



ORDINARY MEETING OF COUNCIL

CONFIDENTIAL

MINUTES

17 DECEMBER 2020

These minutes were confirmed by Council as a true and correct record of proceedings by the Ordinary Council Meeting held on 18/2/21

Presiding Member: *Driscoll* Date: 18 February 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 17 December 2020
Commenced at 6.00 pm

TABLE OF CONTENT

| | | |
|-----------------|--|-----------|
| 1.12.20 | USE OF COMMON SEAL – NOVEMBER 2020 | 3 |
| 2.12.20 | DELEGATED AUTHORITY – ACTIONS PERFORMED – NOVEMBER 2020 | 3 |
| 3.12.20 | DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS..... | 3 |
| 4.12.20 | RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE | 4 |
| 5.12.20 | RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE | 4 |
| 6.12.20 | PUBLIC QUESTION TIME | 5 |
| 7.12.20 | APPLICATIONS FOR LEAVE OF ABSENCE | 8 |
| 8.12.20 | PETITIONS/DEPUTATIONS/PRESENTATIONS | 8 |
| 9.12.20 | CONFIRMATION OF MINUTES OF PREVIOUS MEETING | 8 |
| 9.12.20.01 | ORDINARY MEETING OF COUNCIL – 19 NOVEMBER 2020 | 8 |
| 9.12.20.02 | SPECIAL MEETING OF COUNCIL – 03 DECEMBER 2020 | 8 |
| 9.12.20.03 | LOCAL EMERGENCY MANAGEMENT COMMITTEE – 01 DECEMBER 2020 | 8 |
| 9.12.20.04 | AUDIT AND RISK COMMITTEE – 10 DECEMBER 2020..... | 9 |
| 10.12.20 | ANNOUNCEMENTYS BY THE PRESIDING MEMBER WITHOUT DISCUSSION..... | 9 |
| 11.12.20 | DISCLOSURE OF INTERESTS | 9 |
| 12.12.20 | TECHNICAL & DEVELOPMENT SERVICES REPORTS | 10 |
| 12.12.20.01 | DRAFT ASSET MANAGEMENT STRATEGY 2020 | 10 |
| 13.12.20 | COMMUNITY SERVICES REPORTS..... | 14 |
| 13.12.20.01 | INTEGRATED PLANNING AND REPORTING (IPR)– COMMUNITY ADVISORY GROUP NOMINATIONS..... | 14 |
| 14.12.20 | CORPORATE SERVICES REPORTS | 19 |
| 14.12.20.01 | LIST OF ACCOUNTS FOR PAYMENT | 19 |
| 14.12.20.02 | STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 NOVEMBER 2020 | 21 |
| 14.12.20.03 | ANNUAL REPORT FOR 2019-20..... | 42 |
| 15.12.20 | GOVERNANCE | 43 |
| 15.12.20.01 | AMENDMENT TO POLICY 2.35 – INFORMATION SECURITY | 43 |
| 15.12.20.02 | DRAFT POLICY 2.42 – INTEGRATED PLANNING AND REPORTING (IPR) REVIEW AND ANNUAL BUDGET PREPARATION..... | 50 |
| 15.12.20.03 | DRAFT LOCAL GOVERNMENT (MEETING PROCEDURE) LOCAL LAW 2021..... | 58 |
| 15.12.20.04 | DRAFT POLICY 2.43 – INTERNAL AUDIT CHARTER | 63 |

| | | |
|-----------------|--|-----------|
| 15.12.20.05 | ATTENDANCE AT COUNCIL MEETINGS BY INSTANTANEOUS COMMUNICATIONS – CR LILLY71 | |
| 15.12.20.06 | AMENDMENT OF VARIOUS COUNCIL POLICIES | 76 |
| 16.12.20 | ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN..... | 88 |
| 17.12.20 | NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING..... | 88 |
| 17.12.20.01 | PROPOSED SECOND STORAGE SEA-CONTAINER – BROOKTON HISTORICAL MUSEUM INC. | 89 |
| 18.12.20 | CONFIDENTIAL REPORTS | 97 |
| 18.12.20.01 | REQUEST FOR LEGAL FEES AND INTEREST WAIVER | 97 |
| 19.12.20 | NEXT MEETING & CLOSURE | 98 |

1.12.20 USE OF COMMON SEAL – NOVEMBER 2020

The Table below details the Use of Common Seal under delegated authority for the month of November 2020.

Use of Common Seal Register

| File Ref: | Purpose | Date Granted |
|------------------|----------------|---------------------|
| Nil. | | |

2.12.20 DELEGATED AUTHORITY – ACTIONS PERFORMED – NOVEMBER 2020

The Table below details the actions of Council performed under delegated authority for the month November 2020.

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

| BUILDING | | | |
|------------------------|----------------------------|------------------------------|---------------------|
| Application No. | Lot & Street | Type of Building Work | Date Granted |
| 09.20-21 | 245 Simmons Road, Brookton | Shed | 17 Nov 2020 |
| 10.20-21 | 91 Copping Road, Brookton | Shed | 19 Nov 2020 |

Shire of Brookton, Delegation Register, 1.41 Specific Provisions under the Town Planning Scheme No. 4.

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

3.12.20 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Shire President declared the meeting open at 6.01pm.

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.

| | |
|----------------|---|
| 4.12.20 | RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE |
|----------------|---|

Elected Members (Voting)

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

Staff (Non-Voting)

| | |
|------------------|--------------------------------------|
| Ian D'Arcy | Chief Executive Officer |
| Kellie Bartley | Manager Corporate and Community |
| Mikel Haramboure | Manager Infrastructure and Emergency |
| Danni Chard | Executive Governance Officer |

Apologies

Nil.

Leave of absence

Nil.

Members of the Public

Nil.

| | |
|----------------|--|
| 5.12.20 | RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE |
|----------------|--|

Nil.

Mrs. Rosalie Pech Eva –

Questions received via email –14th December and 15th December

Question 1:

Can you provide me with the following information relating to the list of accounts for payment for November 2020:

- a. Percentage of expenditures (excluding refunds and payroll related costs) relating to local (Shire of Brookton) businesses
- b. Percentage of expenditures (excluding refunds and payroll related costs) relating to Wheatbelt regional businesses

Response

The following percentage of expenditures are listed as below:

| <i>Location</i> | <i>Description</i> | <i>Total Amount</i> | <i>Percentage</i> |
|--------------------------------------|---|---------------------|-------------------|
| <i>Brookton</i> | <i>Shire of Brookton</i> | <i>\$29,734.84</i> | <i>12%</i> |
| <i>Wheatbelt Regional Businesses</i> | <i>Covering the Wheatbelt Region</i> | <i>\$11,391.27</i> | <i>5%</i> |
| <i>Other</i> | <i>Businesses located in Perth Region and other areas outside of the Brookton/Wheatbelt Region</i> | <i>\$65,789.96</i> | <i>27%</i> |
| <i>Payroll Deductions</i> | <i>Areas of superannuation as per the Statutory requirements and individual superannuation funds</i> | <i>\$2,051.00</i> | <i>1%</i> |
| <i>Set Contracted Services</i> | <i>Tendered, contracted work or local government services only provided under compliance/statutory requirements i.e. Aquatic Services, ICT services, LGIS insurances, WA Treasury, Ranger & Records Service providers</i> | <i>\$133,343.61</i> | <i>55%</i> |
| <i>Totals</i> | | <i>\$242,310.68</i> | <i>100%</i> |

Local Government procurement of goods and services is bound by several pieces of legislation including but not limited to:

- *Section 3.57 of the Local Government Act 1995;*
- *Part 4 of the Local Government (Functions and General) Regulations 1996;*
- *State Records Act 2000; and*
- *The Competition and Consumer Act 2010.*

Purchasing/Procurement Policy

The Regulations do not provide the requirements for purchases that are \$250,000 or less. Therefore, the Local Government must, under Section 11A of the Regulations have a written policy when the consideration is \$250,000 or less that covers:

- *The entering of contracts referred to in Sub-Regulation (1)*
- *The form of quotations acceptable, and*
- *The recording and retention of written information, or documents, in respect of:*

- All quotations received, and
- All purchases made

The following additional considerations are recommended for inclusion into such a policy:

- *Regional Price Preference (Part 4A) if applicable*
- *Panels of Prequalified Suppliers (Division 3)*
- *Risk Management*
- *Value for Money definition*
- *Ability and thresholds to access tender exempt arrangements*
- *Method of procurement*
- *Exemptions*
- *Record keeping and document management*
- *Sustainability*
- *Non-compliance*

The Shire of Brookton's Policy – 2.36 Procurement, provides for these considerations. Provisions have been made for Buy Local, Buy Local Eligibility, Price Preference for local suppliers/contractors and purchasing from Disability Enterprises and Aboriginal Businesses.

During the month of November 2020 list of accounts, the Shire of Brookton has provided for a local spend of 12%, Wheatbelt Region of 5% (a combined 17%) of total spend in the region with 27% based on purchases that may not be able to be sourced locally or within the Wheatbelt region.

The Shire continues to provide to our local and Wheatbelt businesses within the statutory requirements set out by the provisions identified.

Question 2:

In light of the State Governments directive for local governments to stimulate local and regional economies in the face of the Covid-19 pandemic and the resulting impacts on local and regional businesses, which are on-going, what strategies (purchasing activity, projects and program initiatives) has the Shire of Brookton implemented in November 2020 to stimulate:

- a. the *local* economy (businesses within the Shire of Brookton), and
- b. the regional Wheatbelt economy,

and what evidence can you show to demonstrate the effectiveness of these strategies in stimulating the local, and the regional economy?

Response

For the months in August 2020 and November 2020 the Council endorsed a number of financial initiatives and budget amendments for prescribed works that form part of the COVID-19 stimulus.

This included a nil increase on rates funding and fees charged for use of civic facilities in 2020-21, together with a Financial Hardship Policy being endorsed, and Council increasing its allocation to the 'community chest' grant funding program from \$20,000 to \$40,000 to better support local community groups.

With reference to COVID-19 stimulus projects I can confirm the Shire has listed:

- *An upgrade of the Brookton Caravan Park (includes new chalet accommodation units, campers kitchen, rejuvenation on ablutions facilities, fencing and other communal amenities)*
- *Development of a Youth Precinct (includes a new youth building, fencing, seating, bridge crossing, landscaping, nature play area and playground equipment)*
- *Contribution to the Community Garden Precinct (new Community Garden/Men's Shed building)*
- *Bitumen sealing of Youraling Road – 500 metres and Bodey Street – 500 m*
- *Improvements to the Brookton Aquatic Centre (includes new shade structures, tiered seating, paving upgrades)*
- *Improvements to the Shire Depot (includes concrete floors to sheds, wash down facility, refurbished site office and lunchroom, new fencing, sea container storage)*
- *Beautification works along Brookton Highway (involves fencing, plants, retic and other materials)*

Most of these projects have been in the planning and procurement stage during November 2020 and are expected to be delivered in 2021.

As to the benefit to Brookton and Wheatbelt businesses, local and regional businesses are encourage to compete for these works should they have the capacity to do so, but as reminded by the Shire's Auditors last week, we are obliged as a local government to adhere to legislative protocols and seek 'value for money' for our rate payers.

On the question of what evidence can the Shire show to demonstrate the effectiveness of these strategies in stimulating the local and the regional economy, at this stage I can only say the Shire has none.

| | |
|----------------|--|
| 7.12.20 | APPLICATIONS FOR LEAVE OF ABSENCE |
|----------------|--|

OCM 12.20-01

COUNCIL RESOLUTION

MOVED Cr Fancote SECONDED Cr Lilly

That Cr Macnab be granted a leave of absence for February 2021.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

| | |
|----------------|--|
| 8.12.20 | PETITIONS/DEPUTATIONS/PRESENTATIONS |
|----------------|--|

Nil.

| | |
|----------------|--|
| 9.12.20 | CONFIRMATION OF MINUTES OF PREVIOUS MEETING |
|----------------|--|

| | |
|-------------------|---|
| 9.12.20.01 | ORDINARY MEETING OF COUNCIL – 19 NOVEMBER 2020 |
|-------------------|---|

OCM 12.20-02

COUNCIL RESOLUTION

MOVED Cr Watts SECONDED Cr Macnab

That the minutes of the Ordinary meeting of Council held in the Shire of Brookton Council Chambers, on 19 November 2020, be confirmed as a true and correct record of the proceedings.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

| | |
|-------------------|--|
| 9.12.20.02 | SPECIAL MEETING OF COUNCIL – 03 DECEMBER 2020 |
|-------------------|--|

OCM 12.20-03

COUNCIL RESOLUTION

MOVED Cr Lilly SECONDED Cr Walker

That the minutes of the Special meeting of Council held in the Shire of Brookton Council Chambers, on 03 December 2020, be confirmed as a true and correct record of the proceedings.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

| | |
|-------------------|--|
| 9.12.20.03 | LOCAL EMERGENCY MANAGEMENT COMMITTEE – 01 DECEMBER 2020 |
|-------------------|--|

OCM 12.20-04

COUNCIL RESOLUTION

MOVED Cr Watts SECONDED Cr Macnab

That the minutes of the Local Emergency Management Committee (LEMC) meeting held in the Shire of Brookton Council Chambers, on 01 December 2020, be received by Council.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

9.12.20.04 AUDIT AND RISK COMMITTEE – 10 DECEMBER 2020**OCM 12.20-05****COUNCIL RESOLUTION****MOVED Cr Walker SECONDED Cr Lilly**

That the minutes of the Audit and Risk Committee meeting held in the Shire of Brookton Council Chambers, on 10 December 2020, be received by Council.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

10.12.20 ANNOUNCEMENTYS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President acknowledged the passing of Mr. Syd Cliff & Mr. Len Mattingly.

11.12.20 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 also 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 |
|-------------|------------------|------------------|--|
| 15.12.20.05 | Cr Lilly | Financial | Attendance at Council Meetings by Instantaneous Communications |
| 17.12.20.01 | Cr Crute | Financial | Executive member of Historical Society |
| 17.12.20.01 | Cr Macnab | Impartiality | President is daughter and I am a financial member. |

12.12.20 TECHNICAL & DEVELOPMENT SERVICES REPORTS

12.12.20.01 DRAFT ASSET MANAGEMENT STRATEGY 2020

| | |
|---------------------------------|---|
| File No: | ADM 0402 |
| Date of Meeting: | 17 December 2020 |
| Location/Address: | N/A |
| Name of Applicant: | Shire of Brookton |
| Name of Owner: | Shire of Brookton |
| Author/s: | Mikel Haramboure – Manager Infrastructure and Emergency Ian D’Arcy – Chief Executive 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: | N/A |

Summary of Item:

Asset Management Strategy provides the core link between our Asset Management Policy and Asset Management Plans and Programs.

Broadly speaking, the draft Strategy provided as **Attachment 12.12.20.01A** provided under separate cover seeks to inform stakeholders on:

- What assets the Shire currently has;
- What our current asset management position/status is;
- What our future desired asset management position status is; and
- How we will close this gap and achieve the desired position/status of current assets.

Description of Proposal:

The Scope of the Strategy is generally in alignment with the Department of Local Government’s Asset Management Framework, published in May 2011. The Framework relates to local government assets of significant value which are used to deliver services and/or activities.

The Strategy provides the outline on how the Shire’s portfolio of assets will meet the service delivery needs of our community and visitors. The focus is not only on current delivery, but also long-term need to ensure that a whole of lifecycle approach is taken. Whilst the outcomes are strongly influenced by the Asset Management Guidelines for Western Australian Local Governments, the Strategy provides a basis from which prioritised improvement can occur.

The Strategy has been developed to integrate with many of the Shire’s other key corporate documents. However, it should be noted that at present, some of these documents either do not exist or require revision. It is the Shire’s intention to ensure that all these documents exist in a completed format within the short to medium term. The Strategy is firmly focused on building and enhancing the Shire’s asset management capability to ensure that service delivery supports the goals and objectives set out in the Strategic Community Plan.

Background:

The community relies on the Shire of Brookton to deliver services. The Shire has finite resources and limited income streams to fund the delivery of these services which need to be aligned with the Community’s aspirations as identified in the BROOKTON Strategic Community Plan.

To ensure that resources are optimally allocated, decisions need to be made in an informed manner considering the acquisition, ongoing ownership, management and disposal of assets. The Shire also needs to continuously consider whether it needs to provide and/or own assets in order to deliver services or whether it can simply facilitate the provision of the service by a third party.

Consultation:

This Asset Management Strategy has partially been presented for noting at the Council's October and November 2020 Corporate Briefing Forum (CBF).

Statutory Environment:

In 2010, the Integrated Planning and Reporting (IPR) Framework and Guidelines were introduced in Western Australia as part of the State Government's Local Government Reform Program. All local governments were required to have their first suite of IPR documents in place by 1 July 2013. This Advisory Standard complements the legislative requirement for planning for the future under Section 5.56 (1) of the *Local Government Act 1995* and the regulations under Section 5.56 (2) of the Act that outline the minimum requirements to achieve this.

Asset management ensures that robust Long-Term Financial Plans and Annual Budgets are developed and that local governments have the financial capacity to deliver their strategic priorities into the future.

Relevant Plans and Policy:

Fundamentally, this document provides a strategic vision towards the maintenance and ultimately the refurbishment or replacement of community owned assets and strongly aligns to the Council's:

- Asset Management Policy 2.11
- Asset Management Plans (various - yet to be prepared)
- Asset Management Programs
- Corporate Business Plan 2020
- Long Term Financial Plan (yet to be prepared)

Financial Implications:

There are no direct financial implications in regard to this item. However, on the endorsement of this Strategy the Council will incur significant cost in preparation and implementation asset management plans for the various asset classes from roads to buildings. This cost will broadly be reflected in a Long-Term Financial Plan and more specifically in annual budgets.

Risk Assessment:

Should the Council not support this item, the organisation wouldn't have any direction and established priorities as part of Asset Management objectives nor would it meet compliance obligations applicable to its asset ratios and long-term financial forecasting and performance. Therefore, the risk is assessed a 'High'.

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

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

Community & Strategic Objectives:

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

Specifically, the draft policy aligns to:

Function 9 - Asset Management

Comment:

Of importance is an acknowledgement that the Asset Management is far from complete and will continue to be an evolving process. Furthermore, the financial data used in the elaboration of this strategy is based on theoretical models created by a valuer for the 'fair value' of each asset over \$5,000 which is mainly used for depreciation and insurance processes, and does not inaccurately reflect the current value of maintaining, refurbishing and replacing the asset over time.

More accurate costs and subsequent adjustment of this Strategy will occur on a continuum as the individual asset plans for each class is prepared and routinely reviewed. To this end, the Asset Management Strategy incorporates a performance monitoring process which will improve the quality of data and bring indicators, ratios and target measure to more accurate results as further works is performed.

Also, in line with the Asset Management Vision included in the Strategy, it is intended to keep the Council informed of the review of the Strategy and preparation of subsidiary plans as new data is collected and results evolves.

To reflect this the following chart provides a fundamental understanding of the process to be followed while a Gap Analysis assessment of where the Asset Management Framework currently sits forms part of the Draft Asset Management Strategy provided in **Attachment 12.12.20.01A**.

OFFICER RECOMMENDATION

That Council in accordance with Sections 5.56(1), 5.56(2) of the Local Government Act 1995 adopts the Shire of Brookton "Asset Management Strategy 2020" as a living document, as shown as Attachment 12.12.20.01A to this report.

OCM 12.20-06

COUNCIL RESOLUTION

MOVED Cr Lilly SECONDED Cr Hartl

That Council in accordance with Sections 5.56(1), 5.56(2) of the Local Government Act 1995 adopts the Shire of Brookton “Asset Management Strategy 2020” as a living document, as shown as Attachment 12.12.20.01A to this report.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachments – Provided under separate cover

Attachment 12.12.20.01A

13.12.20 COMMUNITY SERVICES REPORTS

13.12.20.01 INTEGRATED PLANNING AND REPORTING (IPR) – COMMUNITY ADVISORY GROUP NOMINATIONS

| | |
|---------------------------------|--|
| File No: | ADM 0666 |
| Date of Meeting: | 17 December 2020 |
| Location/Address: | N/A |
| Name of Applicant: | N/A |
| Name of Owner: | N/A |
| Author/s: | Debbie Spinks – Projects and Grants Officer |
| Authorising Officer: | Ian D'Arcy – Chief Executive Officer |
| Declaration of Interest: | Neither the Author nor the Authorising Officer have a specific interest in this matter |
| Voting Requirements: | Simple Majority |
| Previous Report: | N/A |

Summary of Item:

This item relates to selecting Community members to participate within the Council's updated Integrated Planning and Reporting community advisory group, namely, the restructured Community Enterprise Advisory Group (CEAG).

Of note, the existing Business Enterprise Advisory Reference Group (BEAR) structure remains intact, apart from one additional corporate business representative joining the group at Council's request.

Description of Proposal:

As above.

