



ORDINARY MEETING OF COUNCIL

PUBLIC REVISED AGENDA

17 JUNE 2021



PO Box 42, 14 White Street, Brookton WA 6306



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NOTICE OF MEETING

17 June 2021

**14 White Street
Brookton, WA 6306**

Dear Councillor, Resident or Ratepayer,

Notice is hereby given that the Ordinary Meeting of the Brookton Shire Council will be held on Thursday 17 June 2021 in the Council Chambers at the Shire Administration Centre commencing at 6.00 pm.

The business to be transacted is shown in the Agenda.

Ian D'Arcy
CHIEF EXECUTIVE OFFICER
11 June 2021

DISCLAIMER

The recommendations contained in the Agenda are subject to confirmation by Council. The Shire of Brookton warns that anyone who has any application lodged with Council must obtain and should only rely on written confirmation of the outcomes of the application following the Council meeting, and any conditions attaching to the decision made by the Council in respect of the application. No responsibility whatsoever is implied or accepted by the Shire of Brookton for any act, omission or statement or intimation occurring during a Council meeting.

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1.06.21 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

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

2.06.21 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE

3.06.21 USE OF COMMON SEAL – MAY 2021

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

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

4.06.21 DELEGATED AUTHORITY – ACTIONS PERFORMED – MAY 2021

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

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

BUILDING			
Application No.	Lot & Street	Type of Building Work	Date Granted
24.20-21	Lot 3 McGrath Street	Dwelling	04 May 2021
26.20-21	Lot 151 Avon Corberding Road	Shed	05 May 2021
29.20-21	260 Fulwood Road	Shed	14 May 2021

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
A758	2021-005	Lot 510 White Street	2 x 1 Bed Chalet Units	07 May 2021

5.06.21 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Mr. Eric Pech

Have any of the Councillor's seen the drainage issues on any local roads?

Response:

Yes, Councillors are aware that drainage issues arise on local roads during the winter months and resulting from exceptional weather events, and also acknowledge there is 434kms of unsealed roads to be maintained within the Shire.

6.06.21	PUBLIC QUESTION TIME
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7.06.21	APPLICATIONS FOR LEAVE OF ABSENCE
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8.06.21	PETITIONS/DEPUTATIONS/PRESENTATIONS
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9.06.21	CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS
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9.06.21.01	ORDINARY MEETING OF COUNCIL – 20 MAY 2021
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That the minutes of the Ordinary meeting of Council held in the Shire of Brookton Council Chambers, on 20 May 2021, be confirmed as a true and correct record of the proceedings.

9.06.21.02	SPECIAL MEETING OF COUNCIL – 25 MAY 2021
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That the minutes of the Special meeting of Council held in the Shire of Brookton Council Chambers, on 25 May 2021, be confirmed as a true and correct record of the proceedings.

9.06.21.03	LOCAL EMERGENCY MANAGEMENT COMMITTEE – 01 JUNE 2021
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That the minutes of the Local Emergency Management Committee meeting held in the Shire of Brookton Council Chambers, on 01 June 2021, be received by Council.

10.06.21	ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION
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11.06.21	DISCLOSURE OF INTERESTS
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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.

12.06.21 TECHNICAL & DEVELOPMENT SERVICES REPORTS

12.06.21.01 PLANNING APPLICATION – EXISTING TRADE SUPPLIES USE

File No:	A2565
Date of Meeting:	17 June 2021
Location/Address:	Location 5971 Matthews Road Jelcobine
Name of Applicant:	Mr Justin Matthews
Name of Owner:	As above
Author/s:	Ian D'Arcy - CEO
Authorising Officer:	As above
Declaration of Interest:	The author does not have an interest in this item.
Voting Requirements:	Simple Majority
Previous Report:	25 May 2021 SCM

Summary of Item:

The Council is in receipt of a planning application seeking retrospective approval for a Trades Supplies use/business that involves commercial blending and packaging of agricultural crop oil sprays and wetter soil products being conducted on Location 5971 Matthews Road, Jelcobine.

A copy of the application is appended to this report as **Attachment 12.06.21.01A**. The officer recommendation is for Council to grant retrospective planning approval for the existing use.

Description of Proposal:

As above

Background:

This report is being re-presented to Council following deferment at a Special Council Meeting on 25th May 2021, where Council requested the following additional information be provided:

- Provision of an updated manifest of the chemicals stored/used on site.
- The safe storage/use of Diethylene Glycol as an apparent declared dangerous good on-site.
- The provision of bunding or similar that ensures the safe storage/use of all chemicals.

As previously presented the subject property, located to west of Brookton, is a single title of a much larger farming unit as depicted in **Figure 1** below that also illustrates the existing production shed on the subject property.

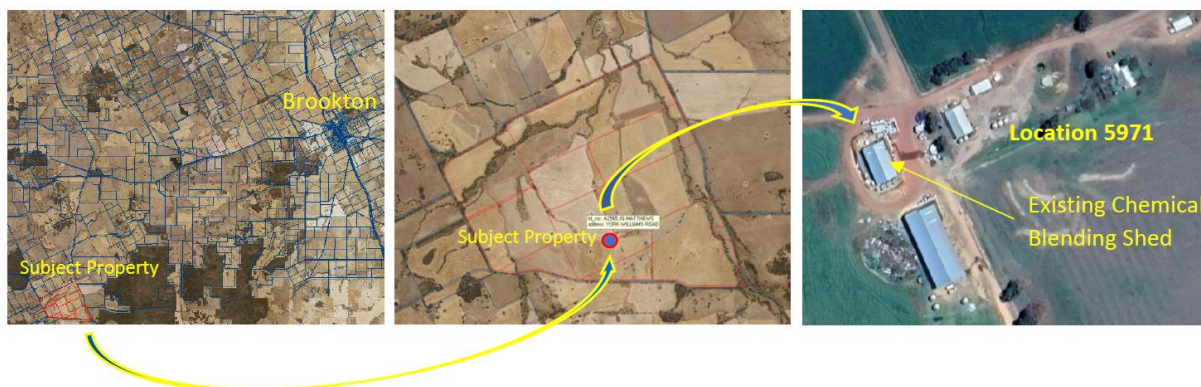


Figure 1 – Location/Site Plans (not to scale)

This building approved and erected in 2016 hay shed and workshop is some 64 metres in length, 26 metres in width, and 9 metres in wall height with a calculated floor area of 1,664 m².

A 3D sketch drawing of the approved building is provided in **Figure 2** below.

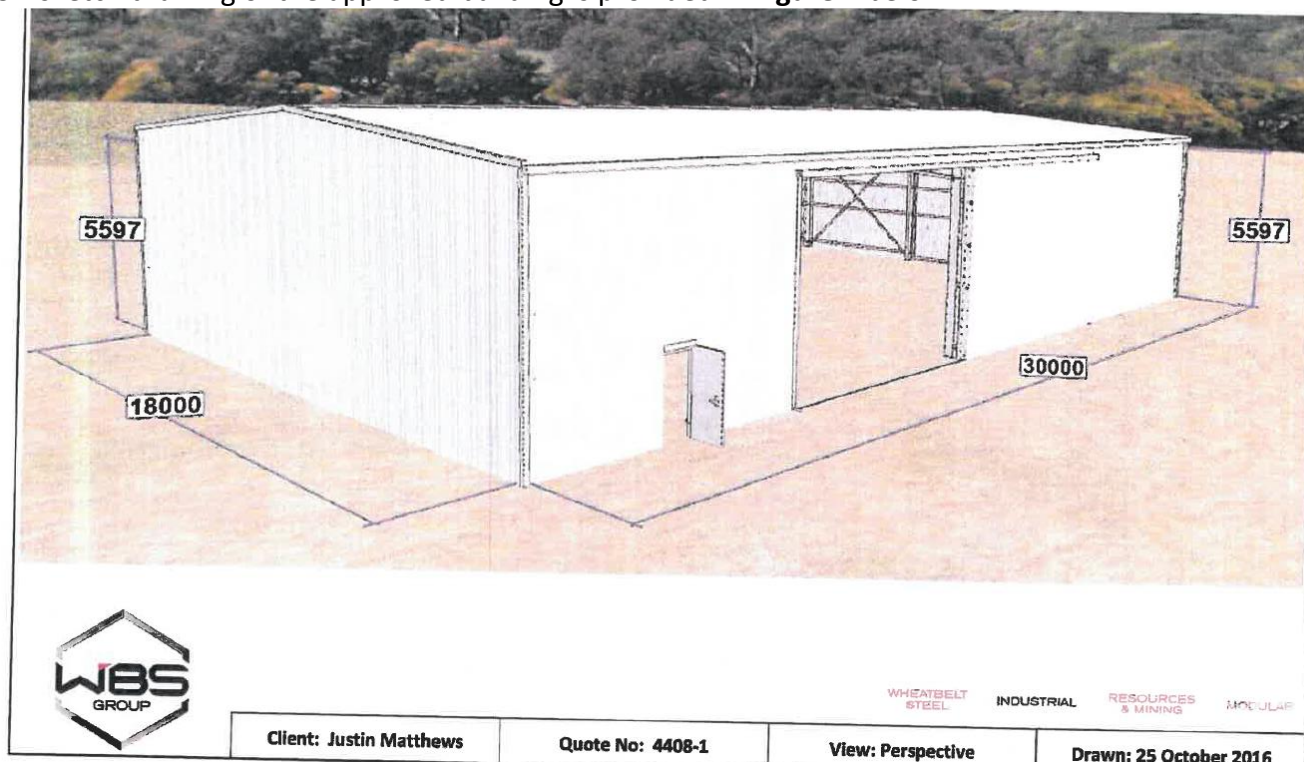


Figure 2 – Former Hay Shed/Workshop

Over the past few years, the owner has reverted to using the building for blending and packaging of agricultural crop spray oils and soil wetters, with the planning application detailing that:

- The owner was of the initial understanding the current production activities were ‘agricultural’ and therefore exempt from requiring formal planning approval.
- All products are stored and handled in compliance with and according to workplace safety standards and regulations.
- No Dangerous Goods are used in production of the agricultural products.
- The business activity accords to the Environmental Protection Regulations, 1996 and the Prescribed Premises production capacity with the output in production below the limit of 5,000 Tonnes as *Schedule 1 - Prescribed Premises - Category 75* of the Regulations.
- The hours of operation consists a standard working week of Monday – Friday 7.30am - 4.00pm and involves the employment of one full time employee and three part-time casual employees during peak periods of operation.
- There are a range of flammable/hazardous chemicals used the blending processes as reflected in Storage Handling Manifest - **Figure 3** below (updated).

SACOA PRODUCT STORAGE HANDLING MANIFEST

Company	SACOA PTY LTD
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Date	May-21
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Worksite	45 Matthews Road, JELCOBINE WA 6306
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Version	3
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Emergency Contacts	JUSTIN MATTHEWS	Managing Director	0427 522 726
	SCOTT MORTON	Site Manager	0427 891 179

Name of Substance	Supplier	Hazardous	GHS Classification				Hazard Label	AS1940 / Class	Dangerous Goods	Flash Point Range	Where Stored	Indoor/Outdoor	Average Quantity Held	Largest Quantity Held	Packaging vessel	Current SDS Date
			1	2	3	4										
Diethylene Glycol	Indorama	Yes		Y		Y	6	C2 - Combustible Liquid	No	>150°C	Storage Shed	Outdoor	5,000KG	10,000KG	IBC	Jan-16
Ecoteric T85	Indorama	No					N/A	C2 - Combustible Liquid	No	>150°C	Storage Shed	Outdoor	10,000 KG	20,000 KG	IBC	Jan-16
Solvent 200	Gandhar/ Recochem	Yes	Y	Y	Y		9	C2 - Combustible Liquid	No	>95°C	Storage Shed	Indoor	5,000KG	10,000KG	IBC	Feb-16
Teric 12A2N	Indorama/ Ortho	Yes	Y	Y	Y	Y	9	C2 - Combustible Liquid	No	>130° C	Storage Shed	Outdoor	2500 KG	4000 KG	IBC	Feb-19
Teric 12A3N	Indorama/ Ortho	Yes	Y	Y	Y	Y	9	C2 - Combustible Liquid	No	>150°C	Storage Shed	Outdoor	2500 KG	4000 KG	IBC	Feb-19
Teric 12A4	Indorama/ Ortho	Yes	Y	Y	Y	Y	9	C2 - Combustible Liquid	No	>150°C	Storage Shed	Outdoor	8,000KG	15,000KG	IBC	Feb-19
Teric N8	Indorama	Yes		Y		Y	9	N/A	No	>250°C	Storage Shed	Indoor	1,500 KG	3,000 KG	IBC	Jun-16
Teric PE64	Indorama	No					N/A	C2 - Combustible Liquid	No	>150°C	Storage Shed	Outdoor	75,000 KG	125,000 KG	IBC	Aug-12
Terwet 245	Indorama	No					N/A	C2 - Combustible Liquid	No	>150°C	Storage Shed	Outdoor	10,000 KG	20,000 KG	IBC	Aug-16
Trisol 218	Tri-Tech	No					N/A	C2 - Combustible Liquid	No	>150°C	Storage Shed	Outdoor	1,000 KG	2,000 KG	IBC	Oct-15
Group 2 70N Base Oil	Various	No					N/A	C2 - Combustible Liquid	No	>150°C	Bulk Tank 1,2,3	Outdoor	50,000L	100,000L	BULK TANKS	Current

Figure 3 – Existing Chemicals – Updated May 2021

- There is no liquid waste produced in the blending process. Raw materials are supplied in:
 - Steel drums - These steel drums are collected by a steel recycling company
 - 1000L IBCs – these IBCs are reused

There is some packaging such as cardboard and the like associated with incoming raw materials. This packaging is disposed of in a designated disposal pit on farm.

A layout of the operational production floor space is illustrated in **Figure 4** below.

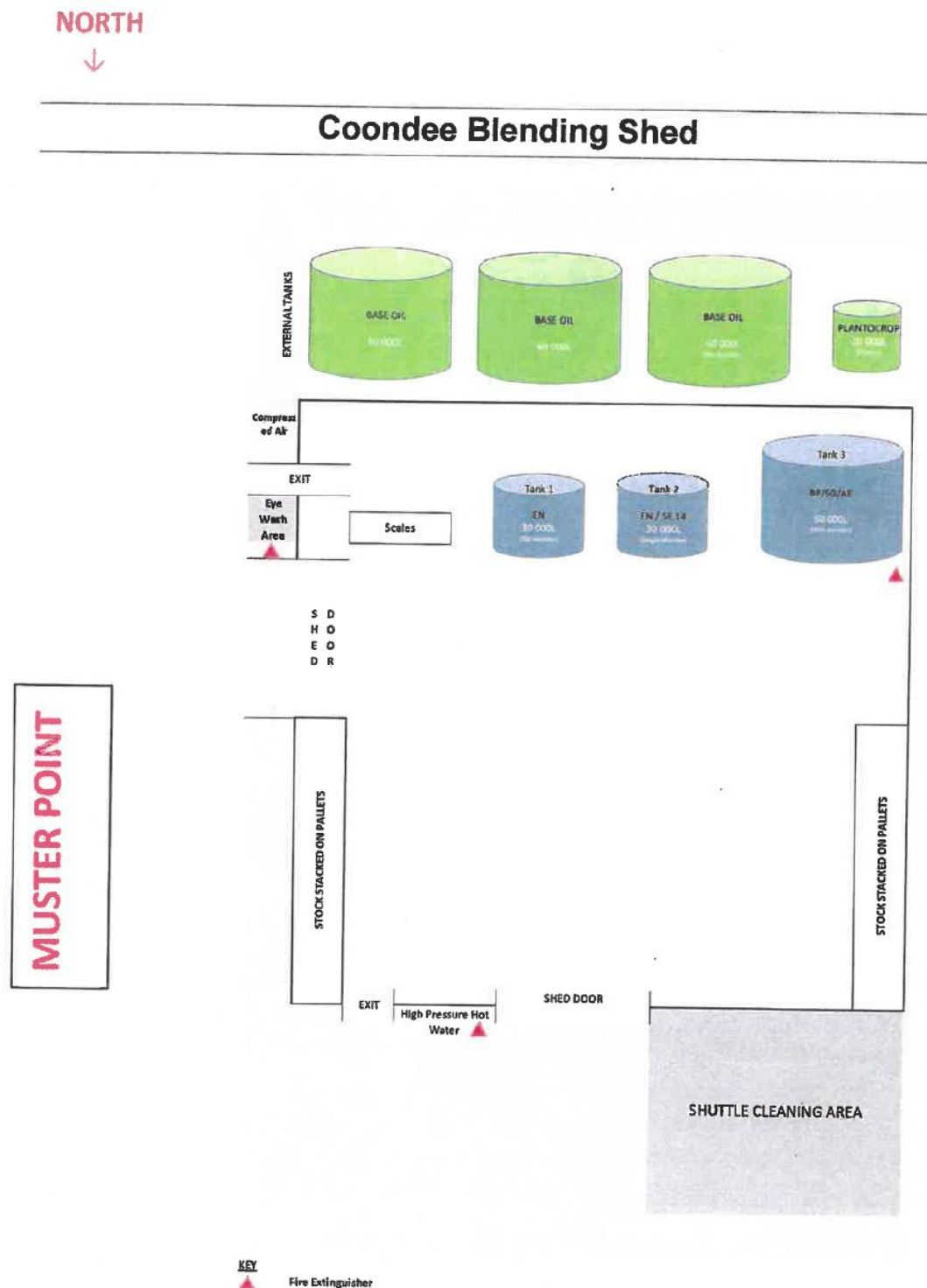


Figure 4 – Former Hay Shed/Workshop

The following photos as **Figures 5, 6** and **7** also provide an illustration of the existing production building.



Figure 5



Figure 6



Figure 7

In review of the Shire's records there has not been any reported incidents or complaints in relation to the current production operations and access to the property via the sealed portions York-Williams Road and Matthews Road, with a formed gravel internal road network through the applicant farming properties is satisfactory.

In response to the status of Diethylene Glycol stored/used on site as an apparent declared dangerous good, a letter (appended as **Attachment 12.06.21.01B**) and chemical specification (presented as **Attachment 12.06.21.01C** under separate cover) from Brenntag Australia has been provided that advises this chemical is not a declared dangerous good.

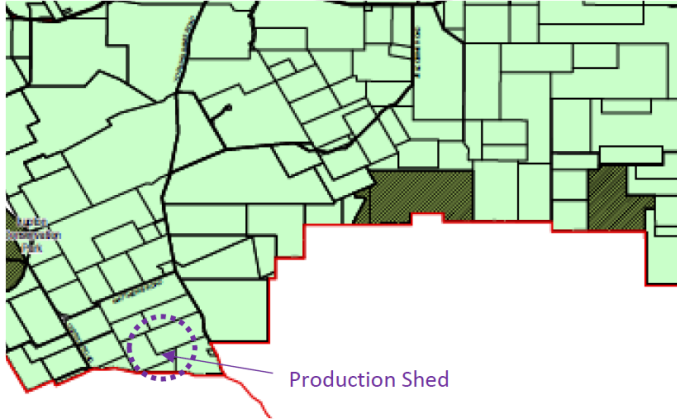
Regarding clarification of bunding for the storage of chemicals the applicant has confirmed via email that *"the site is fully bunded using mineral earth for the purpose of containing any significant spillage if it was to occur. Spill kits are located on site for any small spillages."*

Consultation:

There has not been any formal consultation on this proposal.

Statutory Environment:

As to the planning framework 'Trade Supplies' is assessed and determined under the provisions of the Shire of Brookton Local Planning Scheme No.4. Accordingly, the following table provides a summary of legal and other requirements in relation to this proposal:

Shire of Brookton Local Planning Scheme (LPS) No. 4 <i>(Statutory instrument)</i>	
Current Zoning	<p><i>The subject property is zoned 'Rural' – See extract of Map below – property coloured green and circled.</i></p>  <p>Figure 8 – Extract of Zoning Map 4</p>
Permissibility (Table 1 – Zoning Table)	<p><i>Table 1 – Zoning Table of LPS 4 qualifies a Trade Supplies as an 'D' use. This means Council has discretion to approve the respective use with or without relevant planning conditions or refuse the proposal with valid planning reasons.</i></p> <p><i>Additionally, the Council may enact enforcement action for the relative non-compliance pursuant to Sections 214, 215, and 216 of the Planning and Development Act, 2005.</i></p> <p><i>It may also proceed to determine a planning application (including a retrospective application) in accordance with Regulation 67 and 68 of the Planning and Development (Local Planning Scheme) Regulations 2015 – see further comment below.</i></p>
Definitions	<p><i>The draft LPS 4 defines:</i></p> <p><i>Trade Supplies</i> to mean premises used to sell by wholesale or retail, or to hire, assemble or manufacture any materials, tools, equipment, machinery or other goods used for the following purposes including goods which may be assembled or manufactured off the premises:</p> <ul style="list-style-type: none"> • <i>Automotive repairs and servicing;</i> • <i>Building including repair and maintenance;</i> • <i>Industry;</i> • <i>Landscape gardening;</i> • <i>Provision of medical services;</i> • <u><i>Primary production</i></u> • <i>Use by government departments, or agencies, including local government.</i> <p><i>The existing use is assessed as primary production.</i></p>
Objectives	<p><i>The Council's LPS 4 nominates the objectives of the Rural Zone to:</i></p> <ul style="list-style-type: none"> • <i>To provide for the maintenance or enhancement of specific local rural character.</i> • <i>To protect broad acre agricultural activities such as cropping and grazing and intensive uses such as horticulture as primary uses, with other rural pursuits and rural industries and secondary uses in circumstances where they demonstrate compatibility with the primary use.</i> • <i>To maintain and enhance the environmental qualities of the landscape,</i>

	<p>vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse systems from damage.</p> <ul style="list-style-type: none"> • To provide for the operation and development of existing, future, and potential rural land uses, by limiting the introduction on sensitive land uses in the Rural zone. • <u>To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</u>
Development Standards	<p>LPS No.4 stipulates under section 53:</p> <p>53. Non-Rural uses in the Rural Zone</p> <p>(1) Table 3 (Zoning Table) of the Scheme provides for a range of non-rural uses in the Rural zone, in exercising its discretion to determine non-rural proposals, the local government, in addition to the requirements of the scheme, will have regard to:</p> <ul style="list-style-type: none"> (a) management of anticipated traffic movement and volume, (b) impact on the environment including water resources, noise, amenity, and air quality. (c) the ability of the proposal to manage impacts within the property boundary, or otherwise to not affect nearby sensitive land uses; (d) visual impacts and effect on rural character; and (e) essential services being provided commensurate with the intended land use. <p>There is no evidence the existing production activity/use generates concern in relation to social, amenity, or environmental impacts.</p>

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

State Planning Policy 3.7 – Planning in Bushfire Prone Areas
(Statutory instrument – ties to Planning Regulations)

6.2 – Strategic planning proposals, subdivision, and development applications.

*The subject property is not located within an identified Bushfire Prone Area as coloured purple on the aerial photo presented as **Figure 9**. The yellow circle depicts the location of the production building.*

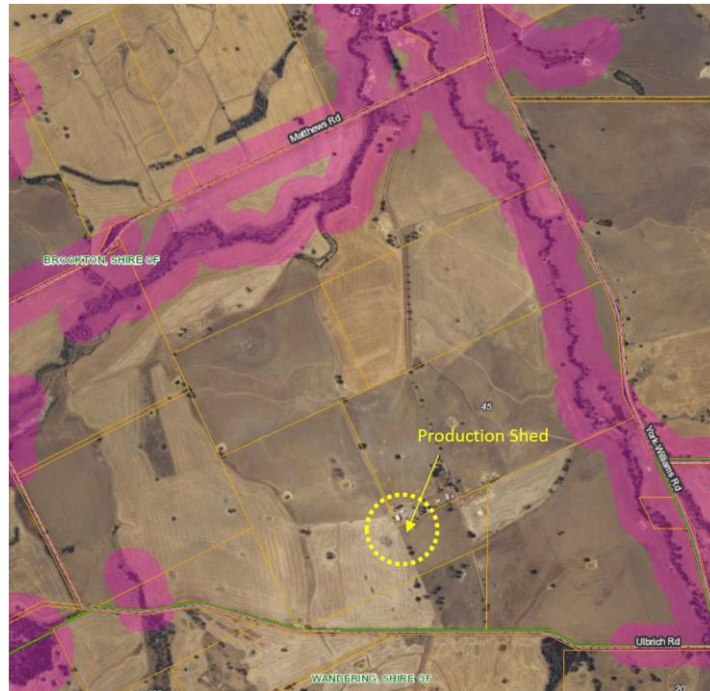


Figure 9 – Extract of Bushfire Zone Area Map - DFES

Environmental Protection Regulations 1987
(Statutory instrument)

C. Proposals of prescribed class (Act S 38)

This regulation states:

- a. *For the purposes of section 38(5)(b) and (5c)(b) of the Act, a proposal is of a prescribed class if it involves a significant discharge of waste into the environment.*
- b. *For the purposes of section 38(5)(b) and (5c)(b) of the Act, a proposal is of a prescribed class if it involves a significant emission of noise, odour, or electromagnetic radiation into the environment.*
- c. *For the purposes of section 38(5)(b) and (5c)(b) of the Act, a proposal is of a prescribed class if it involves a petroleum activity.*

5. Premises prescribed (Act Part V)

This regulation stated the premises specified in Schedule 1 of these Regulations, are prescribed premises for the purposes of Part V of the Act.

Schedule 1 of the Regs.

