and wire construction.**
 - (b) is prohibited from being erected inside a defined 'Landscape Protection Zone Area' unless approved by the local government.**
 - (c) is permitted along the perimeter of a defined 'Landscape Protection Zone Area' but must incorporate at least one unlocked swing farm style gate for access purposes.**
- (4) Dams are not permitted unless they are shown on an approved Structure Plan, or in circumstances where the proposed dam:**
 - (a) will not adversely affect environmental flows within the catchment or downstream of the dam;**
 - (b) will only capture sufficient water to be used for domestic requirements, and/or, for the irrigation of a domestic garden, or for the purposes of a water supply to an approved land-use on the site;**
 - (c) is an off stream dam; and**
 - (d) will not significantly or unreasonably diminish the flow of water for use by downstream users including the environment.**
- (5) The landowner is responsible for managing and maintaining a 'Landscape Protection Zone Area' as shown on an approved Structure Plan, inclusive of:**
 - (a) Bushfire management through the performance of fire prevention and mitigation works in consultation with the Local Government.**
 - (b) Environmental repair (ie weed eradication, erosion works and revegetation planting) to affected areas.**
 - (c) Renumbering the clauses in Schedule 2 – Special Control Areas of the Scheme Text from 54. through to 58. to read 55. through to 59, inclusive.**
 - (d) Amending the Scheme Map accordingly.**
- c) Considers the proposed amendment to the Shire of Brookton Local Planning Scheme No.4 to be a 'standard' amendment under Regulation 35(2) of the Planning and Development (Local Planning Schemes) Regulations, 2015 for the following reasons:**

- d) The amendment will have minimal impact on land within the Scheme area that is not the subject of the amendment;*
 - (a) The Amendment does not result in any significant environmental, social, economic or governance impacts on land in the scheme area; and*
 - (b) The amendment is not a basic or complex amendment.*

4. Requests the applicant submit the required scheme amendment documentation once modified by the applicant and accepted by the Shire CEO to:

- a) Forwarded the scheme amendment to the Department of Water and Environmental Regulation for assessment as per Section 48A. of the Environmental Protection Act, 1986 and the Department of Planning, Lands and Heritage for its comment and records.*
- b) Advertise for public comment as per Part 5; Division 3; Regulation 47 the Planning and Development (Local Planning Schemes) Regulations, 2015 upon notice of assessment from the Department of Water and Environmental Regulation and issues raised being addressed.*
- c) Present the scheme amendment back to Council for further consideration of submissions in accordance with Regulation 50 the Planning and Development (Local Planning Schemes) Regulations, 2015 inclusive of those received from public advertising and government agencies.*

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachments

Attachment 12.09.21.02A

Attachment 12.09.21.02B *(provided under separate cover)*



Ian D'Arcy
Chief Executive Officer
Shire of Brookton
ceo@brookton.wa.gov.au

Dear Ian

Scheme Amendment No. 1 to the Shire of Brookton Local Planning Scheme No. 4

I refer to previous correspondence and discussions regarding the above.

On behalf of our client, Langley Management Pty Ltd, Edge Planning & Property seek the Council's adoption of an amendment to the *Shire of Brookton Local Planning Scheme No. 4*. In particular, to rezone Lots 51 and 181 Boyagarra Road, Brookton from the 'Rural' zone to the 'Rural Smallholding' zone.

In support of the request, please find attached Scheme Amendment documentation, Local Structure Plan documentation and associated technical studies which demonstrate the suitability and capability of the property for rural smallholdings. Hard copies will be provided as required. Our client will pay the Shire's scheme amendment processing fee.

Please contact me on 0409107336 or steve@edgeplanning.com.au should you have any questions, seek clarification or require additional information.

On behalf of our client, Edge Planning & Property trust the Shire will positively consider the request and we look forward to Council's adoption of the amendment.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Steve Thompson', enclosed within a large, loopy circular flourish.

Steve Thompson
SENIOR PARTNER

20 July 2021



Planning
Institute
Australia



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T: 9842 2269 M: 0409 107 336

E: steve@edgeplanning.com.au

ABN: 51 473 192 534

Mr. Rob Langley left the meeting at 6.10pm.

12.09.21.03 PROPOSED INDUSTRIAL SHED WITH REAR SETBACK VARIATION – LOT 52 RICHARDSON STREET, BROOKTON

File No:	A313
Date of Meeting:	16 September 2021
Location/Address:	Lot 52 Richardson Street, Brookton
Name of Applicant:	Daniel Watkins – Eagle Eye Engineering
Name of Owner:	As above
Author/s:	Laura Pikoss – EHO/Building Surveyor/Planning Officer
Authorising Officer:	Ian D’Arcy – 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:	17 July 2020

Summary of Item:

This report relates to an application seeking planning approval for an industrial shed and variation to the rear boundary setback to accommodate the placement of the shed for storage and works purposes for Eagle Eye Engineering at Lot 52 (90) Richardson Street, Brookton.

The reduction to the minimum setback of Table 5 of the Shire of Brookton Local Planning Scheme (LPS) No. 4 is from 7.5m to 6.0m, which is a 20% reduction the statutory setback distance. After a review of the LPS No.4 objectives for General Industry Zone, which states the following, it is assessed that the proposed building and reduced setback does not compromise any of these objectives and therefore the officer’s recommendation is to support the application.

General Industry Zone Objectives

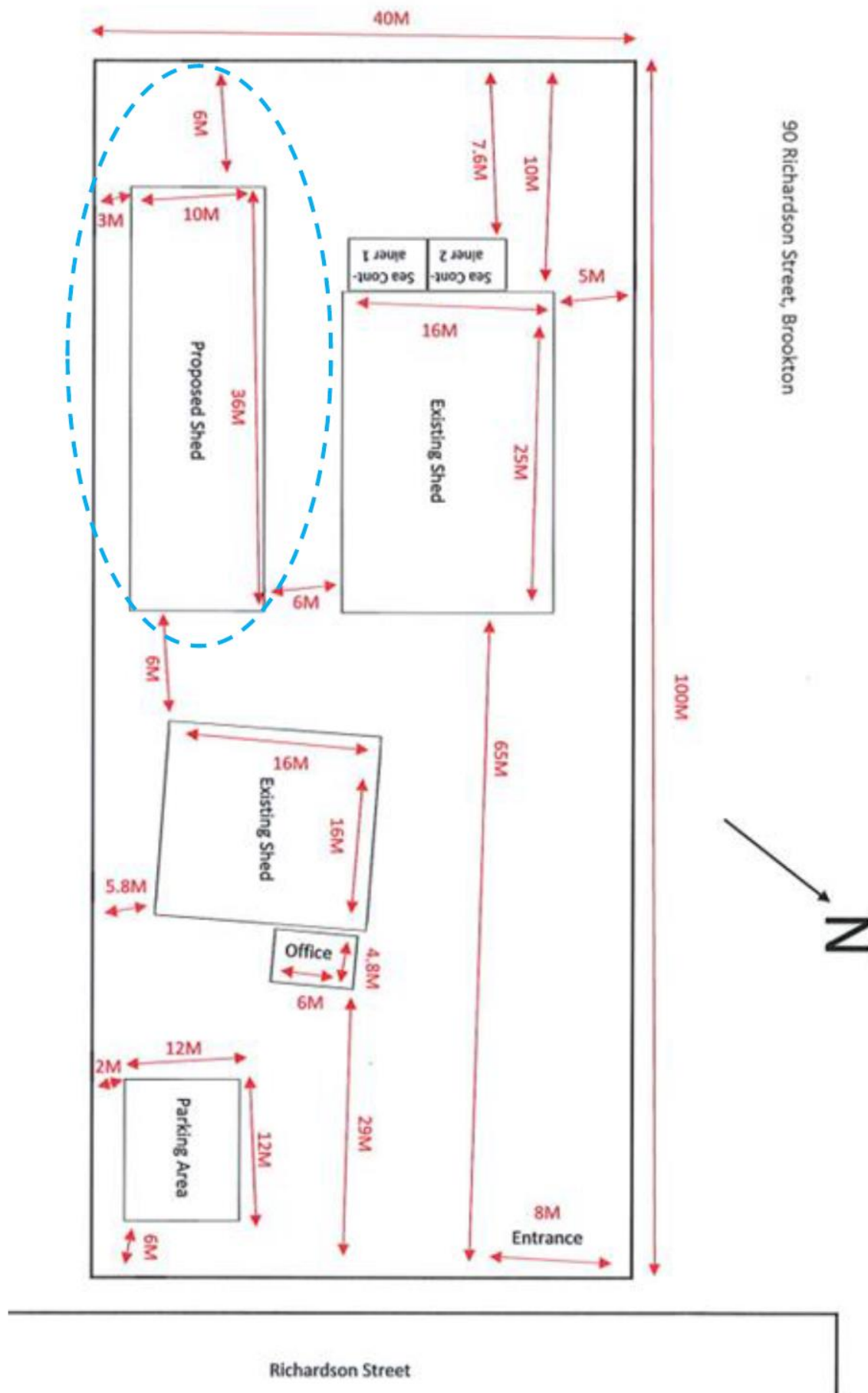
- *To provide for a broad range of industrial, service and storage activities which, by the nature of their operations, should be isolated from residential and other sensitive land uses.*
- *To accommodate industry that would not otherwise comply with the performance standards of light industry.*
- *Seek to manage impacts such as noise, dust and odour within the zone.*

Description of Proposal:

The applicant is seeking to place a shed 36m x 10m in replace of a previously approved 400m² industrial shed granted in July 2020 under delegated authority to the CEO. This revised proposal now seeks to amend the size of the proposed building to a 360m² with a reduced setback distance to the rear from 7.5m to 6.0m. It should be noted that the new shed design reduces the building footprint on the land.

A copy of the planning application is presented as **Attachment 12.09.21.03A** to this report.

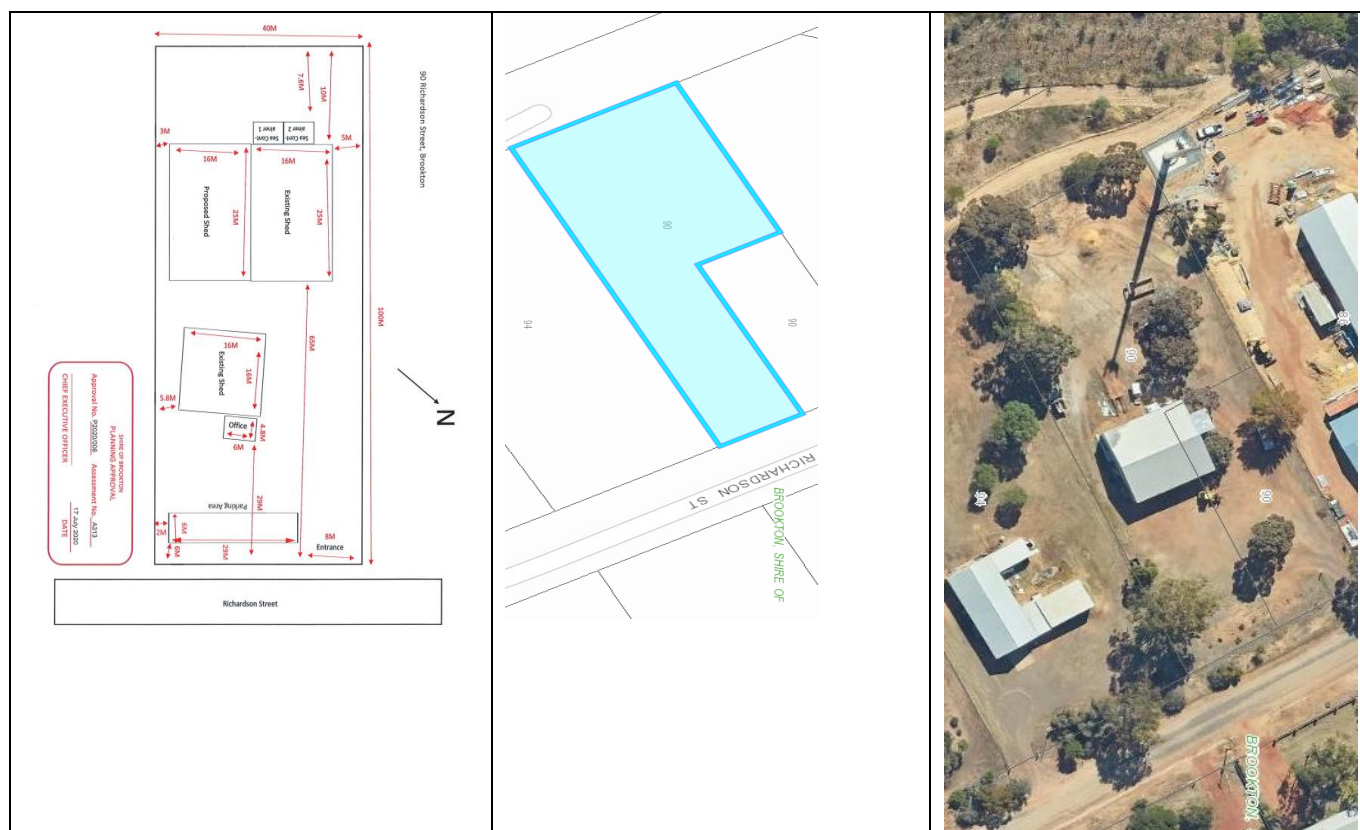
The following figure below illustrates the site layout with requested setback distances. The subject building and requested setback variation is highlighted by a blue dashed line.



Background:

A previous development approval was granted for the construction of a 25m X 16m Shed with a 10 m rear setback on the 17 July 2020 Approval Number: P2020/006. The following graphic provides an

understanding of the previous building configuration and placement on the property.



Consultation:

There has not been any formal consultation in relation to this proposal.

Statutory Environment:

The statutory environment for this application consists of:

Local Planning Scheme (LPS)

- Shire of Brookton Local Planning Scheme No. 4
 - General Industry (Brookton)
 - Residential (R) Codes do not apply
 - There is no Restricted or Additional Uses that apply

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	<i>General Industry</i>
Permissibility (Table 1 – Zoning Table)	<i>Table 1 – Zoning Table of LPS 4 qualifies an Industrial shed for as Permissible therefore no planning approval is required, for the use of the industrial shed.</i>
Objectives	<i>The Council's LPS 4 nominates the objectives of the Commercial Zone to:</i> <ul style="list-style-type: none"> • <i>Prove for a broad range of industrial, service, and storage activity which, by the nature of their operations, should be isolated from residential, and other sensitive land uses.</i> • <i>Accommodation industry that would not otherwise comply with the performance standards of light industry.</i>

	<ul style="list-style-type: none">Seek to manage impacts such as noise, dust, and odour, within the zone.																																																																		
Development Standards	<p>LPS 4 stipulates the following standards for development in the Commercial Zone:</p> <ul style="list-style-type: none">Table 4 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> <p>The applicant is seeking a variation of the rear setback from 7.0m, to 6.0m. There are no adjoining neighbours to the rear, only a “Road Isolation” reserve.</p>	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
Zone	Minimum setback (m)			Maximum plot ratio	Maximum site coverage (% of site area)				Minimum landscaping (% of site area)																																																										
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General Industry	7.5	0	7.5	0.5	75	5																																																													
Variation Permissibility	<p>34. Variations to development standards and requirements</p> <p>(1) In this clause – general development standards, and requirements means requirements set out in clauses 32.</p> <p>(2) The local government (Council) may approve an application for a development approval that does not comply with a general development standard, or requirement.</p>																																																																		

Planning and Development (Local Planning Scheme) Regulation 2015 (Statutory Instrument)	
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 (Statutory Instrument – tied to Planning Regulations)	
Generally	State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) directs how land use should address bushfire risk management across WA. 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.
6.2 Strategic planning proposals, subdivision and development applications	<p>Section 6.2 of SPP 3.7 a) states:</p> <p>a) Strategic planning proposals, subdivision, and <u>development application</u>, 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.</p> <p>b) Any strategic planning proposal, subdivision, or <u>development application</u> 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 considered for approval where it can be undertaken in accordance with policy measures 6.3, 6.4 or 6.5.</p>

	c) <i>This policy also applies where an area is not yet designated as a bushfire prone area but is proposed to be developed a way that introduces a bushfire hazard, as outlines in Guidelines.</i>
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Planning Bulletin 111/2016 – Planning in Bushfire Prone Areas	
5. Exemptions	<p><i>Planning Bulletin 111/2016 states exemptions from the requirements of SPP 3.7, includes renovations, alterations, extensions, improvements, or repair of a building, and incidental uses (including outbuildings, verandas, unenclosed swimming pools, carports, patios, and storage sheds, for example). SPP 3.7 does not specify these exemptions, however, where the proposal is exempt under the deemed provisions, or local planning scheme, and does not:</i></p> <ul style="list-style-type: none"> <i>• Result in the intensification of development (or land use);</i> <i>• Result in an increase of residents, or employees;</i> <i>• Involve in an increase to the bushfire threat, the proposal may also be exempt from the provisions of SPP 3.7.</i>
5.4 Road and Rail Noise	<i>SPP 5.4 does not apply: a) retrospectively to existing noise-sensitive land-use and/or development within the policy's trigger distance of existing railways or roads</i>

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.