Background:

The Shire of Brookton conducted a review of the Integrated Planning and Reporting, in accordance with Regulation 19DA(6) of the Local Government (Administration) Amendment Regulations (No. 3) 2011, Division 3 Planning for the Future in October 2020. As a consequence of the review, Council's establish an adjusted framework for the Innovations Pathway. The framework variations, set to aid the community-driven fluid decision-making process, is intended to guide the desired outcomes of the Next Generation BROOKTON Strategic Community Plan (SCP) 2027>.

The altered Innovations framework saw three previous Advisory Groups reduced to two fundamental working groups with the charter of assessing the innovative ideas and proposals promoted by members of the Community, and determine the suitability of each idea against the BROOKTON 20 (being the Community's aspirations outlined in the SCP). These two new groups consist of the CEAG and BEAR, each with specific reference terms. The groups are formed as part of the Innovations Pathway and perform respective community and economic functions. The CEAG group, in operation for over two years and recently reviewed in October 2020 pursuant to the Local Government regulations, is now awaiting Council's assessment of the various nominees received to ensure CEAG has a comprehensive range of demographics to represent the broader Brookton population.

The review resulted in the President nominating the internal Shire membership, subsequently sanctioned by Council at its October 2020 meeting. Over the past two months, expressions of interest were sought from community members seeking to participate within CEAG's committee.

This report now seeks to put forward for nomination those members of the Community who sent applications

for Council's consideration, and request confirmation of the representative structure of CEAG.

Consultation:

The Shire of Brookton attainment of Community members was initiated via multiple advertising opportunities such as social media, inclusive of Facebook, the Brookton Telegraph, the Shire website, and Community E-News, as well as word of mouth.

The result has yielded Expressions of Interest (EOI) from the following people to participate on the CEAG, with those underlined being previous members:

CEAG

- Charlene Hayden
- Megan Nelson
- Kim Mills
- Dannielle Keatley
- Rosalie Pech Eva
- Jo Walters

Of note, only some of the nominations have been received in writing with others being verbal through discussion with the Shire President and/or the Projects and Grants Officer.

For the BEAR one additional corporate business member has been canvassed.

Statutory Environment:

The CEAG and BEAR do not constitute a Committee of Council and therefore have not statutory parameters, but in any event are guided by a terms of reference as determined by Council.

Relevant Plans and Policy:

The Innovation Pathway, inclusive of both Advisory Groups, sits between The Next Generation BROOKTON Strategic Community Plan > 2027 and the Next Generation Shire of Brookton Corporate Business Plan <2021.

Financial Implications:

There are no financial implications to the Shire concerning the nomination and selection of external Advisory Group members.

Risk Assessment:

It is essential to achieve a broad mix of representation for the Advisory Group to align with their designated charter. The overall blend can involve variation in the expression of Community interest, including a variation in gender and age/demographic. The combination then allows differing perspectives and exchange in points of view being a factor in discussion and forming recommendations for the Council's consideration of a particular proposal or project. Therefore, this is a 'Medium' risk that should the composition of an Advisory Group not afford variation in membership; then Council may not receive the best advice or outcome arising from the Innovations Pathway process.

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

Specifically, the formation of Community Enterprise Advisory Groups aligns to:

Business Function 3. – Integrated Planning and reporting

Action 3.6 – Conduct Advisory Group Meetings

Comment

Following is the current makeup of CEAG taken from the applicable Terms of Reference, where Council is requested to assess the suitability of the six EOIs for the CEAG Group, acknowledging the importance of achieving a solid mix of representation.

On assessment all external nominees afford a broad mix of representation and therefore should be appointed.

CEAG

| | |
|-------------------------------|------------------|
| Councillor (Chair) | Cr Katrina Crute |
| Councillor | Cr Tamara Lilly |
| Councillor | Cr Barry Watts |
| Councillor | Cr Chris Hartyl |
| Community Representative | |
| Community Representative | |
| Community Representative | |
| Community Representative | |
| Community Representative | |
| Community Representative | |
| Manager Corporate & Community | Kellie Bartley |
| Projects & Grants Officer | Debbie Spinks |

OFFICER RECOMMENDATION

That Council endorses the following representation for the Innovations Pathway Advisory Groups for the period February 2021 to February 2023, with correspondence on Council decision forwarded to all who expressed an interest and those corporate partners on the Business Economic Advisory Reference Group to provide details of their representatives:

a) Community Enterprise Advisory Group

| | |
|-------------------------------|-------------------|
| Councillor (Chair) | Cr Katrina Crute |
| Councillor | Cr Tamara Lilly |
| Councillor | Cr Barry Watts |
| Councillor | Cr Chris Hartyl |
| Community Representative | Charlene Hayden |
| Community Representative | Megan Nelson |
| Community Representative | Kim Mills |
| Community Representative | Dannielle Keatley |
| Community Representative | RosaliE Pech Eva |
| Community Representative | Jo Walters |
| Manager Corporate & Community | Kellie Bartley |
| Projects & Grants Officer | Debbie Spinks |

b) Business Economic Advisory Reference Group

| | |
|---|--------------------|
| Councillor (Chair) | Cr Katrina Crute |
| Councillor | Cr Neil Walker |
| Councillor | Cr Theresa Fancote |
| Councillor | Cr Gail Macnab |
| CBH Representative | Brad Bootsma |
| Balco Representative | Kevin D'Alton |
| Baptistcare Representative | Amanda Vivian |
| ARH Representative | Holly Netto |
| Bendigo Bank Representative | Peter Keoh |
| Seabrook Aboriginal Corp. Representative | TBA |
| Brookton Business Advisory Group Representative | Gavin Pepper |
| Chief Executive Officer | Ian D'Arcy |
| Projects & Grants Officer | Debbie Spinks |

COUNCIL RESOLUTION**MOVED Cr Fancote****SECONDED Cr Watts**

That Council endorses the following representation for the Innovations Pathway Advisory Groups for the period February 2021 to February 2023, with correspondence on Council decision forwarded to all who expressed an interest and those corporate partners on the Business Economic Advisory Reference Group to provide details of their representatives:

a) Community Enterprise Advisory Group

| | |
|--|--------------------------|
| Councillor (Chair) | Cr Katrina Crute |
| Councillor | Cr Tamara Lilly |
| Councillor | Cr Barry Watts |
| Councillor | Cr Chris Hartl |
| Community Representative | Charlene Hayden |
| Community Representative | Megan Nelson |
| Community Representative | Kim Mills |
| Community Representative | Dannielle Keatley |
| Community Representative | Rosalie Pech Eva |
| Community Representative | Jo Walters |
| Manager Corporate & Community | Kellie Bartley |
| Projects & Grants Officer | Debbie Spinks |

b) Business Economic Advisory Reference Group

| | |
|--|---------------------------|
| Councillor (Chair) | Cr Katrina Crute |
| Councillor | Cr Neil Walker |
| Councillor | Cr Theresa Fancote |
| Councillor | Cr Gail Macnab |
| CBH Representative | Brad Bootsma |
| Balco Representative | Kevin D'Alton |
| Baptistcare Representative | Amanda Vivian |
| ARH Representative | Holly Netto |
| Bendigo Bank Representative | Peter Keoh |
| Seabrook Aboriginal Corp. Representative | TBA |
| Brookton Business Advisory Group Representative | Gavin Pepper |
| Chief Executive Officer | Ian D'Arcy |
| Projects & Grants Officer | Debbie Spinks |

CARRIED BY SIMPLE MAJORITY VOTE 7/0

14.12.20 CORPORATE SERVICES REPORTS

14.12.20.01 LIST OF ACCOUNTS FOR PAYMENT

| | |
|---------------------------------|--|
| File No: | N/A |
| Date of Meeting: | 17 December 2020 |
| Location/Address: | N/A |
| Name of Applicant: | N/A |
| Name of Owner: | N/A |
| Author/s: | Charlotte Cooke – Finance Administration Officer |
| Authorising Officer: | Ian D’Arcy – Chief Executive Officer |
| Declaration of Interest: | The author has no financial interest in this matter. |
| Voting Requirements: | Simple Majority |
| Previous Report: | 19 November 2020 |

Summary of Item:

The list of accounts for payment to 30th November 2020 are presented to Council for inspection.

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. Please refer to the separate attachment.

Consultation:

N/A

Statutory Environment:

Local Government (Financial Management) Regulations 1996; Clause 13 – List of Accounts.

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 relevant to this report.

Risk Assessment:

No risks identified as this is an operational reporting requirement.

Community & Strategic Objectives:

This activity is contained in the Corporate Compendium.

Comment

Totals of all payments from each of Councils bank accounts are listed below. The payment schedule is provided to Councillors’ 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.

To 30th November 2020

Municipal Account

| | |
|---------------|---------------|
| Cheque | \$ 0 |
| Direct Debits | \$ 125,848.53 |
| EFT | \$ 242,310.68 |

Trust Account \$ 300.00

Bond Account \$ 1,680.00

OFFICER'S RECOMMENDATION

That with respect to the list of accounts for payment, Council: Note the payments authorised under delegated authority and detailed below and in the List of Accounts 30th November 2020

Municipal Account

| | |
|---------------|---------------|
| Cheque | \$ 0 |
| Direct Debits | \$ 125,310.53 |
| EFT | \$ 242,310.68 |

Trust Account \$ 300.00

Bond Account \$ 1,680.00

OCM 12.20-08

COUNCIL RESOLUTION

MOVED Cr Crute SECONDED Cr Hartl

That with respect to the list of accounts for payment, Council: Note the payments authorised under delegated authority and detailed below and in the List of Accounts 30th November 2020

Municipal Account

| | |
|---------------|---------------|
| Cheque | \$ 0 |
| Direct Debits | \$ 125,310.53 |
| EFT | \$ 242,310.68 |

Trust Account \$ 300.00

Bond Account \$ 1,680.00

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachments

Attachment 14.12.20.01A

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

14.12.20.02 STATEMENT OF FINANCIAL ACTIVITY FOR PERIOD ENDED 30 NOVEMBER 2020

| | |
|---------------------------------|---|
| File No: | N/A |
| Date of Meeting: | 17 December 2020 |
| Location/Address: | N/A |
| Name of Applicant: | Shire of Brookton |
| Name of Owner: | Shire of Brookton |
| Author/s: | Kelly D'Arcy – Senior 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 the period ended 30 November 2020 is presented to Council.

Description of Proposal:

That Council receives the Statement of Financial Activity for the period ended 30 November 2020, 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.

Consultation:

Reporting officers receive monthly updates to track expenditure and income.

Statutory Environment:

Section 6.4 of the *Local Government Act 1995*.

Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

Section 6.8 of the *Local Government Act 1995*

Relevant Plans and Policy:

There is no Council Policy relevant to this issue.

The Next Generation Brookton Corporate Compendium (May 2018) - Finance Activities.

Financial Implications:

The Budget is regularly monitored on at least a monthly basis, by the CEO, and in the absence of a Manager Corporate & Community 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).

Risk Assessment:

No risk identified as this is a reporting statement only in accordance with the regulations.

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.

Comment

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

OFFICER RECOMMENDATION

That Council receives the Monthly Statements of Financial Activity for the period ending 30 November 2020, as presented in Attachment 14.12.20.02A.

OCM 12.20-09**COUNCIL RESOLUTION*****MOVED Cr Hartl SECONDED Cr Crute***

That Council receives the Monthly Statements of Financial Activity for the period ending 30 November 2020, as presented in Attachment 14.12.20.02A.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachments**Attachment 14.12.20.02A**

Shire of Brookton
MONTHLY FINANCIAL REPORT
For the Period Ended 30 November 2020

TABLE OF CONTENTS

| |
|--|
| Statement of Financial Activity by Function & Activity |
| Statement of Financial Activity by Nature & Type |
| Note 1 - Major Variances |
| Note 2 - Graphical Representation of Statement of Financial Activity |
| Note 3 - Net Current Funding Position |
| Note 4 - Receivables |
| Note 5 - Cash Backed Reserves |
| Note 6 - Capital Disposals and Acquisitions |
| Note 7 - Information on Borrowings |
| Note 8 - Cash and Investments |
| Note 9 - Budget Amendments |
| Note 10 - Trust Fund |
| Note 11 - Sewerage Operating Statement |
| Note 12 - WB Eva Pavilion and Gymnasium Operating Statement |
| Note 13 - Brookton Caravan Park & Aquatic Centre Financial Reports |
| Note 14 - Road Program |
| Note 15 - Capital Works Program |

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 30 November 2020

| | 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 | | \$ | | \$ | | \$ | \$ | % | |
| Governance | | 43,050 | 43,050 | 12,356 | 2,830 | 14,634 | 2,278 | 18.44% | |
| General Purpose Funding | | 1,196,326 | 1,196,326 | 298,992 | 122,564 | 327,188 | 28,196 | 9.43% | |
| Law, Order and Public Safety | | 288,876 | 288,876 | 164,391 | 658 | 166,939 | 2,548 | 1.55% | |
| Health | | 300 | 300 | 125 | 0 | 0 | (125) | (100.00%) | |
| Education and Welfare | | 68,982 | 68,982 | 28,740 | 5,024 | 28,532 | (208) | (0.72%) | |
| Housing | | 87,278 | 87,278 | 36,360 | 7,195 | 35,600 | (760) | (2.09%) | |
| Community Amenities | | 423,838 | 423,838 | 403,821 | 242 | 381,685 | (22,136) | (5.48%) | |
| Recreation and Culture | | 39,131 | 39,131 | 16,290 | 5,680 | 36,759 | 20,469 | 125.66% | ▲ |
| Transport | | 684,343 | 684,343 | 282,720 | 0 | 85,010 | (197,710) | (69.93%) | ▼ |
| Economic Services | | 53,150 | 53,150 | 22,140 | 2,717 | 23,666 | 1,526 | 6.89% | |
| Other Property and Services | | 45,700 | 45,700 | 19,035 | 179 | 21,679 | 2,644 | 13.89% | |
| Total (Excluding Rates) | | 2,930,974 | 2,930,974 | 1,284,970 | 147,089 | 1,121,692 | (163,278) | (12.71%) | |
| Operating Expense | | | | | | | | | |
| Governance | | (534,766) | (534,766) | (263,950) | (13,730) | (191,686) | 72,264 | 27.38% | ▲ |
| General Purpose Funding | | (347,370) | (236,417) | (92,285) | (13,960) | (76,613) | 15,772 | 16.98% | ▲ |
| Law, Order and Public Safety | | (508,549) | (508,549) | (222,099) | (21,541) | (134,919) | 87,180 | 39.25% | ▲ |
| Health | | (22,031) | (22,031) | (9,460) | (1,214) | (757) | (757) | (8.00%) | |
| Education and Welfare | | (169,146) | (169,146) | (62,192) | (14,998) | (55,810) | 6,382 | 10.26% | |
| Housing | | (198,455) | (197,861) | (82,089) | (11,940) | (65,922) | 16,167 | 19.70% | ▲ |
| Community Amenities | | (558,565) | (570,460) | (267,037) | (32,191) | (202,822) | 64,215 | 24.05% | ▲ |
| Recreation and Culture | | (914,001) | (930,401) | (431,630) | (54,479) | (348,556) | 83,074 | 19.25% | ▲ |
| Transport | | (2,975,508) | (3,016,508) | (1,381,912) | (243,183) | (1,509,864) | (127,952) | (9.26%) | |
| Economic Services | | (183,296) | (183,296) | (64,581) | (8,487) | (54,209) | 10,372 | 16.06% | ▲ |
| Other Property and Services | | (476,035) | (476,035) | (242,552) | (2,540) | (218,025) | 24,527 | 10.11% | ▲ |
| Total | | (6,887,722) | (6,845,470) | (3,119,787) | (418,264) | (2,868,643) | 251,144 | 8.05% | |
| Funding Balance Adjustment | | | | | | | | | |
| Add back Depreciation | | 2,781,490 | 2,781,490 | 1,158,954 | | 1,270,357 | 111,403 | 9.61% | |
| Adjust (Profit)/Loss on Asset Disposal | 6 | 91,789 | 91,789 | 38,245 | | 113,755 | 75,509 | 197.43% | ▲ |
| Net Operating (Ex. Rates) | | (1,083,469) | (1,041,217) | (637,618) | | (362,839) | 274,778 | (43.09%) | |
| Capital Revenues | | | | | | | | | |
| Proceeds from Disposal of Assets | 6 | 145,000 | 145,000 | 133,000 | | 133,000 | 0 | 0.00% | |
| Proceeds from New Debentures | 5 | 0 | 0 | 0 | | 0 | 0 | 0.00% | |
| Self-Supporting Loan Principal | | 22,801 | 22,801 | (11,400) | | 0 | 11,400 | (100.00%) | |
| Transfer from Reserves | 5 | 3,887,306 | 3,887,306 | 1,619,711 | | 306,306 | (1,313,405) | (81.09%) | ▼ |
| Total | | 4,055,107 | 4,055,107 | 1,741,311 | | 439,306 | (1,302,005) | | |
| Capital Expenses | | | | | | | | | |
| Land and Buildings | 6 | (226,000) | (226,000) | (79,000) | | (16,750) | 62,250 | 78.80% | ▲ |
| Plant and Equipment | 6 | (559,500) | (559,500) | (523,330) | | (499,743) | 23,587 | 4.51% | |
| Furniture and Equipment | 6 | (12,000) | (12,000) | (6,000) | | (5,310) | 690 | 11.50% | |
| Infrastructure Assets - Roads & Bridges | 6 | (1,123,247) | (1,123,247) | (488,209) | | (122,206) | 366,003 | 74.97% | ▲ |
| Infrastructure Assets - Sewerage | 6 | (373,000) | (373,000) | (31,000) | | (30,084) | 916 | 2.96% | |
| Repayment of Debentures | 7 | (125,429) | (125,429) | (62,713) | | (61,716) | 997 | 1.59% | |
| Principal elements of finance lease payments | 7 | (1,372) | (1,372) | 0 | | 0 | | | |
| Transfer to Reserves | 5 | (3,287,089) | (3,287,089) | (1,369,620) | | (68,559) | 1,301,062 | 94.99% | ▲ |
| Total | | (5,707,637) | (5,707,637) | (2,559,872) | | (804,368) | 1,755,504 | (68.58%) | |
| Net Capital | | (1,652,530) | (1,652,530) | (818,562) | | (365,062) | 453,500 | (55.40%) | |
| Total Net Operating + Capital | | (2,735,999) | (2,693,747) | (1,456,179) | | (727,901) | 728,278 | 50.01% | |
| Rate Revenue | | 2,323,415 | 2,323,565 | 2,325,125 | | 2,325,893 | 768 | 0.03% | |
| Opening Funding Surplus(Deficit) | | 412,583 | 412,583 | 412,583 | | 412,583 | 0 | 0.00% | |
| Closing Funding Surplus(Deficit) | 3 | 0 | 42,401 | 1,281,529 | | 2,010,574 | 729,046 | | |

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Program by Nature and Type
For the Period Ended 30 November 2020

| NOTE | 2020/21 Adopted Budget \$ | 2020/21 Current Budget \$ | 2020/21 YTD Budget \$ | 2020/21 YTD Actual \$ | Variance YTD Budget vs YTD Actual \$ |
|---|---------------------------------|---------------------------------|-----------------------------|-----------------------------|--|
| REVENUES FROM ORDINARY ACTIVITIES | | | | | |
| Rates | 2,323,565 | 2,323,715 | 2,325,125 | 2,325,893 | 768 |
| Operating Grants, Subsidies and Contributions | 1,167,520 | 1,167,520 | 180,423 | 327,561 | 147,138 |
| Fees and Charges | 682,778 | 682,778 | 513,401 | 494,490 | (18,911) |
| Interest Earnings | 130,111 | 130,111 | 37,540 | 81,497 | 43,957 |
| Other Revenue | 197,836 | 91,396 | 27,726 | 43,485 | 15,759 |
| | 4,501,810 | 4,395,520 | 3,084,215 | 3,272,926 | 188,711 |
| EXPENSES FROM ORDINARY ACTIVITIES | | | | | |
| Employee Costs | (1,911,012) | (1,892,516) | (795,961) | (680,822) | 115,139 |
| Materials and Contracts | (1,531,907) | (1,563,722) | (714,483) | (559,241) | 155,242 |
| Utilities | (177,631) | (176,631) | (61,265) | (48,759) | 12,506 |
| Depreciation | (2,781,490) | (2,781,490) | (1,248,895) | (1,270,357) | (21,462) |
| Interest Expenses | (76,411) | (76,411) | (35,087) | (20,996) | 14,091 |
| Insurance | (193,031) | (193,031) | (193,013) | (174,637) | 18,376 |
| Other Expenditure | (112,453) | (1,500) | (1,205) | (78) | 1,127 |
| | (6,783,935) | (6,685,301) | (3,049,909) | (2,754,888) | 295,021 |
| | (2,282,125) | (2,289,781) | 34,306 | 518,037 | 483,732 |
| Non-Operating Grants, Subsidies & Contributions | 740,579 | 740,579 | 520,880 | 174,659 | (346,221) |
| Profit on Asset Disposals | 12,000 | 12,000 | 5,000 | - | (5,000) |
| Loss on Asset Disposals | (103,789) | (103,789) | (1,100) | (113,755) | (114,855) |
| NET RESULT | (1,633,335) | (1,640,991) | 559,086 | 578,942 | 17,656 |

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

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

7 Health

Timing issue will correct over time.