Schedule 1 defines a prescribed premise of this nature as Category 75, being chemical blending or mixing not causing discharge: premises on which chemicals or chemical products are mixed, blended or packaged in a manner that does not cause or is not likely to cause a discharge of waste into the environment - 5 000 tonnes or more per year.

The applicant has stated the production of this facility is below the 5,000 tonnes threshold per year and therefore does not a prescribed premise that requires registration/licencing with the Department of Water and Environmental Regulation (DWER).

Relevant Plans and Policy:

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

Financial Implications:

Other than receipt of the statutory planning application fee of \$640.00 the only other financial consideration could be a possible cost should an appeal be lodged by the applicant with the State Administration Tribunal (SAT) if dis-satisfied with the Council decision. At this stage no such cost is known.

Risk Assessment:

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

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

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

Community & Strategic Objectives:

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

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

Function 2 – Land Use Planning

Action 2.3 – Process Development Applications

Comment

While Council has the ability to undertake enforcement action for the unlawful nature of the existing use it is suggested such action would be futile given:

- a) The production activity has been in operation for a number of years without any detrimental impact being evident or brought to the Shire attention in relation to environmental harm, social or visual amenity.
- b) The blending and packaging of agricultural products aligns to the following stated objective of the Rural zone:

“To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.

- c) The applicant has acknowledged his oversight and has willingly lodged a planning application for formal approval from Council as required by the legislation.

Furthermore, it is acknowledged the production at this stage does not warrant formal registration/licencing under the environmental protection legislation with having been confirmed by the DWER.

However, this does not negate the need for conditions to be applied should Council proceed to grant ‘retrospective’ planning approval for the existing ‘Trades Supplies’ use. It is recommended that in granting planning approval conditions be applied that requires:

1. The production to be capped at 5,000 tonnes per annum with further approval being required should there be a demand to expand the chemical blending activity. This will then allow Council to re-assess (in consultation with the DWER) the proposed increase in production and any impacts that may arise, including road access, environmental harm and social/visual amenity issues.
2. An upgrade of the existing production shed to ensure it accords to the Building Code of Australia (BCA) requirements and standards for a Class 8 building include the provision of adequate fire suppression. Under the original building permit the building is a Class 10a based on the initial use being an agricultural storage shed and workshop. Concern is raised that mixing/blending of chemicals that may be flammable in nature and therefore present the need for the building to comply to the required classification.
3. The waste continuing to be disposed of based on the current practices of the steel drums being collected by a recycling company, the 1000L IBCs storage containers being reused, and all the other packaging (such as cardboard and the like) associated with incoming raw materials being recycled or disposed of in a designated disposal pit on the property.

OFFICER RECOMMENDATION

That Council grant planning approval for the existing trade supplies activity/use (Blending and Packaging Agricultural Crop Spray Oils and Soil Wetters) on Location 5971 Matthews Road, Jelcobine pursuant to Schedule 2 Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015, subject to the following:

Conditions

- 1. The existing blending and packaging activities shall be:***

- a) *Carried out in accordance with the terms of the application as approved herein, and the respective plans inclusive of site plan, floor plans and elevations that form part of this approval.*
 - b) *Capped at a production volume of 5,000 tonnes per annum with any proposed increase in production above this threshold being the subject of a further application to Council for planning approval.*
2. *This planning approval will lapse at the conclusion of 12 months, should the existing production building not be upgraded to accord with a Class 8 building as prescribed by the Building Code of Australia, including fire suppression, air extraction/ventilation and bunded storage measures that statutorily apply to this building classification.*
 3. *The disposal of steel and plastic waste containers shall be through re-use or recycling methods with cardboard and similar packaging being recycled or disposed of in a designated disposal pit on the property.*

Advice Notes

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

- a. *This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011; Health Act 2016 and Environmental Protection Act 1986 and all subsidiary legislation. It is the responsibility of the Applicant to determine any necessary approvals required and obtain such approvals in continuing the use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire's Building and Environmental Health Officer on mobile 0428 376 044.*
- b. *Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.*
- c. *With reference to Condition 2 of this planning approval the applicant is advised a Building Permit is required for upgrade of the existing production building and recommended contact be made the Shire's Building and Environmental Health Officer on mobile 0428376044 to obtain advice on the preparation of a certified building application to be lodged with the Shire of Brookton for the Building Permit to be issued.*
- d. *Should the applicant be aggrieved by the conditions of this planning approval, a right of appeal exists to the State Administrative Tribunal (SAT) subject to Part 14 of the Planning and Development Act 2005. Appeals must be lodged to SAT within 28 days. Further information can be obtained from the SAT website – www.sat.justice.wa.gov.au.*

(Simple majority vote required)

Attachments

Attachment 12.06.21.01A – Copy of Application

Attachment 12.06.21.01B – Letter regarding declared dangerous good

Attachment 12.06.21.01B – Chemical specification sheet *(provided under separate cover)*

25th April, 2021

Shire Planner
Shire of Brookton
14 White Street
BROOKTON WA 6306

Dear Shire Planner

This is a retrospective application due the initial understanding that the described activities were 'agricultural activities' and did not require planning approval.

Can you please accept this application for processing or alternatively provide clarification that the activities described, do fall within the permitted agricultural activities for land use.

After recently reading the Shire Of Brookton Local Planning Scheme No.4, I understand the activities may be classified as:

ZONE: RURAL

CLASS: INDUSTRIAL LIGHT

If you have any additional queries, or require any further information, please do not hesitate to contact me on email, jmatthews@sacoa.com.au or on mobile 0427 522 726.

Yours sincerely



Justin Matthews

0427 522 726

LOCATION

JG & RJ MATTHEWS – COONDEE FARM
45 Matthews Road
Jelcobine WA

ACTIVITIES

Blending and packaging agricultural crop spray oils and soil wetters.

All products are stored and handled in compliance with and according to workplace safety standards and regulations.

NO Dangerous Goods used in production

Environmental Protection Regulations Compliant

Prescribed Premises Production Capacity –

does **NOT** exceed limit of 5,000 Tonnes

(as per attached Schedule 1 - Prescribed Premises - Category 75)

HOURS OF OPERATION

Normal Hours of Operation: Monday – Friday 7.30am - 4.00pm

BUILDING APPROVAL

Shed

Previously Council approved in 2016

Building Permit # 16/17-14

Ref: Doc ID 4717

(See Attached for shed approval documentation)

EMPLOYEES

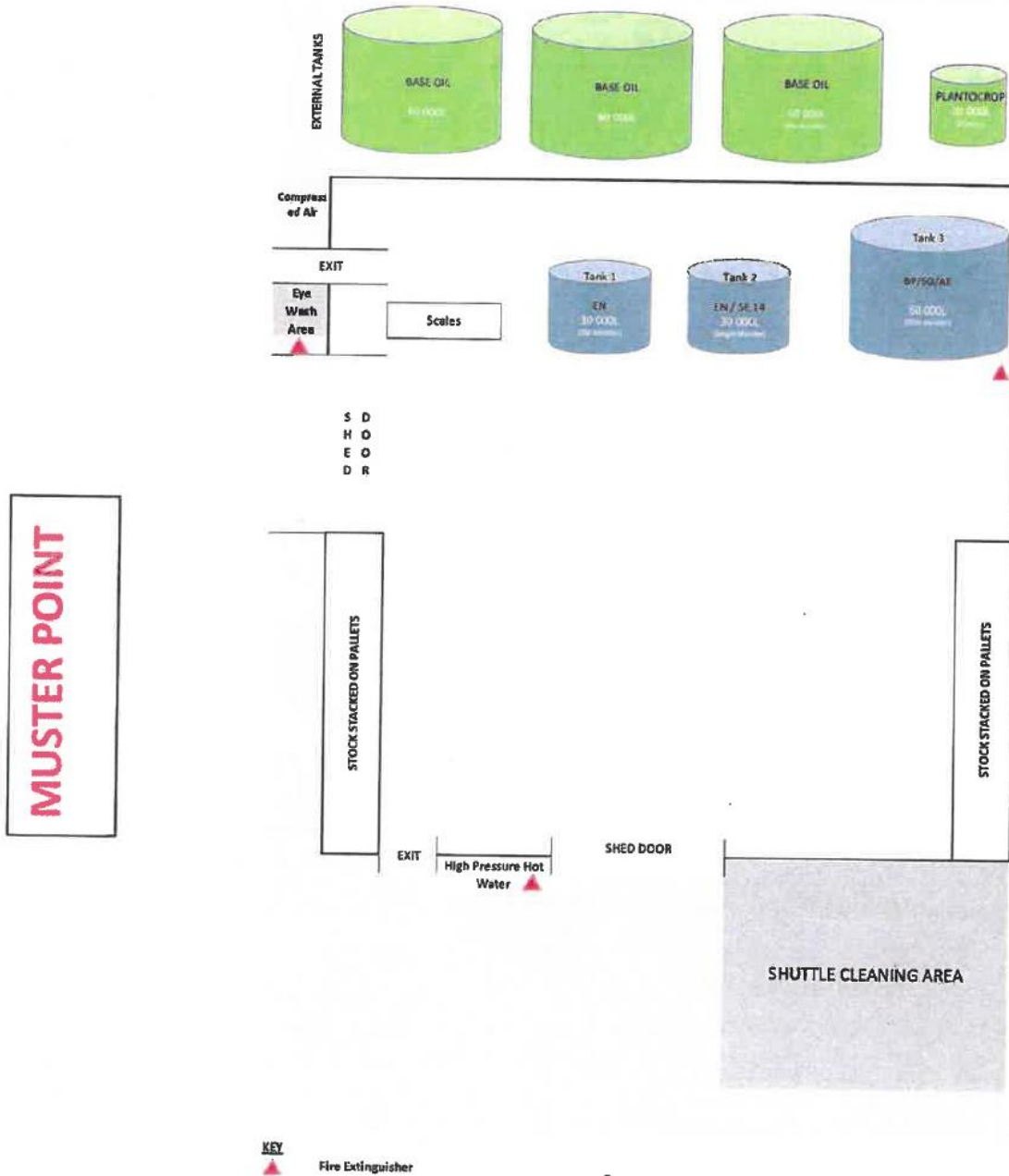
Full Time – 1

Casual Part time – 3 in peak periods

NORTH



Coondée Blending Shed



TO WHOM IT MAY CONCERN

This letter is to confirm that Brenntag Australia Pty Ltd has been supplying SACOA Pty Ltd with Diethylene Glycol.

Diethylene Glycol is not classified as Dangerous Goods according to Australian Dangerous Goods Code.

The Safety Data Sheet is enclosed.

Dr. Alex Gitlits



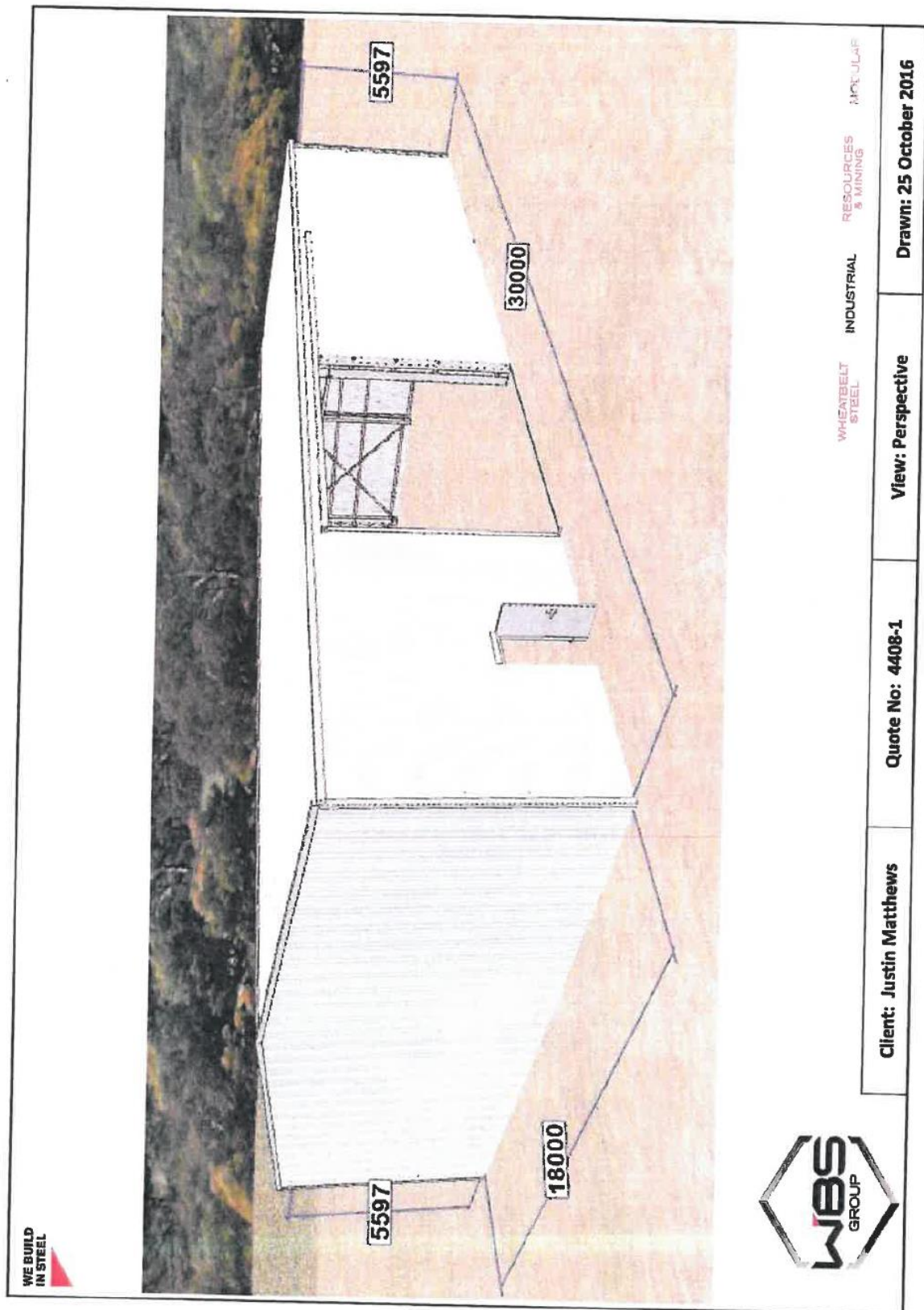
Business Manager

Brenntag Australia Pty Ltd

Office: (03) 9559 8330

Mobile 0435 918 337





12.06.21.02 PROPOSED REAL ESTATE LISTING AND SALES OF AVONBANK ESTATE LOTS

File No:	A2772, A2773, A2774, A2775
Date of Meeting:	17 June 2021
Location/Address:	Lots 102, 103, 104 and 105 Koornong Road, Brookton (Avonbank Estate)
Name of Applicant:	McMahon Real Estate
Name of Owner:	Shire of Brookton
Author/s:	Ian D'Arcy – Chief Executive Officer
Authorising Officer:	As above
Declaration of Interest:	The author has no interest in this item
Voting Requirements:	Absolute majority
Previous Report:	N/A

Summary of Item:

This item is for Council to consider:

- The listing of lots 102, 103, 104 and 105 Koornong Road, Brookton with McMahon Real Estate as the exclusive selling agent.
- The sale prices based on recent revaluation of all four lots 102 to 105 in consideration of the sworn valuations prepared by Acumentis Valuers in May 2021.
- Respective sale conditions to apply to any contract of sale.

Description of Proposal:

As above.

Background:

Lots 102, 103, 104 and 105 constitute the balance of the Avonbank Residential Estate that was originally subdivided and listed for sale by Council some 15 years back through Geoff Matthews Realty.

During the past 10 years only two of the six lots listed have been sold with one having been built upon. An understanding of the lots and brochure sale prices is provided as **Figure 1** below.



Figure 1 – Lots 102, 103, 104 and 105 Avonbank Estate

In August 2019 Council amended its policy on the Avonbank Estate with a reduction in the sales prices as reflected in **Table 1** below.

In January 2021 Mr Brian McMahon from McMahon Real Estate contacted the Shire expressing an interest in listing the remaining four residential lots. Mr McMahon advocated that while the market has been fairly price sensitive in recent years there has been a recent surge in interest for country properties and it is now a positive time to be a seller. Accordingly, Mr McMahon has request consideration of the exclusive listing of the respective Avonbank Lots 102 to 105 for 350 days with the selling agent costs being set as follows:

- Sales Commission - \$5794 per Lot
- Marketing upfront cost - \$190 per Lot
- Marketing after 3 months - \$42 per month (covers all lots)

In response to this enquiry Councillors were canvased at the February 2021 Corporate Briefing Forum (CBF) on the requested listing and the need to obtain a qualified valuation of the remaining residential lots as part of compliance with section 3.58 of the *Local Government Act, 1995*.

Subsequently, staff proceeded to obtain sworn valuations on all four allotments from Acumentis Valuers with this information being presented back to Councillors at the May 2021 CBF.

The following **Table 1** illustrates the brochure listed pricing, policy pricing and revised market value prices as determined by Acumentis Valuers.

Table 1 – Current Listed and Revised Valuation Prices			
Lot No.	Brochure Listed Price with \$5,000 rebate*	Policy Price with \$5,000 rebate*	Revised Valuation Prices
102	\$80,000	\$60,000	\$60,000
103	\$80,000	\$60,000	\$60,000
104	\$80,000	-	\$55,000
105	\$70,000	\$52,500	\$50,000
*Construction of House within 24 months			

A copy of the valuation report for each lot can be provided to Councillors on request.

In the interim an approach had been made from a member of the public with an interest in procuring a number of lots, however, this enquiry has not progressed further.

Consultation:

As outlined in the Background Section above.

Statutory Environment:

Sale of the Avonbank Estate Lots is required to be conducted in accordance with Section 3.58 of the *Local Government Act 1995*, which states:

3.58. Disposing of property

- (1) In this section —
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

- (2) Except as stated in this section, a local government can only dispose of property to —
- (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

- (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given; and
- (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

- (a) the names of all other parties concerned; and
- (b) the consideration to be received by the local government for the disposition; and
- (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.

Relevant Plans and Policy:

Pertinent to this matter is Council Policy 2.11 - Koornong Residential Estate, which in part states:

To encourage the sale and development of the individual lots;

- *The following purchase price for the respective remaining lot(s) for sale at “Koornong” (pursuant Section 3.58(4)(c)(ii)) of the Local Government Act 1995 shall apply:*
 - *Lot 102 - \$60,000 or nearest offer*
 - *Lot 103 - \$60,000 or nearest offer*
 - *Lot 105 - \$52,500 or nearest offer*
- *The above prices are condition all on the purchaser producing a Builder’s Certificate, giving notice of practical completion of a dwelling within 24 months of settlement of the sale of the property.*
- *The CEO ensuring such condition is explicitly contained within the contract of offer documentation relating to the sale.*
- *The Council may from time to time apply an alternative approach (i.e. tender, action, raffle) to market and promote the sale of the subject lots.*

Financial Implications:

Based on the sworn values is expected the following estimated financial implications could be realised in selling the subject lots:

Table 2 – Anticipated costs and Financial Returns

Lot	Sale Price	Commission & Marketing	Conveyance Costs	Rebate	Financial Return
102	\$60,000	\$5,984	\$1,200	\$5,000	\$47,816
103	\$60,000	\$5,984	\$1,200	\$5,000	\$47,816
104	\$55,000	\$5,984	\$1,200	\$5,000	\$42,816
105	\$50,000	\$5,984	\$1,200	\$5,000	\$37,816
Total					\$176,264

Therefore, selling all four lots will incur an approximate cost to Council of \$28,800 (\$7,200 each) and the return an amount of approximately \$176,200, taking into account a \$5,000 early building rebate for each lot.

Risk Assessment:

Importantly the risk is assessed as “Low” on the basis that Council adheres to the disposal process as highlighted in the Statutory Environment section of this report.

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

Specifically, the request for listing/sale of the Avonbank lots broadly aligns to:

Function 4 Property Management

Comment:

Although the valuations provided Acumentis Valuers reflects current market expectations, it is suggested Council apply a loading of 10% to accommodate a level of negotiation during the purchase process, as well as help absorb some of the selling costs. On this basis it is recommended the new list

prices in **Table 3** be applied with scope to accept offers below the list price and above the valuation price.

Table 3 – Proposed Listed Prices

Lot No.	List (Sale) Price
102	\$66,000
103	\$66,000
104	\$60,500
105	\$55,000

In consideration of the sales listing with McMahon Real Estate, while this is supported, there is concern 'exclusive' listing of 350 days (basically one year) is too long. Rather, it is suggested 175 days be allocated on an exclusive basis as this will place a greater onus on the listing agent to remain pro-active in selling the lots. Thereafter, the Council may choose to revert to a multiple listing, if desired.

Regarding the continued offer of a \$5,000 rebate for construction of a dwelling within 24 months, it is recommended this incentive be retained.

OFFICER RECOMMENDATION

That Council pursuant Section 3.58 of the Local Government Act, 1995:

- 1. Acknowledge the valuations for Lots 102, 103, 104 and 105 Koornnong Road, Brookton (Avonbank Estate) as prepared by Acumentis Valuers in May 2021.***
- 2. Apply a 10% loading to each of the respective Lot to values constitute the new list prices reflected in the following table and apply a \$5,000 rebate to each lot for construction of a single house within 24 months of the land transfer occurring:***

Lot No.	List (Sale) Price
102	\$66,000
103	\$66,000
104	\$60,500
105	\$55,000

- 3. Engage McMahon Real Estate as the listed selling agency to sell Lots 102 – 105 Koornnong Road Brookton, based on:***
 - An exclusive listing of 175 days.***
 - The process to dispose of land in accordance with legislative requirements must be acknowledged in writing by the purchaser at the time an offer is lodged.***
 - A fixed sales commission of \$5,794 applies to each Lot.***
 - A marketing upfront cost of \$190 applies to each Lot.***
 - The marketing cost after 3 months amounts to \$42 per month for all Lots.***
 - The use of repurposed buildings (ie donga) is not permitted.***
 - The connection to an approved onsite effluent disposal system.***
 - A minimum internal floor area for a single house being 100m² (excludes a verandah, garage, or carport).***
- 4. The Chief Executive Officer being authorised to execute the required listing agreements for Lots 102, 103, 104 and 105 Koornnong Road, Brookton (Avonbank Estate) with McMahon Real Estate.***

(Absolute majority vote required)

13.06.21 COMMUNITY SERVICES REPORTS

13.06.21.01 ANNUAL REVIEW OF DISABILITY ACCESS AND INCLUSION PLAN 2018-2023

File No:	CO003A
Date of Meeting:	17 June 2021
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Sandie Spencer – Community Liaison Officer
Authorizing Officer:	Kellie Bartley – Manager of Corporate and Community
Declaration of Interest:	The author has no financial interest in this matter
Voting Requirements:	Simple majority
Previous Report:	N/A

Summary of Item:

The Disability Access and Inclusion Plan (DAIP) Progress Report 2018-2023 has been reviewed and a report is now presented to Council for endorsement.

Description of Proposal:

As above.

Background:

All public authorities in Western Australia are required under the *Disability Services Act 1993* to develop, implement, review and report on the Disability Access and Inclusion Plan (DAIP).

The requirements of a DAIP is to ensure that people with a disability can access services, facilities, buildings, employment, complaints processes, services and information provided by public authorities in Western Australia in a way that facilitates increased independence, opportunities and inclusion within the community.

In accordance with legislative requirements Council adopted the Disability Access and Inclusion Plan (DAIP) 2018-2023 in March 2018. Under this legislation, the Shire is further required to directly report on the progress of the DAIP and the implementation plan to the Department of Communities by 31 July each year, as well, as provide an update to the community through its Annual Report.

The Annual Review of the Disability Access and Inclusion (DAIP) Progress Report 2020-2021 that is required to be submitted to the Department of Communities is contained in **Attachment 13.06.21.01A**.

A full review of the DAIP must be undertaken every five years or earlier. Other legislation underpinning access and inclusion includes the *Western Australia Equal Opportunity Act (1984)* and the *Commonwealth Disability Discrimination Act 1992 (DDA)*.

The Shire Officers have now performed an annual review of the current DAIP 2018-2023 that requires Council endorsement.

Consultation:

Limited consultation has been performed with the CEO in relation to this current review.

With this said a major review is to be conducted in 2023 with the lead involving the community and Elected Members as part of the engagement process.

Statutory Environment:

All public authorities in Western Australia are required under Part 5, Section 27-39C of *The Disability Services Act (1993)* to develop, implement, review and report on the Disability Access and Inclusion Plan.

Relevant Plans and Policy:

Council currently has 'Policy 2.1 – Equal Employment Opportunity and Valuing Diversity' that incorporates the values of the DAIP model.

Financial Implications:

No financial implications are applicable for the DAIP review, however financial provision have been made in the 2021/2022 Annual Budget has been allocated to provide services and facilities to deliver outcomes.

Risk Assessment:

It is assessed that there is a 'Low' risk should the DAIP review not be endorsed.

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

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

Community & Strategic Objectives:

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

Specifically, the proposal relates to:

*Function 24 Community Support**Action 24.3 – Review Disability Implementation Action Plan***Comment**

With the Act requiring all public authorities to take all practical measures to ensure that its officers, employees, agents and contactors implement the DAIP, the Council has been pro-active in implementing a number of disability and inclusion initiatives, with a sample of the measures outlined in the report:

Shire of Brookton, Ordinary Meeting of Council, 17 June 2021, REVISED Agenda

- Upgrade of the Shire Administration Office front counter that now provides two counter heights to provide access and inclusion for all who enter the building.
- Disability access to the Council Chambers with compliant ramp and side rail providing ease of access for all members of the community.
- Upgrade to the caravan park, with two new disability chalets that accords to the regulated building standards for persons with a significant disability.
- Inclusion of disability ablution amenities within the Community Garden/Men's Shed and new Youth buildings with external public access.
- Footpath upgrades along Richardson Street and Lennard Street to improve accessibility.
- Installation of an all-inclusive swing and flying fox that supports children with a disability.