Specifically, the proposed Grain Receival and Storage Facility aligns to:

Function 2 – Land Use Planning

Action 2.3 – Process Development Applications

Comment

In consideration the land is zone 'Industry' and the proposed industrial shed is to be positioned behind the existing buildings, and there are no adjoining properties at the rear it is assessed that the reduced setback variation, as requested by the applicant, will not have any detrimental impact on the surrounding area

Furthermore, as approval has been previously granted for a shed of similar size on this lot, there is reasonable grounds for Council to grant the requested concession of a reduction in the setback distance to six (6.0) meters in accordance with the submitted plans, with all conditions to remain the same as per the previous planning approval P2020/006.

OFFICER RECOMMENDATION

That Council grant Planning Approval for the construction of a, industrial shed, including a relaxation of the rear boundary setback on Lot 52 Richardson Street Brookton pursuant to Schedule 2, Clause 68 of the Planning and Development (Local Planning Schemes) Regulations, 2015 and subject to the following condition and advice notes:

CONDITIONS:

1. If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of two (2) years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.
2. The Development shall be carried out only in accordance with the terms of the application as approved herein including all stamp approved plans.
3. The Proponent is to install an additional seven (7) vehicle parking bays to a minimum dimension of 2.6 m (w) x 5.5 m (l), to a compacted gravel standard as per stamp approved plan, to the satisfaction of the Shire of Brookton.

4. The industrial shed shall not be used for residential occupation.
5. All stormwater runoff from the industrial shed shall be retained onsite and disposed of through the installation of soak wells that conforms to min. 1.8 (w) x 1.8 m (h) sufficient to accommodate the catchment of water from the building roof area.

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:

- a. This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and Health Services Act 2016. It is the responsibility of the Applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Brookton Building section on (08) 9642 1106.
- b. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
- c. The applicant is advised a building Permit is required prior to commencement of any building works.
- d. The applicant is advised of a right of appeal 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.
- e. While not a condition of this approval. The Applicant is encouraged to amalgamate Lots 52 and 53 to remove the common boundary alignment through the existing shed on the property. Further information in relation to this matter can be obtained by contacting the Shire's planning section.

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- b. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.***
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- e. *While not a condition of this approval. The Applicant is encouraged to amalgamate Lots 52 and 53 to remove the common boundary alignment through the existing shed on the property. Further information in relation to this matter can be obtained by contacting the Shire's planning section.*

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachments

Attachment 12.09.21.03A – Copy of Planning Application

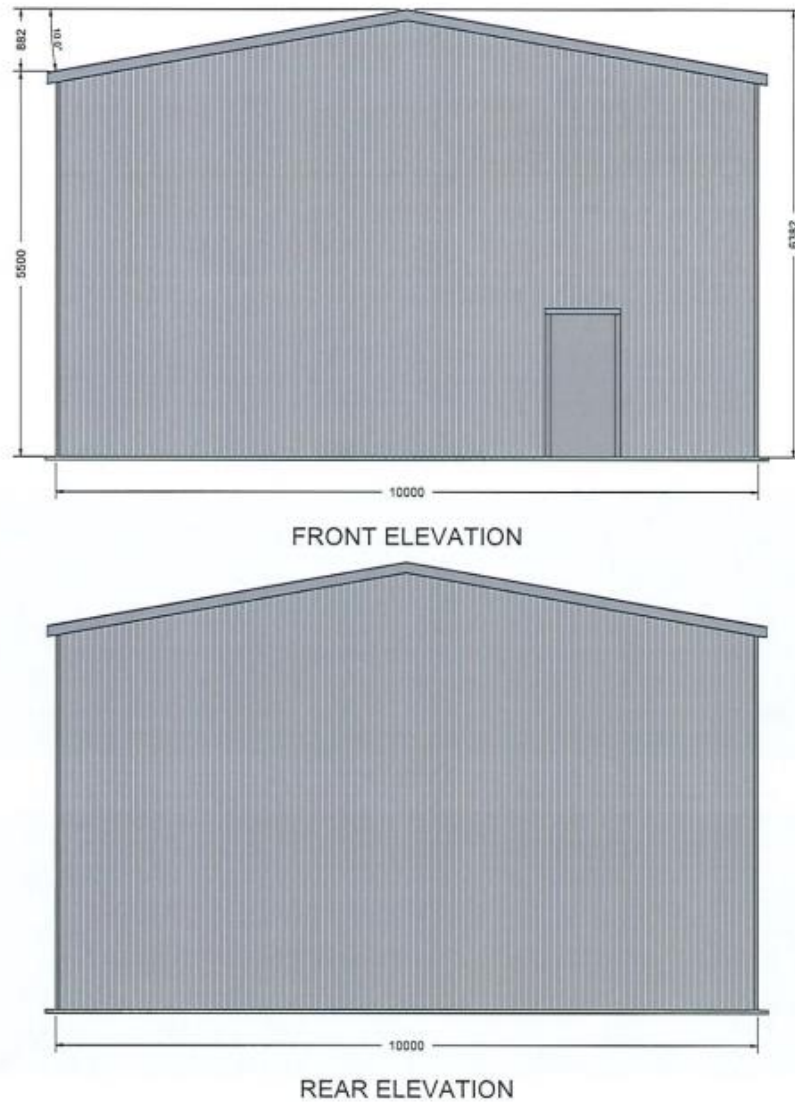


Figure 1 – Front and Rear Elevation of proposed industrial shed

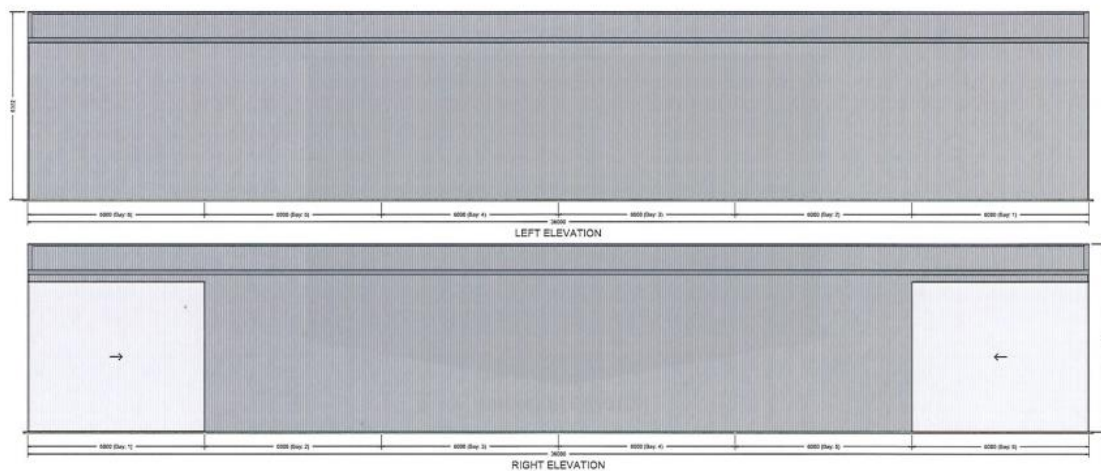


Figure 2- Left and Right elevation of proposed industrial shed

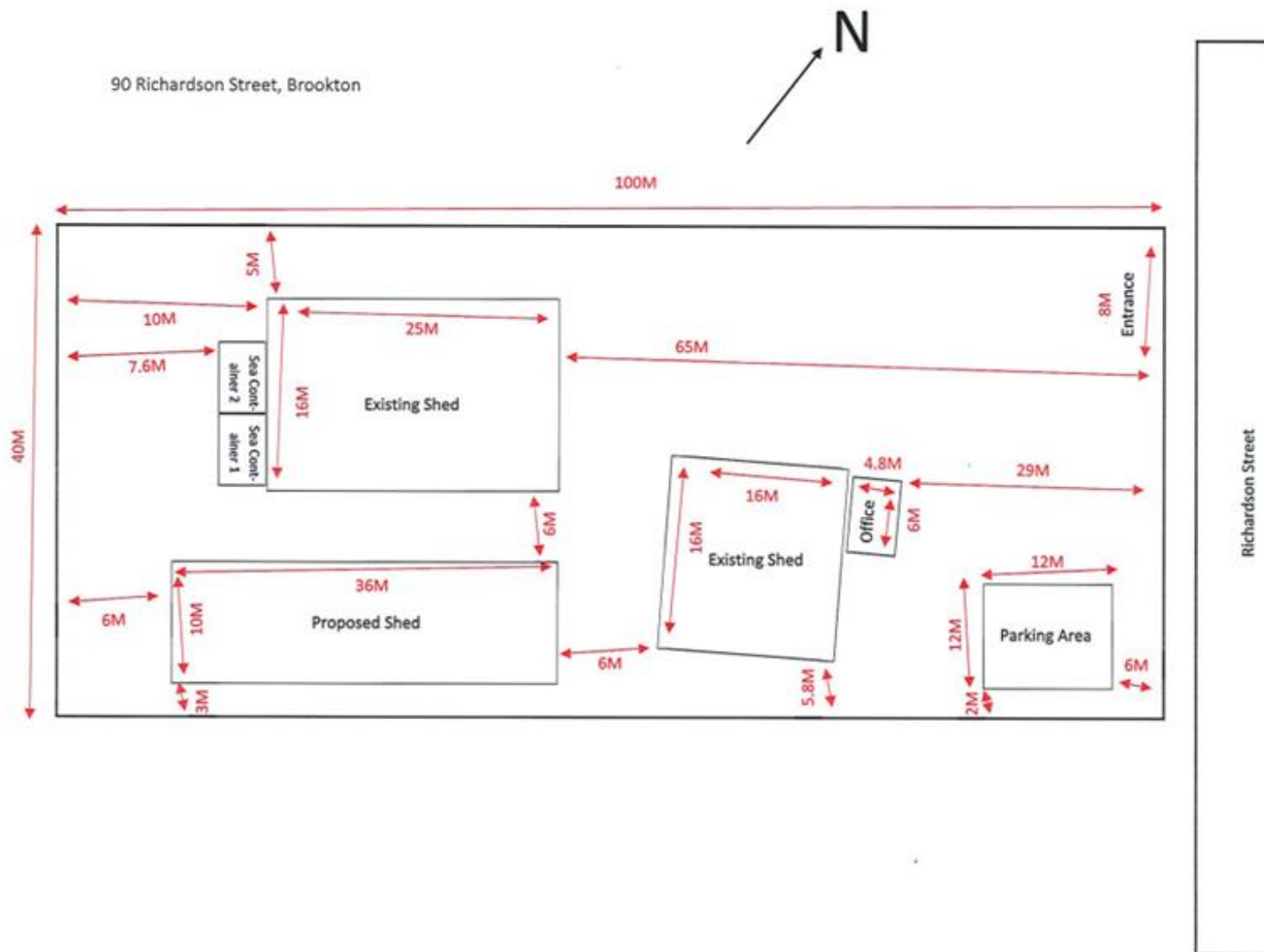


Figure 3- Site Plan of proposed industrial shed with reduces rear setback variation



Figure 4- Arial of subject site

12.09.21.04 BROOKTON RAILWAY STATION BUILDING DESIGNS AND COSTING – CONSENT TO ADVERTISE

File No:	PRO 016
Date of Meeting:	16 September 2021
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	Shire of Brookton
Author/s:	Ian D'Arcy – Chief Executive Officer
Authorising Officer:	As above
Declaration of Interest:	The author has no interest in this item.
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This item relates to endorsement of four concept design options, and associated costs, for a rejuvenated, or new, Railway Station building, and requests Council's consent to progress public advertising to obtain community input, and comment on respective designs over an approximate eight week consultation period.

A copy of the Railway Station background and respective concept designs prepared by Stephen Carrick Architects is presented as:

- **Attachment 12.09.21.04A** – *Railway Station Background*
- **Attachment 12.09.21.04B** – *Railway Station Conservation issues*
- **Attachment 12.09.21.04C** – *Railway Station Conservation - Option 1*
- **Attachment 12.09.21.04D** – *Railway Station Replica – Option 2*
- **Attachment 12.09.21.04E** – *Railway Station Replacement – Option 3*
- **Attachment 12.09.21.04F** – *Railway Station New + Addition – Option 4*
- **Attachment 12.09.21.04G** – *Railway Station Cost Estimates for all designs*

Proposal:

In summary, the aim of this proposal is to canvas the local community on a range of concept design options, for the Brookton Railway Station building, acknowledging its prominence from a heritage, and streetscape perspective, so Council may be informed in determining the future direction of the Railway Station building, taking in consideration of following options:

- Option 1 – Conservation
- Option 2 – Replica (new building)
- Option 3 – Replacement (new building)
- Option 4 – New + Addition (new building)

Background:

Brookton, like many other towns in the Wheatbelt Region, is founded on agricultural production, with rail transport being an integral part of the community's history. The Railway Station in particular, while a standard design for its era, very much forms the centre piece to the Brookton Town Centre, with a visual prominence as part of the Robinson Road streetscape.

As present, the Railway Station building is located within a portion of Crown Reserve 10325 that falls to the care, and control, of the Public Transport Authority (PTA) under a Management Order granted by the Minister for Lands. The PTA, since 1988, has entertained a rolling 10 year 'Licence to Occupy' agreement

Shire of Brookton, Ordinary Meeting of Council, 16 September 2021 - Minutes

with the Shire, to allow the subject land and Railway Station Buildings to be used to the benefit of the Brookton community.

In recognition of the Railway Station building's age of 96 years, and its poor condition the Shire Council, cognisant on the need to preserve the building's history, and streetscape presence, commissioned an Engineer to perform a structural assessment of the building in September 2019. The Engineer's assessment stated in part:

"Comprehensive assessment of the entire Railway Station building was not completed, therefore the structural integrity of every structural post and other structural components are unknown. Without a more comprehensive assessment the entire building should be closed and cordoned off denying public access."

This statement prompted the Council to immediately erect a safety barrier/fence around the Station building in the interest of public safety, and in acknowledgement of the Shire's (and PTA's) duty of care. The safety barrier is presently in place.

With this acknowledged, the PTA has agreed to relinquish its interest in the surplus Railway Station Building and surrounds, allowing for a change in land tenure through the creation of a new Crown Reserve vested in the Shire of Brookton. This request was lodged with the Department of Lands in February 2021.

In light of this the Council has opted to address the future of the Railway Station building, with a level of confidence in the Land Reserve, and buildings, will soon transfer in tenure to the Shire's ownership. This prompted the engagement of a suitably qualified architect to progress design options for community consultation and input.

Indicatively, the process being followed is outlined below with the current stage highlighted in colour and bold text.

- Week 1 – Conduct inception meeting with Shire to discuss/clarify Design Options, methodology and expected outputs.
- **Week 5 – Present draft concept plans and costings for each option to Shire for endorsement by Council to proceed to public consultation.**
- Week 7 – Commence community consultation (min. 8 weeks).
- Week 16 – Commence review and schedule public submissions and form recommended changes for Council's consideration.
- Week 20 - Finalise changes/costings to selected Design Option and submit to the Shire.

Consultation:

Consultation has been between the Shire Administration, and the appointed architect, to arrive at the respective design options and costings. If satisfied, it is promoted Council progress with the broader community consultation of eight (8) weeks, involving two (2) public presentations (one morning and one afternoon) by the Architect, to explain the concept designs and receive questions from members of the community. It is suggested these presentations occur on IN October 2021, at the WB Eva Pavilion commencing at 10.30am and again at 6.30pm with the specific date to be confirmed with the Architect and Shire President.

Statutory Environment:

There is no statutory framework in relation to this matter.

Relevant Plans and Policy:

Council's recently adopted Community Consultation Policy 2.41 designates a Shire wide consultation process be entertained for this proposal, that involves a range of mediums including a mail drop, media release, email, e-news circulation, publication in the Telegraph newspaper, on the Shire website, Facebook page, and graphical display of the respective concept designs.