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

Timing issue will correct over time.

11 Recreation and Culture

Great than anticipated useage of Shire facilities. Grant funding for Australia Day celebrations not included in budget.

12 Transport

First 40% from RRG not yet claimed, budgeted to claim in August. Has been claimed in December so should correct with December report.

13 Economic Services

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

14 Other Property and Services

Property refund from 2019/2020 year due to sale of Kalkarni.

OPERATING EXPENSES

4 Governance

Wages under due to vacant positions

3 General Purpose Funding

Less expenditure than anticipated in the ABC allocations due to underspend in operations

5 Law, Order and Public Safety

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

Timing issue, will correct over time.

10 Community Amenities

Less expenditure than anticipated in the ABC allocations due to underspend in operations

11 Recreation and Culture

Less expenditure than anticipated in the ABC allocations due to underspend in operations

12 Transport

Timing issue, will correct over time.

13 Economic Services

Timing issue, will correct over time.

14 Other Property and Services

Timing issue, will correct over time.

CAPITAL REVENUE

Proceeds from Disposal of Assets

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

Self-Supporting Loan Principal

Invoice not issued to recoup self supporting loan

Transfer from Reserves

Timing issue, will correct over time. Transfers are only carried out when capital projects fully expended.

CAPITAL EXPENSES

Land and Buildings

Works commenced, variance is a timing issue and 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

Works commenced, variance is a timing issue and will correct over time

Infrastructure Assets - Sewerage

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

Note 1: MAJOR VARIANCES

Comments/Reason for Variance

OPERATING REVENUE (EXCLUDING RATES)

4 Governance

Repayment of Debentures

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

Transfer to Reserves

Timing issue, will correct over time.

OTHER ITEMS

Rate Revenue

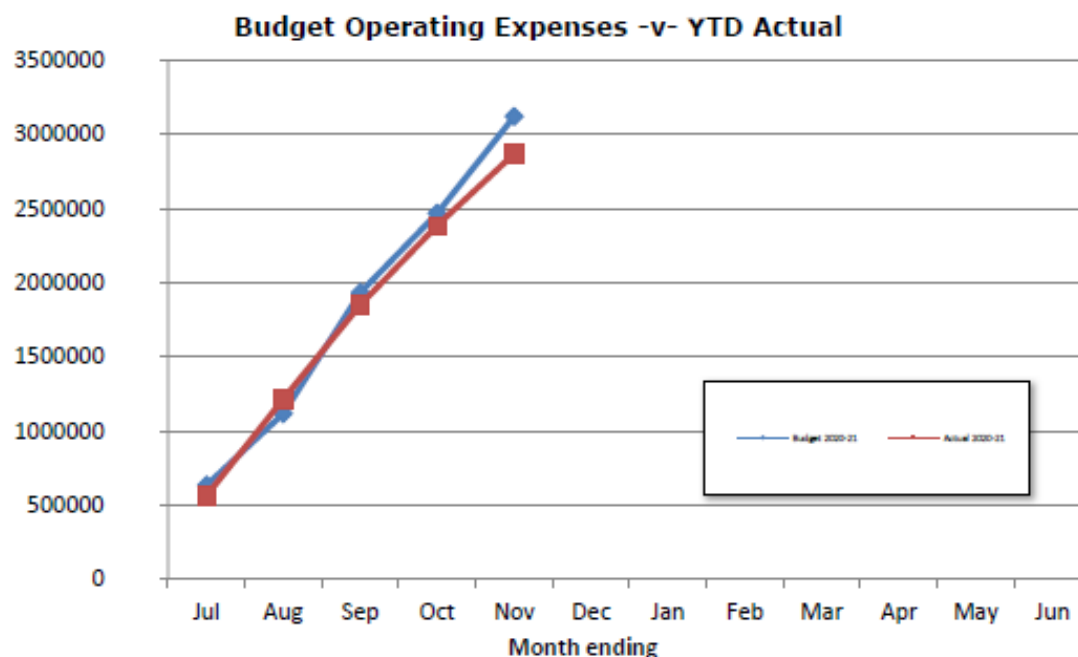
Will adjust as payments are made.

Closing Funding Surplus (Deficit)

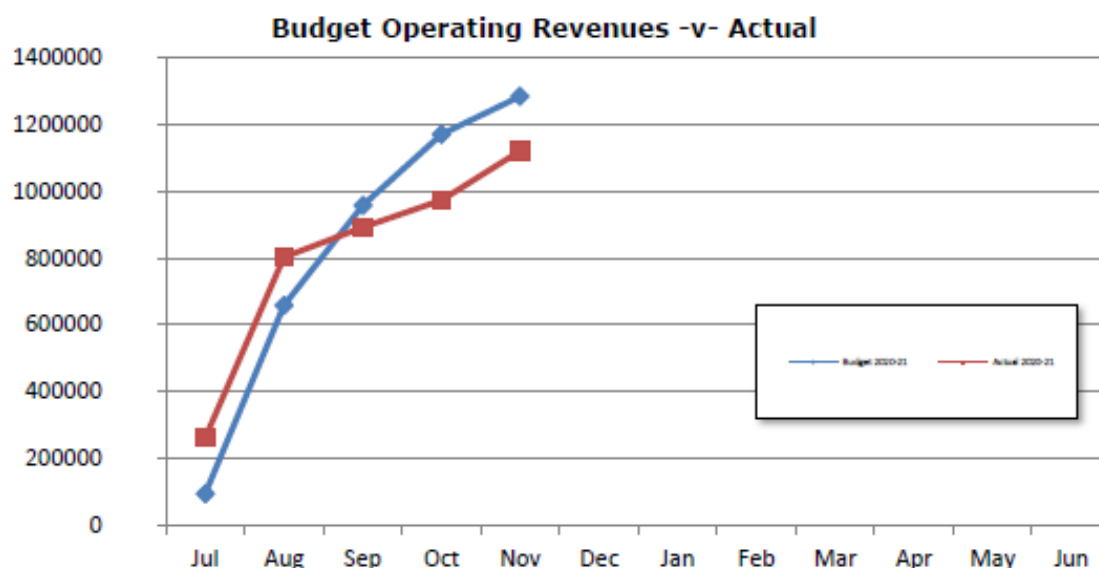
Will adjust as income and expenditure occur over the year

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2020

Note 2 - Graphical Representation - Source Statement of Financial Activity



Comments/Notes - Operating Expenses

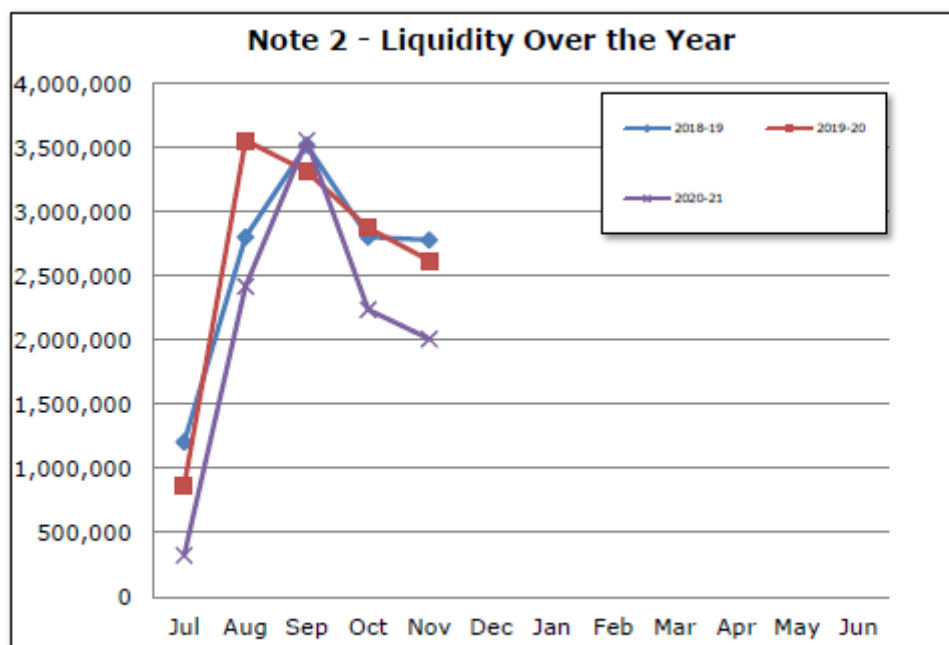


Comments/Notes - Operating Revenues

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2020

Note 3: NET CURRENT FUNDING POSITION

| | | Positive=Surplus (Negative=Deficit) | | |
|-------------------------------------|------------------|-------------------------------------|------------------|----------------|
| | | 2020-21 | | |
| Note | This Period | Same Period | Same Period | Surplus C/F 1 |
| | \$ | 2019/20 | 2018/19 | July 2020 |
| | \$ | \$ | \$ | \$ |
| Current Assets | Nov 2020 | Nov 2019 | Nov 2018 | |
| Cash Unrestricted | 1,688,700 | 2,081,663 | 2,453,491 | 810,922 |
| Cash Restricted | 11,895,503 | 5,280,644 | 4,834,942 | 12,133,251 |
| Receivables | 699,721 | 4,232,820 | 4,545,121 | 125,586 |
| Non-Cash provision movement | 0 | 0 | 0 | 0 |
| Inventories | 31,952 | 39,798 | 27,168 | 16,298 |
| | 14,315,876 | 11,634,925 | 11,860,722 | 13,086,057 |
| Less: Current Liabilities | | | | |
| Payables and Provisions | (409,799) | (3,733,429) | (4,244,027) | (540,223) |
| | (409,799) | (3,733,429) | (4,244,027) | (540,223) |
| Less: Cash Restricted | (11,895,503) | (5,280,644) | (4,834,942) | (12,133,251) |
| Net Current Funding Position | 2,010,574 | 2,620,852 | 2,781,753 | 412,583 |



Comments - Net Current Funding Position

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2020

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

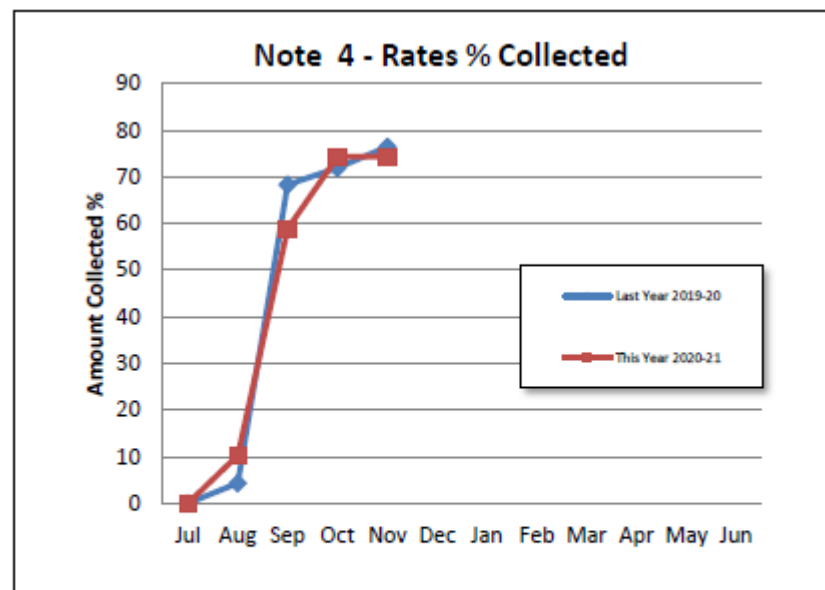
| Current 2020-21 | Previous Year 2019-20 |
|--------------------|--------------------------|
| \$ | \$ |
| 234,381 | 86,273 |
| 2,699,336 | 2,639,434 |
| (2,179,820) | (2,083,375) |
| 753,897 | 642,332 |
| 753,897 | 642,332 |
| 74.30% | 76.43% |

Receivables - General

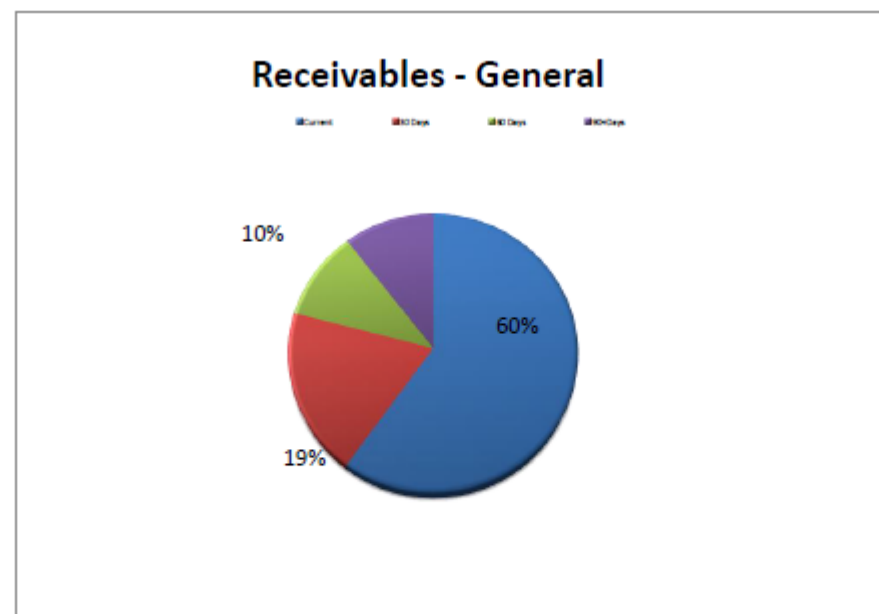
| Current | 30 Days | 60 Days | 90+Days |
|---------|---------|---------|---------------|
| \$ | \$ | \$ | \$ |
| 7,694 | 2,470 | 1,340 | 1,344 |
| | | | 12,848 |

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 30 November 2020

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 | 1,407 | 74 | 30,000 | | 0 | | 0 | | 170,185 | 138,852 |
| Plant and Vehicle Reserve and Community Bus Reserve | 751,938 | 8,033 | 326 | 0 | | 0 | (414,500) | | (280,500) | 345,471 | 471,764 |
| Land & Housing Development Reserve/Independent Living Units | 1,391,205 | 14,201 | 739 | 0 | | 0 | 0 | 0 | 0 | 1,405,406 | 1,391,944 |
| Furniture and Equipment Reserve | 21,194 | 369 | 11 | 0 | | 0 | 0 | 0 | 0 | 21,563 | 21,205 |
| Municipal Buildings & Facilities Reserve | 330,737 | 3,800 | 176 | 269,000 | | 0 | (37,000) | | | 566,537 | 330,913 |
| Townscape and Footpath Reserve | 125,068 | 1,277 | 66 | 0 | | 0 | | | | 126,345 | 125,134 |
| Sewerage Scheme Reserve | 410,425 | 4,394 | 218 | 35,000 | | 0 | (15,000) | | | 434,819 | 410,643 |
| Road and Bridge Infrastructure Reserve | 327,787 | 6,408 | 174 | 0 | | 0 | (200,000) | | | 134,195 | 327,961 |
| Health & Wellbeing reserve | 553,863 | 6,675 | 294 | 0 | | 0 | 0 | 0 | | 560,538 | 554,157 |
| Sport & Recreation Reserve | 31,625 | 323 | 17 | 0 | | | | | | 31,948 | 31,642 |
| Rehabilitation & Refuse Reserve | 169,841 | 1,733 | 90 | 41,000 | | | | | | 212,574 | 169,931 |
| Caravan Park Reserve | 153,899 | 1,571 | 82 | 200,000 | | | | | | 355,470 | 153,981 |
| Brookton Heritage/Museum Reserve | 47,148 | 481 | 25 | 0 | | | | | | 47,629 | 47,173 |
| Kweda Hall Reserve | 18,026 | 184 | 10 | 0 | | | | | | 18,210 | 18,036 |
| Aldersyde Hall Reserve | 25,806 | 0 | 0 | | | | (25,806) | | (25,806) | 0 | (0) |
| Railway Station Reserve | 129,940 | 1,326 | 69 | 200,000 | | | (35,000) | | | 296,266 | 130,009 |
| Madison Square Units Reserve | 30,653 | 313 | 16 | 0 | | | | | | 30,966 | 30,669 |
| Cemetery Reserve | 43,863 | 448 | 23 | 0 | | | (25,000) | | | 19,311 | 43,886 |
| Water Harvesting Reserve | 48,116 | 491 | 26 | 80,000 | | | (55,000) | | 0 | 73,607 | 48,142 |
| Developer Contribution | 2,740 | 28 | 1 | | | | | | | 2,768 | 2,741 |
| Cash Contingency Reserve | 140,336 | 1,433 | 75 | 0 | | | | | | 141,769 | 140,411 |
| Brookton Aquatic Reserve | 156,130 | 1,594 | 83 | 300,000 | | | | | | 457,724 | 156,213 |
| Future Fund Reserve | 7,084,132 | 75,600 | 65,964 | 0 | | 0 | (3,080,000) | | | 4,079,732 | 7,150,096 |
| Innovations Fund Reserve | 0 | 0 | | 2,000,000 | | | | | | 2,000,000 | 0 |
| | 12,133,250 | 132,089 | 68,558.68 | 3,155,000 | 0 | 0 | (3,887,306) | 0 | (306,306) | 11,533,033 | 11,895,502 |

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2020

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) |
| 222,543 | 133,000 | (89,543) | PG7 Volvo Grader | \$ 222,543 | | \$ 133,000 | \$ (89,543) |
| 0 | 10,000 | 10,000 | Side Winder Reel Mower | | | | 0 |
| 0 | 2,000 | 2,000 | Single Cab Ute | | | | 0 |
| 14,246 | 0 | (14,246) | Acer Server 2007 | | | | 0 |
| | | 0 | | | | | 0 |
| | | 0 | | | | | 0 |
| 236,789 | 145,000 | (91,789) | | 222,543 | | 133,000 | (89,543) |

Comments - Capital Disposal

| Summary Acquisitions | | | | |
|---|------------------|------------------|----------------|------------------|
| | Budget | Current Budget | Actual | Variance |
| Property, Plant & Equipment | \$ | | \$ | \$ |
| Land and Buildings | 226,000 | 226,000 | 16,750 | 209,250 |
| Plant & Equipment | 559,500 | 559,500 | 499,743 | 59,757 |
| Furniture & Equipment | 12,000 | 12,000 | 5,310 | 6,690 |
| Infrastructure | | | | |
| Roadworks & Bridge Works & Footpaths | 1,123,247 | 1,123,247 | 122,206 | 1,001,041 |
| Footpath Construction - Richardson Street | 0 | 0 | 0 | 0 |
| Sewerage & Drainage | 373,000 | 373,000 | 30,084 | 342,916 |
| Totals | 2,293,747 | 2,293,747 | 674,093 | 1,619,654 |

Comments - Capital Acquisitions

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2020

Note 7: INFORMATION ON BORROWINGS

| | | | | | Principal 1-Jul-20 \$ | New Loans \$ | Principal Repayments | | Principal Outstanding | | Interest Repayments | |
|----------------------------|---|------------|------------|----------|-----------------------------|--------------------|-------------------------|--------------|--------------------------|--------------|------------------------|--------------|
| Particulars | Loan Purpose | Due Date | Term (yrs) | Rate (%) | | | Actual \$ | Budget \$ | Actual \$ | Budget \$ | Actual \$ | Budget \$ |
| Self Supporting Loans | | | | | | | | | | | | |
| *Loan 82 Country Club | Extension and Refurbishment of the Club House | 15/11/2027 | 20 | 6.95 | 215,828 | - | 11,206 | 22,801 | 204,622 | 201,217 | 5,584 | 14,611 |
| Education & Welfare | | | | | | | | | | | | |
| Loan 80 Kalkami Residency | Kalkami Residence | 1/02/2026 | 25 | 5.63 | 63,602 | - | 4,529 | 9,185 | 59,073 | 60,149 | 305 | 3,453 |
| Housing | | | | | | | | | | | | |
| Loan 80 Staff Housing | Staff Housing | 1/02/2026 | 25 | 5.63 | 104,944 | - | 7,473 | 15,156 | 97,471 | 99,246 | 503 | 5,698 |
| Community Amenities | | | | | | | | | | | | |
| Loan 80 Sewerage | Sewerage Extension | 1/02/2026 | 25 | 5.63 | 44,521 | - | 3,170 | 6,430 | 41,351 | 42,104 | 213 | 2,417 |
| Transport | | | | | | | | | | | | |
| Loan 80 Grader | New Grader | 1/02/2026 | 25 | 5.63 | 104,944 | - | 7,473 | 15,156 | 97,471 | 99,246 | 503 | 5,698 |
| Recreation and Culture | | | | | | | | | | | | |
| Loan 81 Sport & Recreation | Recreation Plan | 1/11/2027 | 20 | 6.95 | 536,706 | - | 27,866 | 56,701 | 508,840 | 492,286 | 13,887 | 44,420 |
| | | | | | 1,070,545 | - | 61,716 | 125,429 | 1,008,829 | 994,248 | 20,996 | 76,297 |