With the above initiatives and other notable measures identified in the report, it is pleasing to report that Council has come a considerable way to honouring its commitment to meeting the needs of the community and its obligations under the *Disability Services Act (1993)*.

OFFICER RECOMMENDATION

That Council in respect to the Shire of Brookton Disability Access and Inclusion Plan 2018-2023 endorses the 2020/21 review of this document as contained in Attachment 13.06.21.01A.

(Simple majority vote required)

Attachment

Attachment 13.06.21.01A – Disability Access & Inclusion (DAIP) Progress Report 2020/2021



Government of **Western Australia**
Department of **Communities**



Disability Access and Inclusion Plan (DAIP) Progress Report 2020–2021

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Introduction

Welcome to Disability Access and Inclusion Plan (DAIP) reporting for 2020-2021.

Collecting information about the extent of the effectiveness of DAIPs through a Progress Report is an important requirement of the *Disability Services Act 1993*. The information is used by the Minister for Disability Services to report to Parliament. Your contribution is greatly appreciated.

The format of the report this year reflects previous report feedback about the confidence, awareness and progress public authorities have made to access and inclusion. As you consider your responses, we are particularly interested in:

- The extent to which access and inclusion is effectively integrated into policies and practices
- The influence of access and inclusion measures on customers, clients, residents, or communities.

Once you have approval from your organisation, please send your completed report to access@communities.wa.gov.au

Please complete your DAIP progress report by **Friday 16 July 2021**.

Help in completing your Progress Report is available by contacting the Access and Inclusion team:

Email: access@communities.wa.gov.au

Please note in your email if you wish to discuss this matter by phone, a staff member will call you on the number you provide)

Important notes

- Please answer all questions.
- Please include as much detail on key initiatives as possible to share the narrative about the initiative. This may include how the issue arose and the responsiveness required; who was involved or helped inform the activity; what the activity was and whether it was successful or not. You can add extra text boxes if needed.
- The Department of Communities (Communities) welcomes the efforts of public authorities to influence access and inclusion outcomes outside your organisation. Please include any such initiatives in the most appropriate outcome area.
- Photographs are most welcome; they may be used in the Minister for Disability Services' yearly report on DAIPs. You can upload a photograph for each outcome area, or if you have a series of photographs for one outcome area, upload a document file with the photographs inside. Please note that photos of people cannot be featured in the Minister's report without written permission from the person or their guardian. A sample permission form is [available](#).

Your details

Name of public authority: Shire of Brookton

Name of contact person: Sandie Spencer

Phone number: 08 9642 1106

Email: mail@brookton.wa.gov.au

Access and inclusion progress

1. General services and events

DAIP Outcome 1: People with disability have the same opportunities as other people to access the services of, and any events organised by, a public authority.

Ensuring all people can access your organisations public events and general services is fundamental to good customer service.

a. Did you commence or complete new activities, or make significant achievements to ongoing activities, in 2020-21? **Yes** (delete non-applicable)

b. If Yes, please describe one or more of these activities, sharing as much as possible about the purpose and the outcome of the activity.

- The 2020 Community Christmas Party was held at the Town Oval and pavilion. This venue provided accessible facilities including ablutions, air conditioning and amenities for this age friendly and all-inclusive event.
- The Shire of Brookton were successful in obtaining an Australia Day Grant through WALGA. A portion of the funds were used to purchase a new bbq for memorial park. The BBQ and surrounds will be provide inclusive access for all to use. Due to COVID-19 this project had been delayed and still waiting for the concreting of pathways to be completed.
- The library stocks large print and audio media. Patrons have the ability to order resources suitable to their needs.

c. Please attach any labelled photos and permission forms (where appropriate) to your email response.

2. Buildings and facilities

DAIP Outcome 2: People with disability have the same opportunities as other people to access the buildings and other facilities of a public authority.

This outcome area is about how your organisation has ensured and safeguarded accessibility in the planning, design, and improvement of built infrastructure.

a. Did you commence or complete new activities, or make significant achievements to ongoing activities, in 2020-21? **Yes** (delete non-applicable)

b. If Yes, please describe one or more of these activities, sharing as much as possible about the purpose and the outcome of the activity.

- The Shire of Brookton Administration Office front counter has been reconfigured to include two counter heights to provide access inclusion for all who enter the building.
- Access to the Shire of Brookton Council Chambers has been modified with a ramp and side rail. Providing an ease of access for all members of the community.
- The Shire of Brookton has commenced upgrades to the caravan park, with two new chalets delivered. The chalets align with disability access and inclusion plans for the Shire of Brookton. This project is currently still being developed.
- Footpath upgrades have occurred on Richardson Street and Lennard Street. With pavers being replaced with concrete pathways.
- The Recreation Reserve Precinct development is underway. Included into this design is an all-inclusive swing and flying fox. This project is still in the development stages.



Front Counter in Administration building



Chamber access

c. Please attach any labelled photos and permission forms (where appropriate) to your email response.

3. Information and Communication

DAIP Outcome 3: People with disability receive information from a public authority in a format that will enable them to access the information as readily as other people are able to access it.

Good practice in this area involves considering your target audience: language and terminology; format; location and sensory access for physical signage; technology and customer service delivery.

a. Did you commence or complete new activities, or make significant achievements to ongoing activities, in 2020-21? **Yes** (delete non-applicable)

b. If Yes, please describe one or more of these activities, sharing as much as possible about the purpose and the outcome of the activity.

- The Shire is committed to helping people to have the same opportunities, when providing feedback or making complaints. The Shire have advertised the numerous avenues available to be used for example:- website, online, through phone calls and in person.
- Moorditj Koort NDIS and People with Disabilities Western Australia, visit the Shire of Brookton on a regular basis to provide information sessions to the Brookton population. The Shire of Brookton liaise closely with these groups to assess if needs are being met and where improvements can be made. The Shire of Brookton assists to provide advertising avenues to advocate out to the residents, with in Brookton.

c. Please attach any labelled photos and permission forms (where appropriate) to your email response.

4. Quality of service

DAIP Outcome 4: People with disability receive the same level and quality of service from the staff of a public authority as other people receive from the staff of that public authority.

This outcome area involves the safeguards and initiatives which ensure that your services and processes are consistent, inclusive, or readily adjust to people's needs.

a. Did you commence or complete new activities, or make significant achievements to ongoing activities, in 2020-21? **Yes** (delete non-applicable)

b. If Yes, please describe one or more of these activities, sharing as much as possible about the purpose and the outcome of the activity.

- Ensure that information is given about universal access and inclusion to all contractors, consultants and external organisations that provide services to the public on behalf of the Shire or with support from the Shire.
- The Shire of Brookton continually provide awareness to new staff and councillors about access and inclusion within the Shire.

c. Please attach any labelled photos and permission forms (where appropriate) to your email response.

5. Complaints and safeguarding

DAIP Outcome 5: People with disability have the same opportunities as other people to make complaints to a public authority.

Equitable complaints mechanisms can effectively receive and address complaints from all members of the community and play a fundamental role in making sure that services meet the needs of intended consumers.

a. Did you commence or complete new activities, or make significant achievements to ongoing activities, in 2020-21? Yes (delete non-applicable)

b. If Yes, please describe one or more of these activities, sharing as much as possible about the purpose and the outcome of the activity.

- The Shire is committed in providing a customer service to people of all abilities and is committed to helping people to have the same opportunities to provide feedback or make a complaint. The Shire have advertised the numerous avenues available to be used for example:- website, online, through phone calls and in person.

c. Please attach any labelled photos and permission forms (where appropriate) to your email response.

6. Consultation and engagement

DAIP Outcome 6: People with disability have the same opportunities as other people to participate in any public consultation by a public authority.

Good consultation and engagement strategies consider the ways in which all people are encouraged and supported to engage or participate with information, strategies, or decision-making processes of an organisation. This in turn can provide public authorities with more inclusive outcomes and potentially awareness of different perspectives.

a. Did you commence or complete new activities, or make significant achievements to ongoing activities, in 2020-21? **Yes** (delete non-applicable)

b. If Yes, please describe one or more of these activities, sharing as much as possible about the purpose and the outcome of the activity.

- The Shire of Brookton regularly liaises with Moorditj Koort NDIS and People with Disabilities Western Australia to engage the community about services available within Brookton and how these services can be accessed. These organisations regularly attend the Brookton district and provide open invitations to the community with a sausage sizzle. The Shire assist with advertising these information sessions and a liaison from the Shire is present through these community events.
- During Covid 19 the Shire of Brookton kept community members up-to-date with media releases, current information posted on the Shire website. Every resident with the Shire of Brookton was contacted by phone as a welfare check and to provide information regarding services through the pharmacy and supermarket.

Click or tap here to enter text.

c. Please attach any labelled photos and permission forms (where appropriate) to your email response.

7. Employment, people, and culture

DAIP Outcome 7: People with disability have the same opportunities as other people to obtain and maintain employment with a public authority.

This outcome is focused on your organisation's activity in directly employing people with disability; including considering the environment, culture and processes which support the maintenance of employment.

a. Did you commence or complete new activities, or make significant achievements to ongoing activities, in 2020-21? Yes (delete non-applicable)

b. If Yes, please describe one or more of these activities, sharing as much as possible about the purpose and the outcome of the activity.

- The Shire is commitment to using inclusive recruitment practices when advertising new positions. Advertising of positions is available in accessible format.
- The Shire of Brookton is an equal employer committed to an equitable, diverse and socially inclusive work environment

Click or tap here to enter text.

c. Please attach and share any photographs you have of the activities, and if there are people in your photo, please included signed permission.

All applications are to be received via Seek by 3pm Monday 14th June 2021.

<https://www.seek.com.au/job/52410246?type=standard#searchRequestToken=d88374d4-0d0e-4a15-bc7b-6ba89df64774>

The Shire of Brookton is an equal employer committed to an equitable, diverse and socially inclusive work environment.

Extract from job advertisement

Agents and Contractors

The *Disability Services Act 1993* requires authorities to take practicable measures to implement DAIPs through agents and contractors. Engaging key agents and contractors about your DAIP helps to make sure that services delivered to the public on your organisation's behalf share the values and reputation associated with your commitment to access and inclusion.

a. Does your organisation have measures in place to influence your agents and contractors to act in accordance with your access and inclusion values? Yes or No or we have no identified agents or contractors (delete non-applicable)

b. If Yes, please briefly describe your organisation's approach.

Click or tap here to enter text.

General questions about your approach to access and inclusion

a. Which part of your organisation leads the implementation of your DAIP, and how this aligns best for your organisation's structure and objectives? (Tick the most appropriate category)

Corporate Services	<input checked="" type="checkbox"/>
Service delivery	<input type="checkbox"/>
Office of Director General/Chief Executive Officer	<input type="checkbox"/>
Infrastructure Planning	<input type="checkbox"/>
Policy	<input type="checkbox"/>
Other	<input type="checkbox"/>

b. In 2020-2021, which of the following mechanisms helped your organisation respond to new and existing access and inclusion issues? (Please tick single or multiple options)

DAIP Implementation plan	<input type="checkbox"/>
Internal working group or committee	<input checked="" type="checkbox"/>
External working group or committee	<input type="checkbox"/>
Community feedback and/or co-design mechanisms	<input checked="" type="checkbox"/>
Other	<input type="checkbox"/>

c. In 2020-2021, which strategy or strategies were adopted within your organisation to raise awareness of your DAIP and/or general access and inclusion? (Please tick single or multiple options)

All new staff receive a copy of the DAIP	<input type="checkbox"/>
Workshops/seminars/training/events	<input type="checkbox"/>
DAIP is referenced in internal policies and procedures	<input checked="" type="checkbox"/>
DAIP planning is integrated into other organisational commitments	<input type="checkbox"/>
Other	<input type="checkbox"/>

d. In 2020-2021, did your organisation plan activities in your disability access and inclusion plan which were not implemented? (Please tick a single option)

Yes	<input type="checkbox"/>
No	<input checked="" type="checkbox"/>

e. If Yes, what were the main reason(s)? (Please tick single or multiple options)

Change in budget resources	
Change in staffing capacity/leadership	
Change of priority	
Loss of engagement with stakeholders	
Other	

f. (optional) As manager of your agency's plan, please provide any observations about how well your plan and its implementation relate to the following?

Please respond with either Yes, No, Mostly or Sometimes along with any additional comments.

Is informed by internal and external stakeholders	Sometimes
Is relevant to the values of the organisation	Mostly
Works together with other organisational strategies	Mostly
Generally, has some form of assessment or evaluation of its strategies	Mostly
Is reinforced within the organisation as a 'living' document.	Mostly

General feedback

If you have anything else you wish to share about your organisation's experiences (including initiatives which do not readily fit into the outcome areas) or general feedback or advocacy about access and inclusion, please include below.

Click or tap here to enter text.

Thank you for completing the 2020-2021 DAIP Progress Report.

13.06.21.02 COMMUNITY CHEST FUNDING APPLICATION – ANNUAL GRANTS: BROOKTON CWA

File No:	FIN008D
Date of Meeting:	17 June 2021
Location/Address:	N/A
Name of Applicant:	CWA Brookton Branch
Name of Owner:	N/A
Author/s:	Sandie Spencer – Community Liaison Officer
Authorising Officer:	Kellie Bartley – Manager Corporate & Community
Declaration of Interest:	The author has no interest in this item
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This report relates to the application made by Brookton Country Women's Association (CWA) for the Community Chest Fund under the Policy 2.34 – Annual Grants – Section 'Community and Strategic Partnership Grants'.

The Brookton CWA is seeking Council's consideration for a grant of \$8000.00 under the Community Chest Fund to assist with an outstanding loan, used to renovate the ablution and bathroom in the CWA building.

The application from the CWA is attached to this report as **Attachment 13.06.21.02A**.

Description of Proposal:

The requested funding is being sought to clear outstanding money owed for a loan which was obtained to upgrade the toilet and bathroom facility at the CWA rooms improving accessibility that accords to the Building Code of Australia disability standards and aligns to the *Western Australian Disability Services Act 1993*.

Background:

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

The Brookton CWA is seeking funding under the Donations Policy section 'Annual Grants – Section 'Community and Strategic Partnership Grants' allows a maximum of \$10,000 cash support per financial year.

The grant money is intended to benefit the Brookton CWA through enabling the Association to pay off a debt which was loaned, for the upgrade of the toilet and bathroom facility to ensure it is an all access and inclusive facility. This enables all people of the community to use this facility with no impediment on that person's ability.

Consultation:

There has been consultation with the Manager of Corporate and Community and the Community Liaison Officer in relation to this matter. Discussions have also been held with Elected Members during Council Briefing Sessions in response to correspondence received from the CWA.

Statutory Environment:

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

Relevant Plans and Policy:

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

Annual Grants:

Funding category	Funding Amount	Guidelines
Community & Strategic Partnership Grants	Maximum of \$10,000 cash support per financial year.	<ul style="list-style-type: none"> • Only available to groups and organisations with an incorporated body framework. • Designed to increase community access to essential events, programs, capital projects, and services with a broad benefit. • Demonstrates a high level of community support, or need for the event, program, capital project, or service. • Organisations with existing partnerships will be required to provide proof of all acquittals for the previous funding term, and an audited financial statement from the previous financial year, as part of the application. • Applications for this category are limited to one application, per organisation, every year. • Applications can be made at any time throughout the year.

*SELECTION CRITERIA (extracted from the Policy)**1. Only available to groups and organisations within an incorporated body framework.*

CWA - Brookton Branch is an incorporated body.

2. Designed to increase community access to essential events, programs, capital projects and services with a broad benefit.

Provides an all-inclusive ablution facility centrally located within the main street precinct. The CWA are now able to provide for additional community services and events to support the community, residents and visitors.

*3. Demonstrates a high level of community supports or need for the event, program, capital project or service.**4. Organisations with existing partnerships will be required to provide proof of all acquittals for the previous funding term and an audited financial statement from the previous financial year as part of the application.*

The CWA has been supported by CWA Head Branch for the provisions of the balance of funds required, along with the initial support of funding received from FRRR Grant in which the Shire Officers assisted the CWA in the grant writing process.

5. *Applications for this category are limited to one application per organisation every year.*

This is the only application under this category of the Policy received for 2021.

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

C. Recognition of Shire of Brookton support

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

Financial Implications:

The Community Chest (COA E115050) set at \$40,000 presently has a balance of \$19,000.

Risk Assessment:

The risk in relation to this matter rests with the CWA and is assessed as “Medium” on the basis that if Council does not accept the recommendation places the Brookton CWA with the lack of financial support during COVID-19 times and the long term aspect of the CWA being able to be financially viable to continue to support the community and residents of Brookton.

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:

1. The BROOKTON Strategic Community Plan <2027 and aligns to the following objectives of the BROOKTON 20:
 3. Social Innovation
 4. Jobs and Volunteering
 9. Community Engagement
 14. History, Heritage, Recreation and Culture
 16. Community Activity and Visitor Eventing

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

Specifically, the application for a funding donation aligns to:

Function 24 Community Support

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

Comment:

The CWA is an integral organisation to the Brookton Community and are relied upon in times of need or in the event of an emergency. Recently the CWA raised \$2,000 which was donated to the Gidgegannup CWA to support them for their contribution to the recent fires. This was not spare money in the account this was entirely raised from raffles and cake stalls. The money was then hand delivered to the Gidgegannup CWA.

On assessment the application adequately addresses the stated criteria under Policy 2.34 and given the tireless contribution the CWA provide to the Brookton community it is recommended Council endorse the grant of \$8,000 from the Community Chest Fund.

In regard to the Community Chest and Policy 2.34 – Community Funding and Donations the CEO has expressed a need to revisit the policy categories and wording to better align to the community's needs while maintaining a level of compliance in donating public moneys. A review of this policy will be presented to Councillors in the coming months.

OFFICER RECOMMENDATION

That Council in relation to the application from the Brookton Country Women's Association under Council Policy 2.34 – Community Funding and Donations grant approval for a \$8,000 (excl. GST) financial grant from the Community Chest Fund.

(Simple majority vote required)

Attachments

Attachment 13.06.21.02A – Community Chest Fund Application – Brookton CWA

Community Chest Fund

Application Form

NAME OF ORGANISATION: CWA BROOKTON BRANCH
 CONTACT PERSON: MERILYN MARCHESI
 POSITION: President
 PHONE: _____ FAX: _____
 MOBILE: _____ EMAIL: _____
 IS YOUR ORGANISATION INCORPORATED? ☐ YES ☐ NO

NAME OF PROJECT OR EVENT: UPGRADE OF TOILET FACILITY
 ESTIMATED START DATE: _____
 ESTIMATED COMPLETION DATE: _____
 REQUESTED COMMUNITY CHEST FUNDS: \$8,000.00

1. BRIEF DESCRIPTION OF PROJECT/EVENT:

COMPLETE UPGRADE OF TOILET & BATHROOM
FACILITY TO BE INCLUSIVE OF ALL PEOPLE.
ACCESS FOR DISABILITIES.

2. WHAT WILL THE COMMUNITY CHEST FUNDS PURCHASE?

IT WILL PAY REMAINING DEBT (LOAN)
TO HEAD OFFICE CWA.

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



IT WILL ALLOW
OUR FACILITY TO BE
INCLUSIVE TO ALL.

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

FEB 9TH 2021 AN OPEN HOUSE WAS
HELD WITH PROMOTION BOARD ILLUSTRATING
THE ACHIEVEMENTS OF CWA. THIS EVENT
WAS THEN REPORTED IN LOCAL NEWSPAPER.

5. ACKNOWLEDGEMENT OF SHIRE OF BROOKTON SPONSORSHIP

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

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

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

6. BUDGET ESTIMATES

NAME OF ORGANISATION:

CWA BROOKTON BRANCH

NAME OF PROJECT/EVENT:

UPGRADE OF TOILET & BATHROOM
FACILITY.

INCOME	\$	EXPENDITURE	\$
Applicant's cash contributions	2,968	Materials	
Sponsorship		Labour	
Donations in cash		Hire of Equipment	
Other grants CWA WA LOAN 10,968.00		Office/Administration	
Catering Sales		Venue hire	
Fees and Charges e.g. stalls		Advertising	
Gate/Door entry fees		Catering Costs	
		Entertainment	
Other Income (Please List) FBRR 10,000 GRANT		Other Expenditure (Please List)	
		AS PER BUILDERS INVOICE	20,968.00
Total of Community Chest Funds requested in cash*	(8,000)	LOAN TO STILL SERVICE	(8,000)
Total of Community Chest Funds requested in-kind (e.g. Town Hall hire fee waived if applicable/required)			
TOTAL INCOME	20,968	TOTAL EXPENDITURE	20,968.00

YOUR INCOME MUST EQUAL YOUR EXPENDITURE

7. DID YOUR ORGANISATION RECEIVE THE COMMUNITY CHEST FUNDING IN 2017/2018?

☐ YES

☒ NO

IF YES, WHAT WAS THE AMOUNT OF THE FUNDING?

N/A

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

CWA MEMBERS HAVE CONTINUED TO
RAISE MONEY THROUGH CAKE STALLS
AND RAFFLES TO SERVICE THE LOAN
TO CWA

9. FUNDING CONDITIONS:

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

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

NAME OF ORGANISATION: CWA BROOKTON BRANCH.

CONTACT PERSON: MERILYN MARCHESI

ORGANISATION POSTAL ADDRESS: _____

ORGANISATION'S ABN: N/A

REGISTERED FOR GST? ☐ YES ☒ NO

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

PRINT NAME: Merilyn Marchesi

POSITION: President

SIGNATURE: M Marchesi

DATE: 18.5.2021

14.06.21 CORPORATE SERVICES REPORTS

14.06.21.01 LIST OF ACCOUNTS – MAY 2021

File No:	N/A
Date of Meeting:	17 June 2021
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Charlotte Cooke – Finance Administration Officer
Authorising Officer:	Kellie Bartley – Manager Corporate and Community
Declaration of Interest:	The author has no financial interest in this matter.
Voting Requirements:	Simple Majority
Previous Report:	20 May 2021

Summary of Item:

The purpose of this report is to present to Council the list of accounts paid, for the month ending 31 May 2021, as required under the *Local Government (Financial Management) Regulations 1996*.

Description of Proposal:

To approve the accounts for payment.

Background:

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

Consultation:

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

Statutory Environment:

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

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

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

(b) recorded in the minutes of that meeting.

Relevant Plans and Policy:

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

Financial Implications:

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

Risk Assessment:

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

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

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

Community & Strategic Objectives:

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

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

18. Financial Control

18.2 Conduct external/internal audits and reporting

18.5 Process rates, other revenues, timely payments

Comment

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

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

The following table summaries the payments for the period by payment type, with full details of the accounts paid contained within **Attachment 14.06.21.01A**.

Payments up to 31 May 2021

Payment Type	Account Type	Amount (\$)
Automatic Payment Deductions (Direct Debits)	Municipal	\$172,023.13
Cheque Payments (cheque numbers issued)	Municipal	\$0.00
EFT Payments #12163 to #12206 & #12209 to #12249	Municipal	\$225,572.81
Sub Total	Municipal	\$397,595.94
EFT Payments – #12161 to #12162	Trust	\$6,000.00
Sub Total	Trust	\$6,000.00
EFT Payments #12160, #12207 to #12208	Bond	\$440.00
Sub Total	Bond	\$440.00
Totals		\$404,035.94

Contained within **Attachment 14.06.21.01A** is a detailed transaction listing of credit care expenditure paid for the period ended 31 May 2021. This amount is included within the total payments, listed above.

OFFICER RECOMMENDATION

That Council accepts the list of accounts, totalling \$404,035.94 paid under delegated authority in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996 for the period ended 31 May 2021, as contained within Attachment 14.06.21.01A.

(Simple majority vote required)

Attachments

Attachment 14.06.21.01A – List of Accounts -- May 2021

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

14.06.21.02 STATEMENT OF FINANCIAL ACTIVITY – MAY 2021

File No:	N/A
Date of Meeting:	17 June 2021
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 period ending 31 May 2021 together with associated commentaries are present for Council's consideration.

Description of Proposal:

That Council receives the Statement of Financial Activity for the period ended 31 May 2021, as presented.

Background:

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

Consultation:

Reporting officers receive monthly updates to track expenditure and income.

Statutory Environment:

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

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

Relevant Plans and Policy:

There is no Council Policy relevant to this item.

Financial Implications:

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

Any material variances that have an impact on the outcome of the budgeted closing surplus position are detailed in the Monthly Financial Report contained within **Attachment 14.06.21.02A**.

Risk Assessment:

The risk in relation to this matter is assessed as 'Low' on the basis that if Council does not receive the Monthly Financial Reports for the month reported leading to the Shire not meeting legislative
Shire of Brookton, Ordinary Meeting of Council, 17 June 2021, REVISED Agenda

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

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

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

Community & Strategic Objectives:

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

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

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

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

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

Comment

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

OFFICER RECOMMENDATION

That Council receives the Monthly Statements of Financial Activity for the 31 May 2021, in accordance with Section 6.4 of the Local Government Act 1995 and Regulation 34 of the Local Government (Financial Management) Regulations 1995 as presented in Attachment 14.06.21.02A.