Financial Implications:

Engagement of architectural services for this process is already allocated in the 2021-22 Budget at a cost \$30,000 under COA E115010.

Of note, the quantity surveyor, in collaboration with the architect, has costed each of the respective options for construction (inclusive of locality allowance of 15%, contingency of 10%, and foundation stabilisation, where applicable) as follows:

- Option 1 – Conservation \$1,151,400
- Option 2 – Replica \$1,606,000
- Option 3 – Replacement \$1,607,000
- Option 4 – New + Addition \$2,781,000

These prices do not account of recurrent maintenance and operational cost, nor do they include:

- design contingency
- authority fees
- professional fees other than an allocation working drawings and engineering specifications/certification.
- escalation to tender costs

A complete summary of the quantity surveyor's costs is presented in **Attachment 12.09.21.04G** to this report acknowledging:

- The quantity surveyor's site costs for Option 3 at \$801,000, includes landscaping and additional paving. With these elements removed, the site cost has been reduced by \$255,000 to be \$546,000.
- The Council may not choose to utilise the full suite of architectural services following selection of the preferred concept design and preparation of working drawings.

Risk Assessment:

The risk associated with this matter is assessed as 'High'. It is important the Council arrive at the best outcome given the 'value' of the Railway Station building to the Brookton 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 policy relates to delivery of core business, and services, detailed in the Shire of Brookton Corporate Compendium – November 2020, duly appended to the Next Generation BROOKTON Corporate Business Plan <2024.

Specifically, the public consultation on the Railway Station designs and costings aligns to:

Business Function 9 – Asset Management

Action – 9.6 Prepare Asset Management Plan – Brookton Railway Station

Comment:

From an officer perspective the decision on the future of the Railway Station building should be considerate of:

- Broad community sentiment, and expectations, across all demographics.
- A design that embodies heritage value, contemporary functionality, and aesthetic appearance, complimentary of the streetscape, and town centre.
- Long term affordability, accounting for initial capital investment, ongoing maintenance, and recurrent operational costs.

To adequately address these considerations, and arrive at an informed decision, it is important the Council first engage with, and receive input from, the broader Community on the respective concept design options, and associated costings prepared by the architect. These options are intended to incite considerable thought, discussion, and suggestion from community members, whilst acknowledging these options are not 'fixed' but rather are a concept which is open to change, or enhancement.

Therefore, in review of the concept drawings, and supporting information (including costings prepared by a professional quantity surveyor), it is recommended the four designs, and background information on the Railway Station be endorsed for public advertising in line with Council Policy 2.41.

OFFICER RECOMMENDATION

That Council endorses advertising of the Railway Station Designs and Costings Options (presented as attachments to this report) seeking community input over a period of eight (8) weeks that involves:

- A mail drop, media release, email and e-news circulation, publication in the Telegraph newspaper, Shire website and Facebook page, and graphical display of the respective concept designs at the IGA supermarket subject to the owner's consent.
- Two public presentations to be conducted in October 2021 at the Wb Eva Pavilion with the first to commence at 10.30am and the second at 6.30pm – with the date to be determined by the Shire

President.

OCM 09.21-06

COUNCIL RESOLUTION

MOVED Cr Watts

SECONDED Cr Lilly

That Council endorses advertising of the Railway Station Designs and Costings Options (presented as attachments to this report) seeking community input over a period of eight (8) weeks that involves:

- A mail drop, media release, email and e-news circulation, publication in the Telegraph newspaper, Shire website and Facebook page, and graphical display of the respective concept designs at the suitable shop front window in Robinson Street, subject to the owner's consent.***
- Two public presentations to be conducted in October 2021 at the WB Eva Pavilion with the first to commence at 10.30am and the second at 6.30pm – with the date to be determined by the Shire President.***

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Note to minute: The Council motion differs from the officer's recommendation, due to the Brookton IGA undertaking upgrades to their external façade of the building, therefore no longer being able to display the concept designs on behalf of Council.

Attachments

Attachment 12.09.21.04A – Railway Station Background

Attachment 12.09.21.04B – Railway Station Conservation issues

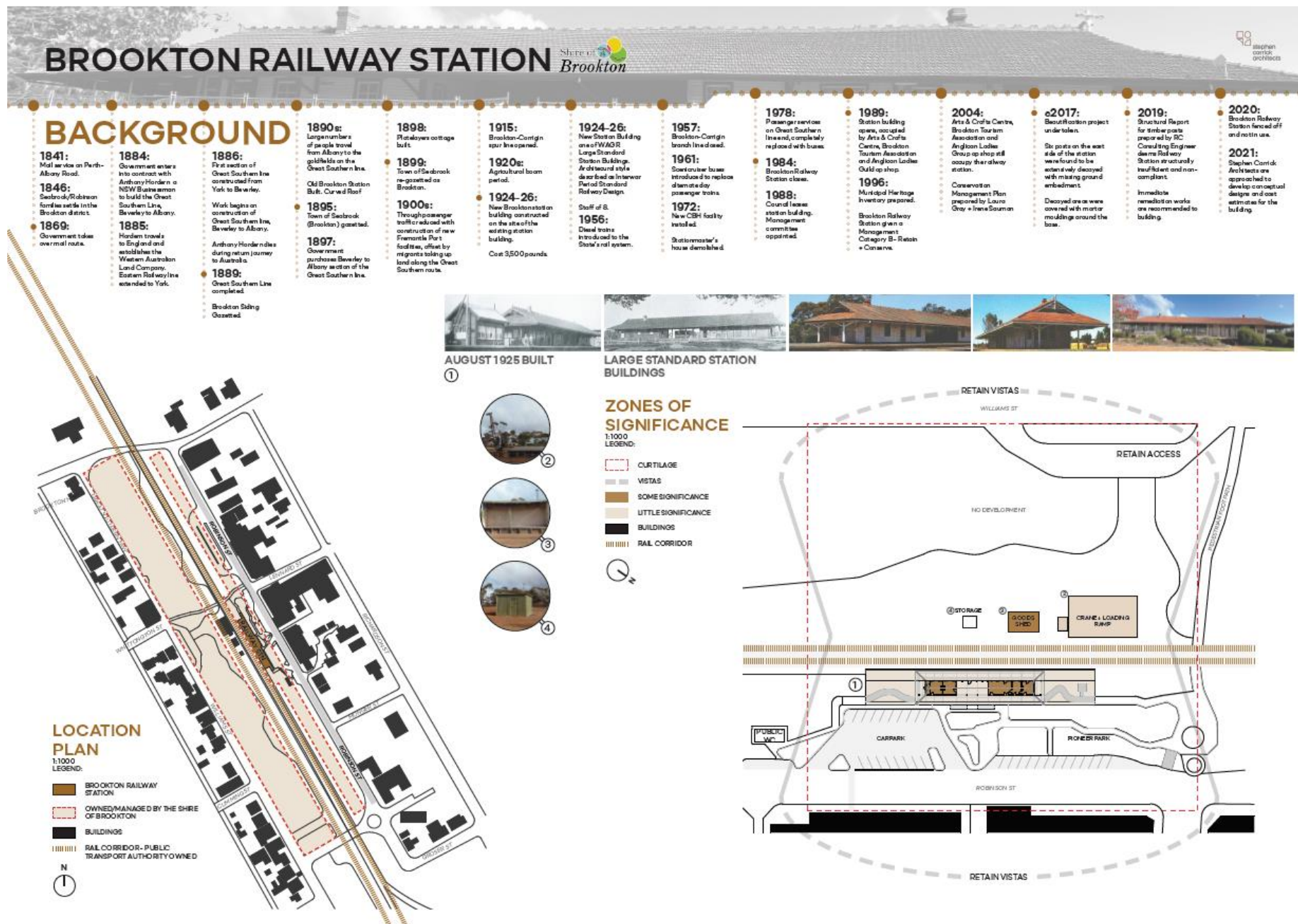
Attachment 12.09.21.04C – Railway Station Conservation - Option 1

Attachment 12.09.21.04D – Railway Station Replica – Option 2

Attachment 12.09.21.04E – Railway Station Replacement – Option 3

Attachment 12.09.21.04F – Railway Station New + Addition – Option 4

Attachment 12.09.21.04G – Railway Station Cost Estimates for all designs



BROOKTON RAILWAY STATION



BRIDGEMAN
ARCHITECTS
PERTH

BACKGROUND

STATEMENT OF SIGNIFICANCE

AESTHETIC

LANDMARK PLACE THAT MAKES A SIGNIFICANT CONTRIBUTION TO THE TOWNSCAPE + CHARACTER OF BROOKTON

PART OF TOWN'S ORIGINAL BUILDING STOCK

POSITIVE CONTRIBUTION TO THE STREETScape

HISTORICAL

WAGR 1925 LARGEST STANDARD STATION BUILDINGS

INTEGRAL TO RAILWAY NETWORK THAT WAS LINKED TO BROOKTON

PAST TELEGRAPHIC COMMUNICATIONS

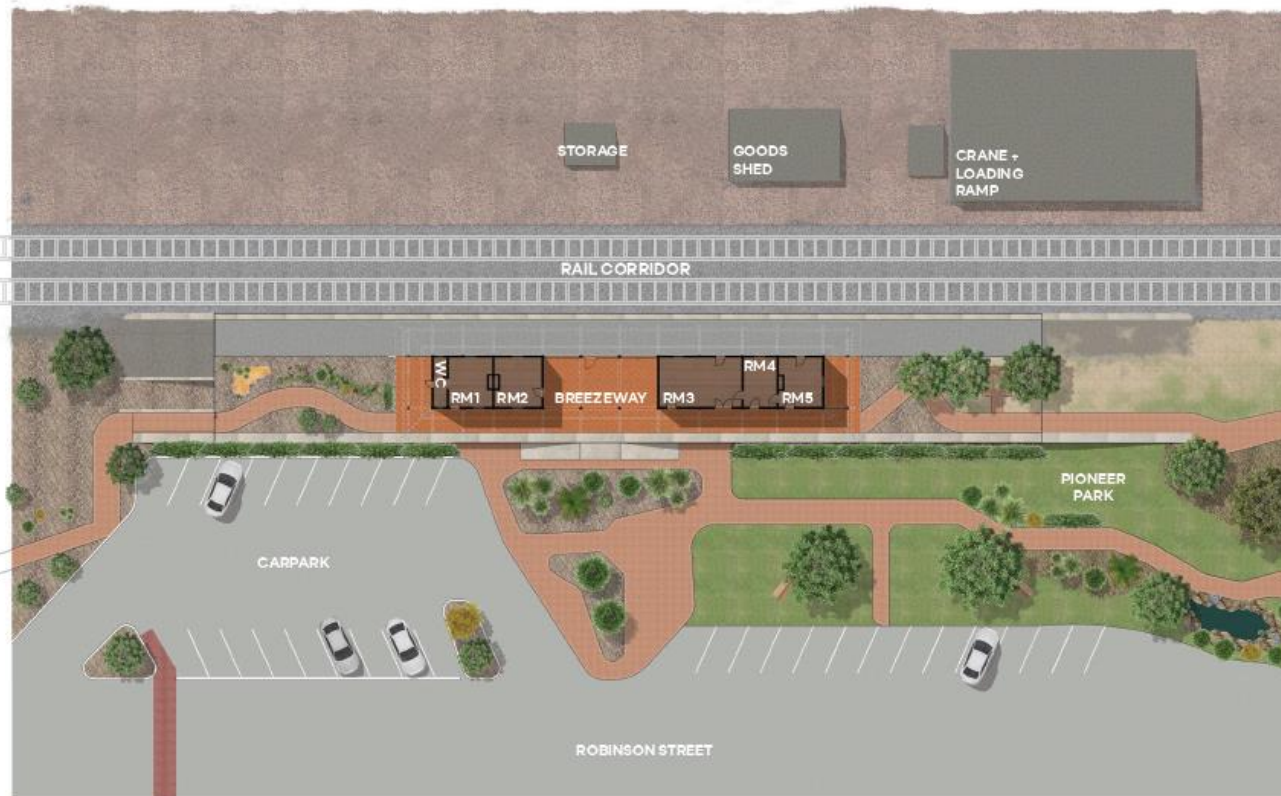
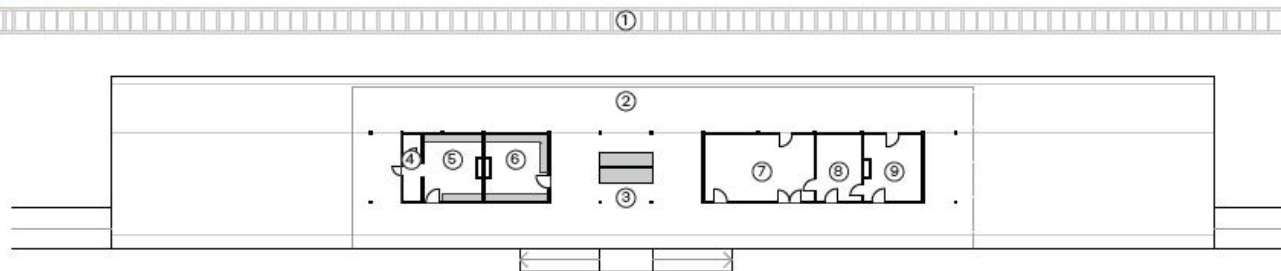
LINK TO PERTH AND THE SOUTH WEST