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

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2020

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% | 37,025 | | | | 37,025 | Bendigo | |
| Municipal Cash at Bank - Cash Management Account | 0.00% | 1,630,111 | | | | 1,630,111 | Bendigo | |
| Municipal Cash at Bank - Independent Living Units | 0.15% | 13,339 | | | | 13,339 | Bendigo | |
| Bond Fund | 0.00% | 8,225 | | | | 8,225 | Bendigo | |
| Trust Cash at Bank | 0.00% | | | 20,540 | | 20,540 | Bendigo | |
| (b) Term Deposits | | | | | | | | |
| Savings Account | 0.15% | | 4,745,407 | | | 4,745,407 | Bendigo | |
| Reserves | 0.75% | | 7,150,096 | | | 7,150,096 | Bendigo | 20/03/2021 |
| (c) Investments | | | | | | | | |
| Bendigo Bank Shares | | | | | 10,000 | 10,000 | Bendigo | |
| Total | | 1,688,700 | 11,895,503 | 20,540 | 10,000 | 13,614,743 | | |
| | | - | 0 | 0 | - | | | |

Comments/Notes - Investments

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2020

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) | | | | 412,583 |
| E116510 | MSCGCAP - Community Garden/Mens shed building | OCM 08.20-13 | Capital Expenses | | | 110,000 | 302,583 |
| E116510 | YSHEDCAP - youth/Girl Guides building | OCM 08.20-13 | Capital Expenses | | | 100,000 | 202,583 |
| E132512 | Caravan Park Upgrade | OCM 08.20-13 | Capital Expenses | | | 335,000 | (132,417) |
| I032060 | Drought Communities Grant funding | OCM 08.20-13 | Capital Revenue | | 500,000 | | 367,583 |
| OL01841 | Trans to Muni from Caravan Park Reserve | OCM 08.20-13 | Capital Revenue | | 35,000 | | 402,583 |
| OL01661 | trans to Muni from Municipal Buildings Reserve | OCM 08.20-13 | Capital Revenue | | 10,000 | | 412,583 |
| E121565 | YOURSFC - Yourling Rd extend bitumen seal 520 metre | OCM 08.20-14 | Capital Expenses | | | 85,000 | 327,583 |
| E121565 | SEWSFC - Sewel st road closure improvements | OCM 08.20-14 | Capital Expenses | | | 17,000 | 310,583 |
| E121565 | OTHERSFC - Corberding Rd, Withall St & Brookton Hwy intersection improvements | OCM 08.20-14 | Capital Expenses | | | 22,000 | 288,583 |
| E142519 | Shire Depot Improvements | OCM 08.20-14 | Capital Expenses | | | 131,540 | 157,043 |
| I032070 | Local Goads & Community Infrastrucutre Program funding | OCM 08.20-14 | Capital Revenue | | 255,540 | | 412,583 |
| OL01951 | Aquatic Centre Reserve | OCM 10.20-07 | Capital Revenue | | 10,000 | | 422,583 |
| E112020 | POOLGO - Aquatic Centre Equipment & Materials | OCM 10.20-07 | Operating Expenses | | | 10,000 | 412,583 |
| OL01961 | Cash Contingency Reserve | OCM 10.20-07 | Capital Revenue | | 10,000 | | 422,583 |
| E101020 | TIPOP - Landfill cover Material | OCM 10.20-07 | Operating Expenses | | | 10,000 | 412,583 |
| OL01961 | Cash Contingency Reserve | OCM 10.20-07 | Capital Revenue | | 6,400 | | 418,983 |
| E111000 | MHALLOP - Architectural Services | OCM 10.20-07 | Operating Expenses | | | 6,400 | 412,583 |
| OL01701 | Roads & Bridges Infrastructure Reserve | OCM 10.20-07 | Capital Revenue | | 41,000 | | 453,583 |
| E122030 | BRDGOP - Urgent repairs Bridge 3154A & 3158A | OCM 10.20-07 | Operating Expenses | | | 41,000 | 412,583 |
| OL01961 | Cash Contingency Reserve | OCM 10.20-07 | Capital Revenue | | 4,407 | | 416,990 |
| E105030 | Application Fee - Amend Happy Valey Water Licence | OCM 10.20-07 | Operating Expenses | | | 4,407 | 412,583 |
| | | | | | | | 412,583 |
| | | | | | | | 412,583 |
| | | | | | | | 412,583 |
| | Closing Funding Surplus (Deficit) | | | 0 | 872,347 | 872,347 | 412,583 |

Classifications Pick List

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

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 30 November 2020

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 30 November 2020 |
|---------------------------------|--|--------------------|----------------|--|
| | \$ | \$ | \$ | \$ |
| Housing Bonds | 0 | 0 | 0 | 0 |
| Other Bonds | 6,140 | 0 | (140) | 6,000 |
| Rates Incentive Prize | 0 | 0 | 0 | 0 |
| Staff AFL Tipping | 0 | 0 | 0 | 0 |
| Les McMullen Sporting Grants | 0 | 0 | 0 | 0 |
| Gnulla Child Care Facility | 0 | 0 | 0 | 0 |
| Wildflower Show Funds | 0 | 0 | 0 | 0 |
| Kalkarni Resident's Accounts | 0 | 0 | 0 | 0 |
| Public Open Space Contributions | 13,820 | 0 | 0 | 13,820 |
| Developer Road Contributions | 0.00 | 0 | 0 | 0.00 |
| Unclaimed Money | 830 | 0 | (110) | 720 |
| | 20,790 | 0 | (250) | 20,540 |

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 30 November 2020

Note 11 Sewerage Operating Statement

| NOTE | 2020/21 Adopted Budget \$ | 2020/21 YTD Budget \$ | 2020/21 YTD Actual \$ | Variance YTD Budget vs YTD Actual \$ |
|---|------------------------------------|-----------------------------|-----------------------------|---|
| REVENUES FROM ORDINARY ACTIVITIES | | | | |
| Sewerage Connection Fees and Charges | 650 | 650 | 708 | 58 |
| Annual Sewerage Rates | 203,265 | 203,265 | 194,636 | (8,629) |
| | 203,915 | 203,915 | 195,344 | (8,571) |
| EXPENSES FROM ORDINARY ACTIVITIES | | | | |
| Employee Costs | (16,350) | (6,813) | (810) | 6,002 |
| Materials and Contracts | (86,110) | (35,879) | (61,240) | (25,361) |
| Utilities | (5,600) | (2,333) | (727) | 1,607 |
| Depreciation | (42,067) | (17,528) | (17,921) | (393) |
| Interest Expenses | (2,723) | (1,135) | (213) | 921 |
| Insurance | (268) | (112) | (237) | (125) |
| General Operating Expenses | (13,907) | (5,795) | (1,118) | 4,676 |
| Allocation of Administration Expense | (45,800) | (19,083) | (15,748) | 3,336 |
| | (212,825) | (88,677) | (98,014) | (9,337) |
| | (8,910) | 115,238 | 97,331 | (17,907) |
| Add Back Depreciation | 42,067 | 17,528 | 17,921 | 393 |
| Non-Operating Grants, Subsidies & Contributions | - | - | - | - |
| Profit on Asset Disposals | - | - | - | - |
| Loss on Asset Disposals | - | - | - | - |
| Transfer to Sewerage and Drainage Reserve | (35,000) | (14,583) | - | (14,583) |
| Transfer from Sewerage and Drainage Reserve | 15,000 | 15,000 | - | 15,000 |
| NET RESULT | 13,157 | 133,183 | 115,251 | (17,098) |
| Capital Loan Repayments | | | (3,170) | |

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
WB Eva Pavilion by Nature and Type
For the Period Ended 30 November 2020

Note 12 WB Eva Pavilion Operating Statement

| | NOTE | 2020/21 | 2020/21 | 2020/21 | Variance |
|--|------|-----------------|-----------------|----------------|---------------|
| | | Adopted Budget | YTD Budget | YTD Actual | YTD Budget vs |
| | | \$ | \$ | \$ | YTD Actual |
| REVENUES FROM ORDINARY ACTIVITIES | | | | | |
| Hire Fees - WB Eva Pavilion | | 2,980 | 1,242 | 2,205 | 964 |
| Sporting Club Fees | | 5,500 | 2,292 | 2,723 | 431 |
| Gymnasium Income | | 7,500 | 3,125 | 3,023 | (102) |
| | | 15,980 | 6,658 | 7,951 | 1,293 |
| EXPENSES FROM ORDINARY ACTIVITIES | | | | | |
| Employee Costs | | - | - | - | - |
| Materials and Contracts | | - | - | - | - |
| Utilities | | - | - | - | - |
| Interest Expenses | | (40,047) | (16,686) | (13,887) | 2,800 |
| Insurance | | - | - | - | - |
| General Operating Expenses | | - | - | - | - |
| Gymnasium Operating | | (8,977) | (3,860) | (3,086) | 774 |
| | | (40,047) | (16,686) | (16,973) | 2,800 |
| | | (24,067) | (10,028) | (9,022) | 4,092 |
| NET RESULT | | (24,067) | (10,028) | (9,022) | 4,092 |
| Capital Loan Repayments | | | | (27,866) | |

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Brookton Caravan Park and Brookton Aquatic Centre
For the Period Ended 30 November 2020

| | 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 | | 33,000 | 13,750 | 17,194 | 3,444 | 25.05% |
| Total Revenue | | 33,000 | 13,750 | 17,194 | 3,444 | 25.05% |
| Operating Expenses | | | | | | |
| Brookton Caravan Park | CARAOP | (22,888) | (9,537) | (12,888) | (3,351) | 35.14% |
| Brookton Caravan Park | MARKOP | (8,000) | (3,333) | 0 | | |
| Caravan Park Depreciation | | (1,037) | (432) | (436) | (3) | 0.79% |
| Caravan Park Abc Administration Expenses | | (27,480) | (11,450) | (9,449) | 2,001 | (17.48%) |
| Total | | (59,405) | (24,752) | (22,772) | (1,353) | (5.47%) |
| Operating Surplus (Deficit) | | (26,405) | (11,002) | (5,578) | 2,091 | 19% |
| Excluding Non Cash Adjustments | | | | | | |
| Add back Depreciation | | 1,037 | 432 | 436 | 3 | 0.79% |
| Net Operating Surplus (Deficit) | | (25,368) | (10,570) | (5,142) | 2,094 | (19.81%) |
| Note 13 (b): Brookton Aquatic Centre | | | | | | |
| Operating Revenue | | | | | | |
| POOL FEES & CHARGES | | 14,500 | 6,042 | 6,147 | 106 | 1.75% |
| POOL GRANTS & SUBSIDIES | | 0 | 0 | 0 | 0 | 0.00% |
| Total Revenue | | 14,500 | 6,042 | 6,147 | 106 | 1.75% |
| Operating Expenses | | | | | | |
| POOL EMPLOYEE COSTS | | (48,057) | (20,024) | (6,522) | 13,502 | 0.00% |
| POOL GENERAL OPERATING EXPENSES | | (25,500) | (14,792) | (15,928) | (1,137) | 7.68% |
| POOL BUILDING MAINTENANCE | | (16,998) | (7,083) | (6,865) | 218 | (3.08%) |
| POOL DEPRECIATION | | (11,854) | (4,939) | (4,995) | (56) | 1.13% |
| POOL ABC ADMINISTRATION EXPENSES | | (27,480) | (11,450) | (9,449) | 2,001 | (17.48%) |
| Total | | (129,889) | (58,287) | (43,758) | 14,529 | 24.93% |
| Operating Surplus (Deficit) | | (115,389) | (52,245) | (37,611) | 14,635 | 28.01% |
| Excluding Non Cash Adjustments | | | | | | |
| Add back Depreciation | | 11,854 | 4,939 | 4,995 | 56 | 1.13% |
| Net Operating Surplus (Deficit) | | (103,535) | (47,306) | (32,616) | 14,690 | 31.05% |

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Road Program
For the Period Ended 30 November 2020

Note 14

| Description | Adopted Annual Budget | Amended Budget | YTD Actual | % Completed | Federal Funding | | State Funding | | | | Own Source Funding | | |
|---|-----------------------|------------------|----------------|-------------|-----------------|----------|----------------|---------------|---------------|----------|--------------------|---------------|----------------|
| | | | | | R2R | Other | RRG | RRG Carryover | Direct Grant | FAGS | Reserve | Contributions | Muni |
| | \$ | \$ | \$ | | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ | \$ |
| Town Street Maintenance | 188,102 | 188,102 | 64,019 | 34% | | | | | | | | | 188,102 |
| Rural Road Maintenance | 379,536 | 379,536 | 278,122 | 73% | | | | | 84,910 | | | | 294,626 |
| Bridge Maintenance | 63,016 | 104,016 | 27,974 | 27% | | | | | | | | | 104,016 |
| R2R Work Schedule | | | | | | | | | | | | | |
| Brookton - Kweda Road | 218,633 | 218,633 | 930 | 0% | 218,633 | | | | | | | | 0 |
| Other Construction | | | | | | | | | | | | | |
| Brookton-Kweda Road | 162,080 | 162,080 | 0 | 0% | | | | | | | 100,000 | | 62,080 |
| York-Williams Road | 45,420 | 45,420 | 0 | 0% | | | | | | | | | 45,420 |
| Bartram Road | 148,575 | 148,575 | 0 | 0% | | | | | | | 50,000 | | 98,575 |
| Dale Kokeby Road | 148,575 | 148,575 | 0 | 0% | | | | | | | 50,000 | | 98,575 |
| Install & upgrade Headwalls to Culverts | 24,964 | 24,964 | 0 | 0% | | | | | | | | | 24,964 |
| RRG Approved Projects | | | | | | | | | | | | | |
| Brookton-Kweda Road | 324,150 | 324,150 | 121,093 | 37% | | | 324,150 | | | | | | 0 |
| York-Williams Road | 50,850 | 50,850 | 183 | 0% | | | 50,850 | | | | | | |
| | 1,753,901 | 1,794,901 | 492,320 | 28% | 218,633 | 0 | 375,000 | 0 | 84,910 | 0 | 200,000 | 0 | 916,358 |

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Capital Works Program
For the Period Ended 30 November 2020

Note 15

| Description | Adopted Annual Budget | Amended Budget | YTD Actual | % Completed | Capital Funding | | | | | |
|--|-----------------------|------------------|----------------|-------------|-----------------|----------------|----------------|----------------|----------------|------------------|
| | | | | | Muni | Grants | Reserves | Sale of Assets | Loan | Total Funding |
| | \$ | \$ | \$ | | \$ | \$ | \$ | \$ | | \$ |
| Chambers & Reception Area Upgrade | 30,000 | 30,000 | 0 | 0% | 30,000 | | | | | 30,000 |
| Robinson Road - StreetBins | 10,000 | 10,000 | 0 | 0% | 10,000 | | | | | 10,000 |
| Effluent Dosing Building/Shed | 15,000 | 15,000 | 0 | 0% | | | 15,000 | | | 15,000 |
| Ablution Facility at Cemetery | 25,000 | 25,000 | 0 | 0% | | | 25,000 | | | 25,000 |
| Railway Station Fencing and Lighting | 35,000 | 35,000 | 0 | 0% | | | 35,000 | | | 35,000 |
| Youth Precinct - Fencing & Nature Play Area | 50,000 | 50,000 | 0 | 0% | 13,000 | | 37,000 | | | 50,000 |
| Aquatic Centre Improvements (new roof to Ablution) | 24,000 | 24,000 | 16,750 | 70% | 24,000 | | | | | 24,000 |
| Memorial Park Gazebo and Disable access | 22,000 | 22,000 | 0 | 0% | 22,000 | | | | | 22,000 |
| Tourist Information Bay | 15,000 | 15,000 | 0 | 0% | 15,000 | | | | | 15,000 |
| Electronic Records system | 0 | 0 | 5,310 | 0% | 0 | | | | | 0 |
| Display Cabinet & Memorabilia Board | 12,000 | 12,000 | 0 | 0% | 12,000 | | | | | 12,000 |
| John Deere 670GP Grader per RFQ05/2020 | 413,500 | 413,500 | 413,500 | 100% | | | 280,500 | 133,000 | | 413,500 |
| Side Winder Reel Mower | 52,000 | 52,000 | 0 | 0% | | | 42,000 | 10,000 | | 52,000 |
| Single Cab Ute | 10,000 | 10,000 | 0 | 0% | | | 8,000 | 2,000 | | 10,000 |
| Dual Cab Ute - BRMPO & CESM | 84,000 | 84,000 | 86,244 | 100% | | | 84,000 | | | 84,000 |
| Brookton-Kweda Road | 324,150 | 324,150 | 121,093 | 37% | | 324,150 | | | | 324,150 |
| York-Williams Road | 50,850 | 50,850 | 183 | 0% | | 50,850 | | | | 50,850 |
| Brookton-Kweda Road | 218,633 | 218,633 | 930 | 0% | | 218,633 | | | | 218,633 |
| Brookton-Kweda Road | 162,080 | 162,080 | 0 | 0% | 100,873 | | 61,207 | | | 162,080 |
| York-Williams Road | 45,420 | 45,420 | 0 | 0% | 28,268 | | 17,152 | | | 45,420 |
| Bartram Road | 148,575 | 148,575 | 0 | 0% | 92,468 | | 56,107 | | | 148,575 |
| Dale Kokeby Road | 148,575 | 148,575 | 0 | 0% | 92,468 | | 56,107 | | | 148,575 |
| Install & upgrade Headwalls to Culverts | 24,964 | 24,964 | 0 | 0% | 15,537 | | 9,427 | | | 24,964 |
| Happy Valley Bore Field | 55,000 | 55,000 | 15,649 | 28% | | | 55,000 | | | 55,000 |
| Upgrade Inflow Meter with Electromagnetic Metre | 18,000 | 18,000 | 14,435 | 80% | 18,000 | | | | | 18,000 |
| Upgrade- Refurb/Refining Pipe Network | 300,000 | 300,000 | 0 | 0% | | | | | 300,000 | 300,000 |
| | 2,293,747 | 2,293,747 | 674,093 | 225% | 473,614 | 593,633 | 865,500 | 145,000 | 300,000 | 2,377,747 |

14.12.20.03 ANNUAL REPORT FOR 2019-20

| | |
|---------------------------------|-------------------|
| File No: | ADM 0117 |
| Date of Meeting: | 17 December 2020 |
| Location/Address: | Not Applicable |
| Name of Applicant: | Shire of Brookton |
| Name of Owner: | Shire of Brookton |
| Author/s: | Ian D'Arcy |
| Authorising Officer: | As above |
| Declaration of Interest: | Nil |
| Voting Requirements: | Absolute Majority |
| Previous Report: | Nil |

This item has been withdrawn by the CEO as the audit statement from the Officer of the Auditor General for the 2019-20 Financial year is yet to be received.

15.12.20 GOVERNANCE

15.12.20.01 AMENDMENT TO POLICY 2.35 – INFORMATION SECURITY

| | |
|---------------------------------|--|
| File No: | ADM 0564 |
| Date of Meeting: | 17 December 2020 |
| 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 a specific interest in this item. |
| Voting Requirements: | Simple majority |
| Previous Report: | N/A |

Summary of Item:

This item involves a rewrite of 'Policy 2.35 – Information Security', including a title change to 'Information Communications Technology – Security and Use', with the aim to bolster the Council's position on the management of its ICT equipment, and respective use of Shire information.

A copy of the amended Policy is presented as **Attachment 15.12.20.01A** to this report with suggested changes in red text.

Description of Proposal:

As above.

Background:

Given recent recommendations by the Office of the Auditor General (AOG) with a strong emphasis on the secure operation of the Shire Information Communications Technology (ICT) systems, and the need for appropriate conduct in using equipment and sharing information aligned back to recent investigation of other Local Governments, this policy has been amended in draft form to strengthen the security.

The intent is to ensure all users of the Shire ICT system are integrally committed to the principles as outlined in the amended Policy.

Consultation:

This draft policy has been sanctioned by the Audit and Risk Committee at their meeting on the 10th December 2020.

Statutory Environment:

This Policy relates to the following legislation:

- *Local Government Act, 1995*
- *Privacy Act, 1988*
- *State Records Act, 2000 (WA)*

Furthermore, Council may determine, review and amend the Local Government's Policies pursuant to Section 2.7(2)(b) of the *Local Government Act, 1995*.

Relevant Plans and Policy:

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

Financial Implications:

There is no specific financial implication in amending the attached Policy.

Risk Assessment:

On assessment the risk is assessed as 'High' given this policy relates to security and use of Shire equipment and information, some of which may be sensitive and confidential in nature.

| 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:

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

Specifically, this amended policy accords with:

| | |
|-------------|--|
| Function 17 | Records Management |
| | 17.3 Capture / maintain / secure corporate records / archiving |
| Function 19 | Risk Management |
| | 19.3 Implement risk mitigation measures |
| Function 21 | IT Management |
| | 21.1 Review computer hardware and software operating system 3 |

Comment:

The policy changes are considered appropriate given recent events already mentioned. Also, they will be a clear demonstration of the Council's commitment to a more secure ICT environment particularly with

members of the organisation having to complete and sign the attached 'ICT Use Agreement Declaration' form – refer to Appendix A.