(Simple majority vote required)

Attachments

Attachment 14.06.21.02A - Statement of Financial Activity

Shire of Brookton
MONTHLY FINANCIAL REPORT
For the Period Ended 31 May 2021

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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 31 May 2021

	Note	Adopted Annual Budget	Current Budget	YTD Budget (a)	This Month	YTD Actual (b)	Var. \$ (b)-(a) (c)	Var. % (b)-(a)/(b) 9	Var.
Operating Revenues		\$		\$		\$	\$	%	
Governance		43,050	47,050	23,531	370	29,525	5,994	25.47%	
General Purpose Funding		1,647,191	2,147,041	1,395,441	127,566	1,340,255	(55,186)	(3.95%)	
Law, Order and Public Safety		288,876	289,876	238,592	42,859	264,110	25,518	10.70%	▲
Health		300	300	275	0	205	(70)	(25.62%)	
Education and Welfare		68,982	68,982	63,228	8,427	63,852	624	0.99%	
Housing		87,278	87,278	79,992	9,676	87,211	7,219	9.03%	
Community Amenities		423,838	413,070	411,965	310	390,850	(21,115)	(5.13%)	
Recreation and Culture		39,131	63,349	60,017	2,230	57,946	(2,071)	(3.45%)	
Transport		684,343	684,343	634,869	395,258	658,475	23,606	3.72%	
Economic Services		53,150	53,150	48,708	4,364	55,775	7,067	14.51%	
Other Property and Services		45,700	45,700	41,877	0	44,242	2,365	5.65%	
Total (Excluding Rates)		3,381,839	3,900,139	2,998,495	591,060	2,992,446	(6,049)	(0.20%)	
Operating Expense									
Governance		(534,766)	(538,766)	(433,928)	(23,255)	(434,674)	(746)	(0.17%)	
General Purpose Funding		(347,370)	(347,370)	(316,950)	(20,405)	(293,527)	23,423	7.39%	
Law, Order and Public Safety		(508,549)	(508,549)	(354,514)	(27,818)	(321,148)	33,366	9.41%	
Health		(22,031)	(22,031)	(20,212)	(1,461)	(18,047)	2,165	10.71%	
Education and Welfare		(169,146)	(171,446)	(152,004)	(7,741)	(129,258)	22,746	14.96%	▲
Housing		(198,455)	(198,455)	(148,936)	(11,376)	(140,181)	8,755	5.88%	
Community Amenities		(558,565)	(559,172)	(458,657)	(21,822)	(397,739)	60,918	13.28%	▲
Recreation and Culture		(914,001)	(1,008,526)	(893,464)	(70,043)	(835,123)	58,341	6.53%	
Transport		(2,975,508)	(3,016,508)	(2,831,640)	(289,100)	(3,074,230)	(242,590)	(8.57%)	
Economic Services		(183,296)	(183,296)	(159,787)	(11,151)	(147,983)	11,804	7.39%	
Other Property and Services		(476,035)	(476,035)	(398,847)	33,583	(373,719)	25,128	6.30%	
Total		(6,887,722)	(7,030,154)	(6,168,939)	(450,588)	(6,165,629)	3,310	0.05%	
Funding Balance Adjustment									
Add back Depreciation		2,781,490	2,781,490	2,549,699		2,812,431	262,732	10.30%	
Adjust (Profit)/Loss on Asset Disposal	6	91,789	91,789	91,789		125,995	34,206	37.27%	▲
Correction of SSL78 adjustment		0	0	0			0		
Adjust (Profit)/Loss on Asset Revaluation		0	0	0			0		
Movement in Non Cash Provisions		0	0	0			0		
Net Operating (Ex. Rates)		(632,604)	(256,736)	(528,956)		(234,756)	294,200	(55.62%)	
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	650,000	0		0	0	0.00%	
Self-Supporting Loan Principal		22,801	22,801	22,800		22,801	1	0.01%	
Transfer from Reserves	5	3,887,306	4,238,113	3,884,937		3,386,306	(498,631)	(12.83%)	▼
Total		4,055,107	5,055,914	4,040,737		3,542,108	(498,629)		
Capital Expenses									
Land and Buildings	6	(226,000)	(1,171,540)	(265,540)		(443,737)	(178,197)	(67.11%)	▼
Plant and Equipment	6	(559,500)	(581,500)	(563,163)		(571,481)	(8,318)	(1.48%)	
Furniture and Equipment	6	(12,000)	(12,000)	(12,000)		(10,150)	1,850	15.42%	
Infrastructure Assets - Roads & Bridges	6	(1,123,247)	(1,334,247)	(1,123,247)		(883,835)	239,412	21.31%	▲
Infrastructure Assets - Sewerage	6	(373,000)	(1,023,000)	(1,023,000)		(36,147)	986,853	96.47%	▲
Repayment of Debentures	7	(125,429)	(125,429)	(125,426)		(125,428)	(2)	(0.00%)	
Transfer to Reserves	5	(3,287,089)	(3,287,089)	(3,013,165)		(3,185,371)	(172,206)	(5.72%)	
Total		(5,707,637)	(7,536,177)	(6,125,541)		(5,256,148)	869,393	(14.19%)	
Net Capital		(1,652,530)	(2,480,263)	(2,084,804)		(1,714,040)	370,764	(17.78%)	
Total Net Operating + Capital		(2,285,134)	(2,736,999)	(2,613,760)		(1,948,797)	664,963	25.44%	
Rate Revenue		2,323,415	2,324,415	2,324,978		2,329,557	4,579	0.20%	
Opening Funding Surplus(Deficit)		412,583	412,583	412,583		412,583	0	0.00%	
Closing Funding Surplus(Deficit)	3	450,865	(1)	123,801		793,343	669,542		

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Program by Nature and Type
For the Period Ended 31 May 2021

NOTE	2020/21	2020/21	2020/21	2020/21	Variance
	Adopted Budget	Current Budget	YTD Budget	YTD Actual	YTD Budget vs YTD Actual
	\$	\$	\$	\$	\$
REVENUES FROM ORDINARY ACTIVITIES					
Rates	2,323,415	2,324,565	2,324,978	2,329,557	4,579
Operating Grants, Subsidies and Contributions	1,167,520	1,169,339	1,584,567	612,043	(972,524)
Fees and Charges	682,928	677,610	654,994	642,120	(12,874)
Interest Earnings	130,111	130,111	108,093	137,490	29,397
Other Revenue	197,836	197,836	118,961	143,603	24,642
	4,501,810	4,499,461	4,791,593	3,864,813	(926,780)
EXPENSES FROM ORDINARY ACTIVITIES					
Employee Costs	(1,911,012)	(1,901,316)	(1,538,007)	(1,573,818)	(35,811)
Materials and Contracts	(1,531,907)	(1,684,699)	(1,426,133)	(1,163,833)	262,300
Utilities	(177,631)	(176,873)	(149,877)	(144,958)	4,919
Depreciation	(2,781,490)	(2,781,490)	(2,569,569)	(2,812,431)	(242,862)
Interest Expenses	(76,411)	(75,601)	(72,550)	(57,922)	14,628
Insurance	(193,031)	(193,031)	(193,013)	(174,637)	18,376
Other Expenditure	(112,453)	(113,263)	(113,190)	(112,035)	1,155
	(6,783,935)	(6,926,273)	(6,062,339)	(6,039,634)	22,705
	(2,282,125)	(2,426,812)	(1,270,746)	(2,174,821)	(904,075)
Non-Operating Grants, Subsidies & Contributions	740,579	1,713,243	520,880	1,457,190	936,310
Profit on Asset Disposals	12,000	12,000	11,000	-	(11,000)
Loss on Asset Disposals	(103,789)	(103,789)	(103,789)	(125,995)	(22,206)
NET RESULT	(1,633,335)	(805,358)	(842,655)	(843,626)	(971)

OPERATING EXPENSES

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

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

8 Education and Welfare

Timing issue, will correct over time.

9 Housing

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

10 Community Amenities

Timing issue, will correct over time.

11 Recreation and Culture

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

12 Transport

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

13 Economic Services

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

14 Other Property and Services

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

CAPITAL REVENUE

Proceeds from Disposal of Assets

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

Self-Supporting Loan Principal

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

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

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

Infrastructure Assets - Roads & Bridges

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

Infrastructure Assets - Sewerage

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

Repayment of Debentures

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

Transfer to Reserves

Timing issue, will correct over time.

Note 1: MAJOR VARIANCES

Comments/Reason for Variance

OPERATING REVENUE (EXCLUDING RATES)

4 Governance

OTHER ITEMS

Rate Revenue

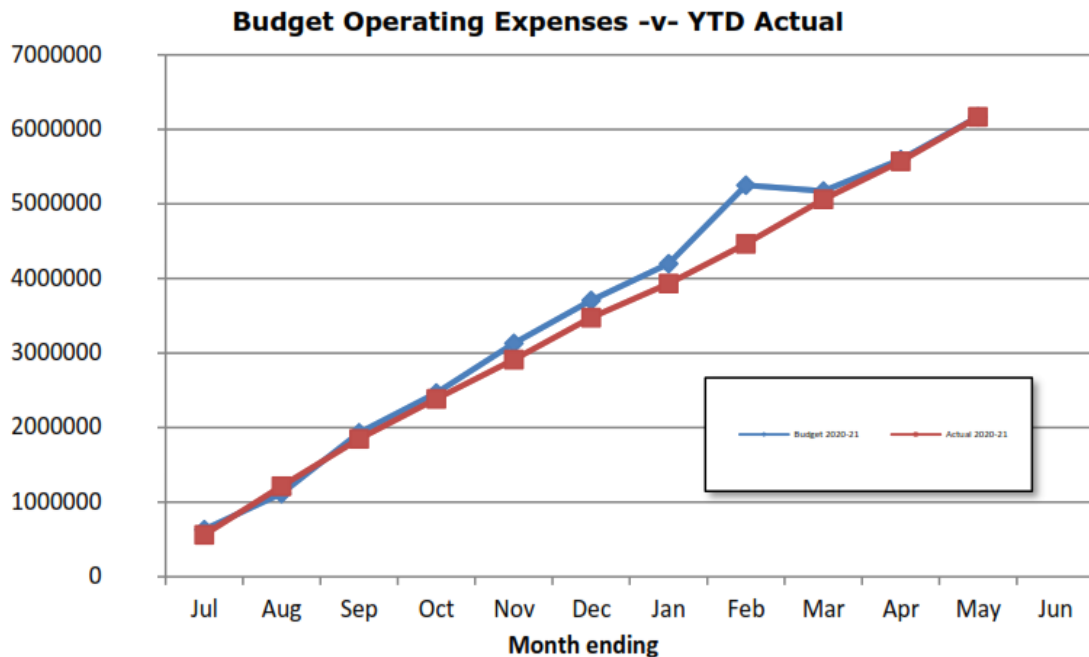
Will adjust as payments are made.

Closing Funding Surplus (Deficit)

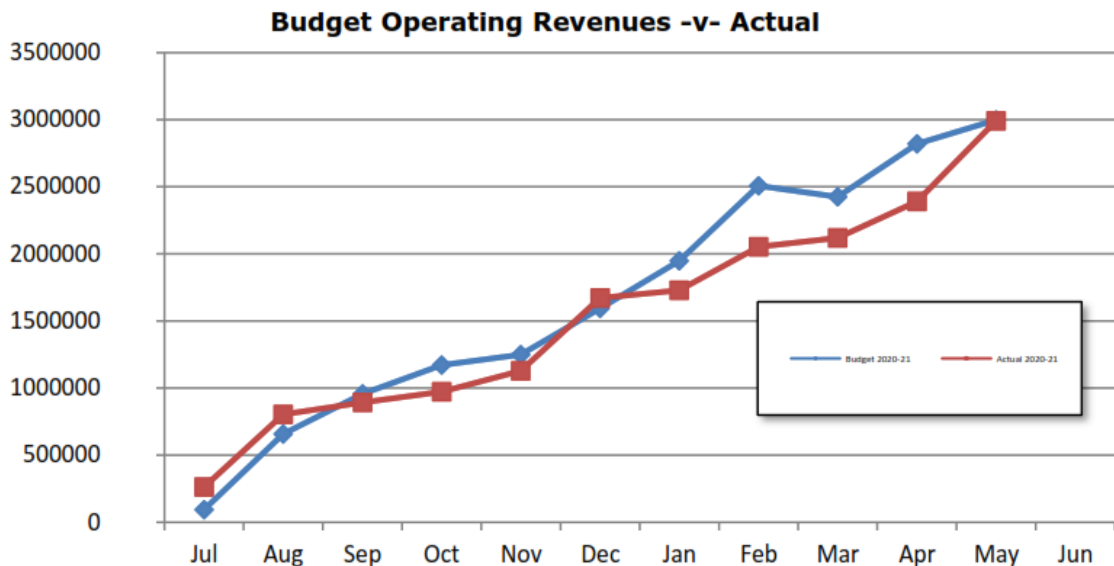
Will adjust as income and expenditure occur over the year

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

Note 2 - Graphical Representation - Source Statement of Financial Activity



Comments/Notes - Operating Expenses

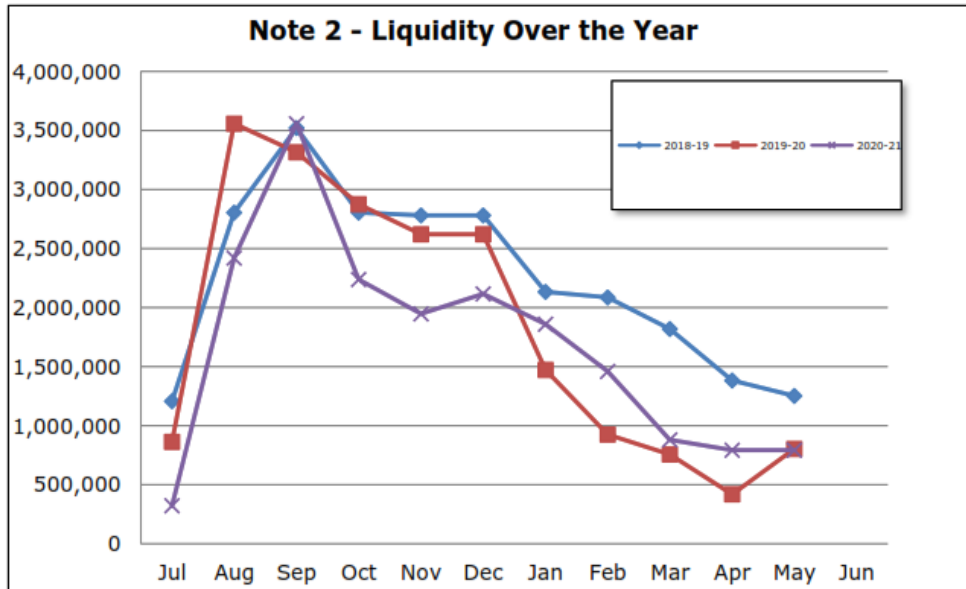


Comments/Notes - Operating Revenues

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

Note 3: NET CURRENT FUNDING POSITION

Note	Positive=Surplus (Negative=Deficit)			Surplus C/F 1 July 2020
	2020-21 This Period	Same Period 2019/20	Same Period 2018/19	
	\$	\$	\$	\$
Current Assets	May 2021	May 2020	May 2019	
Cash Unrestricted	872,353	841,005	1,099,186	810,922
Cash Restricted	11,932,315	12,530,296	5,054,650	12,133,251
Receivables	391,276	99,441	4,300,893	125,586
Non Cash Movements (Correction SSL78)	(110,953)	0	0	0
Inventories	30,341	16,127	34,953	16,298
	13,115,333	13,486,869	10,489,682	13,086,057
Less: Current Liabilities				
Payables and Provisions	(389,675)	(153,124)	(4,183,200)	(540,223)
	(389,675)	(153,124)	(4,183,200)	(540,223)
Less: Cash Restricted	(11,932,315)	(12,530,296)	(5,054,650)	(12,133,251)
Net Current Funding Position	793,343	803,449	1,251,832	412,583



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

Note 4: RECEIVABLES

Receivables - Rates, Sewerage and Rubbish

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

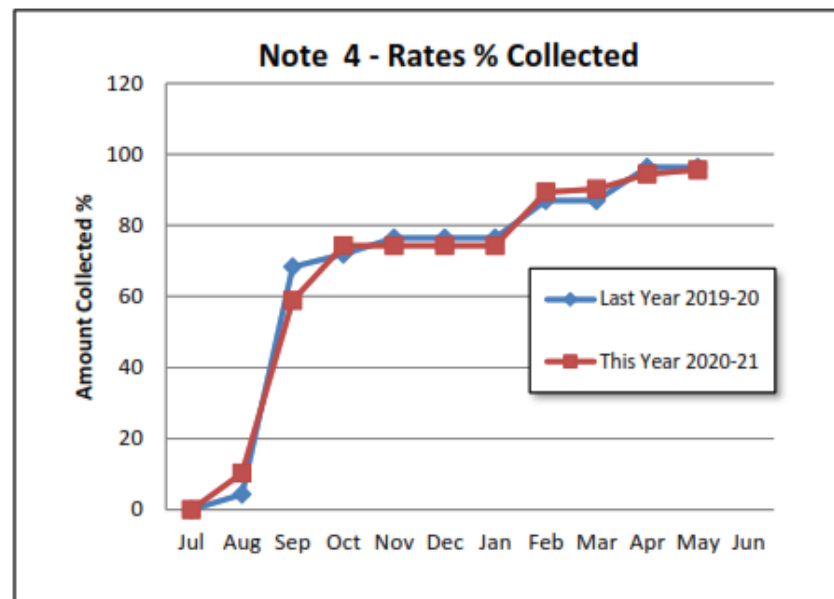
Net Rates Collectable
 % Collected

	Current 2020-21	Previous Year 2019-20
	\$	\$
Opening Arrears Previous Years Rates, Sewerage & Rubbish Levied this year	234,381	86,273
<u>Less</u> Collections to date	2,703,069 (2,809,558)	2,630,515 (2,618,983)
Equals Current Outstanding	127,892	97,805
Net Rates Collectable	127,892	97,805
% Collected	95.65%	96.40%

Receivables - General

	Current	30 Days	60 Days	90+Days
	\$	\$	\$	\$
	264,318	0	1,233	251
Total Outstanding				265,801

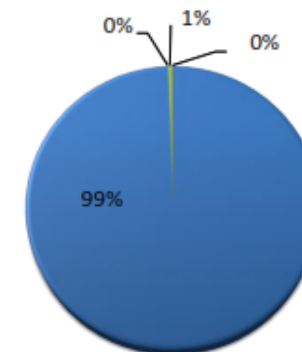
Amounts shown above include GST (where applicable)



Comments/Notes - Receivables Rates, Sewerage and Rubbish

Receivables - General

■ Current ■ 30 Days ■ 60 Days ■ 90+Days



Comments/Notes - Receivables General

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

Note 5: Cash Backed Reserves

Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Adopted Budget Transfers In (+)	Current Budget Transfers In (+)	Actual Transfers In (+)	Adopted Budget Transfers Out (-)	Current Budget Transfers Out (-)	Actual Transfers Out (-)	Adopted Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$		\$	\$		\$	\$	\$
Leave Reserve	138,778	1,407	117	30,000		0		0	0	170,185	138,895
Plant and Vehicle Reserve and Community Bus Reserve	751,938	8,033	472	0		0	(414,500)	(8,000)	(280,500)	345,471	471,910
Land & Housing Development Reserve/Independent Living Units	1,391,205	14,201	1,169	0		0	0	0	0	1,405,406	1,392,374
Furniture and Equipment Reserve	21,194	369	18	0		0	0	0	0	21,563	21,212
Municipal Buildings & Facilities Reserve	330,737	3,800	308	269,000		300,000	(37,000)	(141,000)	0	566,537	631,045
Townscape and Footpath Reserve	125,068	1,277	105	0		0		0	0	126,345	125,173
Sewerage Scheme Reserve	410,425	4,394	345	35,000		0	(15,000)		0	434,819	410,770
Road and Bridge Infrastructure Reserve	327,787	6,408	275	0		0	(200,000)	(41,000)	0	134,195	328,062
Health & Wellbeing reserve	553,863	6,675	465	0		0	0	0	0	560,538	554,328
Sport & Recreation Reserve	31,625	323	27	0		0			0	31,948	31,652
Rehabilitation & Refuse Reserve	169,841	1,733	143	41,000		0			0	212,574	169,984
Caravan Park Reserve	153,899	1,571	149	200,000		200,000		(70,000)	0	355,470	354,048
Brookton Heritage/Museum Reserve	47,148	481	40	0		0			0	47,629	47,188
Kweda Hall Reserve	18,026	184	15	0		0			0	18,210	18,041
Aldersyde Hall Reserve	25,806	0	0			0	(25,806)		(25,806)	0	(0)
Railway Station Reserve	129,940	1,326	129	200,000		200,000	(35,000)	(35,000)	0	296,266	330,069
Madison Square Units Reserve	30,653	313	26	0		0			0	30,966	30,679
Cemetery Reserve	43,863	448	37	0		0	(25,000)	(14,000)	0	19,311	43,900
Water Harvesting Reserve	48,116	491	48	80,000		80,000	(55,000)		0	73,607	128,164
Developer Contribution	2,740	28	2			0			0	2,768	2,742
Cash Contingency Reserve	140,336	1,433	118	0		0		(24,307)	0	141,769	140,454
Brookton Aquatic Reserve	156,130	1,594	161	300,000		300,000		(17,500)	0	457,724	456,291
Future Fund Reserve	7,084,132	75,600	89,592	0		0	(3,080,000)		(3,080,000)	4,079,732	4,093,724
Innovations Fund Reserve	0	0	11,611	2,000,000		2,000,000			0	2,000,000	2,011,611
	12,133,250	132,089	105,370.80	3,155,000	0	3,080,000	(3,887,306)	(350,807)	(3,386,306)	11,533,033	11,932,315

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

Note 6: CAPITAL DISPOSALS AND ACQUISITIONS

Original Budgeted Profit(Loss) of Asset Disposal			Disposals	Actual Profit(Loss) of Asset Disposal			
Net Book Value	Proceeds	Profit (Loss)		Net Book Value		Proceeds	Profit (Loss)
222,543	133,000	(89,543)	PG7 Volvo Grader	\$ 246,755		\$ 133,000	(113,755)
0	10,000	10,000	Side Winder Reel Mower	0		0	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)		246,755		133,000	(113,755)

Comments - Capital Disposal

Summary Acquisitions				
	Budget	Current Budget	Actual	Variance
Property, Plant & Equipment	\$		\$	\$
Land and Buildings	226,000	1,171,540	443,737	727,803
Plant & Equipment	559,500	581,500	571,481	10,019
Furniture & Equipment	12,000	12,000	10,150	1,850
Infrastructure				
Roadworks & Bridge Works & Footpaths	1,123,247	1,334,247	883,835	450,412
Footpath Construction - Richardson Street	0	0	0	0
Sewerage & Drainage	373,000	1,023,000	36,147	986,853
Totals	2,293,747	4,122,287	1,945,349	2,176,938

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

Note 7: INFORMATION ON BORROWINGS

Particulars	Loan Purpose	Due Date	Term (yrs)	Rate (%)	Principal 1-Jul-20 \$	New Loans \$	Principal Repayments		Principal Outstanding		Interest Repayments	
							Actual \$	Budget \$	Actual \$	Budget \$	Actual \$	Budget \$
Self Supporting Loans												
*Loan 82 Country Club	Extension and Refurbishment of the Club House	15/11/2027	20	6.95	215,828	-	22,801	22,801	193,027	201,217	13,465	14,611
Education & Welfare												
Loan 80 Kalkarni Residency	Kalkarni Residence	1/02/2026	25	5.63	63,602	-	9,185	9,185	54,417	60,149	2,195	3,453
Housing												
Loan 80 Staff Housing	Staff Housing	1/02/2026	25	5.63	104,944	-	15,156	15,156	89,788	99,246	3,621	5,698
Community Amenities												
Loan 80 Sewerage	Sewerage Extension	1/02/2026	25	5.63	44,521	-	6,430	6,430	38,091	42,104	1,536	2,417
Transport												
Loan 80 Grader	New Grader	1/02/2026	25	5.63	104,944	-	15,156	15,156	89,788	99,246	3,621	5,698
Recreation and Culture												
Loan 81 Sport & Recreation	Recreation Plan	1/11/2027	20	6.95	536,706	-	56,701	56,701	480,005	492,286	33,483	44,420
					1,070,545	-	125,428	125,429	945,117	994,248	57,922	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 31 May 2021

Note 8: CASH AND INVESTMENTS

	Interest Rate	Unrestricted \$	Restricted \$	Trust \$	Investments \$	Total Amount \$	Institution	Maturity Date
(a) Cash Deposits								
Municipal Cash at Bank - Operating Account	0.00%	173,999				173,999	Bendigo	
Municipal Cash at Bank - Cash Management Account	0.15%	690,464				690,464	Bendigo	
Bond Fund	0.00%	7,890				7,890	Bendigo	
Trust Cash at Bank	0.00%			14,540		14,540	Bendigo	
(b) Term Deposits								
Savings Account	0.15%		4,746,980			4,746,980	Bendigo	
Reserves	0.75%		7,185,335			7,185,335	Bendigo	20/06/2021
(c) Investments								
Bendigo Bank Shares					10,000	10,000	Bendigo	
Total		872,353	11,932,315	14,540	10,000	12,829,208		