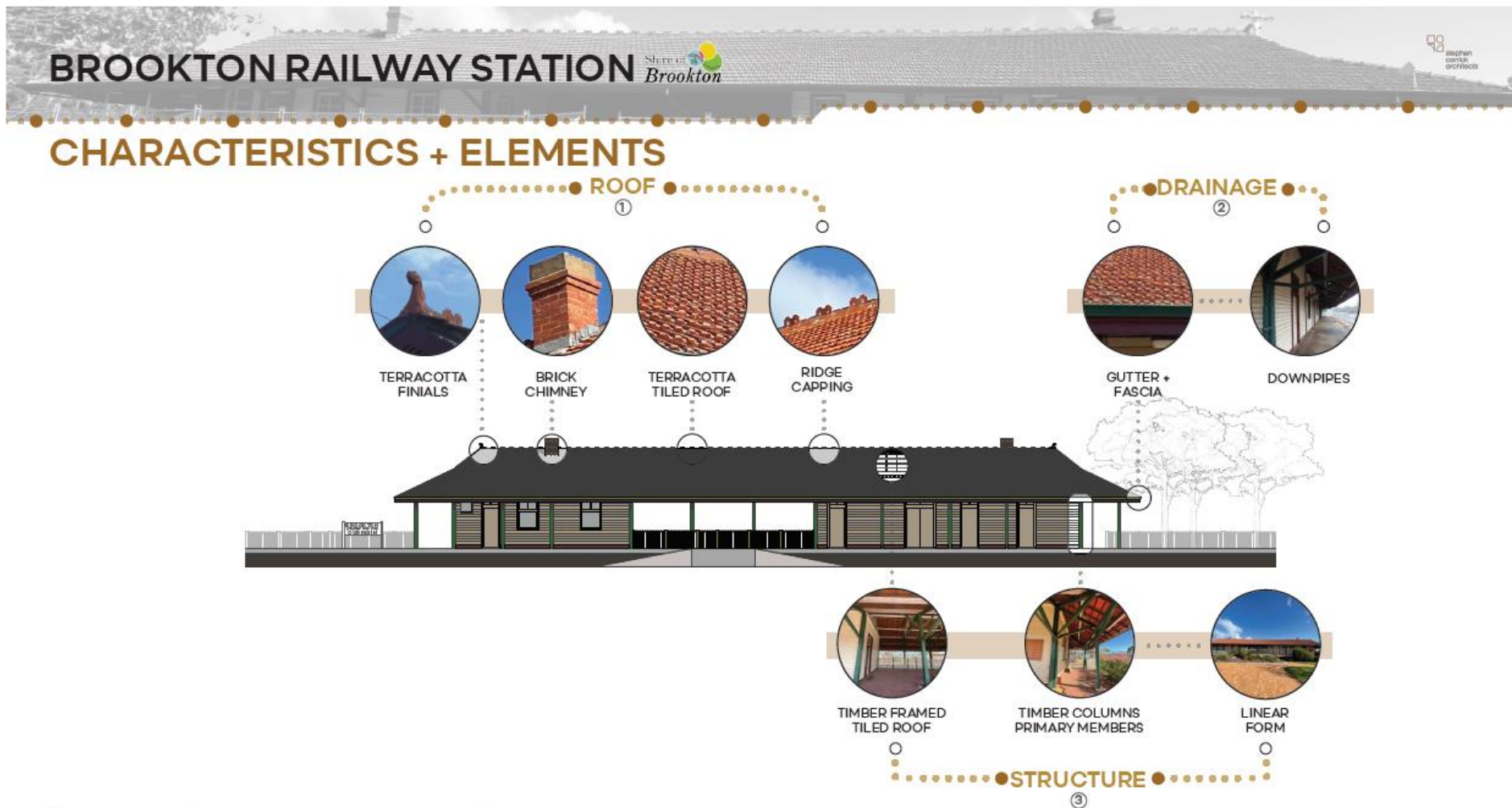
SOCIAL

DEMONSTRATES FUNCTIONS AND A WAY OF LIFE NO LONGER PRACTICED

HIGHLY VALUED BY THE BROOKTON COMMUNITY - REPRESENTS THE SIGNIFICANT RAILWAY PRESENCE IN THE TOWN

TOILETS





CONSERVATION ISSUES



1 ROOF

RIDGE DEFLECTION +
MISSING + CRACKED TILES
- TIMBER STRUCTURE REQUIRES
DETAILED INVESTIGATION



2 DRAINAGE

WATER MANAGEMENT
- INADEQUATE DIVERSION
OFF-SITE
- WATER INGRESS HAS LED TO POST
DECAY



3 STRUCTURE

STRUCTURALLY INSUFFICIENT
- POSTS NOT FIT FOR PURPOSE
- NON-COMPLIANT

BROOKTON RAILWAY STATION



INSPIRATION + PRECEDENTS

○ CONSERVATION + REVITALIZE ○



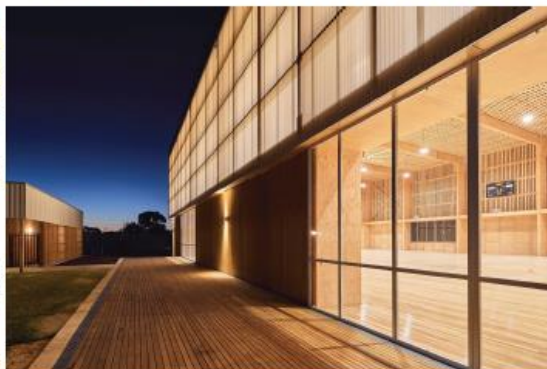
○ COMMUNITY ENGAGEMENT ○



○ CONTEMPORARY ○

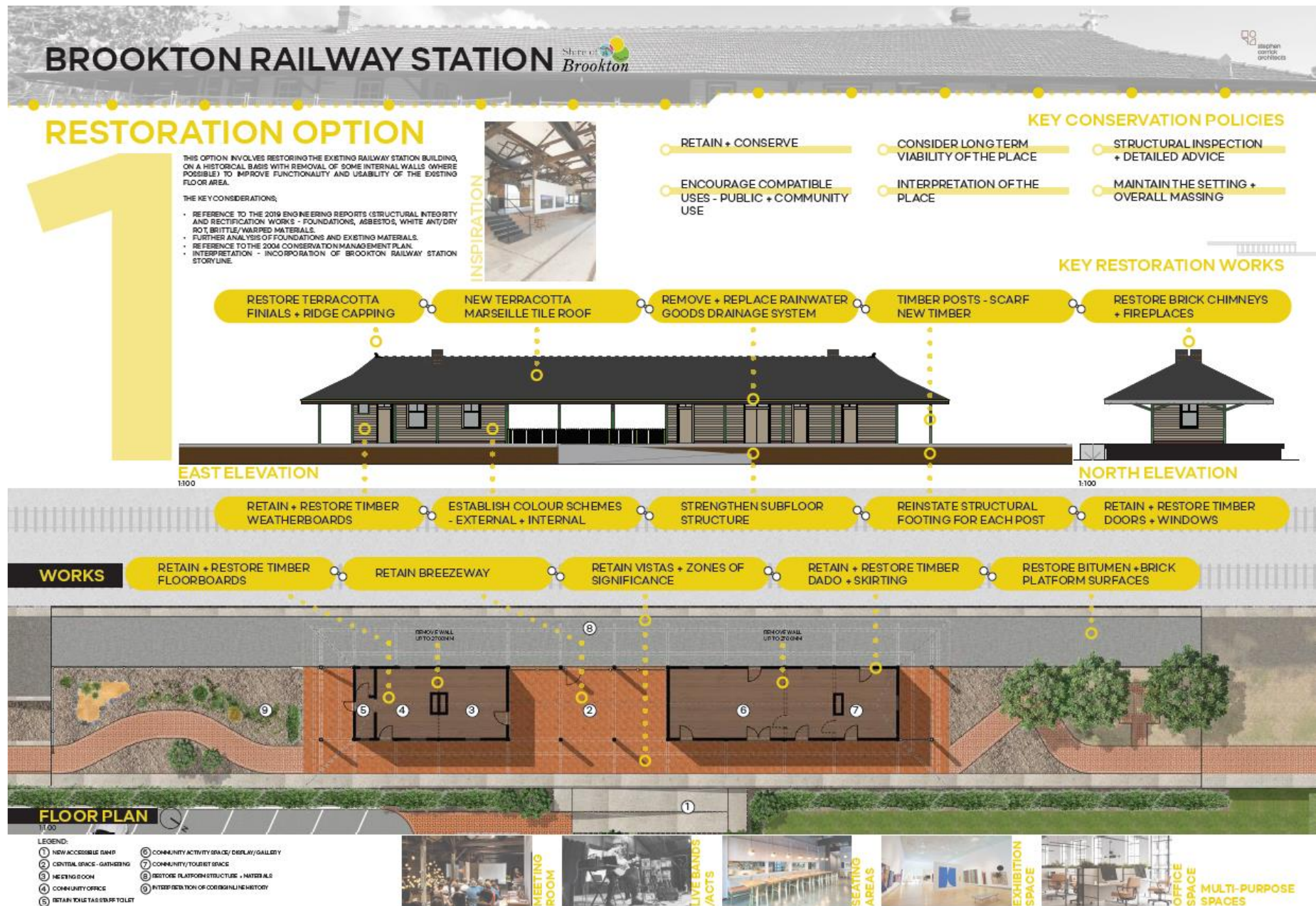


○ MATERIALITY ○



○ FLEXIBLE SPACES ○





BROOKTON RAILWAY STATION

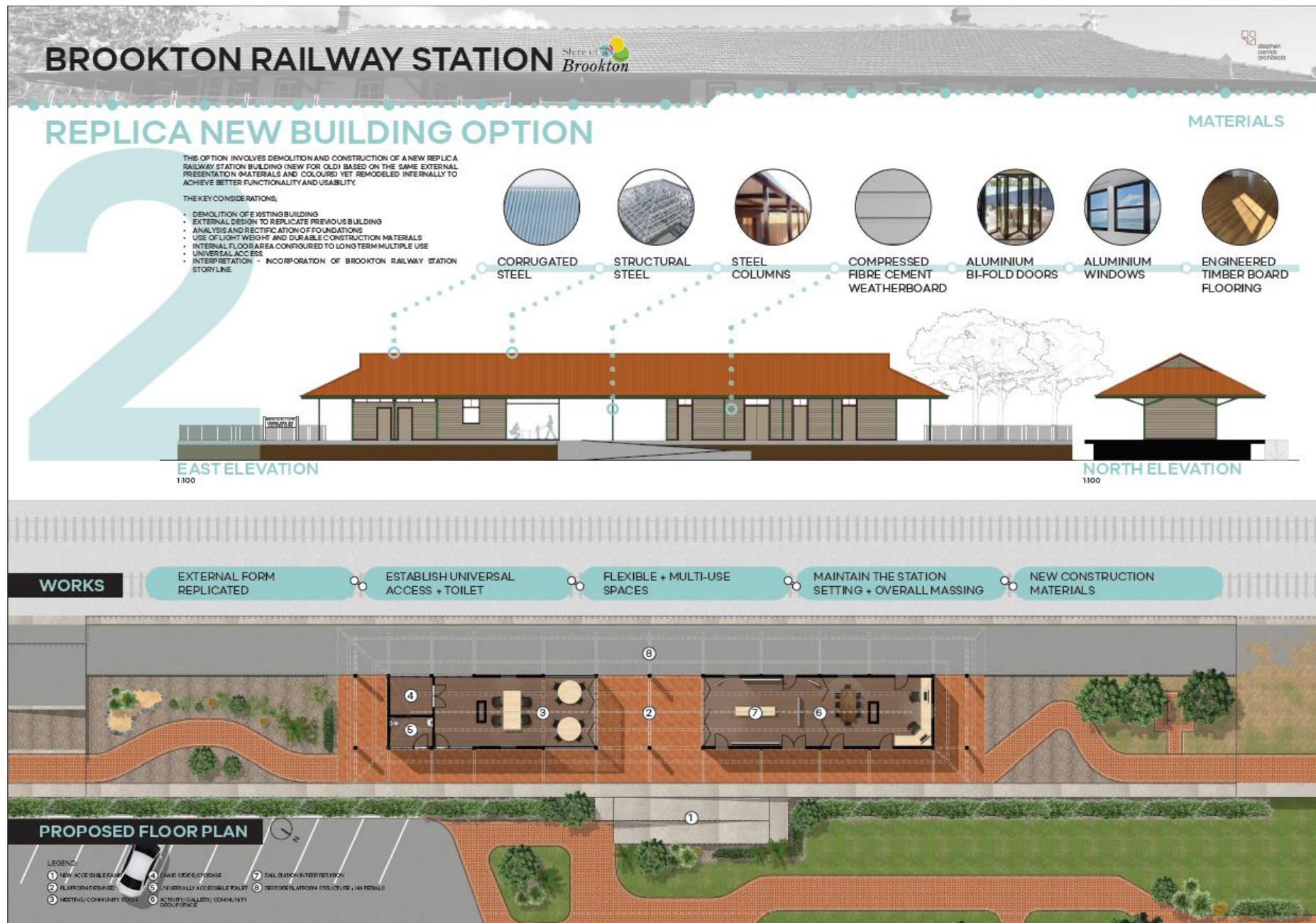


SHIRE OF
BROOKTON
COUNCIL OFFICES

RESTORATION OPTION



RETAIN + RESTORE



BROOKTON RAILWAY STATION



REPLICA NEW BUILDING OPTION



NEW



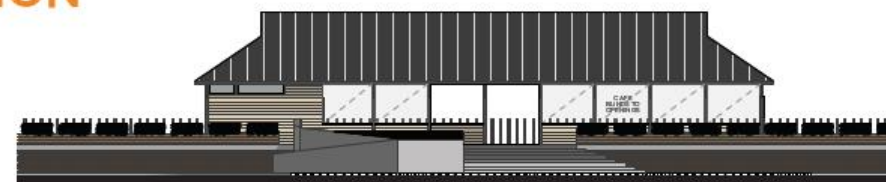
REPLACEMENT NEW BUILDING OPTION

3

THIS OPTION INVOLVES DEMOLITION AND CONSTRUCTION OF AN ALTERNATE BUILDING THAT REPRESENTS THE EXISTING RAILWAY STATION BUILDING - I.E. LARGE OPEN FUNCTIONAL GAZEBO STRUCTURE WITH A CONSISTENT ROOF LINE AND MULTI-USE OPEN/SEMI-ENCLOSABLE FLOOR AREA.

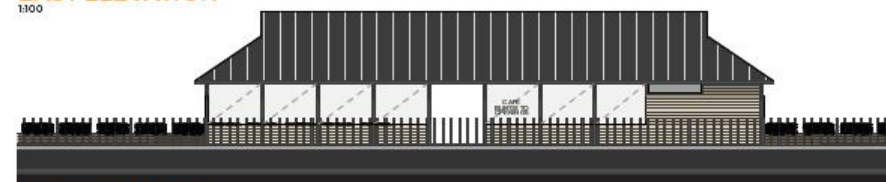
THE KEY CONSIDERATIONS:

- DEMOLITION OF EXISTING BUILDING
- NEW STRUCTURE MODELLED ON EXISTING ROOF LINE
- MINIMUM INTERNAL FLOOR AREA OF 200M² - USABLE
- UNIVERSAL ACCESS
- INTERPRETATION - INCORPORATION OF BROOKTON RAILWAY STATION STORY LINE



EAST ELEVATION

1300



WEST ELEVATION

1300



BROOKTON RAILWAY STATION

REPLACEMENT NEW BUILDING OPTION



OPEN STRUCTURE



BROOKTON RAILWAY STATION



NEW + ADDITION OPTION

4



CONTEMPORARY



HW & Associates
ABN 62 650 513 410
Suite 88
City West Centre
102 Railway Parade
WEST PERTH WA 6005
Ph: (08) 9321 0102

13 September 2021

Stephen Carrick Architects
PO Box 578
Scarborough WA 6922

Attention: Stephen Carrick

Dear Stephen,

BROOKTON RAILWAY STATION OPTIONS 1, 2, 3 AND 4

We have prepared concept design cost estimates for the four options under consideration for the existing Brookton Railway Station. The estimates are based upon the current design concept presentation drawings. In summary the estimated costs for each option are as follows:

	Restoration Option 1	Replica Option 2	Replacement Option 3	Addition Option 4
Existing Railway Station Building	\$829,000			
Replica New Building		\$764,000		
Replacement New Building			\$671,000	
Replacement/Addition New Building				\$1,412,000
Siteworks		506,000	801,000	786,000
Locality Allowance 15%	<u>125,000</u>	<u>190,000</u>	<u>220,000</u>	<u>330,000</u>
	\$954,000	\$1,460,000	\$1,692,000	\$2,528,000
Design Contingency 10%	95,000	146,000	170,000	253,000
Construction Contingency 10%	95,000	146,000	170,000	253,000
Foundation Stabilisation	102,000			
Authority Costs	5,000	8,000	9,000	13,000
Professional Fees 12%	150,000	212,000	245,000	366,000
Escalation to Tender 6%	<u>84,000</u>	<u>118,000</u>	<u>137,000</u>	<u>205,000</u>
Total, excluding GST	\$1,485,000	\$2,090,000	\$2,423,000	\$3,618,000

Please find attached a copy of the cost estimate summaries plus our detailed estimate breakup.

We have included Design and Construction Contingencies at this stage of the project for unknowns that may occur during design development and construction. In addition Option 1 includes a provision for foundation stabilisation should it be required.

Escalation has been allowed for on the basis of a one year period to design and document.

A provision for joinery has been allowed for however loose furniture has been excluded.

Liam Tomlin M: 0434 611 782 E: LiamTomlin@HWAssociates.com.au
Brad Bell M: 0408 896 666 E: BradBell@HWAssociates.com.au

Option 1 is based upon restoration of the existing building only and excludes any siteworks, Options 2 allows for siteworks for the new building and platforms but excludes landscaping and paving out side the building and platform areas, Option 3 and 4 allows for siteworks to the building, platforms and new works to areas surrounding the building. All options exclude any upgrade works to the existing carparking.

New accessible ramp access has been allowed for to each option.

We trust this is adequate however please call if you wish to discuss or if we can assist you further in any way.

Yours faithfully,



Brad Bell

13.09.21 COMMUNITY SERVICES REPORTS

13.09.21.01 REQUEST FOR FEE WAIVER – INSTITUTE OF INDIGENOUS WELLBEING AND SPORT OF WA

File No:	PRO 023
Date of Meeting:	16 September 2021
Location/Address:	N/A
Name of Applicant:	Institute of Indigenous Wellbeing and Sport of WA
Name of Owner:	N/A
Author/s:	Kellie Bartley – Manager Corporate & Community
Authorising Officer:	Ian D’Arcy – Chief Executive Officer
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 Institute of Indigenous Wellbeing and Sport of WA (the Institute) for the fee waiver for the hire of the WB Eva Pavilion and Oval for the 29th September and 6th October 2021.

The Institute will be providing for a delivery of regional school holiday programs for the youth in Brookton whilst promoting cultural identity, engagement, and knowledge of the young people of small towns.

The request from the Institute is attached to this report as **Attachments 15.09.21.01B**.

Description of Proposal:

As detailed above.

Background:

The Institute will be providing two staff members to deliver arts and sports component in Brookton and providing a meal for those attending. They have been successful to acquire an AFLW player to be able to provide the opportunity for the youth of Brookton, with the opportunity to provide leadership, teamwork, and footy skills sessions.

The request for the waiver is to consider the day rate of \$320 per day to be waived. The bond of \$250 will still apply as per the Shire’s Fees and Charges for this facility.