AUDIT AND RISK COMMITTEE RECOMMENDATION

That Council in accordance with Section 2.7(2)(b) of the Local Government Act, 1995 amend Policy 2.35 as presented in Attachment 15.12.20.01A to this report, including the titled being changed to 'Information Communications Technology – Security and Use'.

OCM 12.20-10

COUNCIL RESOLUTION

MOVED Cr Lilly SECONDED Cr Watts

That Council in accordance with Section 2.7(2)(b) of the Local Government Act, 1995 amend Policy 2.35 as presented in Attachment 15.12.20.01A to this report, including the titled being changed to 'Information Communications Technology – Security and Use'.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachment

15.12.20.01A – Policy 2. 35 – Information Communications Technology – Security and Use

2.35 Information Communications Technology - Security and Use

| | | | | |
|-------------------------------|---|----------|---------------|--|
| Directorate: | Governance | | | |
| Statutory Environment: | <i>Local Government Act, 1995</i> <i>Privacy Act, 1988</i> <i>State Records Act, 2000 (WA)</i> <i>ISO/IEC 2700 – Information Security Management Systems – requirements</i> <i>ISO/IEC 20071 – Code of Practice for Information Security management</i> <i>NIST Cybersecurity Framework</i> <i>AS/ISO – 15483 – Records & Information</i> <i>ISO – 15489</i> | | | |
| Council Adoption: | Date: | Aug 2018 | Resolution #: | |
| Last Amended: | Date: | Nov 2020 | Resolution #: | |
| Review Date: | June 2021 | | | |

Objective:

The key objectives of this policy are to:

- ~~• Minimise information security incidents &~~
 - ~~• To ensure compliance with legislation and contractual obligations.~~
1. Provide understanding and guidance on the acceptable use of the Shire of Brookton's Information and Communication Technology (ICT) assets and resources.
 2. Demonstrate the Shire's commitment to upholding the relevant legislative and administrative requirements, whilst:
 - mitigating data loss and damage to the Shire's assets and reputation.
 - promoting organisational productivity.

Scope:

This policy encompasses all information, ICT Services and ICT assets that are owned, managed or operated by the Council, and ~~applies to all Council employees and Councillors for the duration of their employment or term of office with Council.~~ recognises the importance of maintaining effective controls over information security, operational guidelines and records management procedures, and applies to anyone accessing or using the Shire of Brookton's ICT facilities, including all employees, contractors, volunteers and Elected Members.

~~The CEO is ultimately accountable for information security in the Shire of Brookton and will:~~

- ~~• Ensure that a policy is in place and a "security aware" culture is established.~~
- ~~• Approve changes to administrative processes and procedures that do not change the intent or the impact of the policy as they apply from time to time.~~

Statement:

This policy and any procedures developed and adopted are mandatory and will support the Shire's Risk Management Policy and Records and Information Management Policy.

The Shire of Brookton (the Council) will ensure the confidentiality, integrity and availability of Council's information, ICT Services and ICT assets.

Policy:

- a) All information, including electronic records, files and communications that forms part the Shire's computer network is considered a corporate asset and shall be treated as such.
- b) The following basic principles on information security must be upheld in using of Shire's ICT facilities:
 - *Confidentiality* – Ensuring information is accessible only to suitably authorised persons.
 - *Integrity* – Maintain confidence accuracy and comprehensiveness of information and processing methods.
 - *Availability* – Making certain authorised users have access to information when required.
 - *Compliance* – Confirming that the Shire meets all legislative obligations.
 - *Responsibility* – Ensuring users of the Shire's ICT resources do not adversely affect other users or systems.
- c) Each user is responsible and accountable for their use of the Shire's ICT facilities and have an ethical and legal obligation not to use Shire property improperly. Specifically, access, transmission, retrieval, storage and/or display of material relating of personal expression that is defamatory, discriminatory, harassing and/or illegal in nature and/or is for political gain is strictly forbidden. A violation of misuse, depending on severity, nature and status of the user, may result in a reprimand, loss of ICT access, report to a higher authority for investigation and possible disciplinary action, or termination of employment.
- d) All users have a responsibility to avoid, prevent and report any unauthorised access, disclosure, duplication, modification, diversion, destruction, loss, misuse or theft of Shire information. Misuse may consist of, but is not limited to:
 - Use of ICT equipment and material inconsistent with the Shire's values, mission, business functions or objectives.
 - Allowing another person unauthorised use or access to any resource outside the scope of user's authority and role or is contrary to the applicable guidelines and legislation.
 - Use of the Shire ICT system and content for illegal, offensive or other inappropriate activities.
 - Use, or knowingly allowing another party, to use any Shire system and/or equipment to defraud or obtain money, property, services or other items of value, or for political gain by false representation.
 - Publishing information which violates or infringes upon the rights of any other person or group.
 - Use which could expose the Shire to unfavourable publicity or negatively impact the Shire's reputation.
- e) At a minimum the CEO ~~this policy~~ will: ~~direct that: The CEO~~ establish, endorse and maintain standards, specifications and controls for the secure design, implementation, management and disposal of ICT services, assets (including information assets) and equipment.
- ~~f) The CEO maintain a register of all standards relating to ICT policies.~~
- ~~g) All Councillors and employees have an obligation to report Information Security breaches to the CEO.~~
- f) All ~~Councillors and employees~~ users have an obligation to understand the value and sensitivity of information they handle and to manage it accordingly.
- g) All ~~Councillors and employees~~ users have an obligation to not release information that they know, or should reasonably know, is information that is confidential to the Council.

- h) The **Chief Executive Officer (CEO)** and Manager Corporate and Community Services (MCC) are the only employees who have the authority to:
- determine a document is confidential.
 - accept a document under conditions of confidentiality.
 - determine a document is no longer confidential.
 - to make accessible or to disclose information that is either confidential or not confidential.

Note: In relation to the above, consultation may be entertained with the Shire President prior to any action being taken in relation to this statement.

- i) All users must keep secure and routinely change their personal access PASSWORD in accordance with the directives of the Shire's ICT support provider.
- j) All users must take reasonable care when downloading, accessing or executing files on or from internet services to prevent the introduction of viruses or harmful software.
- k) All software products used for Shire business must be authorised and licensed before being installed on any Shire equipment.
- l) Users must not open any suspicious attachments or links, and thereafter report any suspect activity (ie emails) to the Shire's ICT support provider for review.
- m) All hardware devices provided by the Shire shall:
- Remain property of the Shire unless ownership is granted under another agreement.
 - Be used in compliance with this policy, applicable licenses, notices, contracts and agreements.
 - Be kept in a neat and tidy condition.
- n) All users must read, understand, and sign the Shire's ICT Use Agreement Declaration, provided as **Appendix A** to this policy.

Appendix A – ICT Use Agreement Declaration

As a user of the Shire's ICT facilities, including electronic records, files and communications that forms part the Shire's computer network and I respectfully:

- a) Acknowledge and agree to the statements detailed in this policy.
- b) Undertake to ensure that my PASSWORD is kept confidential.
- c) Acknowledge that unauthorised use of my personal USER ID may result in the integrity of the system being compromised.
- d) Accept that I am responsible for ensuring the Shire equipment and my personal USER ID provided to me is not shared with any other person and is only used for proper and authorised activities relating to Local Government business.
- e) Accept I am accountable for any actions undertaken using my USER ID and PASSWORD.
- f) Understand Shire monitors and records email and internet activity undertaken by those users who have access to resources provided by the Shire of Brookton.

I have read, understood, and will always adhere to the conditions this policy.

Name: _____

Signature: _____ Date: _____

This declaration form once signed must be submitted to the Shire appointed ICT Officer.

| |
|---|
| 15.12.20.02 DRAFT POLICY 2.42 – INTEGRATED PLANNING AND REPORTING (IPR) REVIEW AND ANNUAL BUDGET PREPARATION |
|---|

| | |
|---------------------------------|--|
| File No: | ADM 0564 |
| Date of Meeting: | 17 December 2020 |
| 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 a specific interest in this item. |
| Voting Requirements: | Simple majority |
| Previous Report: | N/A |

Summary of Item:

This item presents to Council a draft ‘Policy 2.41 – IPR Review and Annual Budget Preparation’.

The intent of this policy is to heighten understanding, provide clarity and education, designate key times for review, and offer guidance on the Shire’s Integrated Planning and Reporting process and preparation of the Shire’s Annual Budget each year.

A copy of this draft Policy is presented as **Attachment 15.12.20.02A** to this report.

Description of Proposal:

As above.

Background:

Following a public meeting on the Shire’s Reserve 43158 Management Plan, and a subsequent review of the Council’s Corporate Business Plan (CBP), this Policy has been prepared to increase awareness and understanding of:

- The statutory Integrated Planning and Reporting framework and the role it plays in informing preparation of the annual municipal budget for each year.
- The process and indicative timeframe in the preparing the annual budget.

Consultation:

This policy has been presented to and sanctioned by the Audit and Risk Committee at its meeting on Thursday 10th December 2020.

Statutory Environment:

All local governments are required to adopt an annual budget in accordance with Part 6, Division 2, of the *Local Government Act, 1995* (The Act), Part 3 of the Local Government (Financial Management) Regulations 1996, Australian Accounting Standards (AASB) and the Australian Accounting Standards Board Interpretations (AASBI). In relation to budgeting, section 6.2 (1) of the Act states:

During the period from 1 June in a financial year to 31 August in the next financial year, or such extended time as the Minister allows, each local government is to prepare and adopt (absolute majority required), in the form and manner prescribed, a budget for its municipal fund for the financial years ending on the 30 June next following that 31 August.

The legislative requirement for the Shire's IPR framework is contained in Section 5.56(1) of the *Local Government Act, 1995* and the Pursuant to Section 5.56(1) and (2) of the *Local Government Act, 1995* where each Local Government is required to 'plan for the future' for its local district in accordance with the relevant regulations of the Local Government (Administration) Regulations, 1996.

The Regulations state that the 'plan for the future' is to take the form of an Integrated Planning and Reporting (IPR) framework with specific reference to preparation of a Strategic Community Plan (SCP) and Corporate Business Plan (CBP), and the following accompanying/supporting plans:

- Shire of Brookton Long Term Financial Plan (LTFP)
- Shire of Brookton Asset Management Plan (AMP)
- Shire of Brookton Workforce Plan (WP)

Specifically, Regulation 19C states the SCP is to be reviewed at least every 4 years but may be modified within this period subject to formal consultation with the local community.

Regulation 19DA promotes in relation to the CBP:

19DA. Corporate business plans, requirements for (Act s. 5.56)

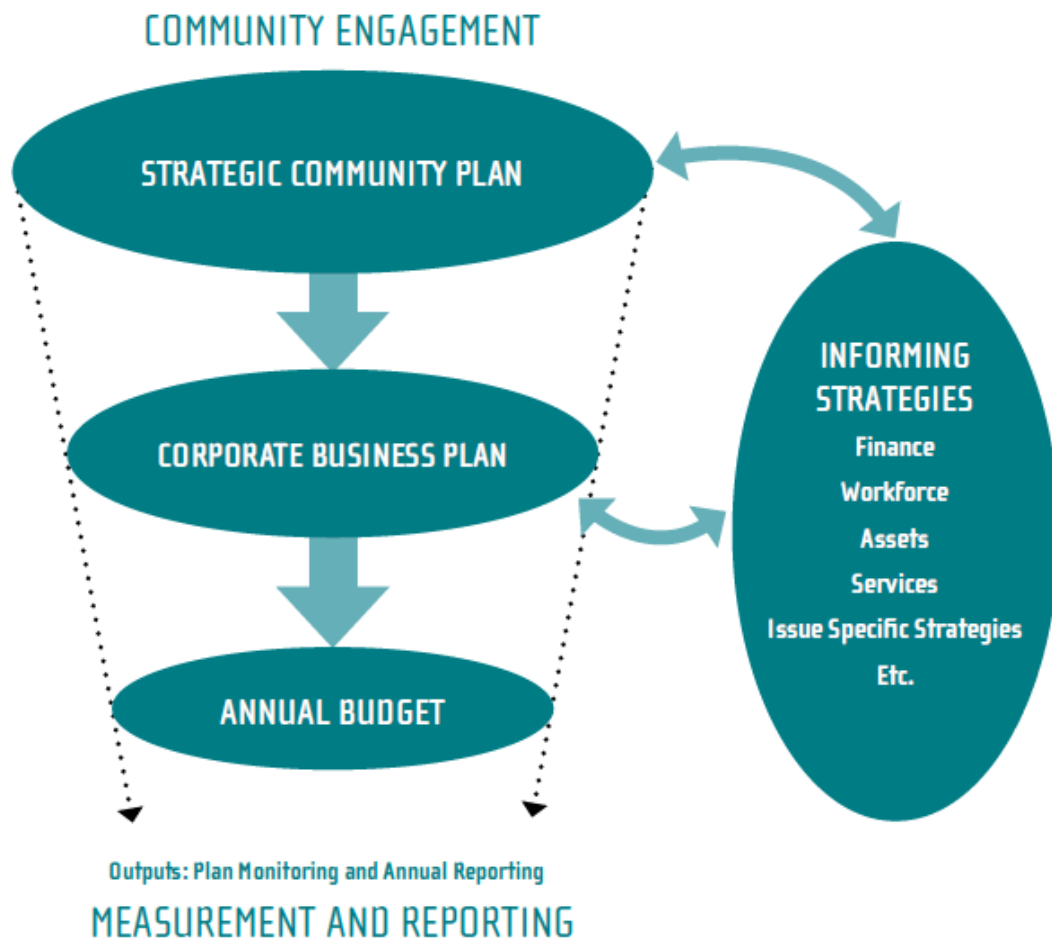
- (1) A local government is to ensure that a corporate business plan is made for its district in accordance with this regulation in respect of each financial year after the financial year ending 30 June 2013.*
- (2) A corporate business plan for a district is to cover the period specified in the plan, which is to be at least 4 financial years.*
- (3) A corporate business plan for a district is to —*
 - (a) set out, consistently with any relevant priorities set out in the strategic community plan for the district, a local government's priorities for dealing with the objectives and aspirations of the community in the district; and*
 - (b) govern a local government's internal business planning by expressing a local government's priorities by reference to operations that are within the capacity of the local government's resources; and*
 - (c) develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.*
- (4) A local government is to review the current corporate business plan for its district every year.*
- (5) A local government may modify a corporate business plan, including extending the period the plan is made in respect of and modifying the plan if required because of modification of the local government's strategic community plan.*
- (6) A council is to consider a corporate business plan, or modifications of such a plan, submitted to it and is to determine* whether or not to adopt the plan or the modifications.*

**Absolute majority required.*

- (7) *If a corporate business plan is, or modifications of a corporate business plan are, adopted by the council, the plan or modified plan applies to the district for the period specified in the plan.*

The following diagram provides an understanding of the statutory framework.

Elements of the Integrated Planning Framework



Additionally, consideration needs to be given the Shire's CBP Compendium, which details the operational functions and governance requirements coupled with the Council's 'Innovations Pathway' process.

Furthermore, Council's role in determining, reviewing and amending its policies is defined in Section 2.7(2)(b) of the *Local Government Act, 1995*.

Relevant Plans and Policy:

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

Financial Implications:

There is no specific financial implication in relation to adoption of this draft Policy.

Risk Assessment:

On assessment the risk is assessed as 'Medium' premised on this policy being integral to improved understanding of the statutory IPR and Budget preparation processes.

| 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:

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

Specifically, this draft policy accords with:

Function 3. Integrated Planning and Reporting

- 3.1 Review / adoption Strategic Community Plan
- 3.2 Review / adoption Corporate Business Plan

Comment:

Importantly the Council is obliged to have, and adhere to, a 'Attendance at Events' policy to instill and maintain confidence with the local Community regarding the conduct of Elected Members and CEO.

AUDIT AND RISK COMMITTEE RECOMMENDATION

That Council in recognition of Section 5.56(1) and (2) and Section 6.2, and in accordance with to Section 2.7(2)(b) of the Local Government Act, 1995 adopt 'Policy 2.42 – IPR Review and Annual Budget Preparation' as presented in Attachment 15.12.20.02A to this report.

(Simple majority vote)

OCM 12.20-11

COUNCIL RESOLUTION

MOVED Cr Lilly SECONDED Cr Hartl

That Council in recognition of Section 5.56(1) and (2) and Section 6.2, and in accordance with to Section 2.7(2)(b) of the Local Government Act, 1995 adopt 'Policy 2.42 – IPR Review and Annual Budget Preparation' as presented in Attachment 15.12.20.02A to this report.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachment

15.12.20.02A – Policy 2. 42 – IPR Review and Annual Budget Preparation

2.42 IPR REVIEW AND ANNUAL BUDGET PREPARATION

| | | | | |
|-------------------------------|---|--|----------------------|--|
| Directorate: | Governance | | | |
| Statutory Environment: | Local Government Act, 1995 – Section 5.56 and Section 6.2 Local Government (Administration) Amendment Regulations (No. 2) 2011 – Regulation 19C, 19DA and 19DB | | | |
| Council Adoption: | Date: | | Resolution #: | |
| Last Amended: | Date: | | Resolution #: | |
| Review Date: | June 2021 | | | |

Objective:

To provide structure and guidance on:

1. Review of the Shire's Integrated Planning and Reporting (IPR) Framework, and
2. Preparation of the Annual Budget for each year.

Policy:

1. Integrated Planning and Reporting (IPR) Framework review shall accord to the following program:

| IPR Plan | Review | Direction |
|---------------------------------------|--|---|
| <i>Strategic Community Plan (SCP)</i> | <i>September</i> - Minor Review every second year. - Major Review every fourth year. - Offset to following year of the Local Government election cycle. | <i>Minor Review – Assess Community Aspirations based on a 'desktop' approach with Elected Members.</i> <i>Council may initiate consultative 'check-in' process with the Community to be conducted by Shire Administration.</i> <i>Major Review – To involve the use of an independent person or company to perform min. six weeks community consultation on Community Aspirations - Elected Members and Shire staff participation excluded from this process.</i> |
| <i>Corporate Business Plan (CBP)</i> | <i>November/December</i> - each year. | <i>Assess projected annual program of works and implement changes for the coming financial year to the CBP and Corporate Compendium.</i> <i>All amendments to CBP and Compendium to be implemented prior to preparation of annual budget for the following financial year.</i> <i>Strategic projects to be drawn from Book of Initiatives.</i> |
| <i>Asset Management Plan (AMP)</i> | <i>November/December</i> - each year. | <i>Assess Policy, Strategy, and Plans specific to each asset class to inform the LTFP.</i> |

| | | |
|--|---|---|
| | | <i>All amendments to be implemented prior to preparation of annual budget for following year.</i> |
| <i>Long Term Financial Plan (LTFP)</i> | <i>November/December - each year.</i> | <i>Review and amend the LTFP based on changes to the AMP and Shire's fiscal position.</i> <i>All amendments to be implemented prior to preparation of annual budget for following year.</i> |
| <i>Workforce Plan (WP)</i> | <i>November/December - each year.</i> | <i>Assess Organisational Structure, staff resourcing, training and upskilling and together with adjustment of roles and responsibilities, as necessary.</i> <i>Ensure all amendments to Workforce Plan are implemented prior to preparation of annual budget for following year.</i> |
| <i>Innovations Pathway</i> | <i>November/December - every second year immediately following the Local Government election cycle.</i> | <i>Assess effectiveness of framework, including Advisory Group representation and performance, Book of Ideas and Book of Initiates.</i> <i>Reset representation on Advisory Groups and amend Terms of Reference, as required.</i> |

2. Preparation of the Annual Budget shall occur each year with:

- a) Every endeavour to accord with the following 'Annual Budget Preparation Guide'.
- b) Specific reference being applied to and the budget being informed by the Council's IPR framework plans.