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

Note 9: BUDGET AMENDMENTS

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

GL Account Code	Description	Council Resolution	Classification	No Change - (Non Cash Items) Adjust.	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
	Adopted Budget Net Asset Surplus 30 June 2020		Opening Surplus(Deficit)				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 Roads & 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	Aplication Fee - Amend Happy Valey Water Licence	OCM 10.20-07	Operating Expenses			4,407	412,583
E142519	Shire Depot Improvements disallowed	OCM 11.20-03	Capital Revenue		131,540		544,123
E121565	BODESFC - 6.0m seal - 500 m Bodey Street	OCM 11.20-03	Capital Expenses			87,000	457,123
E116510	NATPLACAP - Youth Preceinct Enhancements	OCM 11.20-03	Capital Expenses			44,540	412,583
E142519	Shire Deopot Improvements	OCM 11.20-03	Capital Expenses			131,000	281,583
OL02661	Transfer from Munciapal Building Reserve	OCM 11.20-03	Capital Revenue		131,000		412,583
E132512	Caravan Park Improvements	OCM 11.20-03	Capital Expenses			180,000	232,583
E112510	POOLCAP - aquatic Centre improvements	OCM 11.20-03	Capital Expenses			10,000	222,583
E113020	RESEOP - Beautification Works Reserve 43158	OCM 11.20-03	Operating Expenses			5,325	217,258
I032070	Local Roads & Community Infrastrucutre Program funding	OCM 11.20-03	Capital Revenue		195,325		412,583
E113030	COUNOP - Upgrade electrical wiring for evac centre	OCM 11.20-03	Operating Expenses			3,500	409,083

OL01961	Transfer from Cash Contingency Reserve	OCM 11.20-03	Capital Revenue	3,500		412,583
E112480	POOLOP - Various maintenance items at	OCM 11.20-03	Operating Expenses		7,500	405,083
OL01951	Transfer from Aquatic Centre Reserve	OCM 11.20-03	Capital Revenue	7,500		412,583
E043020	Bond Administration Refunds increase budget	OCM 02.21-15	Operating Expenses		4,000	408,583
I043010	Bond Administration increase budget	OCM 02.21-15	Operating Revenue	4,000		412,583
E132512	Stage 1 Caravan Park Upgrade	OCM 02.21-15	Capital Expenses		35,000	377,583
OL01841	Transfer from Caravan Park Reserve	OCM 02.21-15	Capital Revenue	35,000		412,583
E104030	Reduction of Budget due to decrease in expenditure	OCM 02.21-15	Operating Expenses	13,800		426,383
I104010	Reduction of Budget due COVID19 legislation changes	OCM 02.21-15	Operating Revenue		10,768	415,615
E114020	AmLib annual licence not included in adopted budget	OCM 02.21-15	Operating Expenses		1,700	413,915
E116020	AUSTDAY - Grant funded event	OCM 02.21-15	Operating Expenses		20,000	393,915
E116020	BIKEGO - grant funded event	OCM 02.21-15	Operating Expenses		800	393,115
I116020	Australia Day Grant funds & Bike event grant funding	OCM 02.21-15	Operating Revenue	20,799		413,914
I031015	Increase in interim rates being processed	OCM 02.21-15	Operating Revenue	850		414,764
I052010	increase in budget increase in animal fines	OCM 02.21-15	Operating Revenue	1,000		415,764
I111011	Greater than anticipated used of hall	OCM 02.21-15	Operating Revenue	600		416,364
E115040	Grant funding expenditure	OCM 02.21-15	Operating Expenses		3,000	413,364
I115020	Grant funding for Christmas party - Bendigo Bank	OCM 02.21-15	Operating Revenue	2,819		416,183
E087020	SENIOP - Increase budget greater electricity usage	OCM 02.21-15	Operating Expenses		2,300	413,883
E112480	POOLOP - Various maintenance items at	OCM 02.21-15	Operating Expenses		1,300	412,583
E143530	LIGHTV - increase for tow behind vehicle	OCM 02.21-15	Capital Expenses		8,000	404,583
OL01621	Transfer from Plant and Vehicle reserve	OCM 02.21-15	Capital Revenue	8,000		412,583
E105510	CEMABLU - increase budget for grave shoring equipment	OCM 02.21-15	Capital Expenses		14,000	398,583
OL01901	Transfer from Cemetery Reserve	OCM 02.21-15	Capital Revenue	14,000		412,583
						412,583
						412,583
						412,583
Closing Funding Surplus (Deficit)				0	1,442,080	1,442,080
						412,583

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

Note 10: TRUST FUND

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

Description	Opening Balance For the Period 1 July 2019	Amount Received	Amount Paid	Closing Balance For the Period Ended 31 May 2021
	\$	\$	\$	\$
Housing Bonds	0	0	0	0
Other Bonds	6,140	0	(6,140)	0
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
Unclaimed Money	830	0	(110)	720
	20,790	0	(6,250)	14,540

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.

2. Other Bonds

Council resolved at the February 2021 OCM to refund the trust

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Sewerage Programm by Nature and Type
For the Period Ended 31 May 2021

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	1,652	1,002
Annual Sewerage Rates	203,265	203,265	194,636	(8,629)
	203,915	203,915	196,288	(7,627)
EXPENSES FROM ORDINARY ACTIVITIES				
Employee Costs	(16,350)	(14,988)	(1,854)	13,134
Materials and Contracts	(86,110)	(78,934)	(70,082)	8,852
Utilities	(5,600)	(5,133)	(2,198)	2,935
Depreciation	(42,067)	(38,561)	(39,200)	(638)
Interest Expenses	(2,723)	(2,496)	(1,536)	960
Insurance	(268)	(246)	(237)	9
General Operating Expenses	(13,907)	(12,748)	(1,801)	10,948
Allocation of Adminstration Expense	(45,800)	(41,983)	(36,429)	5,555
	(212,825)	(195,090)	(153,336)	41,753
	(8,910)	8,825	42,952	34,127
Add Back Depreciation	42,067	38,561	39,200	638
Non-Operating Grants, Subsidies & Contributions	-	-	-	-
Profit on Asset Disposals	-	-	-	-
Loss on Asset Disposals	-	-	-	-
Transfer to Sewerage and Drainage Reserve	(35,000)	(32,083)	-	(32,083)
Transfer from Sewerage and Drainage Reserve	15,000	15,000	-	15,000
NET RESULT	13,157	30,304	82,152	17,682
Capital Loan Repayments			(6,430)	

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

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	2,732	3,978	1,247
Sporting Club Fees	5,500	5,042	3,397	(1,644)
Gymnasium Income	7,500	6,875	6,951	76
	15,980	14,648	14,327	(322)
EXPENSES FROM ORDINARY ACTIVITIES				
Employee Costs	-	-	-	-
Materials and Contracts	-	-	-	-
Utilities	-	-	-	-
Interest Expenses	(40,047)	(36,710)	(33,483)	3,227
Insurance	-	-	-	-
General Operating Expenses	-	-	-	-
Gymnasium Operating	(8,977)	(8,342)	(5,271)	3,071
	(40,047)	(36,710)	(38,754)	3,227
	(24,067)	(22,061)	(24,427)	2,905
NET RESULT	(24,067)	(22,061)	(24,427)	2,905
Capital Loan Repayments			(56,701)	

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

	Note	Adopted Annual Budget 2019/20	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a) 9	Var. % (b)-(a)/(b) 9
Note 13 (a): Brookton Caravan Park						
Operating Revenue		\$	\$	\$	\$	%
Caravan Park Fees		33,000	30,250	38,069	7,819	25.85%
Total Revenue		33,000	30,250	38,069	7,819	25.85%
Operating Expenses						
Brookton Caravan Park	CARAOP MARKOP	(22,888)	(20,981)	(34,803)	(13,823)	65.88%
Brookton Caravan Park		(8,000)	(7,333)	(444)		
Caravan Park Depreciation		(1,037)	(951)	(952)	(2)	0.17%
Caravan Park Admin Administration Expenses		(27,480)	(25,190)	(21,857)	3,333	(13.23%)
Total		(59,405)	(54,455)	(58,057)	(10,492)	(19.27%)
Operating Surplus (Deficit)		(26,405)	(24,205)	(19,988)	(2,672)	-11%
Excluding Non Cash Adjustments						
Add back Depreciation		1,037	951	952	2	0.17%
Net Operating Surplus (Deficit)		(25,368)	(23,254)	(19,036)	(2,671)	11.49%
Note 13 (b): Brookton Aquatic Centre						
Operating Revenue						
POOL FEES & CHARGES		14,500	13,292	13,076	(215)	(1.62%)
POOL GRANTS & SUBSIDIES		0	0	0	0	0.00%
Total Revenue		14,500	13,292	13,076	(215)	(1.62%)
Operating Expenses						
POOL EMPLOYEE COSTS		(48,057)	(44,052)	(46,020)	(1,968)	0.00%
POOL GENERAL OPERATING EXPENSES		(25,500)	(32,542)	(42,135)	(9,594)	29.48%
POOL BUILDING MAINTENANCE		(16,998)	(23,648)	(17,683)	5,965	(25.23%)
POOL DEPRECIATION		(11,854)	(10,866)	(10,938)	(72)	0.66%
POOL ABC ADMINISTRATION EXPENSES		(27,480)	(25,190)	(21,857)	3,333	(13.23%)
Total		(129,889)	(136,298)	(138,634)	(2,335)	(1.71%)
Operating Surplus (Deficit)		(115,389)	(123,007)	(125,557)	(2,551)	(2.07%)
Excluding Non Cash Adjustments						
Add back Depreciation		11,854	10,866	10,938	72	0.66%
Net Operating Surplus (Deficit)		(103,535)	(112,140)	(114,619)	(2,479)	(2.21%)

Note 14

**Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Road Program
For the Period Ended 31 May 2021**

Description	Adopted Annual Budget	Amended Budget	YTD Actual	% Completed	Federal Funding		State Funding				Own Source Funding		
					R2R	Grants	RRG	RRG Carryover	Direct Grant	FAGS	Reserve	Contributions	Muni
	\$	\$	\$		\$	\$	\$	\$	\$	\$	\$	\$	\$
Town Street Maintenance	188,102	188,102	112,171	60%									188,102
Rural Road Maintenance	379,536	379,536	374,661	99%					84,910				294,626
Bridge Maintenance	63,016	104,016	75,264	72%									104,016
R2R Work Schedule													
Brookton - Kweda Road	218,633	83,196	83,196	100%	83,196								0
Bodey Street		87,000	74,226		74,226								12,774
Youralling Road		85,000	63,538		61,211								23,789
Other Construction													
Brookton-Kweda Road	162,080	162,080	153,976	95%							100,000		62,080
York-Williams Road	45,420	45,420	35,116	77%									45,420
Bartram Road	148,575	148,575	47,662	32%		148,575							
Dale Kokeby Road	148,575	148,575	77,500	52%		148,575							
Install & upgrade Headwalls to Culverts	24,964	24,964	7,884	32%									24,964
RRG Approved Projects													
Brookton-Kweda Road	324,150	324,150	285,570	88%			324,150						0
York-Williams Road	50,850	50,850	44,862	88%			50,850						
	1,753,901	1,831,464	1,435,626	82%	218,633	297,150	375,000	0	84,910	0	100,000	0	755,771

Note 15

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Capital Works Program
For the Period Ended 31 May 2021

Description	Adopted Annual Budget	Amended Budget	YTD Actual	% Completed	Capital Funding					
					Muni	Grants	Reserves	Sale of Assets	Loan	Total Funding
	\$	\$	\$		\$	\$	\$	\$		\$
Chambers & Reception Area Upgrade	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	94,540	24,684	26%	13,000	44,540	37,000			94,540
Community Garden/Mensshed building	0	110,000	38,017			110,000				110,000
Youth/Girl Guides Building	0	100,000	37,303			100,000				100,000
Aquatic Centre Improvements (new roof to Ablution)	24,000	34,000	25,227	74%	34,000					34,000
Memorial Park Gazebo and Disable access	22,000	22,000	19,815	90%	22,000					22,000
Tourist Information Bay	15,000	15,000	0	0%	15,000					15,000
Caravan Park Upgrade Stage 1	0	550,000	277,757	51%		550,000				550,000
Depot Improvements	0	131,000	20,934	16%			131,000			131,000
Display Cabinet & Memorabilia Board	12,000	12,000	10,150	85%	12,000					12,000
Purchase Plant & Equipment	0	14,000	13,166	94%			14,000			14,000
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	45,290	87%			42,000	10,000		52,000
Single Cab Ute	10,000	18,000	13,709	76%			16,000	2,000		18,000
Dual Cab Ute - BRMPO & CESM	84,000	84,000	85,816	102%			84,000			84,000
Brookton-Kweda Road	324,150	324,150	285,570	88%		324,150				324,150
York-Williams Road	50,850	50,850	44,862	88%		50,850				50,850
Brookton-Kweda Road	218,633	218,633	83,196	38%		218,633				218,633
Brookton-Kweda Road	162,080	162,080	153,976	95%	100,873		61,207			162,080
York-Williams Road	45,420	45,420	35,116	77%	28,268		17,152			45,420
Bartram Road	148,575	148,575	47,662	32%	92,468		56,107			148,575
Dale Kokeby Road	148,575	148,575	77,500	52%	92,468		56,107			148,575
Youraling Rd extend Seal	0	85,000	63,538	75%		85,000				85,000
Bodey St extend Seal	0	87,000	74,226	85%		87,000				87,000
Crn Whithall, Corberding & Brookton Hwy	0	22,000	5,982	27%			22,000			22,000
Sewel Road - Closure	0	17,000	4,324	25%		17,000				17,000
Install & upgrade Headwalls to Culverts	24,964	24,964	7,884	32%	15,537		9,427			24,964
Happy Valley Bore Field	55,000	55,000	21,712	39%			55,000			55,000
Upgrade Inflow Meter with Electromagnetic Metre	18,000	668,000	14,435	2%	18,000				650,000	668,000
Upgrade- Refurb/Refining Pipe Network	300,000	300,000	0	0%					300,000	300,000
	2,293,747	4,122,287	1,945,349		483,614	1,587,173	956,500	145,000	950,000	4,122,287

14.06.21.03 WRITE OFF SMALL BALANCES – END OF YEAR RATES

File No:	N/A
Date of Meeting:	17 June 2021
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Tricia Brown – Finance Administration Officer - Rates
Authorising Officer:	Kellie Bartley – Manager Corporate & Community
Declaration of Interest:	The authors have no financial interest in this matter
Voting Requirements:	Absolute Majority
Previous Report:	N/A

Summary of Item:

This report provides Council with an update on the rates debt recovery process and seeks Council's approval to write-off small balances in relation to penalty interest on rates.

Description of Proposal:

As part of the rates end of year process it is recommended to Council that it supports to write-off small balances of \$5.00 and under per rates assessment.

A list of assessments and the totals are contained in **confidential Attachment 14.06.21.03A**.

Background:

Over the past 12 months the Shire Administration has taken an active approach to address outstanding rates balance. This has yielded improvements in the level of outstanding rates and charges as well as the establishment of a number of new payment plans for outstanding accounts.

Accordingly, this report is to update Council on the small balance write-off for Rates and Service Charges that are currently under \$5.00 outstanding against individual rate assessments. There are currently a total 47 assessments, with a total of \$67.25 to be written off in accordance with section 6.12 (1) (c) of the *Local Government Act 1995*, effective as at 31 May 2021.

Section 6.12 of the *Local Government Act 1995* also deals with the power to defer, grant discounts, waive or write off debts. The Shire has not issued a delegation to the CEO to write off small balances, and as such, this matter must be presented to Council for resolution.

Consultation:

There are no community engagement implications identified as a result of this report or recommendation, however, review of this process has been discussed between the Manager Corporate and Community and the Finance Officer – Rates.

Statutory Environment:

Section 6.12 (1) (c) of the *Local Government Act 1995* applies to small balance write-offs where it states:

6.12. Power to defer, grant discounts, waive or write off debts

- (1) *Subject to subsection (2) and any other written law, a local government may —*
 - (a) *when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or*
 - (b) *wave or grant concessions in relation to any amount of money; or*

(c) write off any amount of money,
which is owed to the local government.

* Absolute majority required.

Relevant Plans and Policy:

There are no Council policy implications relative to this issue.

Financial Implications:

The financial implications of \$67.25 is minor and covered in a standard budget provision for write offs of this nature in the 2020-21 budget.

Risk Assessment:

The risk in relation to this matter is assessed as “Low” on the basis that again there is minimal impact on the Shire’s finances with associated assessments that have an outstanding balance less than \$5.00.

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

18 Financial Control

18.5 Process Rates, other revenues, timely payments

Comment

It is recommended the small balances totalling \$67.25 be written-off. This comprises multiple small balances accrued as a result of rates payments made after the due date.

OFFICER RECOMMENDATION

That Council pursuant to section 6.12 (1)(c) of the Local Government Act 1995:

- 1) Notes the outstanding rates balances as at 31 May 2021;***
- 2) Authorises the schedule of small balance write-off's totalling \$67.25 as contained in CONFIDENTIAL Attachment 14.06.21.03A; and***
- 3) Authorises the Chief Executive Officer to write off rates small balances for the month of June 2021 as part of the 2020/2021 Rates end of year processing.***

(Simple majority vote required)

Attachments – *provided under separate cover*

Attachment 14.06.21.03A – List of Assessments for Small Balance Write offs

14.06.21.04 SUNDRY DEBTOR WRITE OFF

File No:	N/A
Date of Meeting:	17 June 2021
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Tricia Brown – Finance Administration Officer - Rates
Authorising Officer:	Kellie Bartley – Manager of Corporate & Community
Declaration of Interest:	The author has no financial interest in this matter.
Voting Requirements:	Absolute Majority
Previous Report:	N/A

Summary of Item:

This item seeks Council's consideration to write off a sundry debt for an abandoned vehicle with associated costs totaling \$250.00.

Description of Proposal:

The invoice in arrears to be written off is presented for Council's approval:

Debtor Number	Date	Reason	Amount
415	15/05/2020	Reimbursement for towing of car to Shire Depot from York-Williams Road	\$250.00

Sundry Debtor 415 was invoiced for towing of an abandoned car to the Shire Depot from York-Williams Road.

Council has issued correspondence on several occasions requesting payment of this outstanding debt, with no response to date from the debtor and all correspondence being "return to sender" through Australia Post as the debtor is apparently no longer at the address.

Shire Officer's anticipate that payment for the outstanding debt is very unlikely. The debt, which has previously been referred to debt collection agencies, has been identified as unrecoverable due to it being uneconomical for the Shire to pursue these small debts through the Courts.

The debtor has been outstanding for >90 days with the invoice having been raised more than twelve months ago. Furthermore, prosecution is likely to be costly with the possibility of no cost recovery.

Background:

The vehicle was initially reported to the Shire by a member of public following a number of days for a number of days being abandoned prior to the Works Supervisor investigating where the vehicle was positioned on York-Williams Road. The Works Supervisor deemed the position of the vehicle to be on a dangerous corner and a hazard to other driver's safety. Accordingly, he made a decision to have the vehicle removed by Brookton Towing to the Depot.

The invoice was raised with the intention that it would be paid prior to the debtor receiving access to the vehicle, however, the vehicle was released to the debtor and handed the invoice to pay.

Invoices and statements have been regularly sent to the debtor along with a notice of Intention to Summons letter, all of which have been returned to sender.

As the Shire of Brookton does not participate in the Department of Fines Enforcement Register, Council is unable to register the debt against the vehicle registration.

Consultation:

Consultation with the Manager of Corporate and Community and Senior Finance Officer has occurred regarding this matter with view that Council be requested to write off this debt.

Statutory Environment:

Section 6.12 (1) (c) of the *Local Government Act 1995* applies to sundry debtor write-offs, as provided below:

6.12. Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —
 - (a) when adopting the annual budget, grant* a discount or other incentive for the early payment of any amount of money; or
 - (b) waive or grant concessions in relation to any amount of money; or
 - (c) write off any amount of money, which is owed to the local government.

Relevant Plans and Policy:

There are no Council policy implications relative to this item.

Financial Implications:

Should Council approve the write-off it will be accepting a reduction in income expected for the 2020/2021 financial year, however the financial impact is considered negligible.

Risk Assessment:

The risk is assessed low, and unlikely to set a precedent for future decision making in relation to sundry debtor write-offs.

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

18 Financial Control

18.5 Process Rates, other revenues, timely payments

Comment

All attempts to recover this sundry debt totaling \$250 over the course of the 2020/2021 financial year has proven ineffective, and any further efforts to pursue this matter is likely to further cost ratepayers well beyond the value of debt.

Therefore, in the interest responsible business practices it is recommended Council exercise discretion to write-off this debt pursuant to section 6.12 (1)(c) of the *Local Government Act 1995*.

OFFICER RECOMMENDATION

That Council pursuant to section 6.12 (1)(c) of the *Local Government Act 1995* approves the sundry debtor write-off for debtor number 415 totaling \$250.00.

(Absolute Majority Vote required)

14.06.21.05 BUDGET AMENDMENT – COMMONWEALTH GRANT FUNDING EXPENDITURE

File No:	ADM 0175
Date of Meeting:	17 June 2021
Location/Address:	Shire of Brookton
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Kelly D’Arcy – Senior Finance Officer Danni Chard – Executive Governance Officer
Authorising Officer:	Ian D’Arcy – Chief Executive Officer
Declaration of Interest:	Neither the authors nor the authorising officer has an interest in this item.
Voting Requirements:	Absolute Majority
Previous Report:	N/A

Summary of Item:

This item seeks Council endorsement to amend 2020-21 budget, to reflect various adjustments to the General Ledger in delivering a range of capital works, funded by the Commonwealth Government under Drought Communities Funding Program, and the Local Roads and Community Infrastructure Funding Program – Phases 1 and 2.

Description of Proposal:

As above.

Background:

As Council would be aware, external funding has been received from the Commonwealth Government providing the opportunity to deliver on a range of capital works within the 2020-21 financial year. This funding consists of 3 streams summarised in **Table 1** below:

Funding Program	Amount Granted	Expenditure Date
Drought Communities Funding Program	\$500,000	30/06/2021
Local Roads and Community Infrastructure Funding Program – Phase 1	\$255,450	30/06/2021
Local Roads and Community Infrastructure Funding Program – Phase 2	\$195,325	31/12/2021

Table 1 – Commonwealth Grant Funding

In acknowledging the short timeframe to expend these funds, the Council selected a range of capital works that could provide broad community benefit and could also be delivered on or before the specified expenditure date. These projects include:

- Construction/installation of two disability access chalet accommodation units and a further 2 bedroom chalet units for seasonal workers and tourists, including associated site works and fit out.
- Construction/installation of Community Garden/Men’s shed building and Youth Group/Girl Guides building, including associated site works and fit out.
- Upgrades to the Brookton Caravan Park, including a camper’s kitchen, ablution refurbishments, improved servicing (power, water, sewerage upgrades) better delineation of sites and improved signage.
- Sewell Street Road Closure Improvements.
- Fencing landscaping works and lawn for Caravan Park and Youth Precinct.

- Youth Precinct Enhancements (fencing, seating, bridge crossing, landscaping, nature play equipment).
- Footpath works for Lennard Street and Richardson Street.

As the Shire has worked through the respective grant funded projects there has been a need to reallocate some the funds from project to another, due to increased costs for works in relation to utilities (power, water and sewerage) and upgrade of ablutions.

This shift in funding allocation now requires amendment to the Annual Budget to ensure compliance with *Local Government Act, 1995* and regulations.

Consultation:

Consultation has been undertaken with the Chief Executive Office, Responsible Officers and Manager Corporate and Community.

Statutory Environment:

This matter relates to the Section 6.8 of the Local Government Act, 1995 as presented below:

6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
 - (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

Relevant Plans and Policy:

Nil.

Financial Implications:

Any material variances that have an impact on the outcome of the budgeted closing surplus position are detailed in **Table 2** to this report, as presented in the Comment Section below.

Risk Assessment:

Importantly failure to fulfil statutory regulations or compliance will place the Shire as non-compliant to the legislation. To reduce this risk, assessed as 'Moderate', it is required to submit a budget variation request to Council identifying change to Council fiscal position and any financial implications. An endorsement of applicable adjustments will ensure the Shire finance position are appropriately and openly accounted for in accordance with legislative requirements.

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

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

Community & Strategic Objectives:

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

Specifically, this funding payment aligns to:

Function 18 – Financial Management

Action 18.1 – Prepare annual budget/conduct statutory budget review

Comment

The 2020-21 Budget has been reviewed and approval is sought for the following budget adjustments, as provided in **Table 2** below, to ensure the Commonwealth grant expenditure appropriately aligns to the endorsed budget. The changes outlined reflects where a shift in the funding has occurred at the discretion of the CEO (including construction of a footpath in Lennard and Richardson Streets) to deliver the respective projects on the ground within a short timeframe and with limited supply in trades and building materials to expend the grants moneys.