Consultation:

There has been not 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 flat rate per day \$320)	\$640
Bond (refundable bond that is held \$250)	\$250

The bond of \$250 will be held and refunded after the 2nd event. The Institute has requested that the facility hire fee be reduced to nil, meaning the cost to the Shire would be \$640.00 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 event is for a very worthy cause for the youth of the community, it is recommended that Council reduce the fee to nil for the Institute of Indigenous Wellbeing and Sport of WA school holiday program event to be held on the 29th September & 6th October 2021.

This event is open to all members of the community in the youth years to attend and partake in the activities that is a benefit to the youth of Brookton.

OFFICER RECOMMENDATION

That Council pursuant to Section 6.12 of the Local Government Act, 1995 waiver the fee for the WE Eva Pavilion to the Institute of Indigenous Wellbeing and Sport of WA to the School Holiday programs of \$640.00 to \$0.00 for the events scheduled for Wednesday 29th September 2021 and Wednesday 6th October 2021.

OCM 09.21-07

COUNCIL RESOLUTION

MOVED Cr Fancote SECONDED Cr Macnab

That Council pursuant to Section 6.12 of the Local Government Act, 1995 waiver the fee for the WB Eva Pavilion to the Institute of Indigenous Wellbeing and Sport of WA to the School Holiday programs of \$640.00 to \$0.00 for the events scheduled for Wednesday 29th September 2021 and Wednesday 6th October 2021.

CARRIED BY ABSOLUTE MAJORITY VOTE 7/0

Attachments

Attachment 13.09.21.01A – Email received from Institute of Indigenous Wellbeing and Sport of WA.

Attachment 13.09.21.01B – Fee Waiver Letter

Attachment 13.09.21.01C – Booking Form

From: Courtney Winmar <business@iiswsa.org.au>
Sent: Thursday, 9 September 2021 11:17 AM
To: Kylie Freeman <kylie.freeman@brookton.wa.gov.au>
Subject: Re: October - School Holiday Program

Good Morning

I have attached a venue hire application to book the WB Eva Pavilion and Oval for the 29th of September and the 6th of October 9.30am -2.30pm.

I am also writing to request a fee waiver in kind for this hire with the Shire of Brookton if this is possible. I have attached a formal letter request signed by our Programs Manager, Ethan Chadd.

We are a not-for-profit Indigenous owned community organisation requesting the Shire of Brookton's generous assistance to deliver a short diversionary Regional School Holiday Program for the youth in your area as outlined in the attached letter. We rely on the generous assistance of local Shires to promote cultural identity, engagement and knowledge with the young people of small towns.

We can provide two staff members to deliver an arts and sports component in Brookton, and we will also provide a meal for those attending. We are also very fortunate to have an AFLW player be able to come out with our team and speak with the young people about leadership, teamwork and help with footy skills work.

With regard to the fee waiver letter, if there is anything else that is required for an application for fee exemption, please let me know.

Thank you for your time,

Courtney Winmar
Business Manager

Institute of Indigenous Wellbeing and Sport
Parmelia House
2 Stidworthy Way, KWINANA WA 6167
P: 9439 4808 M: 0456 964 320
www.iiswsa.com.au



The Institute of Indigenous Wellbeing and Sports of Western Australia proudly acknowledges that we live and work on Nyoongar Country and express our respect for Elders past and present.



Institute of Indigenous Wellbeing and Sport
10 Hutchins Way
Kwinana WA 6167
Email: business@iiwswa.org.au
ABN: 51 051 399 025

9 September 2021

RE: Fee Exemption for Venue Hire

I am writing to request \$0 fee for the use of the Brookton WB Eva Pavilion on the 29th of September and 6th of October to allow us to deliver a Regional School Holiday Program on behalf of the Institute of Indigenous Wellbeing and Sport of WA (formerly known as Nyoongar Wellbeing and Sports WA).

We target the regional towns and communities in WA and have found that this diversionary program provides displaced youth with a form of entertainment and cultural exposure over the school holiday period. Our team deliver cultural education through arts, sports and yarning programs, and in previous sessions delivered education on message sticks and Dreamtime stories. Our team work with the local Shires to give the community a safe and rewarding environment, with each session running for 4 hours a day and a healthy meal also provided.

One of our main components involves the delivery of Traditional Indigenous Games. Participants learn the name of the traditional indigenous game, its history, who traditionally played it and then get to play it knowing it's importance to Indigenous culture. These games are adapted to be suitable for children.

We aim to engage young people and help to build their physical health and emotional well-being, as well as vital life skills such as teamwork, self-respect and accountability, deferred gratification, goal-oriented behaviour, and care for others. We aim to provide the young people with basic life skills to assist them to make more effective life choices. We hope to encourage young people to avoid participating in anti-social and self-limiting behaviour, and instead live goal directed, positive and enhancing lifestyles. I will provide two employees to deliver this program at your centre and provide food and water for those that attend.

Without this program, there is a higher risk for these young people to commit offending behaviour as a result of boredom, family stress and lack of engagement with their local communities. Aboriginal young people are often excluded from participating in mainstream recreational activities for a range of reasons including such things as high costs, lack of transport, lack of family support and feelings of alienation. The aim of this program is to attract as many young people as we can to reduce the risk of anti-social behaviour in the community.

I am requesting your contribution of the venue hire in kind to support the delivery of this program and look forward to hearing from you.

Yours sincerely,

Ethan Chadd
Programs Manager



Booking and Hire Application

NAME OF ORGANISATION: Institute of Indigenous Wellbeing and Sport

NAME OF RESPONSIBLE APPLICANT: Courtney Winmar

DATE OF BIRTH (Above 18 Years of Age): 20/10/1993

****It is the responsibility of the above applicant to comply with all requirements stated in the conditions of use.***

CONTACT DETAILS: HOME: 08 9439 4808 MOBILE: 0456 964 320

STREET ADDRESS: 10 Hutchins Way Kwinana WA 6167

EMAIL: business@iiwswa.org.au

TYPE OF FUNCTION: Community Regional School Holiday Program

DATE OF FUNCTION: 29 September 2021, 6 October 2021

START TIME: 9.30am FINISH TIME: 2.30pm

KEY PICK UP: 9.15am

****The Shire cannot guarantee continuity of supply due to unforeseen circumstances therefore cannot offer exclusive use of the facilities. In this case you will be contacted and every effort is made to find an alternative venue of the hire however no guarantee can be given.***

FACILITIES AND EQUIPMENT HIRE

Memorial Hall – entire facility	
Memorial Hall – excluding kitchen use	
WB Eva Pavilion	
WB Eva Community Room ONLY	
Sound Equipment	
Town Oval	
Multi-Purpose Courts	
Community/Sporting Group Annual Free Event	
OTHER	

HOW MANY PEOPLE WILL BE ATTENDING THIS FUNCTION/EVENT? 20-30 (community based)

FUNCTIONS WITH 50 OR MORE ATTENDEES MUST NOTIFY THE POLICE PRIOR TO THE EVENT.

Have the Police been notified? ☐ YES ☒ NO

****Bookings may be declined at the discretion of the Chief Executive Officer.***

BOND TOTAL: _____ RECEIPT #: _____ DATE: _____

HIRE TOTAL: _____ RECEIPT #: _____ DATE: _____

****Please note – your booking is not confirmed until payment of both the bond and hire amounts have been received.***

G:\Master Documents\FORMS\Council Property\Hiring Forms & Procedures\2020 forms updated\2020 - Booking Confirmation Form 2018-19 & Conditions of Use - Hall & Pavilion.docx

8 October 2020

REQUEST FOR PERMISSION TO CONSUME ALCOHOL

I, here by make the application to Council requesting permission to consume alcohol at the function stipulated above.

Signature on behalf of the Hirer: _____

Signature of CEO: _____

**If selling alcohol you will need to obtain a liquor license from the Department of Racing, Gaming and Liquor WA.*

REFUND OF BOND

BRANCH: Bendigo Bank ACCOUNT NAME: Institute of Indigenous Wellbeing and Sport
BSB: - ACCOUNT #:

In the event that you have changed your bank account details from the time of signing this agreement, you will be required to confirm your new bank account details in writing, in order for us to return your bond.

TERMS AND CONDITIONS

I confirm and understand the attached term and conditions relating to the use of the PUBLIC BUILDING (a copy has been issued to me) and agree to be bound by those terms and conditions. Upon acceptance of the hire, the Applicant undertakes to hold the Shire of Brookton indemnified against all claims, losses, actions, damages, costs (including legal costs) and expenses what so ever arising out of or in connection with the hiring of the facility. The Shire of Brookton is further indemnified against any and all personal injury (including death or disease) to the applicant or any invitee or third party unless and then only to the extent that the Applicant proves said injury is due to the negligence of the Shire of Brookton. The Shire of Brookton is also further indemnified against all loss of or damage to any property owned by the applicant, the Shire or any third part. The applicant agrees to comply with any statute or regulation or local law of any public, municipal or other authority.

Signature on behalf of the Hirer:  Date: 08/09/2021

OFFICE USE ONLY

HAS THE VENUE BEEN CHECKED? ☐ YES ☐ NO
DATE CHECKED: _____
STAFF NAME: _____
STAFF SIGNATURE: _____

14.09.21 CORPORATE SERVICES REPORTS

14.09.21.01 LIST OF ACCOUNTS FOR PAYMENT – AUGUST 2021

File No:	N/A
Date of Meeting:	16 September 2021
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Peta Harben – Finance Administration 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:	19 August 2021

Summary of Item:

The purpose of this report is to present to Council the list of accounts paid, for the month ending 31 August 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	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 support the following Business Unit and Functions:

- 18. *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 14.09.21.01A**.

Payments up to 31 August 2021

Payment Type	Account Type	Amount (\$)
Automatic Payment Deductions (Direct Debits)	Municipal	\$148,295.79
Cheque Payments (cheque numbers issued)	Municipal	Nil
EFT Payments #12433 to #12493	Municipal	\$254,144.05
Sub Total	Municipal	\$402,439.84
EFT Payments – Nil	Trust	\$0.00
Sub Total	Trust	\$0.00
EFT Payments – EFT Payments #12494	Bond	\$350.00
Sub Total	Bond	\$350.00
Totals		\$402,789.84

Contained within **Attachment 14.09.21.01A** is a detailed transaction listing of credit care expenditure paid for the period ended 31 August 2021. This amount is included within the total payments, listed above.

OFFICER'S RECOMMENDATION

That Council accepts the list of accounts, totalling \$402,789.84 paid under delegated authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 for the period ended 31 August 2021, as contained within Attachment 14.09.21.01A.

OCM 09.21-08

COUNCIL RESOLUTION

MOVED Cr Macnab SECONDED Cr Fancote

That the minutes of the Ordinary meeting of Council held in the Shire of Brookton Council Chambers, on 19 August 2021, be confirmed as a true and correct record of the proceedings.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachments

Attachment 14.09.21.01A – List of accounts for August 2021

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

14.09.21.02 STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 31 AUGUST 2021

File No:	N/A
Date of Meeting:	16 September 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:	There is no previous meeting reference

Summary of Item:

The Statement of Financial Activity for period ending 31 August 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 31 August 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 14.09.21.02A**.

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 September 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 – 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. *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 RECOMMENDATION

That Council receives the Monthly Statements of Financial Activity for the 31 August 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 14.09.21.02A.

OCM 09.21-09

COUNCIL RESOLUTION

MOVED Cr Hartl SECONDED Cr Fancote

That Council receives the Monthly Statements of Financial Activity for the 31 August 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 14.09.21.02A.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachments

Attachment 14.09.21.02A – Statement of financial activity – August 2021

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Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 August 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	2,830	2,731	3,491	661	23.35%	▼
03 General Purpose Funding		1,886,516	1,886,516	267,029	185,955	156,430	(110,599)	(41.42%)	▼
05 Law, Order and Public Safety		315,963	315,963	163,139	15,872	16,584	(146,556)	(89.83%)	▼
07 Health		300	300	50	9	9	(41)	(81.82%)	▼
08 Education and Welfare		65,906	65,906	10,982	4,983	13,188	2,206	20.09%	▲
09 Housing		71,296	71,296	11,880	8,616	18,729	6,849	57.65%	▲
10 Community Amenities		404,681	404,681	67,440	1,706	393,178	325,738	483.00%	▲
11 Recreation and Culture		36,101	36,101	6,010	2,231	2,834	(3,176)	(52.84%)	▲
12 Transport		684,303	684,303	113,080	84,910	234,892	121,812	107.72%	▲
13 Economic Services		100,160	100,160	16,690	24,755	34,000	17,310	103.71%	▲
14 Other Property and Services		27,000	27,000	4,496	7,798	9,298	4,802	106.81%	▲
Total (Excluding Rates)		3,615,736	3,615,736	663,626	339,566	882,632	219,006	33.00%	
Operating Expense									
04 Governance		(569,257)	(569,257)	(85,506)	(25,654)	(71,836)	13,670	15.99%	▲
03 General Purpose Funding		(250,387)	(250,387)	(37,034)	(19,516)	(32,896)	4,138	11.17%	▲
05 Law, Order and Public Safety		(470,954)	(470,954)	(82,465)	(32,325)	(57,942)	24,523	29.74%	▲
07 Health		(25,294)	(25,294)	(5,462)	(2,107)	(3,612)	1,850	33.86%	▲
08 Education and Welfare		(163,573)	(163,573)	(28,904)	(11,836)	(20,282)	8,622	29.83%	▲
09 Housing		(241,917)	(241,917)	(42,513)	(19,764)	(30,965)	11,548	27.16%	▲
10 Community Amenities		(573,400)	(573,400)	(93,401)	(41,122)	(58,739)	34,662	37.11%	▲
11 Recreation and Culture		(1,044,540)	(1,044,540)	(170,186)	(100,079)	(147,967)	22,219	13.06%	▲
12 Transport		(3,571,833)	(3,571,833)	(600,610)	(332,072)	(629,184)	(28,574)	(4.76%)	▲
13 Economic Services		(257,475)	(257,475)	(36,259)	(20,305)	(34,263)	1,996	5.50%	▲
14 Other Property and Services		(406,383)	(406,383)	(82,980)	(49,475)	(78,415)	4,565	5.50%	▲
Total		(7,575,013)	(7,575,013)	(1,265,320)	(654,255)	(1,166,101)	99,219	7.84%	
Funding Balance Adjustment									
Add back Depreciation		3,098,790	3,098,790	516,465		517,040	575	0.11%	▼
Adjust (Profit)/Loss on Asset Disposal	6	47,511	47,511	47,511		8,876	(38,635)	(81.32%)	▼
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)	(37,718)		242,447	280,165	(742.79%)	
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	0		0	0		
Transfer from Reserves	5	2,406,197	2,406,197	401,033		0	(401,033)	(100.00%)	▼
Total		3,152,610	3,152,610	401,033		63,841	(337,192)		
Capital Expenses									
Land and Buildings	6	(1,514,000)	(1,514,000)	(28,664)		(122,579)	(93,915)	(327.64%)	▼
Plant and Equipment	6	(436,000)	(436,000)	(6,666)		0	6,666	100.00%	▲
Furniture and Equipment	6	(10,000)	(10,000)	0		(7,638)	(7,638)		▲
Infrastructure Assets - Roads & Bridges	6	(1,068,926)	(1,068,926)	(31,128)		(2,949)	28,179	90.53%	▲
Infrastructure Assets - Sewerage	6	(742,000)	(742,000)	(123,664)		(546)	123,118	99.56%	▲
Infrastructure Assets - Footpath	6	0	0	0		0	0		
Repayment of Debentures	7	(133,672)	(133,672)	(24,273)		(23,937)	336	1.38%	▲
Principal elements of finance lease payments	7	(1,419)	(1,419)	0		0	0		
Transfer to Reserves	5	(1,791,777)	(1,791,777)	(298,630)		(382)	298,247	99.87%	▲
Total		(5,697,794)	(5,697,794)	(513,025)		(158,031)	354,993	(69.20%)	
Net Capital		(2,545,184)	(2,545,184)	(111,992)		(94,190)	17,801	(15.90%)	
Total Net Operating + Capital		(3,358,160)	(3,358,160)	(149,710)		148,256	297,966	199.03%	
Rate Revenue									
Opening Funding Surplus(Deficit)		2,376,497	2,376,497	2,409,355		2,408,098	(1,257)	(0.05%)	▲
		981,662	981,662	869,805		869,805	111,857	12.86%	▲
Closing Funding Surplus(Deficit)	3	0	0	3,129,450		3,426,159	408,566		

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Program by Nature and Type
For the Period Ended 31 August 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	2,409,355	2,408,098	(1,257)
Operating Grants, Subsidies and Contributions	1,167,520	877,666	17,220	251,585	234,365
Fees and Charges	682,928	689,173	114,836	466,394	351,558
Interest Earnings	130,111	135,249	2,998	3,582	584
Other Revenue	197,836	162,795	7,110	11,089	3,979
	4,589,002	4,275,490	2,551,519	3,140,748	589,229
EXPENSES FROM ORDINARY ACTIVITIES					
Employee Costs	(1,911,012)	(2,221,305)	(336,428)	(373,060)	(36,632)
Materials and Contracts	(1,531,907)	(1,718,616)	(263,861)	(153,926)	109,935
Utilities	(177,631)	(190,430)	(23,346)	(18,450)	4,896
Depreciation	(2,781,490)	(3,098,790)	(516,442)	(517,040)	(598)
Interest Expenses	(76,411)	(67,343)	(8,392)	4,662	13,054
Insurance	(193,031)	(230,647)	(107,199)	(99,411)	7,788
Other Expenditure	(112,453)	(850)	(56)	(0)	56
	(6,783,935)	(7,527,981)	(1,255,724)	(1,157,225)	98,499
	(2,194,933)	(3,252,491)	1,295,795	1,983,523	687,728
Non-Operating Grants, Subsidies & Contributions	740,579	1,713,243	520,880	149,982	(370,898)
Profit on Asset Disposals	-	-	-	-	-
Loss on Asset Disposals	(47,511)	(47,511)	(47,511)	(8,876)	38,635
NET RESULT	(1,501,865)	(1,586,759)	1,769,164	2,124,629	355,465

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

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

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

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

10 Community Amenities

Revenue from disposal of controlled waste.