Annual Budget Preparation Guide

Annual Budget

| Month | Function | Week | Responsibility |
|--|---|--|---|
| <i>February</i> | <ul style="list-style-type: none"> • Review salaries and wages • Review depreciation • Review plant allocations • Review ABC allocations | <i>Week 1 - 2</i> <i>Week 2</i> <i>Week 2</i> <i>Week 3</i> | <i>CEO/Managers</i> <i>MCC/SFO</i> <i>MCC/SFO</i> <i>MCC/SFO</i> |
| <i>March</i> | <ul style="list-style-type: none"> • Create budget workbook • Commence data input • Review fees and charges • Reference IPR Plans • Review financial reserves • Review capital items | <i>Week 1</i> <i>Week 1 - 4</i> <i>Week 2 - 3</i> <i>Week 3 - 4</i> <i>Week 3 - 4</i> <i>Week 4</i> | <i>MCC/SFO</i> <i>MCC/SFO</i> <i>MCC/SFO</i> <i>MCC/SFO</i> <i>CEO/Managers/SFO</i> |
| <i>April</i> | <ul style="list-style-type: none"> • Data input (Con't) • Review capital items (Con't) • Workshop - Fees & charges <ul style="list-style-type: none"> - Set increase – rates - Set increase – rubbish and sewerage • Model rates | <i>Week 1 - 4</i> <i>Week 1 - 2</i> <i>Week 2</i> <i>Week 3</i> | <i>MCC/SFO</i> <i>CEO/Managers/SFO</i> <i>Staff/Councillors</i> <i>MCC/SFO/FO</i> |
| <i>May</i> | <ul style="list-style-type: none"> • Data input (Con't) • Workshop – First review of draft | <i>Week 1 - 4</i> <i>Week 1</i> | <i>MCC/SFO</i> <i>Staff/Councillors</i> |
| <i>June</i> | <ul style="list-style-type: none"> • Data input (Con't) • Confirmation of grants income • Consolidate carry forward position • Workshop – Second review of draft | <i>Week 1 - 3</i> <i>Week 1</i> <i>Week 2</i> <i>Week 3</i> | <i>MCC/SFO</i> <i>MCC/SFO</i> <i>MCC/SFO</i> <i>Staff/Councillors</i> |
| <i>July</i> | <ul style="list-style-type: none"> • Council Meeting – Budget adoption | <i>Week 3</i> | <i>Staff/Councillors</i> |
| <i>August</i> | <ul style="list-style-type: none"> • Budget notification to LG Dept. | <i>Week 1</i> | <i>MCC/SFO</i> |
| CEO means Chief Executive Officer MCC means Manager Corporate and Community SFO means Senior Finance Officer FO means Finance Officer | | | |

15.12.20.03 DRAFT LOCAL GOVERNMENT (MEETING PROCEDURE) LOCAL LAW 2021

| | |
|---------------------------------|---|
| File No: | ADM 0624 |
| Date of Meeting: | 17 December 2020 |
| Location/Address: | N/A |
| Name of Applicant: | Shire of Brookton |
| Name of Owner: | N/A |
| Author/s: | Ian D'Arcy – Chief Executive Officer |
| Authorising Officer: | As above |
| Declaration of Interest: | The author does not have a specific interest in this item |
| Voting Requirements: | Simple Majority |
| Previous Report: | Nil |

Summary of Item:

This item relates to:

- a) Preparation of a draft Local Government (Meeting Procedures) Local Law 2021 applicable to all Ordinary, Special and Committee meetings – see **Attachment 15.12.20.03A**.
- b) Repeal of the Shire of Brookton Extractive Industries Local Law 2011 – see **Attachment 15.12.20.03B**.

Both **Attachments** are provided under separate cover.

Description of Proposal:

As above

Background:

Section 3.16 of the *Local Government Act 1995* (the Act) provides direction for reviewing the currency and suitability of gazetted Local Laws and requires that all Local Laws be reviewed every eight years to determine their continued relevance.

At the July 2020 Ordinary Meeting the Council resolved to commence a review of its Local Laws. This included amendment and repeal where considered necessary over a period of 12 to 18 months, with the initial focus being on the preparation of a new Meetings Protocol Local Law and repeal of the existing Extractive Industry Local Law 2011.

As previously explained, the Standing Orders Local Law 2000 was prepared but never gazetted. Subsequently, the Council moved to adopt the 2000 Local Law as a Council Policy pending review and preparation of a new legislation to guide and regulate meeting procedures that partly forms the basis of this report.

The other Local Law under consideration as part of this report is repeal of the Shire Extractive Industries Local Law 2011. For the most part, this legislation is assessed as a double up on approval and enforcement, as an extractive industry use requires statutory approval from Council under the Shire of Brookton Local Planning Scheme No.4.

Consultation:

This Draft Local Government (Meeting Procedures) Local Law 2021 was considered by the Audit and Risk Committee meeting on Thursday 10th December 2020.

Statutory Environment:

Pursuant to Section 3.12 of the Act the following statutory procedure applies to amending, repeal or creating a new local law:

3.12.Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.*
- (2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.*
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.*
- (3) The local government is to —*
 - (a) give local public notice stating that —*
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and*
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and*
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;*
 - and*
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and*
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.*
- [(3a) deleted]*
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.*

** Absolute majority required.*
- (5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.*
- (6) After the local law has been published in the Gazette the local government is to give local public notice —*
 - (a) stating the title of the local law; and*
 - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and*
 - (c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.*
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.*
- (8) In this section —*

making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

Accompanying, Regulation 3 of the Local Government (Functions and General) Regulations 1996 provides that:

“for the purpose of section 3.12 of the Act, the person presiding at a Council meeting is to give notice of the purpose and effect of a local law by ensuring that;

- a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and*
- b) the minutes of the meeting of the Council include the purpose and effect of the proposed local law.”*

Relevant Plans and Policy:

The only policy document applicable to this matter is Standing Orders and Meetings Procedure Local Law 2000 Policy 1.17.

This document is outdated and does not carry required the legal stature for the conduct of Council and Committee meetings.

Financial Implications:

It is estimated that the overall Local Law review process will cost approximately \$5,000 in Officer time and Advertising costs that has been be allocated in the 2020-21 draft annual budget.

Risk Assessment:

The risk in relation to this matter is assessed as ‘High’ on the basis that the review is a legislated requirement and there is no current Local Law for meeting Procedures which is not ideal. Further, the current situation with the Extractive Industry Local Law is that it duplicates process and creates confusion and cost for the applicant which has proven unnecessary in the past.

| 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 – May 2018, duly appended to the Next Generation BROOKTON Corporate Business Plan <2021.

Specifically, the amended Policy supports the following Business Unit and Functions:

1. Governance

1.8 Review Local Laws

Comment

For the most part the draft Meeting Procedures Local Law, as provided in **Attachment 15.12.20.03A**, is based on the Western Australian Local Government Association (WALGA) template that aptly reflects the local government industry standard.

As for the Extractive Industry Local Law, the repeal of this legislation will reduce 'red tape' and unnecessary cost for both the applicant and the Shire. With the Local Planning Scheme No.4 requiring an application for planning approval to be lodged and granted by the Council, and the ability for Council to impose conditions on this land use, it is viewed that a second application for an Extractive Industry Licence is not warranted.

AUDIT AND RISK COMMITTEE RECOMMENDATION

That Council pursuant to Section 3.12 of the Local Government Act, 1995 and Regulation 3 of the Local Government (Functions and General) Regulations, 1996 progress:

1. The processing of the Local Government (Meeting Procedures) Local Law 2021 as presented in Attachment 15.12.03A to this report with:
 - a) The stated purpose and effect being:
 - (i) To provide rules and guidelines which apply to the conduct of meetings of the Council and its committees and to meetings of electors.
 - (ii) To conduct all Council and Committee in accordance with the Act, the Regulations and these Local Laws.
 - (iii) To afford through the implementation and use of these laws:
 - better decision-making by the Council and committees,
 - the orderly conduct of meetings dealing with Council business,
 - better understanding of the process of conducting meetings, and
 - the more efficient and effective use of time at meetings.
 - b) The Local Law being advertised for a minimum period of 6 weeks through public notice on the Shire website, Facebook page, e-news and the Brookton Telegraph, that includes:
 - (i) A summary the purpose and effect of the Local Law as outlined in a) above.
 - (ii) Information on where the draft Local Law can be viewed and/or obtained and where submissions about the proposed local law may be lodged.
 - c) A copy of the Local Law and public notice being forwarded to the Minister for Local Government; Heritage; Culture and the Arts immediately upon public notification being executed.
2. The repeal of the Shire of Brookton Extractive Industries Local Law, 2011 as presented in Attachment 15.12.20.03B to this report with public notice to be given in accordance with 1b) above.

The Shire President informed the Council that the purpose and effect of the draft Local Government (Meeting Procedures) Local Law 2021 is detailed in the Audit and Risk Committee Recommendation.

OCM 12.20-12

COUNCIL RESOLUTION

MOVED Cr Walker

SECONDED Cr Watts

That Council pursuant to Section 3.12 of the Local Government Act, 1995 and Regulation 3 of the Local Government (Functions and General) Regulations, 1996 progress:

- 1. The processing of the Local Government (Meeting Procedures) Local Law 2021 as presented in Attachment 15.12.03A to this report with:***
 - a) The stated purpose and effect being:***
 - (i) To provide rules and guidelines which apply to the conduct of meetings of the Council and its committees and to meetings of electors.***
 - (ii) To conduct all Council and Committee in accordance with the Act, the Regulations and these Local Laws.***
 - (iii) To afford through the implementation and use of these laws:***
 - better decision-making by the Council and committees,***
 - the orderly conduct of meetings dealing with Council business,***
 - better understanding of the process of conducting meetings, and***
 - the more efficient and effective use of time at meetings.***
 - b) The Local Law being advertised for a minimum period of 6 weeks through public notice on the Shire website, Facebook page, e-news and the Brookton Telegraph, that includes:***
 - (i) A summary the purpose and effect of the Local Law as outlined in a) above.***
 - (ii) Information on where the draft Local Law can be viewed and/or obtained and where submissions about the proposed local law may be lodged.***
 - c) A copy of the Local Law and public notice being forwarded to the Minister for Local Government; Heritage; Culture and the Arts immediately upon public notification being executed.***
- 2. The repeal of the Shire of Brookton Extractive Industries Local Law, 2011 as presented in Attachment 15.12.20.03B to this report with public notice to be given in accordance with 1b) above.***

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachments - Provided under separate cover

Attachment 15.12.20.03A

Attachment 15.12.20.03B

15.12.20.04 DRAFT POLICY 2.43 – INTERNAL AUDIT CHARTER

| | |
|---------------------------------|---|
| File No: | ADM 0624 |
| Date of Meeting: | 17 December 2020 |
| Location/Address: | N/A |
| Name of Applicant: | Shire of Brookton |
| Name of Owner: | N/A |
| Author/s: | Ian D’Arcy – Chief Executive Officer |
| Authorising Officer: | As above |
| Declaration of Interest: | The author does not have a specific interest in this item |
| Voting Requirements: | Simple Majority |
| Previous Report: | Nil |

Summary of Item:

This item applies to a draft policy that outlines the internal audit charter for the Shire and sets up the framework for an internal auditing program to compliment the annual external audits conducted by the Office of the Auditor General (OAG).

A copy of the draft Policy is provided as **Attachment 15.12.20.04A** to this report.

Description of Proposal:

This draft Policy sets out a framework for the conduct of internal audits to:

- Provide assurance to Council that the Shire’s financial and operational controls designed to manage the organisation’s risks and achieve its objectives, are operating in an efficient, effective and ethical manner.
- Assist management in improving and monitoring the Shire’s risk management, internal control and legislative compliance functions.

Background:

As part of the scope for Local Government to achieved compliance and deliver continuous improvement, there is a need for internal auditing to be performed by Council through its Audit and Risk Committee. This forms part of the requirements under Regulation 17 of the Local Government (Audit) Regulations, 1996 and has be highlighted by the OAG Auditors as an action to be performed.

The first step to performing internal auditing is the establishment of a framework through preparation and adoption of a policy to guide the auditing process under the auspice of the Audit and Risk Committee. To achieve this, this draft Charter if presented to Council for adoption.

Consultation:

This Policy has been considered and sanctioned by the Council’s Audit and Risk Committee on Thursday 10th December 2020.

Statutory Environment:

The head of power to perform internal auditing falls under Regulation 17 of the Local Government (Audit) Regulations, 1996. This regulation states:

17. CEO to review certain systems and procedures

- (1) The CEO is to review the appropriateness and effectiveness of a local government’s systems and procedures in relation to —*

- (a) *risk management; and*
- (b) *internal control; and*
- (c) *legislative compliance.*

(2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*

(3) *The CEO is to report to the audit committee the results of that review.*

Furthermore, Council's role in determining, review and amending Local Government's Policies is defined in Section 2.7(2)(b) of the *Local Government Act, 1995*.

Relevant Plans and Policy:

This is no current plans or policies that apply to this matter.

Financial Implications:

There is no financial implication in relation to internal auditing should this function be performed in-house using the existing employee.

However, should Council prefer to have form of auditing conducted externally it may engage a qualified person at an estimated cost of \$120 - \$130 per hour.

Presently the Process and Compliance Officer, who reports directly to the CEO, would be assigned to perform this function with the wages for this position already accommodated in the 2020-21 budget.

Risk Assessment:

The risk in relation to this matter is assessed as 'High' on the basis that the review of the Shire's governance, including systems and performance, is a legislated and a highly accountable requirement. The failure of achieving necessary compliance and accountability can lead to significant issues, including opportunity of theft and other fraudulent activity.

| 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 – May 2018, duly appended to the Next Generation BROOKTON Corporate Business Plan <2021.

Specifically, the draft Policy supports the following Business Unit and Functions:

1. *Governance*

1.9 *Maintain statutory compliance registers (complaints, declarations, etc)*

18. *Financial Control*

18.6 *Co-ordinate annual audits processes*

Comment

The status table presented in the Audit and Risk Committee Agenda forms part of the review and reporting function of Regulation 17. With implementation of an Internal Audit Charter the Council can have further confidence that there is an increased focus by the administration on accountability and improvement of performance as required by Regulation 17.

An example of a typical internal audit subject is the Shire's fuel system. Routinely over the years there has been a failure to adequately account for diesel fuel through a manualised system, with discrepancies of 300 – 400 litres to on hand stock levels at the end of the calendar month in the main storage tank at the Shire depot. This has now been addressed with the Council acquiring an electronic dispensing and inventory control system that accurately regulates and accounts for the taking of fuel through a swipe card system. However, while the transfer of fuel from the main tank to smaller field tanks is accounted for, it has been further issue identified with accounting of fuel dispensed from the smaller tanks in the past few months. This issue has just been addressed with modification to the smaller tanks to incorporate a locking system with limited assigned access. Further monitoring and a subsequent review through a future internal audit will confirm the suitability of measures that has recently been implemented.

Therefore, it is important that Council (with oversight by the Audit and Risk Committee) is satisfied with the Administration's efforts and actions in addressing required compliance for the many statutory requirements and other accountabilities imposed on this organisation. To this end the Audit and Risk Committee's input as to the appropriateness of draft Policy 2.43 is current sought.

OFFICER RECOMMENDATION

That the Audit and Risk Committee recommends Council in accordance with Section 2.7(2)(b) of the Local Government Act, 1995 adopts 'Policy 2.43 – Internal Audit Charter' as presented in Attachment 15.12.20.04A to this report.

COUNCIL RESOLUTION

MOVED Cr Fancote SECONDED Cr Hartl

That the Audit and Risk Committee recommends Council in accordance with Section 2.7(2)(b) of the Local Government Act, 1995 adopts 'Policy 2.43 – Internal Audit Charter' as presented in Attachment 15.12.20.04A to this report.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

Attachments

Attachment 15.12.20.04A

2.43 INTERNAL AUDIT CHARTER

| | | | | |
|-------------------------------|--|--|----------------------|--|
| Directorate: | Governance | | | |
| Statutory Environment: | Local Government (Audit) Regulations 1996; Regulation 17 | | | |
| Council Adoption: | Date: | | Resolution #: | |
| Last Amended: | Date: | | Resolution #: | |
| Review Date: | June 2021 | | | |

Objective:

The objectives of this internal audit charter are to:

- Provide assurance to Council that the Shire's financial and operational controls designed to manage the organisation's risks and achieve its objectives, are operating in an efficient, effective and ethical manner.
- Assist management in improving and monitoring the Shire's risk management, internal control and legislative compliance functions.

Policy:1. Scope

Internal audits may cover any programs and activities of the Shire and encompass the review of all financial and non-financial policies and operations.

2. Independence

Independence is essential to the effectiveness of the internal audit function.

Internal audits will be performed by dedicated employee or external contractors appointed through a transparent Expressions of Interest process.

Internal auditor is accountable to the CEO for the efficient and effective operation of the internal audit function and will report functionally to Council through the Audit and Risk Committee.

3. Authority and Confidentiality

Internal auditors are authorised to:

- Have free and unrestricted access to all Shire's records and other documentation, premises and Shire employees.
- Obtain assistance as required from Shire employees.

Internal auditors are responsible and accountable for maintaining the confidentiality of the information they receive during the course of their work.

4. Roles and Responsibilities

The internal audits shall encompass examination and evaluation of the Shire's governance, risk management and internal controls coupled with performance to achieve the Shire's strategic

objectives with a structured focus on adequacy and effectiveness.

Each audit may include (but not limited to):

- Evaluating risk exposure relating to achievement of the Shire's strategic objectives.
- Evaluating the reliability and integrity of information and the means used to identify, measure, classify and report such information.
- Evaluating the systems established to ensure compliance with those policies, plans, procedures, laws and regulations which could have a significant impact on the organisation.
- Evaluating the means of safeguarding assets and verifying the existence of such assets.
- Evaluating the effectiveness and efficiency with which resources are engaged/employed.
- Evaluating operations or programs to ascertain whether results are consistent with established objectives and goals.
- Monitoring, evaluating and identifying improvements to governance processes.
- Monitoring and evaluating the effectiveness of the Shire's risk management processes.
- Providing advice related to governance, risk management and internal control as appropriate.
- Reporting significant risk exposures and internal control issues, including fraud risks and governance issues
- Evaluating specific operations at the request of Council, Audit and Risk Committee or the CEO.

5. Program

Internal audit activities:

- Shall be performed on a half yearly basis with at least two activities conducted as determined by the CEO and reported to the Audit and Risk Committee.
- Need to be coordinated to help ensure adequacy of overall audit coverage and minimise duplication with the Shire's external auditing conducted by the Officer of the Auditor General.
- The methodology, assessment criteria and checklist (where practical) provided in Appendix A to this policy should be adhered to in performing an internal audit:

Appendix A

1. Methodology

The following generic approach should routinely be applied to each internal audit:

- a) **Audit Objectives and Scope** – audit subject, relevant legislation (where applicable) and intended outcomes to be documented.
- b) **Audit Schedule** – required resources, information, timeframe, method of approach (ie documentation review, interviewing, observation) and expected participants to be scheduled.
- c) **Audit Pre-planning** – Audit Schedule and discussion with department manager and affected employees to be entertained.
- d) **Audit Execution** – Audit process (includes sighting and examination of hard-copy or electronic records, and verification of compliance with the management systems, procedures and effective implementation of processes and internal controls) to be progressed in a fair and unbiased manner.
- e) **Audit Recording** – All evidence and notes prepared together with identified deficiencies, non-compliances, other observations, summary of findings and response from the relevant Manager is to be recorded.
- f) **Audit Reporting** - All findings with reference to supporting evidence and recommended improvement/corrective action is to be presented to the CEO and then Audit and Risk Committee in a concise audit report.

2. Assessment Criteria

The internal audit to consist of the following assessment categories/ratings:

- **Achieves Compliance (MC)** – Achieves compliance with the International Organization for Standardization (ISO) 9001 where all requirements have been effectively met.
- **Basic Improvement (BI)** – Identifies a small issue or flaw that requires some adjustment or basic improvement to be implemented.
- **Minor Non-Compliance (MI)**- Indicates issues exist of minor nature but not complete failure and requires some process improvements to be instigated.
- **Major Non-Compliance (MA)** – Identifies significant flaws and requires many changes to be addressed as a priority.

3. Checklist Template

The following table provides template to guide assessment and reporting for an internal audit.

Internal Audit Checklist

| | | | |
|------------------|--|--------------------|--|
| Audit No. | | Auditor | |
| Section | | Date | |
| Subject | | Legislation | |

| No. | Requirement | Assessment Ranking | | | | Notes / Findings |
|-----|-------------|--------------------|----|----|----|------------------|
| | | MC | BI | MI | MA | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |
| | | | | | | |

Cr Lilly declared a Financial Interest in item 15.12.20.05 and left the room at 6.24pm.

15.12.20.05 ATTENDANCE AT COUNCIL MEETINGS BY INSTANTANEOUS COMMUNICATIONS – CR LILLY

File No: ADM 0699
Date of Meeting: 17 December 2020
Location/Address: N/A
Name of Applicant: Cr Tamara Lilly
Name of Owner: N/A
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: Absolute majority
Previous Report: N/A

Summary of Item:

This item involves a request from Cr Tamara Lilly to attend Council Meetings by instantaneous communication (telephone or video hook-up) when working away in Port Hedland.

A copy of Cr Lilly’s email request is provided at **Attachment 15.12.20.05A** to this report.

Proposal:

This proposal seeks Council’s favorable consideration to allowing Cr Lilly to maintain continuity of involvement in Council business when working away on a two-week cycle in Port Hedland.