Budget Variations

GL Codes	Job Codes	IE Code		Original 20/21 Budget	Amended 20/21 Budget	Changes in Net Assets
E132512		500	CARAVAN PARK UPGRADE - STAGE 1	\$550,000.00	\$490,000.00	(\$60,000.00)
E116510	MSCGCAP	500	MENS SHED/COMMUNITY GARDEN BUILDING	\$110,000.00	\$135,000.00	\$25,000.00
E116510	YSHEDCAP	500	YOUTH/GIRL GUIDES BUILDING	\$100,000.00	\$134,540.00	\$34,540.00
E121565	OTHERSFC	504	REALIGN ACCESS CRN WITHALL/CORBERDING/BROOKTON	\$22,000.00	\$6,000.00	(\$16,000.00)
E116510	NARPLACAP	500	YOUTH PRECENCT - NATURE PLAY AREA	\$94,540.00	\$65,000.00	(\$29,540.00)
E121575	RICHFP	504	RECONSTRUCT PORTION RICHARDSON STREET FOOTPATH	\$0.00	\$23,000.00	\$23,000.00
E121575	LENNFP	504	RECONSTRUCT PORTION LENNARD STREET FOOTPATH	\$0.00	\$23,000.00	\$23,000.00
						\$0.00

Table 2 - Internal Reallocations of Operating Budget

OFFICER RECOMMENDATION

That Council, pursuant to section 6.8 of the Local Government Act 1995, approves the schedule of variations to the 2020/2021 Budget as presented below:

Budget Variations

GL Codes	Job Codes	IE Code		Original 20/21 Budget	Amended 20/21 Budget	Changes in Net Assets
E132512		500	CARAVAN PARK UPGRADE - STAGE 1	\$550,000.00	\$490,000.00	(\$60,000.00)
E116510	MSCGCAP	500	MENS SHED/COMMUNITY GARDEN BUILDING	\$110,000.00	\$135,000.00	\$25,000.00
E116510	YSHEDCAP	500	YOUTH/GIRL GUIDES BUILDING	\$100,000.00	\$134,540.00	\$34,540.00
E121565	OTHERSFC	504	REALIGN ACCESS CRN WITHALL/CORBERDING/BROOKTON	\$22,000.00	\$6,000.00	(\$16,000.00)
E116510	NARPLACAP	500	YOUTH PRECENCT - NATURE PLAY AREA	\$94,540.00	\$65,000.00	(\$29,540.00)
E121575	RICHFP	504	RECONSTRUCT PORTION RICHARDSON STREET FOOTPATH	\$0.00	\$23,000.00	\$23,000.00
E121575	LENNEFP	504	RECONSTRUCT PORTION LENNARD STREET FOOTPATH	\$0.00	\$23,000.00	\$23,000.00
						<u>\$0.00</u>

(Absolute majority vote required)

14.06.21.06 10 YEAR PLANT REPLACEMENT PROGRAM (REVISED) MAY 2021

File No:	FLE008
Date of Meeting:	17 June 2021
Location/Address:	Shire of Brookton
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Anthia Craig – Infrastructure Officer Kellie Bartley – Manager Corporate and Community
Authorising Officer:	Ian D’Arcy – Chief Executive Officer
Declaration of Interest:	The author does not have an interest in this matter
Voting Requirements:	Simple Majority
Previous Report:	21 May 2020

Summary of Item:

This item seeks Council endorsement the revised 10 year Plant Replacement Program taking into consideration for the 2021/2022 draft Annual Budget.

A copy of the revised 10 year Plant Replacement Program with the changes highlighted in yellow is included as **Attachment 14.06.21.06A** to this report.

Description of Proposal:

Fundamentally, this program considers all the Shire’s major plant items and vehicles and looks to arrange replacement at or near optimal replacement times and value. At the most basic level optimal timing and value for plant replacement is dictated by endeavoring to dispose or trade out items prior to their resale value going into steep decline and before investment in maintenance on those same items starts to significantly increase.

Background:

The Shire has maintained 10 year program that has arbitrarily followed the principles identified above. One of the bigger considerations in developing the program has involved spreading costs across years to achieve affordability and maximise value in the change-over process.

Additionally, with the COVID-19 pandemic additional pressure has been placed on Local Government to assist in stimulating the economy by bring forward expenditure that was scheduled to be entertained at a later date. With this in mind, consideration must be taken into account of the possibility to be able to purchase vehicles due to the current market stock. However, the opportunity to capitalise on the current increase in market pricing is an option to consider.

Due to the recent changes to Council Policy – 2.30 Light Vehicles, the provisions for the vehicle changeover have been amended that all motor vehicles are to be changed over at five (5) years of age from date of purchase or prior to an odometer reading between 90,000 and 99,000 kms, whichever comes first.

Amendments with the maximum value of purchase price has also been updated to the following, under this policy:

Group	Comments
Group A Vehicle	Chief Executive Officer Max. value of vehicle - \$50K (exc. GST)
Group B Vehicle	Authorised Managers/Supervisors Max. value of vehicle - \$45K (exc. GST)
Group C Vehicle	Authorised Officers Max. value of vehicle - \$40K (exc. GST)

On review of the plant replacement program, the following changes have been identified and the reason for some of these changes are as follows:

Major Plant Replacement Program

Plant Number	Name Plant Equipment	Comments
PT12	Tandem Truck Isuzu	PT12 to be purchased in 2022/2023. Reduction of cost from \$200,000 to \$140,000 due to the reduced cost of \$60,000 as it will not require the side tipper as previously identified.
PRT1 PRT2	2009 Tandem Pig Trailer 2011 Tandem Pig Trailer	Both trailers were identified to be purchased in 2024/2025. It has been identified that these trailers will be able to continue to be used until year 2029/2030. Both trailers are not utilised and therefore are within the extension of the targeted changeover years.
PT13	Isuzu single axle tipper (Parks)	Vehicle is overdue for replacement. Is required to be brought forward from 2024/25 to the 2021/22.
PR10 PR11	2 x Ecombi Rollers	Rollers are only used during the winter months for grading. Plant is in reasonable condition and will withstand the extended changeover period. Moved from 2024/25 to 2028/29. Will also provide the opportunity to offset the change over with the Community Bus.
PVAC	Billy Goat Truck mounted vacuum	Targeted change over years revised from 5 years to 7 years. Years 2024/25 changed to 2026/2027 and 2029/2030 to 2035/2036.
PCB1	Community Bus – Toyota	Proposed change over year moved from 2021/22 to 2024/25. With the provisions of moving the Tandem Pig Trailers provides the opportunity to purchase a new Community Bus in this financial year. The reason for the change in year is due to the Community Bus having a new engine replaced. Therefore, giving a longer life cycle cost for the current plant. Due to the amended trade in year, the replacement in 2029/30 will now be 2031/2032.

Light Vehicles Administration and Operational

The provisions for the changes within this section are based on the recent changes to Council Policy – 2.30 – Light Vehicles. The target change over period has been moved from 3 years to five (5) years of age from date of purchase or prior to an odometer reading between 90,000 kms and 99,000kms, whichever comes first.

Consideration of the changeover of the Light Vehicles – Administration will be discussed through the 2021/22 Budget Workshops, notwithstanding the Holden Commodore is presently being offered for sale through an open public tender process. Details were only updated by the target change over period from three (3) years to five (5) years and the replacement costs updated to reflect the policy.

Light Vehicles – Operational have had the revised change over periods and cost allocations reviewed against the recent Council Policy changes.

New Request - Excavator and power mulcher

Discussions have been held with the Works Coordinator and the Chief Executive Officer with regards to purchasing a new Excavator and power mulcher. There are benefits for the Shire to support the purchase due to the pruning of trees along road verges throughout the Shire. Currently it takes 4 plant operators to utilise the current machinery, therefore taking staff time away from the re-sheeting and construction programs. Other factors include being able to use this equipment for other applications for the Shire (ie ability to dig large holes at the rubbish tip and the use of loading of trucks when the loader is also in use).

By purchasing this specific plant and equipment, it will allow for the use of only one plant operator to be in attendance therefore allowing the continuation of the other scheduled works programs as required. By having extreme weather, will also halt certain programs for urgent tree pruning and road maintenance that can occur in such events.

After consultation during the Budget Workshops with Elected Members, it has been suggested to understand the cost of the equipment and the contract costs prior to any decision being taken. Should Council consider support this request, the provisions will be made through the item to be brought back to Council with consideration to the Plant and Vehicle Reserve balances and/or the provisions to the budget. In the interim an allocation for contract excavator hire has been provided in the draft 2021/2022 to achieve efficiency for the coming financial year.

Consultation:

Consultation has occurred with Council with a formal motion to bring forward the respective vehicle changes in the recent policy update for Council Policy – 2.30 – Light Vehicles. Further discussions were held with the Chief Executive Officer, Manager Corporate and Community, Works Coordinator and the Infrastructure Officer.

Statutory Environment:

The development and adoption of the 10 Year Plant Replacement Program forms a component of the Council obligation to produce a plan for the future under Section 5.56 (1) of the *Local Government Act, 1995*.

Relevant Plans and Policy:

Revision of the 10 year Plant replacement program was identified in the Corporate Compendium that came out of the integrated planning process.

Financial Implications:

The funds associated with the projected vehicle purchases are to be taken from the Council's Plant and Vehicle Reserve.

Risk Assessment:

In not amending this Program there is a risk in distorting the optimum change-over of light vehicles and heavy plant in future years to the detriment of the Long Term Financial Plan and future budgets. Therefore, it is assessed that the risk is 'Medium – High' as reflected in the Matrix Table below.

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

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

Community & Strategic Objectives:

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

Specifically, this matter aligns with the following function and action under the Shire's Corporate Compendium:

9. Asset Management

9.14 Review of Plant Replacement Program

Comment:

For the most part this item basically constitutes a form of 'house-keeping' to ensure the Plant Replacement Program accurately aligns with current purchase and change-over of vehicles, due to the recent changes in the policy and also taking into consideration the current COVID-19 Pandemic.

OFFICER RECOMMENDATION

That Council:

- 1. endorses the Shire of Brookton Plant Replacement Program – Revised April 2021 as presented in Attachment 14.04.21.06A to this report; and***
- 2. notes the Plant Replacement Program Light Vehicle – Administration will be further reviewed through the 2021/22 budget deliberations due to the current COVID-19 environment.***

(Simple majority vote required)

Attachments

14.06.21.06A – Revised 10 year Plant Replacement Program

Brookton Shire 10 Year Plant Replacement Program - Revised May 2021

Major Plant

#	PURCHASES	Year of Manufacture	Target change over (Yrs)	2020/21	2021/22	2022/23	2023/24	2024/25	2025/26	2026/27	2027/28	2028/29	2029/30
	Heavy Equipment												
PL7	John Deere Loader	2019	9							\$300,000			
PG8	Grader D Series John Deere	2017	8						\$350,000				
PG9	Grader Series - 670G John Deere	2020	8	\$410,000								\$350,000	
PT12	Tandem Truck Isuzu	2010	10			\$140,000							
PT14	Tandem Truck Hino	2019	10								\$200,000		
PT15	Hino Tip Truck (Single Axle) BO5593	2020	7								\$85,000		
PT10	Tandem Truck Isuzu	2007	10		\$200,000								
PR8	Multi Roller	2012	10			\$175,000							
PR9	Drum Roller	2012	10				\$165,000						
PPT1	Tandem Pig Trailer	2009	10					\$0					\$60,000
PPT2	Tandem Pig Trailer	2011	10					\$0					\$60,000
PM9	Cub cadet Zero turn mower	2019	7							\$30,000			
PCP3	Cherry Picker - BO4234	2015	10					\$35,000					
PBH4	Case Backhoe	2012	10				\$120,000						
PTR4	Case Skid Steer	2013	10				\$70,000						
PT13	Isuzu single axle tipper (Parks)	2011	7		\$65,000								
PM10	Toro Sidewinder Reel Mower	2020	10	\$52,000									
PR10	Ecombi Roller (No Replacement)	2015	10					\$0				\$55,000	
PR11	Ecombi Roller (No Replacement)	2015	10					\$0				\$55,000	
PVAC	Billy Goat Truck mounted Vacuum	2019	7					\$0		\$18,000			\$0
PRB2	Road Broom	2019	10										\$60,000
PCB1	Community Bus -Toyota	2003	8		\$0			\$120,000					\$0
	Water tank	2019	8								\$25,000		
PMUL	DEBRIS BILLY GOAT MOUNTED MULCHER	2019	8								\$15,000		
	PURCHASE TOTAL			\$462,000	\$265,000	\$315,000	\$355,000	\$155,000	\$350,000	\$348,000	\$325,000	\$460,000	\$180,000

Anticipated trades major plant

PL7	John Deere Loader									\$90,000			
PG8	Grader D Series John Deere								\$70,000				
PG9	Grader Series - 670G John Deere			\$100,000								\$70,000	

14.06.21.07 SCHEDULE OF FEES AND CHARGES – 2021/2022

File No:	FIN006C
Date of Meeting:	17 June 2021
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Kellie Bartley – Manager Corporate and Community
Authorising Officer:	Ian D’Arcy – Chief Executive Officer
Declaration of Interest:	The author and authorising officer do not have an interest in this item
Voting Requirements:	Absolute Majority
Previous Report:	N/A

Summary of Item:

This item is for Council to consider the 2021/2022 Schedule of Fees and Charges to be applied for the Shire of Brookton.

Description of Proposal:

N/A

Background:

The *Local Government Act 1995* requires the schedule of fees and charges that are to be imposed during the financial year to be adopted with the Annual Budget.

As the Budget will not be adopted until after 1st July 2021, Council is requested to consider the schedule of fees and charges prior to the budget adoption so that the agreed fees and charges can be taken into consideration when preparing the budget and to allow the fees and charges to be applied from 1st July 2021.

A copy of the of the proposed schedule of fees and charges and proposed changes are included in the attachment as contained in **Attachment 14.06.21.07A**.

The items in ~~Red~~ are proposed to be deleted and the items in Green are proposed to be included or have been amended.

The review of the current schedule of fees and charges has identified several changes associated with the statutory requirements, minor grammatical changes, cemetery recoverable costs and the plant hire against the hourly rates.

A workshop was held with Elected Members and relevant officers acknowledging the requirement to increase the costs recoverable for the cemetery internments. The proposal fee will increase by \$300 for weekdays and weekend/public holiday/RDO periods. The plant hire rates will remain the same however requires further investigation with plant costings against the current hourly rates. Recoverable costs for the life of the machinery will be required to ascertain the actual fee to appropriately charge. It is anticipated these fees will be reviewed and completed during the 2021/22 financial year, and will be presented in the following financial year through the budget process.

It is intended that the proposed schedule of fees and charges remain predominately unchanged from those imposed in the 2020/2021, however a summary of the recommended changes proposed for the 2021/2022 financial year are as follows:

- Page 1
 - Photocopying added for FOI Applications (Statutory legislation under FOI);
 - Electoral Rolls (removed as not longer available for sale under the Commonwealth Electoral Act);
 - Title search fees amended from \$36 to at cost by Landgate;
 - Sound Equipment (removed as no longer used for hire and has not been used since 2009);
- Page 3
 - Amended Penalties for dog penalties as per *Dog Regulations 2017*;
 - Modified penalties added under the *Shire of Brookton Dogs Local Law 2001*;
- Page 4
 - Minor word changes to swimming pool charges to be charged against the rates notice;
- Page 6
 - New fees and charges for the newly built chalets for the Brookton Caravan Park
 - Cemetery Fees - Revised costs of the internment for burials – increased by \$300
- Page 7
 - Cemetery Fees – amended exhumation fee increased by \$190
 - Cemetery Fees – added transfer of Grant of Right of Burial costs at \$50
- Page 8
 - Plant Hire Costs – Review of these costs has identified the removal of the following – cherry picker, chainsaw and ripper from the schedule of fees and charges.

Consultation:

Consultation has occurred between relevant staff members, CEO and MCC. A briefing session was held with the Elected Members to review and discuss aspects of current fees and charges including the review of the plant hire and cemetery costs and have been revised accordingly.

Statutory Environment:

Pursuant to sections 6.16 and 6.17 of the *Local Government Act 1995*, the fees and charges may be determined through an absolute majority decision of Council.

6.16. Imposition of fees and charges

(1) *A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

** Absolute majority required.*

(2) *A fee or charge may be imposed for the following —*

- (a) *providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
- (b) *supplying a service or carrying out work at the request of a person;*
- (c) *subject to section 5.94, providing information from local government records;*
- (d) *receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
- (e) *supplying goods;*
- (f) *such other service as may be prescribed.*

(3) *Fees and charges are to be imposed when adopting the annual budget but may be —*

- (a) *imposed* during a financial year; and*
- (b) *amended* from time to time during a financial year.*

** Absolute majority required.*

6.17. Setting level of fees and charges

- (1) *In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —*
- (a) *the cost to the local government of providing the service or goods; and*
 - (b) *the importance of the service or goods to the community; and*
 - (c) *the price at which the service or goods could be provided by an alternative provider.*
- (2) *A higher fee or charge or additional fee or charge may be imposed for an expedited service or supply of goods if it is requested that the service or goods be provided urgently.*
- (3) *The basis for determining a fee or charge is not to be limited to the cost of providing the service or goods other than a service —*
- (a) *under section 5.96; or*
 - (b) *under section 6.16(2)(d); or*
 - (c) *prescribed under section 6.16(2)(f), where the regulation prescribing the service also specifies that such a limit is to apply to the fee or charge for the service.*
- (4) *Regulations may —*
- (a) *prohibit the imposition of a fee or charge in prescribed circumstances; or*
 - (b) *limit the amount of a fee or charge in prescribed circumstances.*

The recommendation that follows is consistent with the legislation requirements.

Relevant Plans and Policy:

Council “Policy 2.42 – Integrated Planning and Reporting (IPR) and Annual Budget Preparation is relevant to this report.

Financial Implications:

There are no financial implications as a result of this report however the adopted Schedule of Fees and Charges will influence the level of 2021/22 budgeted income.

Risk Assessment:

The risk in relation to this matter is assessed as “Low” on the basis that if Council does not accept the 2021/22 Fees and Charges, the organisation will have reduced income.

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

18 Financial Control

18.1 Prepare annual budget/conduct statutory budget reviews.

Comment

In accordance with Section 6.16 of the *Local Government Act 1995*, a Local Government may impose and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed. Fees and charges are to be imposed (generally) when adopting the annual budget and must be resolved by an absolute majority.

OFFICER RECOMMENDATION

That Council pursuant to sections 6.16 and 6.17 of the Local Government Act 1995, endorses the 2021/2022 schedule of annual Fees and Charges as contained in Attachment 14.06.21.07A.

(Absolute majority vote required)

Attachments

Attachment 14.06.21.07A – 2021/2022 Schedule of Annual Fees and Charges.

Shire of Brookton
Proposed Fees and Charges Effective From 1 July 2021 to 30 June 2022

All fees and charges imposed by the Shire of Brookton are effective 1 July 2021.

Any Statutory Fees are fees imposed by other government agencies and are subject to change without warning.

Department	Details	Statutory/ Council Fee	GST Status	2021/2022 Fee/Charge	GL Account
ADMINISTRATION					
Photocopying	Per A4 Sheet (Strictly Library Use Only)	Council	GST Include	\$1.10	I114010.139
Council and Committee Meeting Agendas and Minutes	By email	Council	N/A	No Charge	I042010.139
	Hard copy	Council	GST Included	\$25.00	I042010.139
	Hard Copy at Council Meeting	Council	N/A	No Charge	
Freedom of Information Act 1992 Charges (Freedom of Information Act 1992 & Regulations 1993 Schedule 1)					
Application Fee	Per application	Statutory	Exempt- D81	\$30.00	I042010.139
Staff Time dealing with FOI application	Per Hour (pro rata)	Statutory	Exempt- D81	\$30.00	I042010.139
Photocopying for FOI Applications	Per A4 page	Statutory	Exempt- D81	\$0.20	I042010.139
Charge for delivery, packaging and postage	Per application	Statutory	Exempt- D81	Actual Cost	I042010.139
LIBRARY FEES					
Replacement of membership card				\$5.00	I114010.139
Lost/Damaged item				Cost + 20%	I114010.139
Late Fee / Fines	(Max. charge \$2.00)			20c per day	I114010.139
	(Borrowing privileges revoked if over \$10.00 accrued)				
Rates & Property					
Rates Account Enquiry (Orders & Requisitions)	per enquiry	Council	Exempt- D81	\$155.00	I031020.108
Rates Special Arrangement Administration Fee	per assessment	Council	Exempt- D81	\$20.00	Added to Assessment
Debt Recovery - Debt Clearance Letter	per enquiry	Council	GST Included	\$55.00	I031020.109
Reprint of Rates Notice	Per copy	Council	Exempt- D81	\$20.00	I031020.109
Rural Street Address	Application Fee	Council	GST Included	\$110.00	I122030.160
Building Plan Search Admin Fee	per enquiry	Council	GST Included	\$16.00	I031020.109
Electoral Rolls	per roll	Council	Exempt- D81	\$45.00	I042010.139
Rate Book (Printed or Electronic) * Before purchase a statutory declaration must be made stating that it will not be copied, used for any commercial purpose, and/or provided to any other person	per roll	Council		\$90.00	I042010.139
Certificate of Title Search Fee	per enquiry	Council	GST Included	36 At Cost	I031020.109
Other Administration					
Lost Keys	Per Key	Council	GST Included	\$60.00	I042010.139
Sound Equipment			-		
-All Hirers	Half day (plus bond)	Council	GST Included	\$55.00	I042010.139
	Day & Night (plus bond)	Council	GST Included	\$90.00	I042010.139
	BOND	Council	No GST	\$250.00	I043010.134
ANIMAL CONTROL (Dog Act 1976 - Dog Regulations 2013) https://www.dlgsc.wa.gov.au/localgovernment/forcommunity/Pages/Dogs-and-Cats.aspx					
All registrations expire on 31 October each year.		Registrations paid after 31 May each year are discounted by 50%			
Dog Registration Fees					

Department	Details	Statutory/ Council Fee	GST Status	2021/2022 Fee/Charge	GL Account
Unsterilised Dog	1 year	Statutory	Exempt- D81	\$50.00	1052010.111
	3 Year	Statutory	Exempt- D81	\$120.00	1052010.111
	For Life	Statutory	Exempt- D81	\$250.00	1052010.111
Sterilised Dog	1 year	Statutory	Exempt- D81	\$20.00	1052010.111
	3 Year	Statutory	Exempt- D81	\$42.50	1052010.111
	For Life	Statutory	Exempt- D81	\$100.00	1052010.111
Unsterilised Working Dog	1 year	Statutory	Exempt- D81	\$12.50	1052010.111
	3 Year	Statutory	Exempt- D81	\$30.00	1052010.111
Sterilised Working Dog	1 year	Statutory	Exempt- D81	\$5.00	1052010.111
	3 Year	Statutory	Exempt- D81	\$10.63	1052010.111
Working Dogs (droving or caring for stock)	For Life	Statutory	Exempt- D82 81	25% (of the fee that would otherwise be payable) of Full Registration	1052010.111
Kennel Fees (as per s27 of the Dog Act)	Per Establishment	Statutory	Exempt- D81	\$200.00	1052010.111
Application to keep more than 2 dogs		Statutory	Exempt- D81	\$124.00	1052010.111
Dog Registration Concessions: Pensioner Concession Card Holders - Half Fee	Entitled to a discount of 50% of registration	Statutory	Exempt-D81	50% of Full Registration	1052010.111
Cat Registration Fees	All Cats Must be Sterilised (except breeding cats)				
Cat - Sterilised	1 year	Statutory	Exempt- D81	\$20.00	1052010.111
	3 Year	Statutory	Exempt- D81	\$42.50	1052010.111
	For Life	Statutory	Exempt- D81	\$100.00	1052010.111
Approval to Breed Cats	Per breeding cat (male or female)	Statutory	Exempt- D81	\$100.00	1052010.111
Cat Registrations: Pensioner (Holding concession card)	Entitled to a discount of 50% of registration fees				
Ranger Services:					
- seizure and impounding of dog		Council	GST Included	\$100.00	1052010.117
- maintenance of dog in pound	per day of part thereof - weekday	Council	GST Included	\$40.00	1052010.117
	per day of part thereof - weekend	Council	GST Included	\$130.00	1052010.117
- destruction of dog		Council	GST Included	\$120.00	1052010.117
(Dogs will not be released from the pound unless licence and pound fees paid)					
- Surrender of Dog		Council	GST Included	NIL	

Department	Details	Statutory/ Council Fee	GST Status	2021/2022 Fee/Charge	GL Account
Penalty: Unregistered dog/cat		Statutory	Exempt- D81	As per regulations	I052010.117
Penalty: Dog in public place without a collar or tags		Statutory	Exempt- D81	As per regulations	I052010.117
Penalty: Dog causing a nuisance		Statutory	Exempt- D81	As per regulations	I052010.117
Penalty: Failure to control a dog in exercise areas and rural areas		Statutory	Exempt- D81	As per regulations	I052010.117
Penalty: Keeping more than the prescribed number of dogs		Statutory	Exempt- D81	As per regulations	I052010.117
Modified Penalties as per Shire of Brookton Dogs Local Law 2001	listed individually for each modified penalty	Statutory	Exempt- D81	various	I052010.117
Offences against the Bush fires Act (Bush Fire Act 1954)	As per Part III Division 6 Section 33.				
Infringement		Statutory	Exempt- D81	\$250.00	I051010.117
Installation of Fire Break	Cost Recovery	Council	GST Included	Cost Recovery	I051010.118
Hazard Reduction Burns	Per Hour	Council	GST Included	\$184.00	I051010.118
BUILDING FEES	In accordance with Building Regulations 2012 and as amended from time to time				
Certified applications for a Building Permit Class 1 & 10	Minimum Fee \$105.00	Statutory	Exempt- D81	0.19% of Cost of Construction	I134010.112
Certified applications for a Building Permit Class 2 to 9	Minimum Fee \$105.00	Statutory	Exempt- D81	0.09% of Cost of Construction	I134010.112
Uncertified Building Application	Minimum Fee \$105.00	Statutory	Exempt- D81	0.32% of Cost of Construction	I134010.112
Application for a Demolition Permit Class 1 & 10	Minimum Fee \$105.00	Statutory	Exempt- D81	\$105.00	I134010.112
Application for a Demolition Permit Class 2 to 9	Minimum Fee \$105.00	Statutory	Exempt- D81	\$105.00	I134010.112
Application to extend Building or Demolition permit	Minimum Fee \$105.00	Statutory	Exempt- D81	\$105.00	I134010.112
Application for an Occupancy Permit - completed building	Minimum Fee \$105.00	Statutory	Exempt- D81	\$105.00	I134010.112
Application for a Temporary Occupancy Permit - incomplete building	Minimum Fee \$105.00	Statutory	Exempt- D81	\$105.00	I134010.112
Application for modification of an Occupancy Permit for additional use of a building on a temporary basis	Minimum Fee \$105.00	Statutory	Exempt- D81	\$105.00	I134010.112
Application for an Occupancy Permit for a permanent change of the building use classification	Minimum Fee \$105.00	Statutory	Exempt- D81	\$105.00	I134010.112
Application for a Occupancy Permit or Building Approval Certificate for registration of Strata Scheme, plan of re-subdivision	Based on number of units. Minimum Charge \$107.70	Statutory	Exempt- D81	\$11.60 for each strata unit.	I134010.112
Application for an Occupancy Permit - unauthorised building work	Minimum Fee \$105.00	Statutory	Exempt- D81	0.18% of Cost of Construction	I134010.112
Application for a Building Approval Certificate - unauthorised building work	Minimum Fee \$105.00	Statutory	Exempt- D81	0.38% of Cost of Construction	I134010.112
Application to replace an Occupancy Permit for an existing building		Statutory	Exempt- D81	\$105.00	I134010.112
Application for a Building Approval Certificate for an existing building - authorised building work		Statutory	Exempt- D81	\$105.00	I134010.112