11 Recreation and Culture

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

12 Transport

Main Roads WA Grant received.

13 Economic Services

\$24,000 received in Caravan park revenue

14 Other Property and Services

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

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

LGIS insurance processed in the month.

7 Health

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

8 Education and Welfare

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

9 Housing

Insurances processed. Unexpected plumbing on 2 Shire properties ie new hot water system required attending to.

10 Community Amenities

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

11 Recreation and Culture

3 Community Chest Fund contributions - Aldersyde Agricultural Hall, Brookton Country Club & Brookton Community Inc.

12 Transport

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

13 Economic Services

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

14 Other Property and Services

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

CAPITAL REVENUE

Proceeds from Disposal of Assets

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

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

More 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

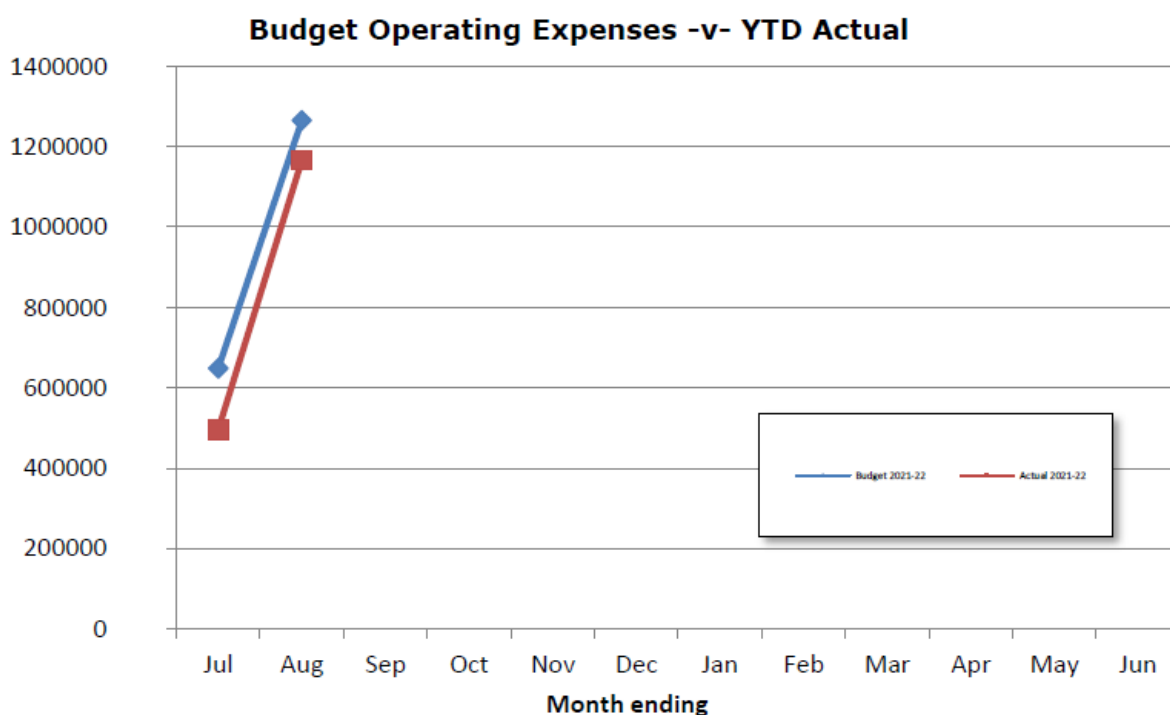
Within variance threshold of \$10,000 or 10%

Closing Funding Surplus (Deficit)

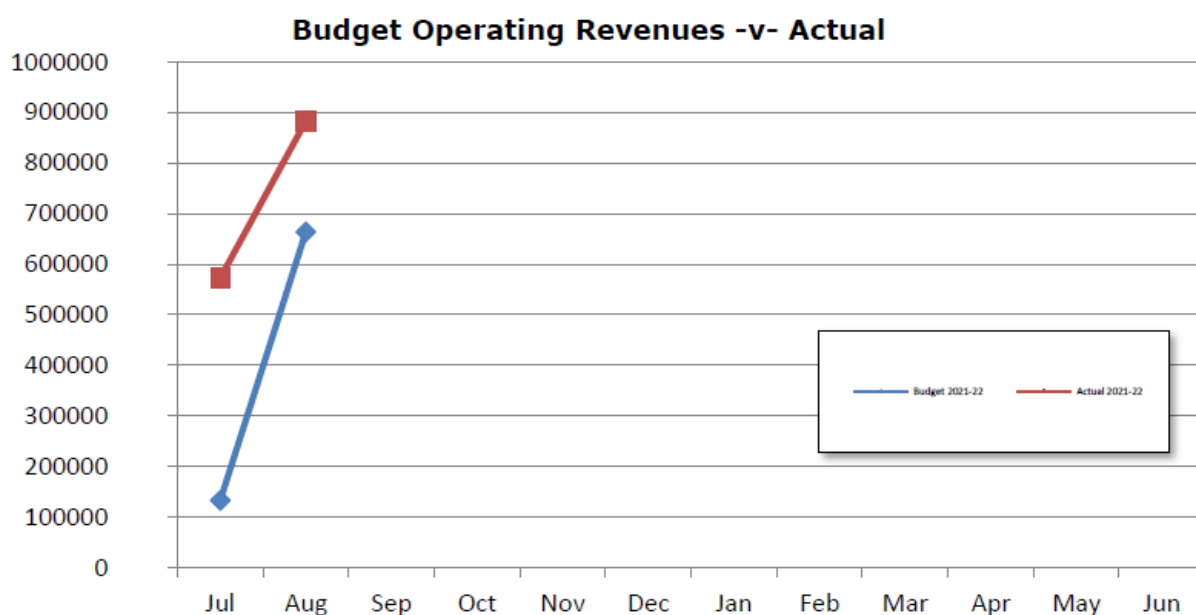
Within variance threshold of \$10,000 or 10%

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2021

Note 2 - Graphical Representation - Source Statement of Financial Activity



Comments/Notes - Operating Expenses

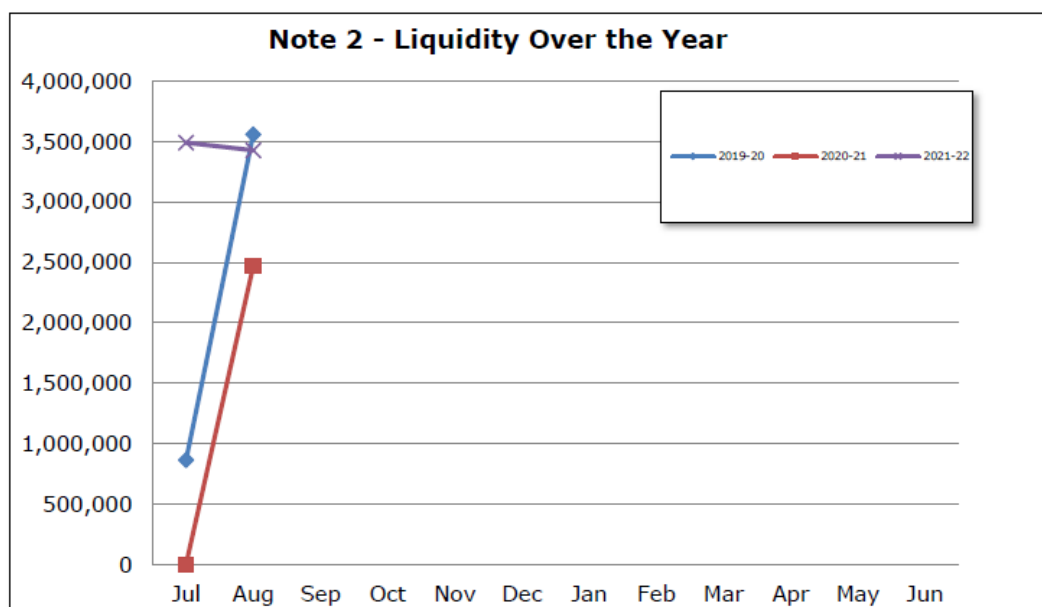


Comments/Notes - Operating Revenues

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2021

Note 3: NET CURRENT FUNDING POSITION

Positive=Surplus (Negative=Deficit)				
Note	2021-22			Surplus C/F 1 July 2021
	This Period	Same Period 2020/21	Same Period 2019/20	
	\$	\$	\$	\$
Current Assets	August 2021	August 2020	August 2019	
Cash Unrestricted	2,540,191	392,817	1,009,362	1,132,706
Cash Restricted	11,627,124	12,134,601	5,254,106	11,626,742
Receivables	1,380,484	2,737,245	6,696,867	120,462
Non Cash Movements		0	0	0
Inventories	22,691	24,678	21,725	27,060
	15,570,490	15,289,342	12,982,060	12,906,970
Less: Current Liabilities				
Payables and Provisions	(517,206)	(687,549)	(4,170,442)	(410,423)
	(517,206)	(687,549)	(4,170,442)	(410,423)
Less: Cash Restricted	(11,627,124)	(12,134,601)	(5,254,106)	(11,626,742)
Net Current Funding Position	3,426,160	2,467,192	3,557,512	869,805



Comments - Net Current Funding Position

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 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

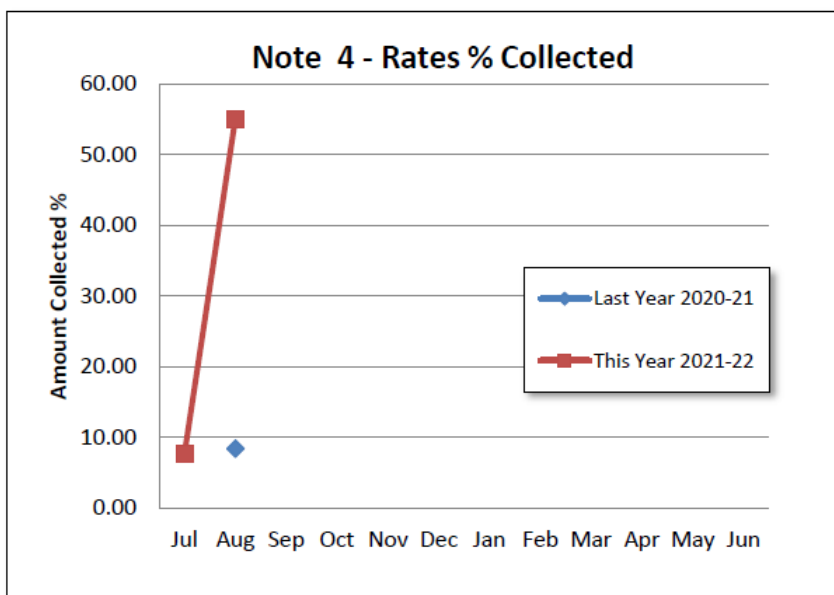
Current 2021-22	Previous Year 2020-21
\$	\$
98,570	234,381
2,795,089	2,713,033
(1,592,172)	(247,586)
1,301,488	2,465,447
1,301,488	2,465,447
55.02%	8.40%

Receivables - General

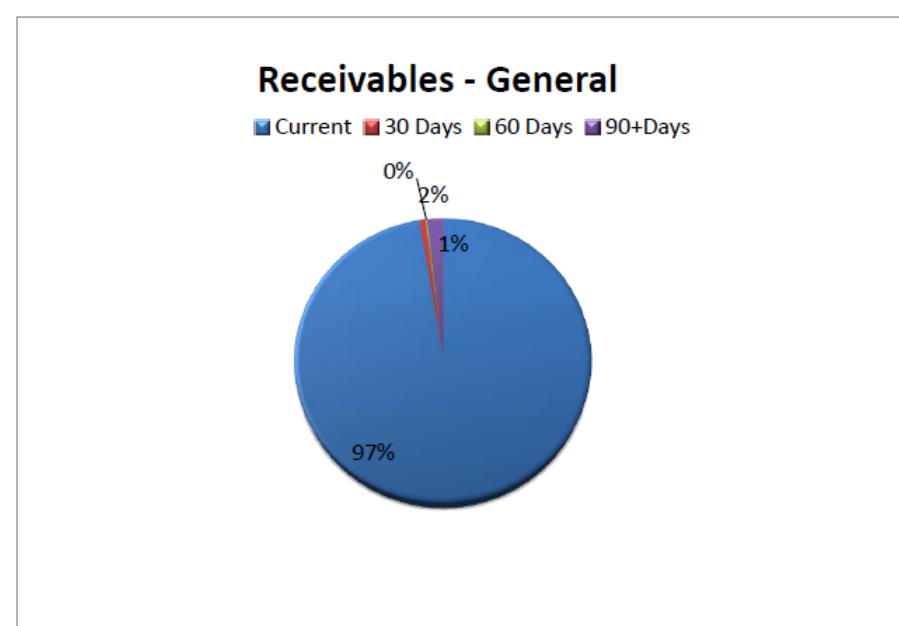
Current	30 Days	60 Days	90+Days
\$	\$	\$	\$
91,011	628	147	1,717
			93,503

Total Outstanding

Amounts shown above include GST (where applicable)



Comments/Notes - Receivables Rates, Sewerage and Rubbish



Comments/Notes - Receivables General

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 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	138,778	1,111	10	0		0	0	0	0	139,889	138,788
Plant and Vehicle Reserve and Community Bus Reserve	751,938	2,699	23	545,000		0	(314,000)	0	0	985,637	751,961
Land & Housing Development Reserve/Independent Living Units	1,391,205	11,139	96	0		0	(30,000)	0	0	1,372,344	1,391,302
Furniture and Equipment Reserve	21,194	170	1	0		0	(10,000)	0	0	11,364	21,195
Municipal Buildings & Facilities Reserve	330,737	5,049	44	0		0	(180,000)	0	0	155,786	330,781
Townscape and Footpath Reserve	125,068	1,001	9	0		0	(47,000)	0	0	79,069	125,077
Sewerage Scheme Reserve	410,425	3,566	31	65,000		0	(50,000)	0	0	428,991	410,456
Road and Bridge Infrastructure Reserve	327,787	927	8	758,764		0	(484,433)	0	0	603,045	327,795
Health & Wellbeing reserve	553,863	4,415	38	0		0	(558,764)	0	0	(486)	553,901
Sport & Recreation Reserve	31,625	253	2	0		0	0	0	0	31,878	31,627
Rehabilitation & Refuse Reserve	169,841	1,708	15	55,000		0	(50,000)	0	0	176,549	169,856
Caravan Park Reserve	153,899	2,832	25	0		0	0	0	0	156,731	153,924
Brookton Heritage/Museum Reserve	47,148	378	3	0		0	0	0	0	47,526	47,152
Kweda Hall Reserve	18,026	144	1	0		0	0	0	0	18,170	18,027
Aldersyde Hall Reserve	25,806	0	0	0		0	0	0	0	25,806	25,806
Railway Station Reserve	129,940	2,641	23	200,000		0	(70,000)	0	0	262,581	129,963
Madison Square Units Reserve	30,653	245	2	0		0	0	0	0	30,898	30,655
Cemetery Reserve	43,863	246	2	50,000		0	(40,000)	0	0	54,109	43,865
Water Harvesting Reserve	48,116	877	8	0		0	(42,000)	0	0	6,993	48,124
Developer Contribution	2,740	22	0	0		0	0	0	0	2,762	2,740
Cash Contingency Reserve	140,336	1,054	9	0		0	0	0	0	141,390	140,345
Brookton Aquatic Reserve	156,130	3,650	32	25,000		0	(30,000)	0	0	154,780	156,162
Future Fund Reserve	7,084,132	32,779	0	0		0	0	0	0	7,116,911	7,084,132
Innovations Fund Reserve	0	16,107	0	0		0	(500,000)	0	0	(483,893)	0
	12,133,250	93,013	382.21	1,698,764	0	0	(2,406,197)	0	0	11,518,830	12,133,634