In support of the request Cr Lilly has provided following information:

| Meeting Location | |
|--|--------------------------|
| <i>Unit 207 17/21 Welsh Street South Hedland WA 6722</i> | |
| Dates Away – 12 months | |
| From | To |
| <i>01 January 2021</i> | <i>15 January 2021</i> |
| <i>28 January 2021</i> | <i>12 February 2021</i> |
| <i>25 February 2021</i> | <i>12 March 2021</i> |
| <i>25 March 2021</i> | <i>09 April 2021</i> |
| <i>22 April 2021</i> | <i>07 May 2021</i> |
| <i>21 May 2021</i> | <i>05 June 2021</i> |
| <i>18 June 2021</i> | <i>03 July 2021</i> |
| <i>16 July 2021</i> | <i>31 July 2021</i> |
| <i>20 August 2021</i> | <i>04 September 2021</i> |
| <i>17 September 2021</i> | <i>02 October 2021</i> |
| <i>22 October 2021</i> | <i>05 November 2021</i> |
| <i>19 November 2021</i> | <i>04 December 2021</i> |
| <i>10 December 2021</i> | <i>23 December 2021</i> |

Background:

Provisions exist within the Local Government (Administration) Regulations 1996 that supports an elected member attending a meeting(s) of the Council by means of instantaneous communication. In order for these regulations to take effect the Council needs to approve the arrangements, including the address from which the Elected Member will attend the meeting.

The Regulations also provide opportunity for Councillors to participate externally where circumstances relate directly to an emergency, including the COVID-19 pandemic, where advanced approval is not required. However, in this instance Council is compelled to consider Cr Lilly's request prior to participation in Council meetings taking place by instantaneous communications.

Consultation:

The Shire President in early December 2020 advised all Councillors by email of the legislative requirements regarding the attendance of meetings to avoid any misunderstanding and ensure due process is adhered too.

Statutory Environment:

The Council may determine Cr Lilly's request in accordance with Section 5.25(1)(ba) of the *Local Government Act, 1995* and Regulations 14A of the Local Government (Administration) Regulations 1996. Specifically, Regulation 14A reads as follows:

Regulation 14A - Attendance at Meetings by means of Instantaneous Communication

- (1) A person who is not physically present at a meeting of a council or committee is to be taken to be present at the meeting if -
 - (a) the person is simultaneously in audio contact, by telephone or other means of instantaneous communication, with each other person present at the meeting;*
 - (b) the person is in a suitable place; and*
 - (c) the council has approved* of the arrangement.**
- (2) A council cannot give approval under subregulation (1)(c) if to do so would mean that at more than half of the meetings of the council, or committee, as the case may be, in that financial year, a person who was not physically present was taken to be present in accordance with this regulation.*
- (3) A person referred to in this regulation is no longer to be taken to be present at a meeting if the person ceases to be in instantaneous communication with each other person present at the meeting.*
- (4) In this regulation –*

"suitable place" means a place that the council has approved as a suitable place for the purpose of this regulation and that is located –*

- (a) in a townsite or other residential area; and*
- (b) 150km or further from the place at which the meeting is to be held under regulation 12, measured along the shortest road route ordinarily used for travelling;*

"townsite" has the same meaning given to that term in the Land Administration Act 1997 section 3(1).

**** Absolute Majority Required.***

Relevant Plans and Policy:

There is no plan or policy applicable to this matter.

Financial Implications:

There is no financial implication to Council in relation to this matter.

Risk Assessment:

The risk in relation to Cr Lilly's request is considered negligible and therefore 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 request 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 attendance of Council Meetings by instantaneous communications aligns to:

Business Function 1 – Governance

Action – 1.4 Convene Council meetings, prepare agendas, minutes

Comment:

Regarding the information provided by Cr Lilly to support her request, there is no reason why Council should not support attendance by instantaneous communications for Special Council Meetings and possibly the Annual Electors Meeting during periods when Cr Lilly is away.

OFFICER RECOMMENDATION

That Council in accordance with Regulation 14A of the Local Government (Administration) Regulations 1996 under Section 5.25(1)(ba) grant approval for Councillor Tamara Lilly to attending no more than half of the meetings of the Council (or Committee) in a financial year by means of instantaneous communication when working in Port Hedland, conditional on the external attendance occurring from Unit 207 17/21 Welsh Street, South Hedland WA 6722.

COUNCIL RESOLUTION

MOVED Cr Walker

SECONDED Cr Fancote

That Council in accordance with Regulation 14A of the Local Government (Administration) Regulations 1996 under Section 5.25(1)(ba) grant approval for Councillor Tamara Lilly to attending no more than half of the meetings of the Council (or Committee) in a financial year by means of instantaneous communication when working in Port Hedland, conditional on the external attendance occurring from Unit 207 17/21 Welsh Street, South Hedland WA 6722.

CARRIED BY ABSOLUTE MAJORITY VOTE 6/0

Attachments

15.12.20.05A

3 December 2020

Mr Ian D'Arcy
Chief Executive Officer
Shire of Brookton
14 White Street
BROOKTON WA 6306

Dear Ian

This letter is in regards to our Shire President, Katrina Crute's email dated 30 November 2020 with regards to Regulation 14C(2) of the Local Government (Administration) Regulations 1996, to grant with leniency permission to myself, Cr Lilly to attend the Special Council Meeting scheduled for Thursday 3 December 2020 via ZOOM video conferencing.

As shared in my councillor report at the November 2020 Ordinary Meeting of Council, as a result of my new full time employment position (FIFO 2:2) as at 20th November 2020 with Ironport Mechanical in Port Hedland. I have the ability, thanks to my employer, to ensure that my FIFO roster allows for my attendance to all council meetings as at December 2020 through to December 2021.

I do seek the support from my fellow councillors to allow my attendance to all Special Meetings for the same period via remote ZOOM video conferencing. I have full support from my employer to allow for these meetings to be attended during work hours if required in a private location. As I am more than 150km away from my place of residence, I believe that my request for this allowance is justified, under Regulation 14C(2) of the Local Government (Administration) Regulations 1996.

If this request is not supported by council, I will be in regular contact with either yourself or our Shire President, to ensure I am abreast of all council matters for the 2 weeks of every month that I am away over the next 12 months.

Yours faithfully

Cr Tamara Lilly



Cr Tamara Lilly
Councillor

☎ (08) 9642 1106



✉ CrLilly@brookton.wa.gov.au



www.brookton.wa.gov.au



14 White St, Brookton WA 6306



PO Box 42, Brookton WA 6306

Cr Lilly returned to the meeting at 6.25pm.

15.12.20.06 AMENDMENT OF VARIOUS COUNCIL POLICIES

| | |
|---------------------------------|---|
| File No: | ADM 0660 |
| Date of Meeting: | 17 December 2020 |
| 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 as the CEO has an interest in the respective policies from an operational perspective. |
| Voting Requirements: | Absolute majority |
| Previous Report: | N/A |

Summary of Item:

This item seeks Council's endorsement to amending the below policies:

- a) Policy 1.11 – Senior Employees – Amendment is sought to reinstating the Senior Employee status for the two Manager positions under Section 5.37 of the *Local Government Act, 1995*.
- b) Policy 1.18 – Appointment of Acting CEO - Through a change in management and recognition of the new Manager Corporate and Community experience in Local Government, consideration is sought to amending this policy to align with Section 5.36 of the *Local Government Act, 1995*.
- c) Policy 2.31 – Employee Leave – Due extended requests from employees the need has arisen to elaborate and clarify the criteria where the taking 'Leave without Pay' is reasonable and appropriate.

Description of Proposal:

As above.

Background:

The following outlines in summary the reasons why the respective policies are presented to Council for amendment:

- a) Policy 1.11 – Senior Employees – At the November 2019 the Council resolved to remove the 'Senior Employee' status for the respective management positions, although in hindsight this should be reinstated to reflect the intent of the legislation and allow Council to formally participate and have input through designated members into the recruitment of these positions.

A copy of Policy 1.11 with proposed wording changes highlighted in red text is presented as **Attachment 15.12.20.06A**

- b) Policy 1.18 – Appointment of Acting CEO – Amendment to this policy is promoted in recognition of experience of the new Manager Corporate and Community and emphasis under Section 5.36(2) of the *Local Government Act, 1995* that requires Council to not employ a person to the position of CEO unless the Council believes that person is suitably qualified and experienced. In consideration of the two current Managers, one has considerably more managerial experience (including holding more senior positions and previous Acting CEO experience with larger Local Governments) that the other prompting this policy to be amended to grant preference based on

level of experienced.

An understanding of the wording changes is incorporated in a copy of Policy 1.18 with amendments highlighted in red text as per **Attachment 15.12.20.06B**.

- c) Policy 2.31 – Employee Leave – The suggested amendments to this policy is to enhance understanding of the circumstance behind the taking of ‘leave without pay’. This has arisen through a number of employees seeking additional time off after having exhausted all other accrued entitlements of leave, which at times has and would continue to threaten operations performance if granted. While there has been merit in some circumstances coupled with a level of leniency, a number of employees have sought to benefit personally without reasonable consideration to the Shire’s operations and the burden placed on co-workers. This has promoted a firm stance on the taking of this form of leave that should be supported by a consistent policy position.

Similarly, a copy of this Policy with amendments highlighted in red text is presented as **Attachment 15.12.20.06C**.

Consultation:

Limited consultation has been entertained with the Shire President on Policies 1.11 and 1.18.

Statutory Environment:

Council’s role in determining, reviewing, and amending Local Government’s Policies is defined in Section 2.7(2)(b) of the *Local Government Act, 1995*.

Relevant Plans and Policy:

As evident, this report relates to existing Council Policies 1.11, 1.18 and 2.31.

Financial Implications:

There should be no financial impacts in Council endorsing the suggested changes to these policies.

Risk Assessment:

The risk associated with amending all three policies is assessed as ‘Medium’ premised on ensuring reasonable clarity and alignment to best practice and applicable legislation.

| 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:

The suggested policy updates align to the Shire of Brookton Corporate Compendium – May 2020, duly appended to the Next Generation BROOKTON Corporate Business Plan <2024.

Specifically, these policy amendments are in accordance with:

Business Function 1 - Governance

Action 1.1 - Review policy manual

Business Function 16 – Organisational Development/Industrial Relations

Action 16.1 - Conduct employee performance reviews and development

Action 16.2 – Conduct employee recruitment

Comment:

The following comment is offered on each policy:

1. *Policy 1.11 – Senior Employees* – As mentioned this Policy is being amended to correct the position on the designation of Management positions being Senior Employees under the Local Government Act, 1995 that then requires the employees in management position to be signed to a performance based contract and the Council through the Employment Committee have input into the recruitment and performance review. While for the most part this already occurs, its deemed appropriate Council policy legitimizes the designation of ‘Senior Employee’ to the
2. *Policy 1.18 – Appointment of Acting CEO* – The proposed change to this policy is about recognition of the level of experience that exists at the managerial level and ensure the person acting in the CEO position is suitable and capable of managing all facets of the organisation. Presently, the Manager Corporate and Community has considerable knowledge, experience and broad understanding of Local Government that should not be over-looked and qualify and first preference in covering the Acting CEO role when required.
3. *Policy 2.31 – Employee Leave* – Amendments to this Policy is all about clarity and strengthening understanding on the use of ‘Leave without Pay’, which needs to be applied to ‘balancing’ some employee’s 9 day fortnight working arrangements, and assisting staff in genuine need for extended leave due to health issues and the like.

However, some employees have viewed ‘Leave without Pay’ as an absolute entitlement to satisfy other personal needs and desires without consideration of the burden placed on the operations, and in particular other co-workers. Therefore, amendment to this Policy will assist in addressing this matter.

OFFICER RECOMMENDATION

That Council pursuant to Section 2.7(2)(b) of the Local Government Act 1995 amends the following policies as presented in Attachments 15.12.20.06A, Attachments 15.12.20.06B, Attachments 15.12.20.06C of this report:

1. Policy 1.11 – Senior Employees
2. Policy 1.18 – Appointment of Acting CEO
3. Policy 2.31 – Employee Leave

OCM 12.20-15

COUNCIL RESOLUTION

MOVED Cr Macnab SECONDED Cr Hartl

That Council pursuant to Section 2.7(2)(b) of the Local Government Act 1995 amends the following policies as presented in Attachments 15.12.20.06A, Attachments 15.12.20.06B, Attachments 15.12.20.06C of this report:

- 1. Policy 1.11 – Senior Employees***
- 2. Policy 1.18 – Appointment of Acting CEO***
- 3. Policy 2.31 – Employee Leave***

CARRIED BY ABSOLUTE MAJORITY VOTE 7/0

Attachments

15.12.20.06A – Policy 1.11 – Senior Employees

15.12.20.06B – Policy 1.18 – Appointment of Acting CEO

15.12.20.06C – Policy 2.31 – Employee Leave

1.11 SENIOR EMPLOYEES

| | | | | |
|-------------------------------|--|------------------------------------|----------------------|-------------|
| Directorate: | Executive | | | |
| Statutory Environment: | <i>Local Government Act 1995 s. 5.37</i> | | | |
| Council Adoption: | Date: | Aug 2009 | Resolution #: | 13.04.09.03 |
| Last Amended: | Date: | 21 Nov 2019 Dec 2020 | Resolution #: | |
| Review Date: | June 2021 | | | |

Objective:

~~To acknowledge the Chief Executive Officer is the only Senior Employee for the Shire of Brookton in accordance with Section 5.37 of the Local Government Act, 1995.~~

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

Policy:

1. The following positions are nominated as Senior Employees under Section 5.37(1) of the *Local Government Act, 1995*:
 - Manager Corporate and Community Services (MCC)*
 - Manager Infrastructure and Emergency (MIE)
2. The CEO shall prepare a short list of candidates, conduct the interviews with the participation from two members of Employment Committee, and proceed to report to Council on the appointment the successful candidate.
3. The Chairperson of the Employment Committee shall participate in the performance review of nominated Senior Employees (other than the CEO) to provide input on behalf of the Shire Council.
4. The CEO performance review shall be conducted in accordance with Council Policy 1.12 – CEO Performance and Salary Review.

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

1.18 APPOINTMENT OF ACTING CEO

| | | | | |
|-------------------------------|--|------------------------------------|----------------------|-------------|
| Directorate: | Executive | | | |
| Statutory Environment: | <i>Local Government Act 1995, section 5.36 (2)</i> | | | |
| Council Adoption: | Date: | Nov 2016 | Resolution #: | 13.11.16.04 |
| Last Amended: | Date: | August 2020 Dec 2020 | Resolution #: | |
| Review Date: | June 2021 | | | |

Objective:

The objective of this policy is to appoint ~~either~~ the Manager Corporate and Community (MCC) ~~or the Manager of Infrastructure and Emergency (MIE)~~ to act in the role of the Chief Executive Officer (CEO) for periods of leave or vacation of the position for up to two (2) weeks only.

Definitions:

Leave means annual leave, sick leave, long service or personal leave.

Manager Corporate and Community (MCC) means the incumbent employee being:

- ~~Mrs Amy Eva~~
- Mrs Kellie Bartley

Manager Infrastructure and Emergency (MIE) means the incumbent employee being:

- Mr Mikel Haramboure

Policy:

The written consent (where practical) must be obtained from the Shire President ~~(or MCC or MIE) in the absence of the President)~~ prior to taking of annual leave by the CEO in line with this Policy.

Unless otherwise determined by a formal resolution of Council to appoint another person in an "Acting" capacity to the CEO position, the MCC ~~in the first instance~~ is appointed pursuant to Clause 5.39 (1a) of the *Local Government Act 2005* to the role of the CEO for any period up to two (2) weeks when the CEO is on leave or the CEO position has been vacated. ~~In the absence of the MCC the appointment will default to the MIE.~~

In any event, for periods in excess of two (2) weeks a separate report on each occasion is to be presented to Council for a formal resolution to extend the appointment of the MCC ~~(or the MIE)~~ or appoint another person to act in the CEO position. However, such a period is not to exceed twelve (12) months, ~~unless consent has been granted by the Minister for Local Government.~~

The MCC ~~(or the MIE)~~ is not required to act in the position of the CEO during periods when the CEO is away from the office on Local Government business, or for short periods of leave (up to 3 working days) when the CEO is contactable. Should the CEO not be contacted the MCC ~~(or the MIE)~~ shall automatically assume the responsibility and authority of the CEO.

The Acting CEO will receive the same rate of salary (cash component) as the CEO whilst acting in the role but is not entitled to specific allowances and benefits as detailed in the CEO's employment contract.

Explanation:

This Policy:

- Has been prepared on the need to fill the position of CEO for short periods in line with statutory requirements, and in an efficient manner to ensure the fluent operations of the organisation when, or if, the CEO needs, or seeks, to exercise a leave entitlement at short notice.
- Is subject to review every two (2) years or at the time of change of the MCC ~~(or MIE)~~ position.
- Does not bind Council from appointment of another person to Act in the CEO position at any time.
- Requires an **absolute majority** vote of Council in accordance Clause 5.36(2) of the *Local Government Act 2005*.

2.31 EMPLOYEE LEAVE

| | | | | |
|-------------------------------|--|----------|----------------------|-------------|
| Directorate: | Corporate | | | |
| Statutory Environment: | <i>Local Government Industry Award 2020</i> <i>National Employment Standards</i> <i>Fair Work Act 2009</i> | | | |
| Council Adoption: | Date: | Nov 2017 | Resolution #: | 13.11.17.01 |
| Last Amended: | Date: | Dec 2020 | Resolution #: | |
| Review Date: | June 2021 | | | |

Objective:

The objective of this policy is to afford structure and clarity around the taking of personal leave, particularly sick leave, by individual employees to ensure that equity, accountability and consistency in approach and procedure is achieved, and afford some additional benefit to the taking of other forms of leave.

Definitions:

- **Employee** means an employee of the Shire of Brookton currently that is on the payroll on a full-time and part-time basis.
- **Immediate Family Member** means an employee's spouse or de facto partner and their child, parent, grandparent, grandchild, sibling.
- **Personal leave** means sick leave, Carer's leave, but no compassionate leave, annual leave or long service leave.
- **Annual Leave** means the amount of hours or days an employee of the organization is permitted to be away from their employment position on full pay for the purpose taking a break or holiday.
- **Compassionate Leave** means leave taken when an employee's immediate family member dies or contracts/develops a life-threatening illness or injury that may result in imminent death or permanent disability.
- **Long Service Leave** means leave granted after having continuously worked 10 years for the Shire.
- **Leave without Pay** means an approved temporary absence from the employee's position in a no-pay status as requested by the employee and agreed by the employer.
- **Community Service Leave** means the absence of an employee from work while engaging in certain service activities such as a voluntary emergency management activity or jury duty.
- **COVID-19 Leave** means leave granted to an employee who has contracted COVID-19, or needs to care for another person who has COVID-19 or is required to self-isolate, or cannot access school or other care arrangements because of COVID-19 or are otherwise prevented from working because of COVID-19.

Policy:**1.0 Personal Leave****1.1** The Shire acknowledges:

- a) Personal and compassionate leave entitlements will be paid to an employee in accordance with the Local Government Award 2020 and the related procedure.
- b) An employee's anniversary of appointment is the basis point for accrual of personal leave.

- c) An employee can take personal/carer's leave if he/she or an immediate family member is sick, injured or has an emergency.
- 1.2** An employee seeking approval for personal (sick) leave is to submit a medical certificate, or statutory declaration or other supporting evidence of illness:
- a) For absences greater than 2 days; and
 - b) Where the staff member has exceeded 2 periods of sick leave (minimum 1 day) in any one year from the date of the staff member's anniversary of appointment.
- 1.3** An employee seeking approval for personal leave may also be required to submit a medical certificate, statutory declaration, or other supporting evidence of illness:
- a) For a single day of leave on a Monday or Friday, immediately before or after a public holiday or rostered day off.
 - b) If the manager/supervisor considers that the staff member is taking a series of single day's personal leave to a pattern, or on a regular or frequent basis.
- 1.4** An employee that does not accord with statement 1.2, or a request under statement 1.3, may be subject to review of conducted and potential disciplinary action in accordance with the applicable legislation.
- 1.5** An employee taking compassionate leave, must produce documented medical evidence or relevant certificates on request from the CEO or MCC of the circumstance (ie death, critical illness or injury) for which this leave is being taken. An employee who has used all of their personal and annual leave entitlements will be placed on leave without pay for up to 4 weeks, with the matter to be re-assessed by the CEO beyond this period.

2.0 Annual Leave

An employee's anniversary of appointment is the basis point for the accrual of annual leave.

- 2.1** The Chief Executive Officer may exercise discretion and:
- a) Decline an employee's request to take annual leave where there is an immediate or projected operational need.
 - b) Direct an employee where an employee's entitled annual leave entitlement is assessed as a financial liability for the organisation to:
 - i. Take annual leave; or
 - ii. Prepare an "annual leave clearance plan"; or
 - iii. Consider a partial pay-out of the employee's annual leave (see statement 2.1 below).
- 2.2** An employee may request in writing a 'pay out' of annual leave entitlement where:
- a) The employee has completed 3 years of full-time employment with the Shire.
 - b) The employee's annual leave entitlement exceeds 190 hours.
 - c) The 'pay out' amount does not exceed 50% of the employee's total annual leave entitlement (ie 4 weeks) and does not contravene the provisions of the Award.
 - d) The employee acknowledges through execution of a deed that the Shire is not responsible for any taxation implications that may arise for the employee as a result of the 'pay out' of annual leave.
 - e) The 'pay out' of annual leave by the Shire is to be:

- i. formally applied for and approved by the employee's line Manager and endorsed by the CEO at least 1 month prior to the employee's employment anniversary date.
- ii. transacted upon a written agreement (deed of payment) being duly executed by both the employee and the Chief Executive Officer.