Department	Details	Statutory/ Council Fee	GST Status	2021/2022 Fee/Charge	GL Account
Application to extend the time which an Occupancy Permit or Building Approval Certificate has effect		Statutory	Exempt- D81	\$105.00	I134010.112
Building Services Levy					
Building Permit or Demolition Permit > or = \$45,000		Statutory	Exempt- D81	0.137% of value of the work	0L01258
Building Permit or Demolition Permit < \$45,000		Statutory	Exempt- D81	\$61.65	0L01258
Occupancy Permit		Statutory	Exempt- D81	\$61.65	0L01258
Building Approval Certificate		Statutory	Exempt- D81	\$40.50	0L01258
Unauthorised Building Work > or = \$45,000		Statutory	Exempt- D81	0.274% of value of the work	0L01258
Unauthorised Building Work <\$45,000		Statutory	Exempt- D81	\$123.30	0L01258
BCITF Fee - all building permits > or = \$20,000		Statutory	Exempt- D81	0.2% Cost of Construction (incl GST)	0L01258
Mandatory Private Swimming pool inspection fee	Inspected every 4 years/Max Fee \$58.45 - Inspection costs is included on the rates.	Statutory	Exempt- D81	\$58.45	I134010.139
PUBLIC BUILDING HIRE FEES - Per Council Policy 2.25 Hall Hire & 2.24 Fees and Charges for Community Facilities and Active Reserves					
<i>Commercial - are activities run by private companies - this includes CBH, Silverchain and Baptistcare (includes MRWA, Wheatbelt Dev Comm, the School/Education Department etc)</i>					
<i>Private Functions - are functions organised by individuals - birthday parties, funerals etc.</i>					
<i>Community Groups - are groups that are run by volunteer committees .</i>					
GENERAL					
Bond - No Alcohol		Council		\$250.00	I013010.134
Bond - With Alcohol		Council		\$500.00	I013010.134
Clean/Damage Cost Recovery (per Policy 2.25)	at cost plus 15% admin fee	Council	GST Included	As per Council Policy	I111011.116
MEMORIAL HALL					
Entire Facility					
Commercial/State Government & Other Agencies	Flat Daily Rate (6am to 12midnight)	Council	GST Included	\$250.00	I111011.116
Private Function	Flat Daily Rate (6am to 12midnight)	Council	GST Included	\$150.00	I111011.116
Community Group	Flat Daily Rate (6am to 12midnight)	Council	GST Included	\$40.00	I111011.116
Community Group	Flat Hourly Rate	Council	GST Included	\$6.00	I111011.116
OLD BOWLING CLUB					
Community Group	Flat Hourly Rate	Council	GST Included	\$10.00	I111010.116
Community Group	Flat Daily Rate (6am to 12midnight)	Council	GST Included	\$58.00	I111010.116
WB EVA PAVILION					

Department	Details	Statutory/ Council Fee	GST Status	2021/2022 Fee/Charge	GL Account
Entire Facility (Excluding the Gymnasium)					
Commercial/State Government & Other Agencies	Flat Daily Rate (6am to 12midnight)	Council	GST Included	\$320.00	I111012.116
Private Function	Flat Daily Rate (6am to 12midnight)	Council	GST Included	\$160.00	I111012.116
Community Group	Flat Daily Rate (6am to 12midnight)	Council	GST Included	\$58.00	I111012.116
Community Group	Flat Hourly Rate	Council	GST Included	\$10.00	I111012.116
Community Room (Northern end of Pavilion) - Shared Use of Kitchen					
Commercial/State Government & Other Agencies	Flat Daily Rate (6am to 12midnight)	Council	GST Included	\$118.00	I111012.116
Commercial/State Government & Other Agencies	Flat Hourly Rate	Council	GST Included	\$25.00	I111012.116
Private Function	Flat Daily Rate (6am to 12midnight)	Council	GST Included	\$54.00	I111012.116
Private Function	Flat Hourly Rate	Council	GST Included	\$13.00	I111012.116
Community Group	Flat Daily Rate (6am to 12midnight)	Council	GST Included	\$21.00	I111012.116
Community Group	Flat Hourly Rate	Council	GST Included	\$3.00	I111012.116
RECREATION GROUND OVAL					
Hire of Oval per day (up to 24hrs)	Flat Daily Rate	Council	GST Included	\$136.00	I113010.116
Hire of Oval per hour	Flat Hourly Rate	Council	GST Included	\$32.00	I113010.116
GYM FEES					
Gym Key Bond				\$60.00	I013010.134
Adult					
Adult Membership - 3 Month	\$30.00 per month	Council	GST Included	\$90.00	I113010.139
Adult Membership - 6 Month	\$26.66 per month	Council	GST Included	\$160.00	I113010.139
Adult Membership - 1 Year	\$20.00 per month	Council	GST Included	\$240.00	I113010.139
Junior (Under the age of 18 but over the age of 12 years)					
Junior Membership - 3 Month	50% of Adult Fee	Council	GST Included	\$45.00	I113010.139
Junior Membership - 6 Month	50% of Adult Fee	Council	GST Included	\$80.00	I113010.139
Junior Membership - 1 Year	50% of Adult Fee	Council	GST Included	\$120.00	I113010.139
Seniors - Concession Card Holders					
Concession Membership - 3 Months	50% of Adult Fee	Council	GST Included	\$45.00	I113010.139
Concession Membership - 6 Months	50% of Adult Fee	Council	GST Included	\$80.00	I113010.139
Concession Membership - 1 Year	50% of Adult Fee	Council	GST Included	\$120.00	I113010.139
Group Fees:					
Commercial Activities/State Government & Other Agencies	Per Session *	Council	GST Included	\$25.00	I113010.139
* Session is any period up to 1.5 hours; run by a qualified instructor, and not more than one session allowed between 5.00pm and 9.00pm per day.					
HARDCOURTS					
Hire of Hard courts per day (up to 24hrs)		Council	GST Included	\$63.00	I113010.116
Casual Court Hire	Per Hour	Council	GST Included	\$16.00	I113010.116
COMMUNITY GROUP CONTRIBUTIONS					
Football Club	Per Annum	Council	GST Included	\$1,400.00	I113010.124
Cricket Club	Per Annum	Council	GST Included	\$740.00	I113010.124
Hockey Club	Per Annum	Council	GST Included	\$740.00	I113010.124

Department	Details	Statutory/ Council Fee	GST Status	2021/2022 Fee/Charge	GL Account
Netball Club	Per Annum	Council	GST Included	\$350.00	I113010.124
Mixed Night Netball (per Session)	Per Session	Council	GST Included	\$37.00	I113010.124
Tennis Club	Per Annum	Council	GST Included	\$1,415.00	I113010.124
Playgroup (\$20 x 30 Sessions)*	Per Annum	Council	GST Included	\$600.00	I111012.116
Sporting Club Fees Include:	Provided that;				
1. The use of the Oval/Courts for home game fixture;	1. Bookings are made for every use;				
2. The use of the change rooms for training nights and home game fixtures;	2. The buildings and facilities are left clean as per the Conditions of Use, including playing surfaces; and				
3. The use of the facilities for home game fixture;	3. That all damage or faults are reported.				
4. Three (3) free additional function hires which includes wind-ups or meetings.					
* Playgroup hire fees include Pavilion use only (not Oval/Courts/Change rooms etc)					
CARAVAN PARK					
Powered Site Per Van					
Per Night	Nightly	Council	GST Included	\$30.00	I132010.114
Per Week	Weekly	Council	GST Included	\$180.00	I132010.114
Per Night - Concession Card Holder	Nightly	Council	GST Included	\$26.00	I132010.114
Per Week - Concession Card Holder	Weekly	Council	GST Included	\$156.00	I132010.114
Unpowered Site Per Van					
Per Night	Nightly	Council	GST Included	\$25.00	I132010.114
Per Week	Weekly	Council	GST Included	\$150.00	I132010.114
Per Night - Concession Card Holder	Nightly		GST Included	\$20.00	I132010.114
Per Week - Concession Card Holder	Weekly		GST Included	\$120.00	I132010.114
Camping (grassed area)					
Per Night	Nightly	Council	GST Included	\$22.00	I132010.114
Per Night - Concession Card Holder	Nightly	Council	GST Included	\$20.00	I132010.114
Shower usage only	Per shower	Council	GST Included	\$10.00	I132010.114
Long Term Residents	Per week	Council	GST 5%	\$150.00	I132010.114
Chalets					
2 Bedroom (sleeps 4) self contained chalet unit (Linen included)	Per Night	Council	GST Included	\$180.00	I132010.114
2 Bedroom (sleeps 4) self contained chalet unit (Linen included)	Per Week	Council	GST Included	\$1,080.00	I132010.114
2 Bedroom (sleeps 5) self contained chalet unit (Linen included)	Per Night	Council	GST Included	\$190.00	I132010.114
2 Bedroom (sleeps 5) self contained chalet unit (Linen included)	Per Week	Council	GST Included	\$1,140.00	I132010.114
1 Bedroom (sleeps 2) self contained chalet unit (Linen included)	Per Night	Council	GST Included	\$130.00	I132010.114
1 Bedroom (sleeps 2) self contained chalet unit (Linen included)	Per Week	Council	GST Included	\$780.00	I132010.114
Replacement Key	Per Key	Council	GST Included	\$30.00	I132010.114
Late check out fee	1 nights accommodation	Council	GST Included	1 nights accommodation	I132010.114
CEMETERY					
Funeral Director's Licence (Annual)		Council	Exempt- D81	\$105.00	I105010.115
Single funeral permit		Council	Exempt- D81	\$75.00	I105010.115
Application for Monumental Mason's Licence		Council	Exempt- D81	\$75.00	I105010.115
Interment	Monday to Friday	Council	GST Included	\$1,115.00	I105010.115

Department	Details	Statutory/ Council Fee	GST Status	2021/2022 Fee/Charge	GL Account
	Weekend/Public Holidays/RDOs	Council	GST Included	\$1,525.00	I105010.115
Re-opening Grave with a Headstone (over and above interment charge) Note: headstones & Monuments MUST be removed before grave re-opening.	<u>Council will not remove headstones/monuments.</u>	Council	GST Included	\$510.00	I105010.115
Interment of Ashes in Grave (over and above re-opening grave with headstone)		Council	GST Included	\$165.00	I105010.115
Purchase of Grant of Right of Burial	Valid for 25 years	Council	GST Included	\$165.00	I105010.115
Permission to Erect headstone		Council	GST Included	\$92.00	I105010.115
Exhumation fee		Council	GST Included	\$700.00	I105010.115
Application for Pre-Need Grant Right of Burial	Valid for 25 years	Council	GST Included	\$165.00	I105010.115
Transfer of Grant of Right of Burial		Council	GST Included	\$50.00	I105010.115
Niche Wall					
Interment - single compartment		Council	GST Included	\$164.00	I105010.115
Interment - double compartment (1st Interment)		Council	GST Included	\$317.00	I105010.115
Interment - double compartment (2nd Interment)		Council	GST Included	\$162.00	I105010.115
Ashes removal - exhumation		Council	GST Included	\$162.00	I105010.115
Reservation of Niche	Valid for 25 years	Council	GST Included	\$162.00	I105010.115
COMMUNITY BUS HIRE					
Full Hire *	Per Km	Council	GST Included	\$0.85	I113010.113
Minimum Hire *	Minimum	Council	GST Included	\$41.25	I113010.113
Cleaning Charges	Per 15 minutes or part thereof	Council	GST Included	\$22.50	I113010.113
Minimum Cleaning Charge	Minimum	Council	GST Included	\$48.75	I113010.113
Trailer Hire (per use)		Council	GST Included	\$40.00	I113010.113
* Vehicle is provided with a full tank of fuel and must be returned in the same condition.					
Bond		Council		\$350.00	I043010.134
HEALTH FEES					
Food Business/Premises - Registration (Food Act s.140)	per Registration	Council	Exempt- D81	\$100.00	I072010.139
Food Inspections - Annual Fee	Annual Fee	Council	Exempt- D81	\$70.00	I072010.139
Lodging House Registration Fee		Council	GST Included	\$200.00	I072010.139
Lodging House Inspection Fee		Council	GST Included	\$120.00	I072010.139
Skin Penetration/Tattoo Establishment Registration Fees		Council	GST Included	\$250.00	I072010.139
Skin Penetration/Tattoo Establishment Annual Inspection Fees		Council	GST Included	\$200.00	I072010.139
Piggery Registration Fee		Council	GST Included	\$250.00	I072010.139
Piggery Annual Inspection Fee		Council	GST Included	\$200.00	I072010.139
Offensive Trade Registration Fee		Council	GST Included	\$300.00	I072010.139
Offensive Trade Annual Inspection Fee		Council	GST Included	\$250.00	I072010.139
Pop-Up Shop Fee - per day		Council	GST Included	\$10.00	I072010.139
Pop-Up Shop Fee - per year	Annual Fee	Council	GST Included	\$110.00	I072010.139
Application to install waste water treatment system	per application	Statutory	Exempt- D81	\$118.00	I102010.139
Permit to use waste water treatment system	per application	Statutory	Exempt- D81	\$118.00	I102010.139
HOUSING					
Private Rental of Shire Housing	Per Market Rental	Council	GST Included	Market Rental	I091010.126
Rental rates for self contained unit per night (min 2 nights)	Per night - min 2 nights	Council	GST Included	\$90.00	I092010.126

Department	Details	Statutory/ Council Fee	GST Status	2021/2022 Fee/Charge	GL Account
Building Maintenance Fee *	Per Hour Plus Materials @ Cost	Council	GST Included	\$91.00	SUNDRY DEBTORS
*(Private works for community groups, not for profit organisations and Shire service providers)					
PLANT HIRE (Per Hour - Ex Yard)					
Cherry Picker	Weekday	Council	GST Included	\$195.00	SUNDRY DEBTORS
Cherry Picker	Weekend	Council	GST Included	\$245.00	SUNDRY DEBTORS
Front End Loader	Weekday	Council	GST Included	\$172.00	SUNDRY DEBTORS
Front End Loader	Weekend	Council	GST Included	\$195.00	SUNDRY DEBTORS
Grader	Weekday	Council	GST Included	\$212.00	SUNDRY DEBTORS
Grader	Weekend	Council	GST Included	\$233.00	SUNDRY DEBTORS
Multi Tyred Roller	Weekday	Council	GST Included	\$205.00	SUNDRY DEBTORS
Multi Tyred Roller	Weekend	Council	GST Included	\$225.00	SUNDRY DEBTORS
Backhoe	Weekday	Council	GST Included	\$195.00	SUNDRY DEBTORS
Backhoe	Weekend	Council	GST Included	\$219.00	SUNDRY DEBTORS
Tip Truck (Canter)	Weekday	Council	GST Included	\$188.00	SUNDRY DEBTORS
Tip Truck (Canter)	Weekend	Council	GST Included	\$212.00	SUNDRY DEBTORS
Tip Truck (Tandem)	Weekday	Council	GST Included	\$219.00	SUNDRY DEBTORS
Tip Truck (Tandem)	Weekend	Council	GST Included	\$242.00	SUNDRY DEBTORS
Bobcat	Weekday	Council	GST Included	\$133.00	SUNDRY DEBTORS
Bobcat	Weekend	Council	GST Included	\$155.00	SUNDRY DEBTORS
Utility	Weekday	Council	GST Included	\$188.00	SUNDRY DEBTORS
Utility	Weekend	Council	GST Included	\$212.00	SUNDRY DEBTORS
Chainsaw	Weekday	Council	GST Included	\$103.00	SUNDRY DEBTORS
Chainsaw	Weekend	Council	GST Included	\$126.00	SUNDRY DEBTORS
Tree Planter	Weekday	Council	GST Included	\$51.00	SUNDRY DEBTORS
Tree Planter	Weekend	Council	GST Included	\$63.00	SUNDRY DEBTORS
Ripper	Weekday	Council	GST Included	\$54.00	SUNDRY DEBTORS
Ripper	Weekend	Council	GST Included	\$63.00	SUNDRY DEBTORS
Additional Labourer Only (no machinery)	Weekday	Council	GST Included	\$91.00	SUNDRY DEBTORS
Additional Labourer Only (no machinery)	Weekend	Council	GST Included	\$114.00	SUNDRY DEBTORS
NB:					
1.All plant is to be operated by Shire Staff - Dry hire is not available for private works.					
2.Shire Staff may dry hire (for personal use only) plant at a 40% discount in lieu of labour component, subject to having adequate qualifications/certification to operate the respective plant or equipment.					
REFUSE/RUBBISH DISPOSAL					
Replacement Bin		Council	GST Included	At cost	1101010.120
General Waste	Per tonne	Council	GST Included	\$34.00	1101010.120
Green Waste	Per tonne	Council	GST Included	\$34.00	1101010.120
Asbestos burial	Per tonne	Council	GST Included	\$82.00	1101010.120
Asbestos burial	Minimum disposal cost	Council	GST Included	\$82.00	1101010.120
Building rubble	Per tonne	Council	GST Included	\$34.00	1101010.120
Car bodies	Each	Council	GST Included	\$34.00	1101010.120
Uncontaminated sand or fill		Council	N/A	No Charge	
Disposal of septic waste (from within SoB boundaries)	Per 2000 litres or part thereof	Council	GST Included	\$70.00	1101010.120
Disposal of septic waste (from outside of SoB boundaries)	Per 2000 litres or part thereof	Council	GST Included	\$300.00	1101010.120
Contractor/Commercial/Government Agencies	Per m³	Council	GST Included	\$60.00	1101010.120
Contractor/Commercial/Government Agencies	Per tonne	Council	GST Included	\$60.00	1101010.120
Tip Access outside of opening hours (24 hrs notice)	Per Hour (min charge 1 hour)	Council	GST Included	\$110.00	1101010.120

Department	Details	Statutory/ Council Fee	GST Status	2021/2022 Fee/Charge	GL Account
Trailer Mounted Skip Bin (for events)	Per Collection	Council	GST Included	\$25.00	I101010.120
Cardboard Recycle Bins	Per Collection	Council	GST Included	\$110.00	I101010.120
Townsite Residential Bulk Rubbish Pickup Service **		Council	GST Included	\$55.00	I101010.120
**\$Nil for the first service for either waste & green in any financial year, for any subsequent request in that year charges apply					
SALE OF MATERIALS					
Sand (As part of Private Works Job Only)					
Tip Truck (Tandem)					
- Within Town site	10m³	Council	GST Included	Cost plus 20%	I148030.122
- Outside of Town site	10m³	Council	GST Included	Cost plus 20%	I148030.122
Tip Truck (Canter)					
- Within Town site	3m³	Council	GST Included	Cost plus 20%	I148030.122
- Outside of Town site	3m³	Council	GST Included	Cost plus 20%	I148030.122
Trailer Load			GST Included	Cost plus 20%	I148030.122
Aggregate					
Soiled	m³ Plus delivery per hour	Council	GST Included	Cost plus 20%	I148030.122
New	m³ Plus delivery per hour	Council	GST Included	Cost plus 20%	I148030.122
Pipes					
300mm x 2.4m	Plus delivery per hour	Council	GST Included	Cost plus 20%	I148030.122
375mm x 2.4m	Plus delivery per hour	Council	GST Included	Cost plus 20%	I148030.122
450mm	Plus delivery per hour	Council	GST Included	Cost plus 20%	I148030.122
Premix	Plus delivery per hour	Council	GST Included	Cost plus 20%	I148030.122
STANDPIPE WATER					
Standpipe Water - Domestic	per kilolitre	Council	GST Free	\$5.85	I136010.127
Standpipe Water - Other	per kilolitre	Council	GST Free	\$8.35	I136010.127
	Administration (plus usage per kl)	Council	GST Included	\$30.00	I136010.127
SWIMMING POOL					
Entrance Fees					
Children (aged 5-17)		Council	GST Included	\$3.00	I112010.128
Seniors - Concession Card Holder		Council	GST Included	\$2.00	I112010.128
Adults (18+ years)		Council	GST Included	\$4.00	I112010.128
Spectators		Council	GST Included	\$1.00	I112010.128
Season Tickets					
Single		Council	GST Included	\$100.00	I112010.128
Family		Council	GST Included	\$196.00	I112010.128
TOWN PLANNING					
Fees for planning services - refer to WA Planning Commission Fees @ 1/7/2018					
Determination of Development Application	< or = \$49,999 value			\$147.00	I104010.129
	>\$50,000 and < or = \$499,999			0.32% of estimated development cost	I104010.129
	>\$500,000 and < or = \$2.49M			\$1,700.00 + 0.257% for every \$1 >\$500,001	I104010.129
	>\$2.5M and <\$4.99M	Statutory	Exempt- D81	\$7,161.00 + 0.206% for every \$1 >\$2.5M	I104010.129

Department	Details	Statutory/ Council Fee	GST Status	2021/2022 Fee/Charge	GL Account
	>\$5M and < or = \$21.49M	Statutory	Exempt- D81	\$12,633.00 + 0.123% for every \$1 >\$5M	1104010.129
	>\$21.5M	Statutory	Exempt- D81	\$34,186.00	1104010.129
Determination of Development Application where the development has commenced or been carried out		Statutory	Exempt- D81	Applicable fee plus an additional penalty that is twice the applicable fee	1104010.129
Determination of an Extractive Industry Application		Statutory	Exempt- D81	\$739.00	1104010.129
Determination of an Extractive Industry Application where the development has commenced or been carried out		Statutory	Exempt- D81	Applicable fee plus an additional penalty that is twice the applicable fee	1104010.129
Provision of a Subdivision Clearance	< or = 5 lots	Statutory	Exempt- D81	\$73.00 per lot	1104010.129
	> 5 lots and < or = 195 lots	Statutory	Exempt- D81	\$73.00 per lot for first 5 lots then \$35.00 per lot	1104010.129
	> 195 lots	Statutory	Exempt- D81	\$7,393.00	1104010.129
Application for Approval of Home Occupation	Initial Fee	Statutory	Exempt- D81	\$222.00	1104010.129
	Renewal Fee	Statutory	Exempt- D81	\$73.00	1104010.129
Application for Approval of Home Occupation where home occupation has commenced	Initial Fee	Statutory	Exempt- D81	Applicable fee plus an additional penalty that is twice the applicable fee	1104010.129
	Renewal Fee	Statutory	Exempt- D81	Applicable fee plus an additional penalty that is twice the applicable fee	1104010.129
Application for Change of use or for change or continuation of a non-conforming use where development is not occurring, where change of use has commenced or been carried out		Statutory	Exempt- D81	\$295.00	1104010.129
Application for Change of use or for change or continuation of a non-conforming use where development is not occurring, where change of use has commenced or been carried out		Statutory	Exempt- D81	Applicable fee plus an additional penalty that is twice the applicable fee	1104010.129
Issue of Zoning Certificate		Statutory	Exempt- D81	\$73.00	1104010.129
Reply to Property Settlement Questionnaire		Statutory	Exempt- D81	\$73.00	1104010.129
Issue of Written Planning Advice		Statutory	Exempt- D81	\$73.00	1104010.129
Local Planning scheme amendment proposals and structure plans	Basic	Council	GST Included	\$2,700.00	1104010.129
	Standard	Council	GST Included	\$3,200.00	1104010.129
	Complex	Council	GST Included	\$4,600.00	1104010.129
Extractive Industry Licence	Initial Application	Council	Exempt- D81	\$477.00	1104010.129
	Renewal Application	Council	Exempt- D81	\$239.00	1104010.129
	Annual Fee	Council	Exempt- D81	\$120.00	1104010.129
Permanent Road Closure Process	Per Closure Process	Council	GST Included	\$250.00	1104010.129

14.06.21.08 BROOKTON AQUATIC CENTRE ASSESMENT AND OPENING HOURS FOR 2021/2022 SEASON

File No:	PRO001
Date of Meeting:	17 June 2021
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Kellie Bartley – Manager Corporate and Community 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:

This item relates to an independent analytical assessment of the Brookton Aquatic Centre as part of the Shire asset management program, and for Council to endorse a slight change to the opening hours for the facility across the 2021/2022 season.

Description of Proposal:

As above.

Background:

The Brookton Aquatic Facility had been under contract management for a number of years that expired at the end of the 2019/2020 financial year, resulting in management of the Aquatic Facility defaulting to the Shire Administration for the 2020/2021 pool season. This change has provided an opportunity to review the operations and associated costs which had not been previous performed.