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 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	44,512		41,114	(3,398)
		0					0
		0					0
		0					0
		0					0
76,677	62,000	(14,677)		76,115		63,841	(12,274)

Comments - Capital Disposal

Summary Acquisitions				
	Budget	Current Budget	Actual	Variance
Property, Plant & Equipment	\$		\$	\$
Land and Buildings	1,514,000	1,514,000	122,579	1,391,421
Plant & Equipment	436,000	436,000	0	436,000
Furniture & Equipment	10,000	10,000	7,638	2,362
Infrastructure				
Roadworks & Bridge Works & Footpaths	1,068,926	1,068,926	2,948	1,065,978
Footpath Construction - Richardson Street	0	0	0	0
Sewerage & Drainage	742,000	742,000	546	741,454
Totals	3,770,926	3,770,926	133,711	3,637,215

Comments - Capital Acquisitions

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 2021

Note 7: INFORMATION ON BORROWINGS

Particulars	Loan Purpose	Due Date	Term (yrs)	Rate (%)	Principal 1-Jul-20 \$	New Loans \$	Principal Repayments		Principal Outstanding		Interest Repayments	
					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	-	-	24,413	215,828	201,217	(1,713)	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	-	-	60,710	536,706	492,286	(4,261)	44,420
					1,070,545	-	23,937	133,672	1,046,608	994,248	(4,662)	76,297
Right of Use	Seabrook Dam										-	810
											(4,662)	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 31 August 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%	658,455				658,455	Bendigo	
Municipal Cash at Bank - Cash Management Account	0.05%	1,871,736				1,871,736	Bendigo	
Bond Fund	0.00%	10,000				10,000	Bendigo	
Trust Cash at Bank	0.00%			13,820		13,820	Bendigo	
(b) Term Deposits								
Savings Account	0.05%		4,436,356			4,436,356	Bendigo	
Reserves	0.20%		7,190,768			7,190,768	Bendigo	20/09/2021
(c) Investments								
Bendigo Bank Shares					10,000	10,000	Bendigo	
Total		2,540,191	11,627,124	13,820	10,000	14,191,135		

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 August 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 2020		Opening Surplus(Deficit)	\$	\$	\$	\$
							869,805
							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 31 August 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 2019	Amount Received	Amount Paid	Closing Balance For the Period Ended 31 August 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 Programm by Nature and Type
For the Period Ended 31 August 2021

Note 11 Sewerage 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					
I102010	Sewerage Connection Fees and Charges	1,690	1,690	236	(1,454)
I102011	Annual Sewerage Rates	196,268	196,268	196,268	0
		197,958	197,958	196,504	(1,454)
EXPENSES FROM ORDINARY ACTIVITIES					
E102020	Employee Costs	(3,559)	(593)	(358)	235
E102020	Materials and Contracts	(51,200)	(8,533)	(6,081)	2,452
E102020	Utilities	(3,300)	(550)	(519)	31
E102500	Depreciation	(36,542)	(6,090)	(7,692)	(1,601)
E102030	Interest Expenses	(2,315)	(386)	(184)	202
E102020	Insurance	(322)	(54)	(80)	(26)
E102020	General Operating Expenses	(1,920)	(320)	(295)	25
E102999	Allocation of Adminstration Expense	(50,243)	(8,374)	(7,466)	908
		(149,401)	(24,900)	(22,675)	2,225
		48,557	173,058	173,830	772
	Add Back Depreciation	36,542	6,090	7,692	1,601
	Non-Operating Grants, Subsidies & Contributions	-	-	-	-
	Profit on Asset Disposals	-	-	-	-
	Loss on Asset Disposals	-	-	-	-
	Transfer to Sewerage and Drainage Reserve	(65,000)	(10,833)	-	(10,833)
	Transfer from Sewerage and Drainage Reserve	50,000	50,000	-	50,000
NET RESULT		70,099	218,315	181,521	41,540
	Capital Loan Repayments			(3,351)	

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
WB Eva Pavilion by Nature and Type
For the Period Ended 31 August 2021

Note 12 WB Eva Pavilion 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				
Hire Fees - WB Eva Pavilion	4,000	667	756	90
Sporting Club Fees	4,000	667	-	(667)
Gymnasium Income	7,000	1,167	1,595	429
	15,000	2,500	2,352	(148)
EXPENSES FROM ORDINARY ACTIVITIES				
Employee Costs	-	-	-	-
Materials and Contracts	-	-	-	-
Utilities	-	-	-	-
Interest Expenses	(35,688)	(5,948)	4,261	10,209
Insurance	-	-	-	-
General Operating Expenses	-	-	-	-
Gymnasium Operating	(11,983)	(1,992)	(447)	1,545
	(35,688)	(5,948)	3,814	10,209
	(20,688)	(3,448)	6,166	10,061
NET RESULT	(20,688)	(3,448)	6,166	10,061

Capital Loan Repayments

0

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Brookton Caravan Park and Brookton Acquatic Centre
For the Period Ended 31 August 2021

	Note	Adopted Annual Budget 2019/20	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	14,167	33,168	19,002	134.13%
Total Revenue		85,000	14,167	33,168	19,002	134.13%
Operating Expenses						
Brookton Caravan Park	CARAOP MARKOP	(75,846)	(12,641)	(12,621)	20	(0.16%)
Brookton Caravan Park		(2,000)	(333)	0		
Caravan Park Depreciation		(2,179)	(363)	(1,460)	(1,097)	302.07%
Caravan Park Abc Administration Expenses		(30,146)	(5,024)	(4,479)	545	(10.85%)
Total		(110,171)	(18,362)	(18,561)	(532)	(2.90%)
Operating Surplus (Deficit)		(25,171)	(4,195)	14,607	18,469	440%
Excluding Non Cash Adjustments						
Add back Depreciation		2,179	363	1,460	1,097	302.07%
Net Operating Surplus (Deficit)		(22,992)	(3,832)	16,068	19,566	(510.60%)
Note 13 (b): Brookton Acquatic Centre						
Operating Revenue						
POOL FEES & CHARGES		13,100	2,183	0	(2,183)	(100.00%)
POOL GRANTS & SUBSIDIES		0	0	0	0	0.00%
Total Revenue		13,100	2,183	0	(2,183)	(100.00%)
Operating Expenses						
POOL EMPLOYEE COSTS		(79,061)	(13,177)	(12,747)	429	0.00%
POOL GENERAL OPERATING EXPENSES		(49,439)	(8,240)	(1,292)	6,948	(84.32%)
POOL BUILDING MAINTENANCE		(15,978)	(2,663)	(3,310)	(647)	24.31%
POOL DEPRECIATION		(11,272)	(1,879)	(2,063)	(185)	9.83%
POOL ABC ADMINISTRATION EXPENSES		(30,146)	(5,024)	(4,479)	545	(10.85%)
Total		(185,896)	(30,983)	(23,892)	7,090	22.88%
Operating Surplus (Deficit)		(172,796)	(28,799)	(23,892)	4,907	17.04%
Excluding Non Cash Adjustments						
Add back Depreciation		11,272	1,879	2,063	185	9.83%
Net Operating Surplus (Deficit)		(161,524)	(26,921)	(21,829)	5,092	18.91%

Note 14

Shire of Brookton, Ordinary Meeting of Council, 16 September 2021 - Minutes

Note 15

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Capital Works Program
For the Period Ended 31 August 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	0	0%			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 improvem	30,000	30,000	0	0%			30,000			30,000
Community Garden/Mensshed building	0	0	1,409			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	90,553	50%		180,000				180,000
Depot Improvements	130,000	130,000	27,808	21%			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	0	0%			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	0	0%		374,960				374,960
Richardson Street	218,633	218,633	0	0%		218,633				218,633
Brookton-Kweda Road	186,779	186,779	0	0%			186,779			186,779
Davis Road	150,537	150,537	0	0%			150,537			150,537
Koornong 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
Crm 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
Footpath Construction Richardson Road	0	0	0							0
Footpath Construction Lennard Street	0	0	0							0
Happy Valley Bore Field	92,000	92,000	546	1%		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	133,711		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 31 August 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)	0%
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)	(104,673)	16%
WA Grants Commission	GPG Grants Commission - Roads	Operating	(382,494)	(382,494)	Recurrent	(382,494)	(46,240)	12%
WA Grants Commission	GPG Grants Commission - Bridges	Operating	-	-	-	-	-	0%
DFES	ESL Grant - Emergency Services Levy - Operating	Operating	(56,600)	(56,600)	Recurrent	(56,600)	(15,762)	28%
Main Roads WA	Direct Grant	Operating	(84,910)	(84,910)	Recurrent	(84,910)	(84,910)	100%
			(1,785,773)	(1,785,773)		(1,785,773)	(401,567)	22%

15.09.21 GOVERNANCE

15.09.21.01 PROPOSED RESIDENTIAL TENANCY – UNIT 3/33 WHITTINGTON STREET, BROOKTON

File No:	ADM 0015
Date of Meeting:	16 September 2021
Location/Address:	Unit 3/33 Wittington Street – Community Housing
Name of Applicant:	Baptistcare (WA) Inc.
Name of Owner:	Shire of Brookton
Author/s:	Ian D'Arcy – Chief Executive Officer
Authorising Officer:	As above
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This item relates to the availability of Unit 3/33 Wittington Street, Brookton (Mokine Units) being vacant and a request from Baptistcare (WA) Inc. seeking Council favourable consideration to a tenancy of this unit to house itinerant employees working at the Kalkarni Aged Care Residential Facility.

Proposal:

As above.

Background:

Unit 3/33 Wittington Street is a three bedroom/one bathroom unit previously occupied as an independent living unit. With unit having recently been vacated, Baptistcare has approached the Shire as they are seeking more accommodation to house itinerant employees, such as registered nursing staff.

Presently, Baptistcare already rents two residential units from the Shire for this purpose, however, with an increase in staffing numbers largely attributed to the Aged Care Royal Commission and COVID-19 there is a greater need for more staff to ensure the care of residents is not compromised.

Consultation:

Consultation has been entertained with Councillors at the August 2021 Corporate Briefing Session (CBF).

Statutory Environment:

The appointment of a suitable tenant and the letting of this residential unit is largely governed by the *Residential Tenancies Act, 1987*.

Relevant Plans and Policy:

Section 3.1 of Council Policy 2.33 – Employee and Community Housing the eligibility criteria specifies the applicant needs to address the following:

- *Be listed on the Shire's 'Housing Requests Register'. If there is no waiting list a community housing unit will be allocated on a 'first come/first serve' basis.*
- *Be an Australian citizen or permanent resident, with proof of identity (ie passport, driver's license or similar).*
- *Be 55 years of age or above.*
- *Currently residing within Western Australia*
- *Be able to live 'independently' as assessed by a qualified medical practitioner or similar qualified person.*
- *Subject to suitability preference may be given to local/ex-local residents of the Shire of Brookton.*

Section 5.2 also states:

5.2 Should there be no immediate demand for Senior Citizen Housing, the Council may exercise discretion in allocating a residential unit to:

- a) a person not assessed as a Senior Citizen under Section 4.1 of this policy; or*
- b) a corporate entity with a business presence in the Brookton Shire.*

providing any such arrangement under this provision is to be based on:

- i. the balance of this policy being satisfied (including provision 4.5, and Sections 6.0 – 10.0 inclusive); and*
- ii. the rental arrangement structured on a periodic tenancy agreement and market rental rates.*

Financial Implications:

The current rent set by Council is \$300 per week and if tenanted will yield a return of \$15,600 pa.

Risk Assessment:

There is a 'High' risk of reduction in care for the 43 aged care residents in Kalkarni should Council not support this request.

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	<i>Unacceptable. Risk reduction measures must be implemented before proceeding.</i>

Community & Strategic Objectives:

This proposal relates to delivery of core business and services detailed in the Shire of Brookton Corporate Compendium – October 2021, duly appended to the Next Generation BROOKTON Corporate Business Plan <2024.

Specifically, the rental of Unit 1 applies to the following Business Unit.

4. Property Management

4.1 Review tenancy agreements – Shire Housing

Comment

The rental of this unit to Baptistcare does raise a moral question. While the unit was initially constructed as an Independent Living Unit and the Shire is no longer directly responsible for residential age care delivery in Brookton, it can comfortably be argued the Council has a moral obligation and duty to ensure residents at Kalkarni are appropriately supported. Given this and there is limited residential housing in Brookton, it is recommended Unit 3 be rented to Baptistcare on periodical tenancy agreement to accommodate itinerant aged care workers.

OFFICER RECOMMENDATION

That Council in relation to the letting of Unit 3/33 (Lot 510) Whittington Street Brookton supports the letting of this residential unit to Baptistcare, subject to the following conditions being applied:

1. A periodical residential tenancy agreement being offered and executed, with a condition assessment inspection being conducted and agreed too, prior to occupancy.
2. The payment of four weeks rent as a tenancy bond to be placed in trust with the Department of Commerce.
3. The payment of two weeks rent in advance.
4. The applicant being responsible for connection and payment of utility services and the up-keep of the garden areas associated with Unit 3.

OCM 09.21-10

COUNCIL RESOLUTION

MOVED Cr Lilly SECONDED Cr Watts

That Council in relation to the letting of Unit 3/33 (Lot 510) Whittington Street Brookton supports the letting of this residential unit to Baptistcare, subject to the following conditions being applied:

- 1. A periodical residential tenancy agreement being offered and executed, with a condition assessment inspection being conducted and agreed too, prior to occupancy.***
- 2. The payment of four weeks rent as a tenancy bond to be placed in trust with the Department of Commerce.***
- 3. The payment of two weeks rent in advance.***
- 4. The applicant being responsible for connection and payment of utility services and the up-keep of the garden areas associated with Unit 3.***

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachments

Attachment 15.09.21.01A – Email request to rent unit

From: June Harwood <June.Harwood@baptistcare.com.au>
Sent: Monday, 9 August 2021 2:40 PM
To: Anthia Craig
Subject: House to Rent

Good afternoon Anthia

I am writing to request Baptistcare interest in renting a house from you when one becomes available

Kind regards

June



June Harwood

Manager Residential Care

Baptistcare Kalkarni - Brookton

p 08 9642 0199 **m** 0427 131 715

e june.harwood@baptistcare.com.au

w www.baptistcare.com.au

15.09.21.02 PROPOSED AMENDMENT COUNCIL POLICY MANUAL

File No:	GOV 031A
Date of Meeting:	16 September 2021
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Ian D’Arcy – Chief Executive Officer
Authorising Officer:	As above
Declaration of Interest:	The author has an interest as the officer responsible implementing Council Policies
Voting Requirements:	Absolute Majority
Previous Report:	20 September 2019

Summary of Item:

The Shire of Brookton is required under the *Local Government Act 1995* to perform a holistic review of the Shire’s policy manual on a regular basis, being generally every two years.

This report constitutes this review.

A copy of the Policy Manual with recommended amendments highlighted in red text is provided under separate cover.

Description of Proposal:

As above.

Background:

The *Local Government Act 1995* allows for Council to delegate to the Chief Executive Officer the exercise of its powers or the discharge of its duties under the Act. Generally, the delegations are performed in accordance with established policy as developed and adopted by Council under Section 2.7 of the Act. In context, the manual that is generally reviewed every two years to ensure currency and continued alignment to the contemporary business of the Local Government, notwithstanding individual policies can and often are presented to Council for amendment as required.

This review process also affords opportunity to rescind a policy no longer viewed as applicable and introduce new policies where Council believes there is a genuine need.

Consultation:

Discussion on the respective policy amendments has been entertained with Councillors at the July and August 2021 Corporate Briefing Session to receive direction on the recommended changes.