2.3 An employee may purchase through a written request an additional annual leave entitlement from the Shire under the following conditions:

- a) The purchase of additional annual leave by the employee is at the employee's 'standard' hourly rate up to a maximum of 5 working days per year (leave loading does not apply).
- b) The payment of additional annual leave by the employee:
 - i. Must be completed prior to the leave being taken.
 - ii. may be deducted (subject to written consent) from the employee's fortnightly pay over a period of no greater than 12 months, and for a period as agreed with the CEO.
- c) The taking of additional annual leave:
 - i. is to be formally applied for and approved by the Chief Executive Officer at least 1 month prior to the leave being taken; and
 - ii. must be taken within a 12 month period.

2.4 An employee may request an increase in their annual leave allocation by an additional one week (pro-rata) based on a full waiver of their current 17.5% leave loading entitlement, subject to the following conditions:

- a) The request must be presented to the CEO through a written application.
- b) A deed of acceptance must be executed between the employee and CEO acknowledging the agreed amendment will constitute a change in employment conditions that is binding on both parties.

3.0 Leave Without Pay or Accrued Leave at ½ Pay

3.1 An employee may request to take 'leave without pay' or 'entitled leave' at ½ pay (typically this would apply to an extended illness period or the like), subject to:

- a) The employee having completed 3 years of full-time employment with the organisation.
- b) The request for un-paid or at ½ pay leave not exceeding 6 months.
- c) In the case of an application for leave without pay, the employee's applicable leave entitlements (accrued annual leave and entitled long service leave) having been exhausted prior.
- d) The department or section of the organisation is not likely to be compromised in its performance (ie can back fill the position) during the period upon which the leave period is requested.
- e) The employee providing a written assurance that a minimum 2 month notice period will be given should the employee decide not to return from leave.

3.2 The exception to 3.1 is:

- a) The grant of unpaid leave in accordance with 4.1 below.
- b) Where an employee has recently commenced employment and has previously arranged or requires urgent leave. In this instance such leave may be granted at the discretion of the CEO.
- c) Where the CEO holds the view there is exceptional or mitigating circumstances for 'leave without Pay' to be granted on merit.

4.0 Time in Lieu/Rostered Days Off/Flexi Time

4.1 All full-time depot-based employees are entitled to one rostered day off every two weeks structured on working 76 hours each pay period, with the nominated day determined by the Chief Executive Officer. Should a depot-based employee not have accrued 7.6 hours over 9 days of work the sort fall of hours for their rostered day off shall be taken as unpaid leave.

4.2 All full-time administration office employees, other than Chief Executive Officer and Manager Corporate and Community Services, are entitled to one rostered day off every four weeks structured on working 80 hours each pay period.

Accrual of time in lieu hours must not exceed 30.4 hours (ie 4 days) in total, unless prior written approval has been obtained from the CEO.

4.3 An employee may be able to vary their standard starting and finishing times at the discretion of their direct line manager and depending on their responsibilities and duties so long as the employee commences and finishes between the hours of 6.00 am to 6.00 pm.

5.0 Long Service Leave

5.1 An employee must, prior to three (3) months out for Long Service Leave being due, make application to:

- a) Take all or part of their long service leave entitlement using the required leave form for consideration and endorsement of management; or
- b) Defer their long service leave entitlement for consideration by Council, but in doing so needs to detail their reasons for this request and provide a time frame for when this leave will be taken.
- c) Have all or part of their long service leave paid out. Such payment shall be transacted upon a written agreement (deed of payment) being duly executed by both the employee and the Chief Executive Officer.

5.2 Any acceptance to 5.1 b) and 5.1c) will only be accepted at the hourly rate of pay when the long service pay falls due.

6.0 Additional Leave

All employees are granted 2 additional Local Government Recreation (LGR) leave days per annum on a pro-rata basis that must be taken during the Council approved Shire closure period between Christmas and New Year each year. Or as otherwise approved by the CEO.

7.0 Community Service Leave

An employee registered as a volunteer with an emergency service organisation and actively called upon to assist with an emergency situation is entitled to be paid for the hours absent from work for up to five (5) days annually.

8.0 COVID-19 Leave

A one-off payment of up to 20 days of COVID-19 leave to employees who:

- a) Have contracted COVID-19; or

- b) Need to care for another person who:
 - Has COVID-19 or is required to self-isolate; or
 - Cannot access school or other care arrangements because of COVID-19; or
- c) Are otherwise prevented from working because of COVID-19.

With this leave being:

- i. Available after an employee's existing paid personal, carers or sick leave credits have been exhausted.
- ii. Paid leave, with pay calculated in the same way as for annual leave, excluding loading.
- iii. Independent and not affecting existing annual leave or long service leave accruals.
- iv. Not accruable.
- v. Available to all full time, part time and casual employees calculated on the preceding 14 day pay period on a pro rata basis.

Note: This Policy does not override the Local Government Industrial Award 2020, National Employment Standards, Fair Work Act 2009 or individual employment letters or contracts. Where this is a conflict between this policy and the various Awards and relevant employment legislation, the Award and relevant legislation shall apply.

| | |
|-----------------|--|
| 16.12.20 | ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN |
|-----------------|--|

Nil.

| | |
|-----------------|---|
| 17.12.20 | NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING |
|-----------------|---|

OCM 12.20-16

COUNCIL RESOLUTION

MOVED Cr Crute SECONDED Cr Hartl

That Council move to consider the motion presented by Cr Crute at the meeting.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

OCM 12.20-17

COUNCIL RESOLUTION

MOVED Cr Crute SECONDED Cr Fancote

That Council withdraw the nomination for the Voluntary Act of the Year Award 2021 at the request of the person making the nomination.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

That Council move to consider the new business presented at 17.12.20.01 Proposed Second Storage Sea-Container – Brookton Historical Museum Inc.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

*Cr Crute (Shire President) declared a financial interest in item 17.12.20.01 and left the room at 6.33pm.
Cr Walker (Deputy Shire President) took the chair to preside over the meeting.*

Cr Macnab declared an impartiality interest in item 17.12.20.01 and remained in the meeting and voted on the item.

| |
|--|
| 17.12.20.01 PROPOSED SECOND STORAGE SEA-CONTAINER – BROOKTON HISTORICAL MUSEUM INC. |
|--|

| | |
|---------------------------------|--|
| File No: | ADM 0017 |
| Date of Meeting: | 15/02/2019 |
| Location/Address: | Lot 445 (House No.3) Groser Street Brookton |
| Name of Applicant: | Brookton Historical Museum Inc. |
| Name of Owner: | Shire of Brookton |
| Author/s: | Ian D'Arcy - CEO |
| Authorising Officer: | As above |
| Declaration of Interest: | None |
| Voting Requirements: | Simple majority for Officer Recommendation 1 Absolute majority for Officer Recommendation 2 |
| Previous Report: | N/A |

Summary of Item:

This report relates to an application received from the Brookton Historical Museum Inc. seeking Council's approval to:

1. Place a second cream coloured sea-container on the Museum site (Lot 445 Groser Street) for the storage of heritage items and equipment.
2. Install a tropical roof on each of the sea containers.

The officer recommendation is for Council to grant planning approval for the proposed temporary structure and tropical roofs.

Description of Proposal:

This proposal involves the placement of a sea-container to the north of the existing Museum building and adjacent to an open storage structure, as reflected in **Figures 1 and 2** below.



Figure 1 – Extract of aerial imagery from Brookton Historical Museum Application – Container Location



Figure 2 – Extract from Brookton Historical Museum Application – Container Location

The temporary structure will be 'classic cream' in colour to complement the existing storage container and shed structure on the property – see **Figure 3** below.

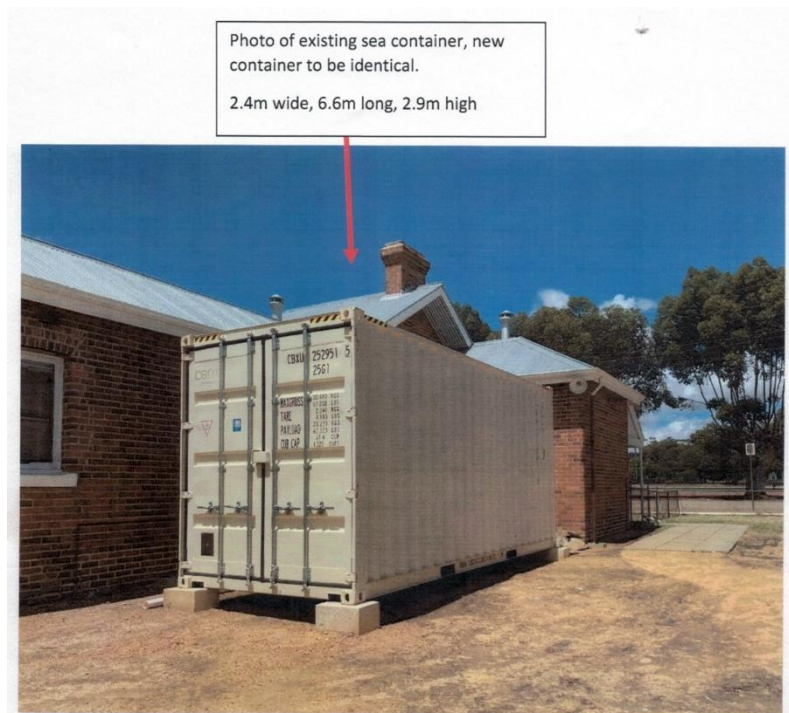


Figure 3 – Existing Container style, colour and dimensions

The application states the container will be used to store items and ancillary equipment donated to the Museum, while the proposal to install tropical structures will reduce the direct sunlight and therefore the heat generated within during summer.

Further, Council's assistance is also sought to waiving the planning application fee.

A copy of the application letter is included as **Attachment 17.12.20.01A** to this report.

Background:

With limited storage space the Brookton Historical Society approached the Shire in 2018 to store a range of donated items in the Lessor Hall. With this being a short-term arrangement for 12 months, the approval was then sought and granted in February 2019 for a sea-container to be installed at the rear of the Museum building to alleviate the storage issues being experienced. Subsequently, with more historical artefacts being received the applicant is seeking additional storage capacity.

As to Local Planning Scheme No.4 the application primarily defaults to Council discretion with the primary consideration being local amenity of the area – see statutory and policy section of this report below.

Consultation:

No consultation has occurred on this proposal.

Statutory Environment:

The subject zoning for Lot 445 is 'Local Scheme Reserve – Civic and Community'. In light of this, Part 2 of the Shire of Brookton Local Planning Scheme (LPS) No.4 requires planning approval to be granted for development (other than a boundary fence) on a local Reserve, solely at the Council's discretion. This means the Council may approve or refuse to grant planning approval with or without conditions, pursuant to Schedule 2, Part 10A of the Planning and Development (Local Planning Schemes) Regulations, 2015.

While the LPS does not prescribe minimum boundary setback distances, typically a storage structure of this nature is required to comply with a minimum distance of 1.0 metre from the property boundary. In acknowledging the adjacent property consists of a commercial office and the storage existing shed is 1.0 metre off the adjoining boundary, the proposed sea-container should as a minimum be setback the same distance.

Also, as with the previous planning application, the Council may waive the planning fee in accordance with Section 6.12(b) of the Local Government Act, 1995 a vote by absolute majority.

Relevant Plans and Policy:

The subject property falls under the Shire Municipal Heritage Inventory 2014, with a 'B' listing of significance as detailed in the table below:

| LEVEL OF SIGNIFICANCE | DESCRIPTION | DESIRED OUTCOME |
|-------------------------------|---|---|
| A. Exceptional significance | Essential to the heritage of the locality. Rare or outstanding example. | The place should be retained and conserved. Any alterations or extensions should reinforce the significance of the place, and be in accordance with a Conservation Plan (if one exists for the place). |
| B. Considerable significance | Very important to the heritage of the locality. High degree of integrity/ authenticity. | Conservation of the place is highly desirable. Any alterations or extensions should reinforce the significance of the place. |
| C. Some/Moderate significance | Contributes to the heritage of the locality. Has some altered or modified elements, not necessarily detracting from the overall significance of the item. | Conservation of the place is desirable. Any alterations or extensions should reinforce the significance of the place, and original fabric should be retained wherever feasible. |

Source - Shire of Brookton Municipal Heritage Inventory 2014 (Page 13)

Furthermore, the use of sea-containers outside of commercial, industry and rural zone is canvassed in the Local Planning Policy 3.6 that states:

3.7 Sea containers shall only be approved as outbuildings for storage purposes where the applicant can demonstrate the sea container will not have a detrimental impact on the amenity of the property or surrounding area.

Financial Implications:

Usually an application fee of \$149 would apply under the Council's Fees and Charges, although on this occasion it is recommended the application fee be waived for the reason provided in the Statutory Environment section above.

Risk Assessment:

There is no identifiable risk of any significance with this proposal.

Community & Strategic Objectives:

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

Specifically, the proposed storage sea-container for the Brookton Historical Society aligns to:

Action 24.1 – Support community group activities

Comment

On assessment against planning considerations, including the Shire of Brookton Municipal Heritage Inventory listing, the application adequately addresses visual amenity of the proposed the sea container being a consistent cream colour and well positioned behind the existing storage shed building shielding it from predominant view from the street.

Therefore, it is recommended planning approval for the proposed sea-container be supported given it:

- Is not of a scale or location that will adversely impact on amenity of the area.
- Will benefit the Historical Society through an improved level of storage capacity and convenience.
- Can be relocated should issues arise in the future or it is no longer required.

As for the storage of a tropical roof to each sea-container it is no perceived amenity issue in relation to these structures.

Regarding the fee waiver this is also supported given Council has consistently applied the same approach to previous 'not for profit' applications from community groups in the past few years.

OFFICER'S RECOMMENDATION 1

That Council pursuant to Schedule 2, Clause 68 of the a Planning and Development (Local Planning Schemes) Regulations, 2015 and subject to the following conditions and advice grant Planning Approval in favour of the Brookton Historical Society for a storage sea-container and installation of tropical roofs on each storage unit on Lot 445 (Hn.3) Groser Street Brookton:

Conditions

1. The placement of the storage sea-container shall be in accordance with the attached approved site plan endorsed 17 December 2020 that forms part of this Planning Approval, and subject to any modifications required as a consequence of any condition of this approval.
2. The storage sea-container shall generally accord with the following dimensions and colour:

Length: 6.6 metres approx.
Width: 2.20 metres approx.
Colour: Classic Cream (or similar as endorsed by the Shire CEO)
3. The sea-container shall be setback a minimum of 1.0 metre from the north side boundary.
4. The sea-container shall be used to store museum display items and equipment, unless otherwise determined by Council.
5. If the sea-container project 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 being obtained from Council.

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 exempt compliance with all relevant written laws in the commencement and carrying out of the storage shed development.
- b) The applicant is advised:
 - i. A building Permit is not required for the storage sea container however may be required for the tropical roof structures. For further information in this regard please contact the Shire's Building Surveyor on mobile 0428 376 044.
 - ii. The Council reserves the right as the custodian/owner of Lot 445 to request the sea container to be relocated (at its discretion and expense) should the need arise in the future.
 - iii. A right of appeal to the State Administrative Tribunal (SAT) exists in relation to this approval, 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.

OFFICER'S RECOMMENDATION 2

That Council in relation to the Brookton Historical Society's planning application for a sea-container waive payment of the \$149 planning application fee pursuant to Section 6.12(b) of the Local Government Act, 1995.

OCM 12.20-19

COUNCIL RESOLUTION

MOVED Cr Fancote SECONDED Cr Lilly

That Council pursuant to Schedule 2, Clause 68 of the a Planning and Development (Local Planning Schemes) Regulations, 2015 and subject to the following conditions and advice grant Planning Approval in favour of the Brookton Historical Society for a storage sea-container and installation of tropical roofs on each storage unit on Lot 445 (Hn.3) Groser Street Brookton:

Conditions

- 1. The placement of the storage sea-container shall be in accordance with the attached approved site plan endorsed 17 December 2020 that forms part of this Planning Approval, and subject to any modifications required as a consequence of any condition of this approval.***
- 2. The storage sea-container shall generally accord with the following dimensions and colour:***

Length: 6.6 metres approx.

Width: 2.20 metres approx.

Colour: Classic Cream (or similar as endorsed by the Shire CEO)

3. *The sea-container shall be setback a minimum of 1.0 metre from the north side boundary.*
4. *The sea-container shall be used to store museum display items and equipment, unless otherwise determined by Council.*
5. *If the sea-container project 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 being obtained from Council.*

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 exempt compliance with all relevant written laws in the commencement and carrying out of the storage shed development.*
- b) *The applicant is advised:*
 - i. *A building Permit is not required for the storage sea container however may be required for the tropical roof structures. For further information in this regard please contact the Shire's Building Surveyor on mobile 0428 376 044.*
 - ii. *The Council reserves the right as the custodian/owner of Lot 445 to request the sea container to be relocated (at its discretion and expense) should the need arise in the future.*
 - iii. *A right of appeal to the State Administrative Tribunal (SAT) exists in relation to this approval, 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 6/0

OCM 12.20-20

COUNCIL RESOLUTION

MOVED Cr Fancote SECONDED Cr Lilly

That Council in relation to the Brookton Historical Society's planning application for a sea-container waive payment of the \$149 planning application fee pursuant to Section 6.12(b) of the Local Government Act, 1995.

CARRIED BY ABSOLUTE MAJORITY VOTE 6/0



PO Box 125
BROOKTON WA 6306
email: president@brooktonmuseum.org.au
www.brooktonmuseum.org.au

Shire of Brookton
PO Box 42
Brookton WA 6306

10th December 2020

Dear Ian,

The Brookton and Districts Historical Society Inc would like to apply to have a 2nd sea container placed on the Museum site. We would also like to install tropical roofs on both sea containers.

The sea container will be placed out the back of the museum, in between the existing shed and toilet block. We will get the sea container in a classic cream colour which will blend with the existing shed and existing sea container on the site. We will make every effort to ensure that it is aesthetically pleasing, and in the future, we will consider putting some historical panels on the container, making it part of the exhibit.

With an increasing volunteer numbers and increasing donations we are finding that our space available is still limited. We have nearly filled the existing sea container and still have many items needing a home. We are fortunate to have a mentoring program with AMAGA (WA) and as a part of this we are redesigning and reinvigorating our exhibition space. We would like to of course have as much space inside as possible to showcase our community's history, not have our museum cluttered with storage items.

We would also appreciate it if you would consider waiving the Development Approval fees for this, we as a not for profit organisation would prefer our community funds to go towards preserving our town and district's history.

I have attached the relevant documentation for your perusal. Thank you for your consideration of our application, please do not hesitate in contacting me if you have any queries.

Kind Regards

A handwritten signature in blue ink that reads "Suzanne".

Suzanne Turner
President

Casting a bit of light on the subject – since 1976

Cr Crute returned to the meeting at 6.33pm and resumed the Chair.

18.12.20 CONFIDENTIAL REPORTS

OCM 12.20-21

COUNCIL RESOLUTION

MOVED Cr Hartl SECONDED Cr Fancote

That Council close the meeting to the public at 6.33pm in accordance with Section 5.23 (2) (b) as this item relates to a matter that if disclosed could reveal information of a matter affecting the personal affairs of another person.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

18.12.20.01 REQUEST FOR LEGAL FEES AND INTEREST WAIVER

| | |
|---------------------------------|---|
| File No: | A512 |
| Date of Meeting: | 17 December 2020 |
| Location/Address: | Lot 138 Richardson Street, Brookton |
| Name of Applicant: | Withheld |
| Name of Owner: | Withheld |
| Author/s: | Tricia Brown – Finance Administration Officer (Rates) |
| 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:

Council is in receipt of a request from owner of Lot 138 Richardson Street, Brookton seeking a waiver of legal fees and the interest associated late payment of rates applicable this property.

This matter has been an issue of contention between the Shire and the property owner for the past 3 financial years.

OCM 12.20-22

COUNCIL RESOLUTION

MOVED Cr Fancote SECONDED Cr Watts

That Council pursuant to Section 6.12 (1)(c) of the Local Government Act, 1995 approves the waiver of legal fees and associated interest for Rates Assessment 512 – Lot 138 Richardson Street Brookton.

CARRIED BY ABSOLUTE MAJORITY VOTE 7/0

Attachment

Attachment 18.12.20.01A

OCM 12.20-23

COUNCIL RESOLUTION

MOVED Cr Fancote SECONDED Cr Lilly

That Council reopen the meeting to the public at 6.37pm.

CARRIED BY SIMPLE MAJORITY VOTE 7/0

| | |
|-----------------|-----------------------------------|
| 19.12.20 | NEXT MEETING & CLOSURE |
|-----------------|-----------------------------------|

The next Ordinary meeting of the Council will be held on Thursday 18th February 2021 commencing at 6.00 pm.

There being no further business the meeting was closed at 6.37pm.