Statutory Environment:

As mentioned, the review of Council Policies is enacted under Section 2.7 of the *Local Government Act, 1995* with an exception being Local Planning Policies that fall under the *Planning and Development (Local Planning Schemes) Regulations, 2015*.

For Local Planning Policies, Council must abide by the provisions detailed in Schedule 2; Part 2 of the Planning and Development (Local Planning Schemes) Regulations, 2015. Specifically, Clause 5(2) of the Regulations states:

5. *Procedure for amending local planning policy*

- (1) *Clause 4, with any necessary changes, applies to the amendment to a local planning policy.*
- (2) *Despite subclause (1), the local government may make an amendment to a local planning policy without advertising the amendment if, in the opinion of the local government, the amendment is a minor amendment.*

Furthermore, a vote by 'absolute majority' to adopting the Policy Manual is required under Section 5.42 of the *Local Government Act, 1995* to grant delegated authority CEO to administer and implement the respective policies, and Section 6.12(b) of the *Local Government Act, 1995* as Policy 2.22 involves the waiver of application fees.

Relevant Plans and Policy:

There is no specific plan or policy that applies to this review process.

Financial Implications:

There is no specific financial implications to the Shire's budget applicable to this review.

Risk Assessment:

The risk is assessed as 'High' as it is important the operations performed under delegated authority are aligned to contemporary needs and respective expectations of Council acting on behalf of the local 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 2021, duly appended to the Next Generation BROOKTON Corporate Business Plan <2024.

Specifically, this review of the Policy Manual aligns to the following Business Unit and Function:

1. Governance

1.1 Review Policy Manual

Comment

While this review is being conducted to ensure the Council is meeting its statutory obligations, it is also beneficial for new Elected Members, particularly those with little to no substantive knowledge of the industry or working of Local Government, to receive a relevant set of policies that will assist with their induction.

As to the Policy Manual specifically, Councillors are encouraged to seek further explanation on the recommended changes and/or requesting further amendments to each policy should this be considered necessary.

OFFICER RECOMMENDATION 1

That Council pursuant to Section 2.7 and Section 6.12(b) of the Local Government Act, 1995 adopts Executive 1.1 to 1.25; Governance Policies 2.1 – 2.46; and Infrastructure Policies 4.1 – 4.12 as presented with amendments in Attachment 15.09.21.02A - Shire of Brookton Policy Manual Review – Sept 2021 that accompanies this report and delegated authority in accordance with Section 5.42 of the Local Government Act, 1995 to the CEO to administer and implement the policies as required.

OCM 09.21-11

COUNCIL RESOLUTION

MOVED Cr Crute

SECONDED Cr Hartl

That Council pursuant to Section 2.7 and Section 6.12(b) of the Local Government Act, 1995,:

- adopts Executive 1.1 to 1.25; Governance Policies 2.1 – 2.46; and Infrastructure Policies 4.1 – 4.12 as presented with amendments in Attachment 15.09.21.02A - Shire of Brookton Policy Manual Review – Sept 2021 that accompanies this report and delegated authority in accordance with Section 5.42 of the Local Government Act, 1995 to the CEO to administer and implement the policies as required.***
- Adopts the standing orders local law (2021) as a policy, until it is gazetted as a local law.***

CARRIED BY ABSOLUTE MAJORITY VOTE 7/0

Note to minute: The Council Motion differs from the Officer's recommendation, to include the Standing Orders Local Law (2021), as a policy within the Policy Manual, until gazetted as a Local Law.

OFFICER RECOMMENDATION 2

That Council pursuant to Schedule 2; Part 2; Clause 5(2) of the of the Planning and Development (Local Planning Schemes) Regulations 2015, adopts the amendments as minor to Development Policies 3.1 to 3.10 as presented Attachment 15.09.21.02A that accompanies this report.

OCM 09.21-12

COUNCIL RESOLUTION

MOVED Cr Lilly SECONDED Cr Macnab

That Council pursuant to Schedule 2; Part 2; Clause 5(2) of the of the Planning and Development (Local Planning Schemes) Regulations 2015, adopts the amendments as minor to Development Policies 3.1 to 3.10 as presented Attachment 15.09.21.02A that accompanies this report.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachment – *provided under separate cover*

Attachment 15.09.21.02A – Shire of Brookton Policy Manual Review – Sept 2021

15.09.21.03 AMENDMENT TO ORGANISATIONAL STRUCTURE – SEPTEMBER 2021

File No:	ORG 015
Date of Meeting:	16 September 2021
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Ian D’Arcy – Chief Executive Officer
Authorising Officer:	As above
Declaration of Interest:	The author has an interest in this item due to being responsible for the operations of the Shire.
Voting Requirements:	Simple Majority
Previous Report:	20 May 2021

Summary of Item:

This item relates to minor amendments to the Organisational Structure.

A copy of the existing Organisational Structure – May 2021 is presented as **Attachment 15.09.21.03A**, while the revised Organisational Structure – is offered as September 2021 **Attachment 15.09.21.03B** to this report.

Description of Proposal:

As above.

Background:

To enhance and maintain a contemporary approach to service delivery, the Organisational Structure of the Shire is consistently the subject of review.

Accordingly, the Council at its May 2021 Ordinary Meeting last reviewed the Organisational Structure to accommodate the employment of a caretaker/cleaner. This time a number of positions have been vacated that has prompted realignment of some duties, change to position changes and amendment to line management. Furthermore, the need for a third gardener has again arisen due to difficulty with the trainee program for this position.

Consultation:

Internal consultation has occurred involving a number staff affected by the changes.

Statutory Environment:

This item aligns to the Municipal Budget and more particularly the allocation of salaries and wages as part of this process under Section 6.2 (1) of the *Local Government Act, 1995*.

Relevant Plans and Policy:

At this stage there are no Plans or Policy implications identified other than minor adjustment to the Organisational Structure as shown in **Attachment 15.09.21.03B**.

Financial Implications:

It is expected the revised Organisational Structure – September 2021 will not have a significant impact the Salary and Wages budget allocation for the current financial year’s budget. This is due to surplus funds from the various positions still vacant, but specifically the Manager Infrastructure and Assets position which may not be filled until early to mid-2022 once the new CEO has commenced.

Risk Assessment:

There is an assessed 'low' risk in endorsing the revised Organisational Structure which is only marginally different from the existing framework, and therefore does not present any significant concern.

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 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.

Specifically, this request aligns in a broad context to:

Business Function 1. - Governance

Business Function 16. – Organisational Development

Comment

As mentioned, most of the change relates to operational improvement through the shuffling and realignment of some duties that also reflects some minor title changes.

The most significant change is the employment of a third gardening position which was removed in 2018 and has since placed excessive workload on the other two gardening positions. Present a casual has been employed to assist in this area.

OFFICER RECOMMENDATION

That Council endorses the revised Organisational Structure – Sept 2021, as presented in Attachment 15.09.21.03B to this report acknowledging the new gardening position and subtle changes to position titles and re-alignment of duties.

COUNCIL RESOLUTION

MOVED Cr Lilly SECONDED Cr Fancote

That Council endorses the revised Organisational Structure – Sept 2021, as presented in Attachment 15.09.21.03B to this report, acknowledging the new gardening position and subtle changes to position titles, and re-alignment of duties.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachments

Attachment 15.09.21.03A – Organisation Structure (May 2021)

Attachment 15.09.21.03B – Organisation Structure (September 2021)

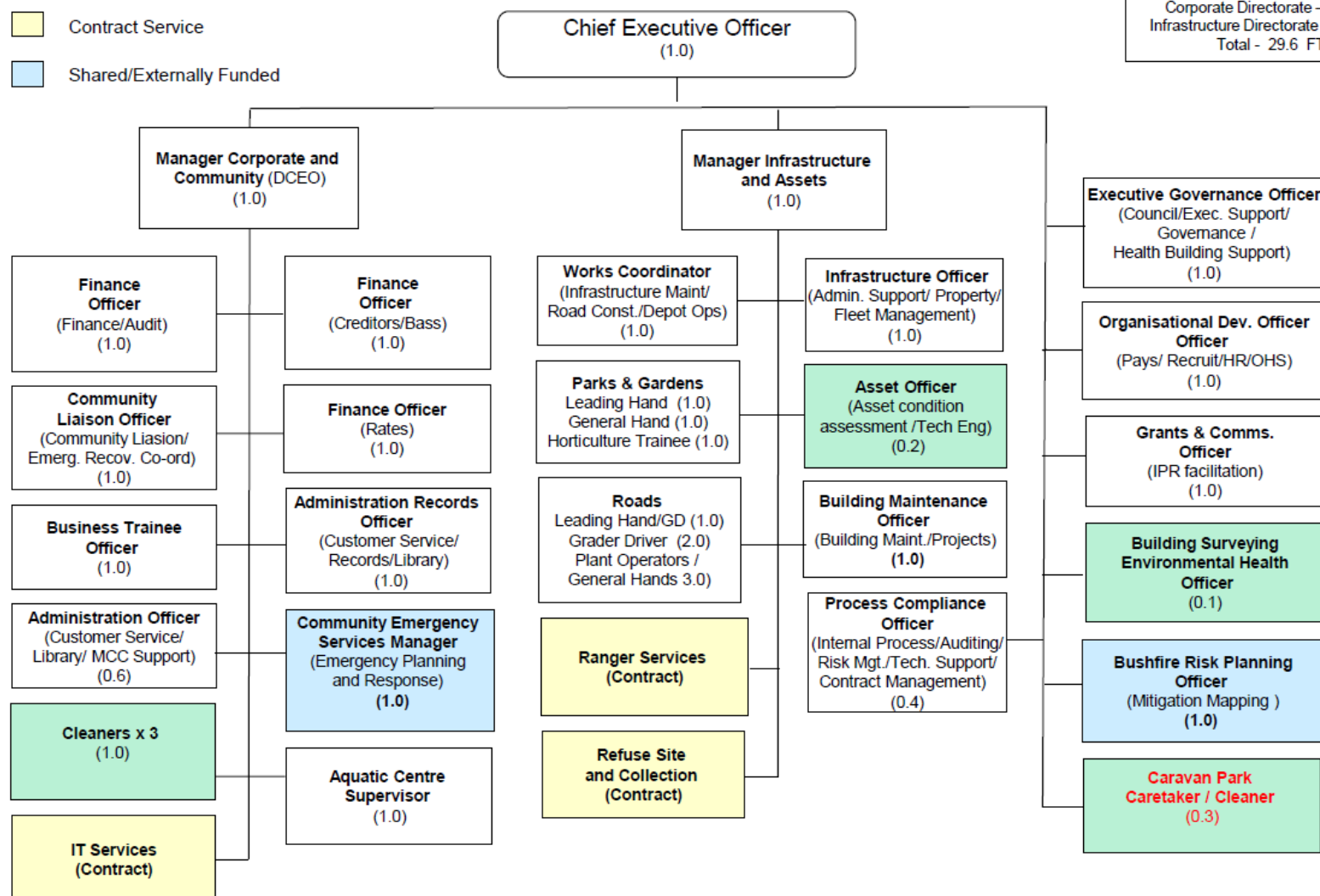
- Full-time
 Part-time
 Contract Service
 Shared/Externally Funded

Organisational Structure

(May 2021)

Full Time Employee (FTE) Count

Executive Directorate – 6.4 FTE
 Corporate Directorate – 10.0 FTE
 Infrastructure Directorate – 13.2 FTE
 Total – 29.6 FTE



Organisational Structure

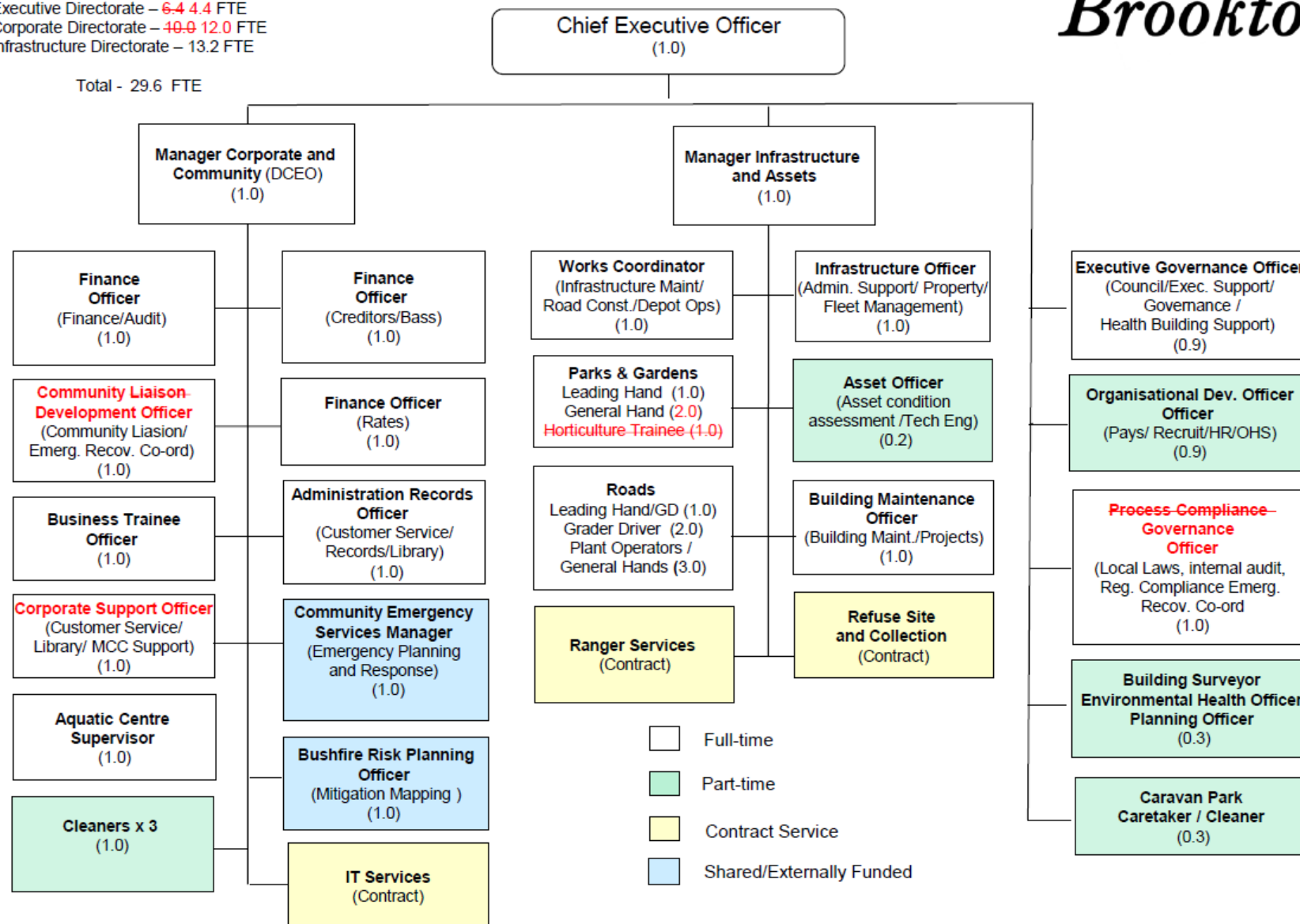
(September 2021)



Full Time Employee (FTE) Count

Executive Directorate – ~~6.4~~ 4.4 FTE
 Corporate Directorate – ~~40.9~~ 12.0 FTE
 Infrastructure Directorate – 13.2 FTE

Total - 29.6 FTE



16.09.21 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

17.09.21 NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING

The Shire President announced (pursuant to with Clause 5.4 of the Standing Orders) that an additional matter of importance needs to be considered by Council, in relation Cr Fancote's Farewell Dinner, as per Council Policy 1.5 – Gift for Retiring Councillors.

Discussion ensued with Cr Fancote resulting in the following motion being presented.

OCM 09.21-14**COUNCIL RESOLUTION**

MOVED Cr Fancote SECONDED Cr Lilly

That Council resolves to allocate \$1,500.00, from the Elected Member Refreshments and Receptions, GL E0410200.338, to the 2021 Community Christmas Party, in lieu of a dinner for Cr Fancote for her significant contribution to the Community.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

18.09.21 CONFIDENTIAL REPORTS

Nil.

19.09.21 NEXT MEETING & CLOSURE

A special meeting for the swearing in of newly Elected Members, election of the Shire President, and Deputy Shire President, will be convened on Tuesday 19th October 2021 at 6.00pm in the Council Chambers, following the Ordinary Local Government Election, to be held on Saturday 16th October 2021.

The next Ordinary meeting of the Council will be held on Thursday 21st October 2021 commencing at 6.00 pm.

There being no further business the meeting was closed at 6.23pm.