Arising from this past season the Shire Administration has recently engaged a consultant who specializes in the aspects of local government swimming pools, particularly those pools that were built in early the 1960s, to perform an analytical assessment of Aquatic Centre infrastructure as part of the Council’s commitment to Asset Management. With this scope of works to be undertaken in the coming months, it is expected the information gathered will provide Council with consideration of the long-term renewal requirements and understanding of what can be expected with maintaining the swimming pool over the lifecycle of the facility.

Once this report has been received, it will be presented to Council to advocate the changes, upgrades and maintenance required for the pool to meet regulations.

Additionally, during the 2020/2021 pool season statistics were attained reflecting the patron attendance across the season, including a breakdown of attendance hours for each day. The hours of usage have been recently discussed with Elected Members at Corporate Briefing Forum. Listed below are the hours of operation with patron attendance for the 2020/2021 season.

Hours of Operation and number of Patrons in attendance

6-8AM	12-1PM	1-2PM	2-3PM	3-4PM	4-5PM	5-6PM	6-7PM	Total
193	209	192	581	736	339	132	88	2470

Early Morning Swimming Numbers (Feb & Mar – includes Swim Club numbers)

Month	Monthly Totals	Early Morning Swim
Dec-20	225	5
Jan-21	835	32
Feb-21	731	81
Mar-21	679	75
Totals	2470	193

Operational Hours 2020/2021 Season

Period	Days of the Week	Opening Times
Early Morning Swimming	M, W, F	6 – 8am
Weekdays	M, W, F	2pm – 7pm
Weekends/Thursdays	Sat, Sun, Thurs	12pm – 7pm
Closed	Tuesday, Christmas Day, Boxing Day & New Years Day	

Consultation:

Consultation has occurred between relevant staff members and Elected Members to review and discuss aspects of swimming pool renewals, opening hours and patronage over the 2020/2021 season.

Further discussions were also held with Brookton Swim Club President as previously mentioned.

Statutory Environment:

There are no provisions under the current legislation regarding operational hours for the Brookton Aquatic Centre.

Relevant Plans and Policy:

There is currently no policy associated with this report. However, it is suggested a policy be prepared that details the opening times for public facilities that is endorsed by Council and openly published on the Shire website.

Financial Implications:

The cost for an independent assessment of the Aquatic Facility is presently being funded in the 2020/2021 budget at a cost of \$5,000. Any urgent or pressing works identified through this assessment may require an amendment to the 2021/2022 municipal budget, but such works and associated costs are unknown at this stage.

As to a slight adjustment in the opening hours, the intent is to retain the same budget allocation for operational costs modelled on past seasons, which will be incorporated into the 2021/2022 budget.

Risk Assessment:

While the recommended changes to opening hours is assessed as “Low”, importantly there is also a “High” risk associated with what is aged infrastructure and the need to adequately understand and respond to required and preventative maintenance.

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

- 9 *Asset Management*
 - 9.1 *Prepare an Asset Management Plan – Brookton Aquatic Centre*
- 23 *Facilities Management*
 - 23.1 *Perform venue/facilities bookings*
- 24 *Community Support*
 - 24.1 *Support community groups activities*

Comment

Importantly, there is concern regarding the level of water usage at the Aquatic Centre and lack of detailed information regarding the condition of underground infrastructure. In light of this, it is expected the analytical assessment involving an underwater camera inspection of pipe network, will identify any significant corrosion and/or leaking pipe joints. Arising from the inspection Council may need to draw additional funding from its Aquatic Centre reserve to address any maintenance issues before the coming season.

In regard and accounting for the numbers of attendance detailed in the Background Section of this report, and being only the first year under Council's control, it was discussed to not make any significant changes to operational times and instead gather another year of patronage statistics to holistically understand community demand and operational (cost) efficiencies for the facility.

However, it is suggested some subtle changes to operational hours are warranted, as discussed with the Brookton Swim Club, to better accommodate the early morning swimming being more aligned to local school hours. As a result, it is viewed and accordingly recommended that the early morning swim session for the coming season reflect 6.30 am - 8.30 am, some half an hour later.

Furthermore, it is also suggested the advertised 'end of day' closing be brought forward from 7.00 pm to 6.00 pm, with some discretion assigned to the Aquatic Centre Supervisor to keep the facility open until 7.00pm based on sufficient demand and adequate daylight to ensure the safety of patrons. In this context, the 2021/2022 budget would still reflect closure at 7.00pm and result in a surplus of funds at the end of the season that could be used to accommodate a possible extension (a week or two) should there be prolonged hot weather in early April 2022.

OFFICER RECOMMENDATION

That Council:

- 1. Notes the analytical assessment being performed on the Brookton Aquatic Centre facilities as part of its asset management responsibility which may well result in maintenance works being required.***
- 2. Endorses the Shire of Brookton Aquatic Centre hours of operation for the 2021/22 season as detailed below:***

<i>Period</i>	<i>Days of the Week</i>	<i>Opening Times</i>
<i>Early Morning Swimming</i>	<i>Monday, Wednesday, Friday</i>	<i>6.30 – 8.30am</i>
<i>Weekdays</i>	<i>Monday, Wednesday, Friday</i>	<i>2pm – 6pm*</i>
<i>Weekends/Thursdays</i>	<i>Saturday, Sunday, Thursday</i>	<i>12pm – 6pm*</i>
<i>Closed</i>	<i>Tuesday, Christmas Day, Boxing Day and New Years Day</i>	
<i>*Extended up to 7.00 pm at the discretion of the Aquatic Centre Supervisor</i>		

- 3. Request the CEO prepared a draft policy that incorporates approved opening times for all of Council publicly accessible civic facilities for Council consideration at a Corporate Briefing Forum.***

15.06.21 GOVERNANCE REPORTS

15.06.21.01 2021 WA LOCAL GOVERNMENT CONVENTION

File No:	REL033
Date of Meeting:	17 June 2021
Location/Address:	Crown Perth
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Ian D'Arcy - CEO
Authorising Officer:	As above
Declaration of Interest:	The author has an interest as a possible attendee
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This report relates to attendance of the 2021 WA Local Government Convention, which incorporates the Western Australian Local Government (WALGA), Annual General Meeting (AGM), scheduled to take place on Monday 20th and Tuesday 21st September 2021 at the Crown Perth.

A copy of the event program is provided as **Attachment 15.06.21.01A**, under separate cover for Council's information.

Description of Proposal:

As above.

Background:

This event has traditionally been held on an annual basis at the beginning of August each year, (more recently at the Perth Convention Centre), except 2020, where the WALGA event was cancelled due to COVID-19 and provides valuable opportunity for Elected Members and CEOs from around the State to meet other and network, share stories and experiences, and learn new ideas. The event also includes a trade display that incorporates a significant number of Local government suppliers displaying their goods and services.

With the event now being moved to mid- September 2021, to be held at the Crown Perth, this report now seeks nomination of a third Councillor to accompany the Shire President and Deputy Shire President in accordance with Council Policy 1.16 - Training Sessions Conferences Meeting Seminars – Elected Members.

Consultation:

Nil.

Statutory Environment:

There are no statutory provisions applicable to this matter.

Relevant Plans and Policy:

As mentioned, Council Policy 1.16 - Training Sessions Conferences Meeting Seminars – Elected Members applies to this matter which states, in part:

4) Council will send up to three Elected Members to the WALGA Local Government Convention each year, inclusive of two voting delegates and one other. Preference is given

to the Shire President and Deputy Shire President, and newly Elected Member. The CEO (or delegate) may attend the WALGA state conference as determined between the CEO and Shire President.

- 5) Each Elected Member is entitled and encouraged to attend the WALGA conference, at least once during their term of appointment. Partners are permitted to accompany Elected Members during the WALGA State Conference, inclusive of accommodation and meals.*

Financial Implications:

This matter relates to the 2021-22 annual budget where the cost for three Elected Members to attend this event, inclusive of registration, accommodation, and meals, is covered under 1E041020.326 line item that has a nominated allocation of \$5,000.00.

Risk Assessment:

This risk associated with this matter is considered insignificant.

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

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

Community & Strategic Objectives:

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

Specifically, the request for a reduction in the hire fee aligns to:

- Function 1 Governance*
Action 1.6 – Arrange Elected Member training/development
Action 1.14 – Support Regional relations and attend meetings

Comment

As per Council Policy, the third Elected Member should be a Councillor who has not attended a previous State Conference, and will professionally gain from this experience.

Further, attendance of the CEO will only occur should there be a need, as to avoid payment of Fringe Benefits Tax by the Shire.

OFFICER RECOMMENDATION

That Council relation to the 2021 WA Local Government Convention to be held at the Crown Perth on Monday 20th and Tuesday 21st September 2021 endorse Cr _____ as the third Elected Member to accompany the Shire President and Deputy Shire President as voting delegates at the WALGA AGM.

(Simple majority vote required)

Attachments – *provided under separate cover*

Attachment 15.06.21.01A – 2021 WA Local Government Convention Information & Registration

15.06.21.02 NEW SHIRE OF BROOKTON CODE OF CONDUCT FOR EMPLOYEES

File No:	GOV 031A
Date of Meeting:	17 June 2021
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Ian D'Arcy – Chief Executive Officer
Authorising Officer:	As above
Declaration of Interest:	The author has an interest in this item as an employee of the Shire.
Voting Requirements:	Absolute majority
Previous Report:	N/A

Summary:

This item relates to a new Code of Conduct for Employees required in accordance with Section 5.51A of the *Local Government Act, 1995* and includes the matters prescribed in Part 4A of the Local Government (Administration) Regulations 1996.

For the most part all employees of, and contractors working for, the Shire will need to understand and abide by the statutory responsibilities and obligations prescribed by the legislation and this code.

A copy of the new draft Code is provided as **Attachment 15.06.21.02A** to this report.

Description of Proposal:

As above.

Background:

The *Local Government Legislation Amendment Act 2019* assented to in July 2019 introduced a range of Local Government Act amendments, including the provision of separate mandatory Code of Conduct for 'Council Members, Committee Members and Election Candidates' and another for Employees.

In the past, all Local Governments were required to have a Code of Conduct that generally covered employees and Councillors, however, with recent findings of mis-conduct identified in some Local Governments, the Department of Local Government, Sport and Cultural Industries (the Department) commenced advocacy with the industry on the introduction of very specific mandatory codes of accepted behaviour for Elected Members and employees to better address the emerging issues of misconduct within the industry, and increasing levels of concern raised by the broader community.

To this end, the Code of Conduct for Council Members, Committee Members and Election Candidates, as recently accented in *Local Government (Model Code of Conduct) Regulations 2021*, clearly seeks to separate the general principles that govern the standards of behaviours by Councillors to those of employees where the roles are distinctly different.

For employees and those contractors engaged to deliver services for the Local Government (ie contract Rangers for example), section 5.51A of the *Local Government Act 1995* has recently been incorporated to place specific onus on the Local Government CEO to prepare, review and implement a contemporary code of conduct.

In light of this requirement the Western Australian Local Government Association (WALGA) has prepared a mandatory Code of Conduct for Employees templated model which has been used as the basis of this document, duly modified to suit the Shire of Brookton.

Consultation:

Consultation has been conducted at an executive management level of the Shire.

Statutory Environment:

The following legislation applies in the preparation and adoption of a Code of Conduct for Employees:

- *Public Sector Commission Guidelines – Developing a Code of Conduct for Local Government.*
- *Local Government Act, 1995 (specifically section 5.51A.)*
- *Local Government (Administration) Regulations, 1996 (specifically Part 4; Div.2; Reg 19AA – 19AF)*

Relevant Plans and Policy:

The Code of Conduct for Employees relates to the following policy documents of Council:

- Policy 2.5 - Fit for Work
- Policy 2.6 - Discrimination, Harassment and Bullying
- Policy 2.7 - Grievances, Investigations and Resolutions
- Policy 1.14 - Social Media

Financial Implications:

There are no financial implications applicable to this matter.

Risk Assessment:

In failing to not review and adopt a separate Code to that of Elected Members the Council will be in breach of the *Local Government Act, 1995* and subsidiary Regulations. Accordingly, the risk in relation to this matter is assessed a 'High' as reflected in the Matrix Table below.

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

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

Community & Strategic Objectives:

This proposal generally aligns with the Shire of Brookton Corporate Compendium – Governance:

Function 1. – Action 1.12 – Conduct/Public Sector Commission and FOI duties.

Comment

Notwithstanding a Code of Conduct for Employees is a mandatory requirement under the legislation, it is also necessary as a tool that clearly and consistently articulates the standards upon which all employees agree to abide by in the performance of their duties and their conduct toward others. It is also a very important measure for performance and basis upon which disciplinary action is applied in a fair and reasonable manner.

So acknowledging that employees are the most important resource to this organisation in performing its functions of good governance for the district, and delivery of service for members of the community, it is paramount that a Code of Conduct for Employees:

- Sets minimum standards of performance as expected by Council;
- Is clear and concise in its wording to be easily understood by each employee; and
- Is acknowledged and adhered to by all employees in their individual performance and conduct towards others.

OFFICER RECOMMENDATION

That Council pursuant to Section 5.51A of the Local Government Act, 1995 endorses the Shire of Brookton Code of Conduct for Employees – June 2021, presented as Attachment 15.06.21.02A to this report.

(Absolute Majority required)

Attachments

Attachment 15.06.21.02A – Shire of Brookton Draft Code of Conduct for Employees – June 2021



Code of Conduct for Employees

June 2021

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1 Introduction

The Shire of Brookton Code of Conduct (the Code) provides employees with clear guidelines for the standards of professional conduct expected of them in carrying out their functions and responsibilities.

The Code addresses the broader issue of ethical responsibility and encourages transparency and accountability. The Code expresses the Shire of Brookton's commitment to high standards of ethical and professional behaviour and outlines the principles in which individual responsibilities are based.

The Code is complementary to the principles adopted in the *Local Government Act 1995* (the Act) and associated regulations, which incorporate four fundamental aims:

- (a) better decision-making by local governments;*
- (b) greater community participation in the decisions and affairs of local governments;*
- (c) greater accountability of local governments to their communities; and*
- (d) more efficient and effective local government.*

1.1 Statutory environment

The Code addresses the requirement in section 5.51A of the Act for the CEO to prepare and implement a code of conduct to be observed by employees of the Local Government, and includes the matters prescribed in Part 4A of the *Local Government (Administration) Regulations 1996*.

The Code should be read in conjunction with the Act and associated regulations. Employees should ensure that they are aware of their statutory responsibilities under this and other legislation.

1.2 Application

For the purposes of the Code, the term employees is inclusive of persons employed and persons engaged by the Shire of Brookton under a contract for services. The Code applies to all employees, including the CEO, while on the Local Government's premises or while engaged in Local Government related activities.

Clause 3.15 of this Code (Gifts) does not apply to the CEO.

2 Values/vision/mission

Conduct and behaviour will be consistent with the Shire's vision statement and guiding values as adopted by the Council from time to time:

Note: The Shire's vision statement and guiding values are set out below:

Vision Statement

BROOKTON is
a **well-recognised** business and agricultural hub,

a **flourishing** stop-over destination, and
a **celebrated** place to live.

Mission

To Sustain the Balance of BROOKTON+
To Build a Bigger Better BROOKTON

Values

Courage

Determined to make a difference through questioning, challenging and building resilience:

- Inspire others through our actions.
- Believe in what we do and how we can make a difference.
- Lead by example and uphold our values.
- Speak up, ask questions and be open to other people's ideas.
- Having the ability to adapt to current and future circumstances.

Connected

Engaging the community through collaboration, understanding and inclusiveness:

- Work together to create better outcomes for the community.
- Listen, value and understand each other.
- Foster strong relationships with our colleagues and the community.
- Striving to be inclusive and to continually understand what the community needs.

Innovative

Embracing ideas and opportunities to shape an inspiring, diverse and dynamic community:

- Adaptable and welcome change.
- Make informed decisions that move our community forward.
- Encourage the sharing of ideas.
- Strive to find new and better ways to serve the community.

Integrity

Upholding and protecting our community through honesty, fairness and empathy:

- Act ethically, honestly and responsibly to engender trust.
- Honour our commitments and responsibilities.
- Protect our community, environment, lifestyle and history.
- Stay true to the community and our unique identity.

Excellence

Striving to deliver on our individual roles to make a difference in our Community Services and Infrastructure Projects.

- We are accountable for all our actions
- Work together to achieve common goals
- Reflect, learn and improve upon our achievements
- Striving to provide exceptional levels of service

- Using the resources available for the benefit of the community as a whole

3 Code of Conduct

3.1 Role of Employees

The role of employees in Local Government is determined by the functions of the CEO as set out in section 5.41 of the Act as follows:

- (a) advise the Council in relation to the functions of a local government under this Act and other written laws;
- (b) ensure that advice and information is available to the council so that informed decisions can be made;
- (c) cause council decisions to be implemented;
- (d) manage the day to day operations of the local government;
- (e) liaise with the Mayor or President on the local government's affairs and the performance of the local government's functions;
- (f) speak on behalf of the local government if the mayor or president agrees;
- (g) be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior employees);
- (h) ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and
- (i) perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.

3.2 Principles affecting employment by the Shire of Brookton

The principles set out in section 5.40 of the Act apply to the employment of the Shire of Brookton's employees as follows:

- (a) employees are to be selected and promoted in accordance with the principles of merit and equity; and
- (b) no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage; and
- (c) employees are to be treated fairly and consistently; and
- (e) there is to be no unlawful discrimination against employees or persons seeking employment by the Shire on a ground referred to in the *Equal Opportunity Act, 1984* or on any other ground; and

- (e) employees are to be provided with safe and healthy working conditions in accordance with the Occupational Safety and Health Act 1984; and
- (f) such other principles, not inconsistent with this Division, as may be prescribed.

3.3 Personal Behaviour

Employees will:

- (a) act, and be seen to act, properly, professionally and in accordance with the requirements of the law, the terms of this Code and all policies of the Shire of Brookton;
- (b) perform their duties impartially and in the best interests of the Shire of Brookton, uninfluenced by fear or favour;
- (c) act in good faith (i.e. honestly, for the proper purpose, and without exceeding their powers) in the interests of the Shire of Brookton and the community;
- (d) make no allegations which are improper or derogatory (unless true and in the public interest);
- (e) refrain from any form of conduct, in the performance of their official or professional duties, which may cause any reasonable person unwarranted offence or embarrassment; and
- (f) always act in accordance with their obligation of fidelity to the Shire of Brookton.

3.4 Honesty and Integrity

Employees will:

- (a) observe the highest standards of honesty and integrity, and avoid conduct which might suggest any departure from these standards;
- (b) be frank and honest in their official dealing with each other; and
- (c) report any dishonesty or possible dishonesty on the part of any other employee to their Line Supervisor, Manager or the CEO in accordance with this Code and the Shire of Brookton's policies.

3.5 Performance of Duties

While on duty, employees will give their whole time and attention to the Shire of Brookton's business and ensure that their work is carried out efficiently, economically and effectively, and that their standard of work reflects favourably both on them and on the Shire.

3.6 Compliance with Lawful and Reasonable Directions, Decisions and Policies

- (a) Employees will comply with any lawful and reasonable direction given by any person having authority to make or give such an order, including but not limited to their Line Manager, another Manager or the CEO.

- (b) Employees will give effect to the lawful decisions and policies of the Shire of Brookton whether or not they agree with or approve of them.

3.7 Administrative and Management Practices

Employees will ensure compliance with proper and reasonable administrative practices and conduct, and professional and responsible management practices.

3.8 Intellectual Property

The title to Intellectual Property in all duties relating to contracts of employment will be assigned to the Shire of Brookton upon its creation, unless otherwise agreed by separate contract.

3.9 Recordkeeping

Employees will ensure complete and accurate local government records are created and maintained in accordance with the most current Shire of Brookton Recordkeeping Plan.

3.10 Dealing with Other Employees

- (a) Employees will treat other employees with respect, courtesy and professionalism, and refrain from behaviour that constitutes discrimination, bullying or harassment.
- (b) Employees must be aware of, and comply with their obligations under relevant law and the Shire of Brookton policies regarding workplace behaviour and occupational safety and health, including but not limited to:

Policy 2.5 - Fit for Work

Policy 2.6 - Discrimination, Harassment and Bullying

Policy 2.7 - Grievances, Investigations and Resolutions

- (c) Employee behaviour should reflect the Shire of Brookton's values and contribute towards creating and maintaining a safe and supportive workplace.

3.11 Dealing with community

- (a) Employees will treat all members of the community with respect, courtesy and professionalism.
- (b) All Shire of Brookton services must be delivered where practical in accordance with the Shire of Brookton Customer Service Charter and all relevant policies and procedures with any issues resolved promptly, fairly, and equitably.

3.12 Professional Communications

- (a) All aspects of communication by employees (including verbal, written and electronic), involving the Shire of Brookton's activities should reflect the status, values, and objectives of the Shire, including alignment with the Shire of Brookton Style Guide.

- (b) Communications should be accurate, polite, and professional.

3.13 Personal Communications and Social Media

- (a) Personal communications and statements made privately in conversation, written, recorded, emailed or posted in personal social media, have the potential to be made public, whether intended or not.
- (b) Employees must not, unless undertaking a duty in accordance with their employment, disclose information, make comments, or engage in communication activities about or on behalf of the Shire of Brookton, its Council Members, employees or contractors in breach of this Code and the Shire of Brookton Policy 1.14 – Social Media.
- (c) Employee comments which become public and breach the Code of Conduct, or any other operational policy or procedure, may constitute a disciplinary matter and may also be determined as misconduct and be notified in accordance with the *Corruption, Crime and Misconduct Act 2003*.

3.14 Personal Presentation

Employees are expected to comply with professional, neat and responsible dress standards at all times, in accordance with the Shire of Brookton's relevant policies and procedures adopted from time to time.

3.15 Gifts

- (a) Application

This clause does not apply to the CEO.

- (b) Definitions

In this clause –

activity involving a local government discretion means an activity –

- (i) that cannot be undertaken without an authorisation from the local government; or
- (ii) by way of a commercial dealing with the local government.

associated person means a person who –

- (i) is undertaking or seeking to undertake an activity involving a local government discretion; or
- (ii) it is reasonable to believe, is intending to undertake an activity involving a local government discretion.

gift means –

- (i) a conferral of a financial benefit (including a disposition of property) made by 1 person in favour of another person unless adequate consideration in money or money's worth passes from the person in whose favour the conferral is made to the person who makes the conferral; or
- (ii) a travel contribution inclusive of accommodation incidental to a journey and a financial or other contribution made by 1 person to travel undertaken by another person.

gift does not include –

- (i) a gift from a relative as defined below; or
- (ii) a gift from a statutory authority, government instrumentality or non-profit association for professional training; or
- (iii) a gift from WALGA and LG Pro as representative industry bodies.

relative, in relation to a relevant person, means any of the following –

- (i) a parent, grandparent, brother, sister, uncle, aunt, nephew, niece, lineal descendant of the relevant person or of the relevant person's spouse or de facto partner.
- (ii) the relevant person's spouse or de facto partner or the spouse or de facto partner of any relative specified in paragraph (i), whether or not the relationship is traced through, or to, a person whose parents were not actually married to each other at the time of the person's birth or subsequently, and whether the relationship is a natural relationship or a relationship established by a written law.

prohibited gift, in relation to a local government employee, means –

- (i) a gift worth the threshold amount or more; or
- (ii) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth the threshold amount or more.

reportable gift means:

- (i) a gift worth more than \$10 but less than \$100; or
- (ii) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth more than \$5 but less than \$100.

threshold amount, for a prohibited gift, means –

- (i) a gift worth the threshold amount or more; or
- (ii) a gift that is 1 of 2 or more gifts given to the local government employee by the same person within a period of 1 year that are in total worth the threshold amount or more.

(c) Determination

In accordance with Regulation 19AF of the *Local Government (Administration) Regulations 1996* the CEO has determined \$100 as the threshold amount for prohibited gifts.

- (d) Employees must not accept a prohibited gift from an associated person.
- (e) An employee who accepts a reportable gift from an associated person is to notify the CEO in accordance with subclause (f) and within 10 days of accepting the gift.
- (f) The notification of the acceptance of a reportable gift must be in writing and include:
 - (i) the name of the person who gave the gift; and
 - (ii) the date on which the gift was accepted; and
 - (iii) a description, and the estimated value, of the gift; and

- (iv) the nature of the relationship between the person who is an employee and the person who gave the gift; and
- (v) if the gift is one of two or more accepted from the same person within a period of one year:
 - a description;
 - the estimated value; and
 - the date of acceptance,

of each other gift accepted within a one year period.

- (g) The CEO will maintain a register of reportable gifts and record in it details of notifications given to comply with subclause (f) with the register to be published on the Shire of Brookton's official website.
- (h) As soon as practicable after a person ceases to be an employee, the CEO will remove from the register all records relating to that person. The removed records will be retained for a minimum period of 5 years.

3.16 Conflict of Interest

- (a) Employees will ensure that there is no actual (or perceived) conflict of interest between their personal interests and the impartial fulfilment of their professional duties.
- (b) Employees will not engage in private work with or for any person or body with an interest in a proposed or current contract with the Shire of Brookton, without first disclosing the interest to and being accepted by the CEO. In this respect, it does not matter whether advantage is in fact obtained, as any appearance that private dealings could conflict with performance of duties must be scrupulously avoided.
- (c) Employees will lodge written notice with the CEO describing an intention to undertake a dealing in land which is within the district of the Shire of Brookton, or which may otherwise be in conflict with the Local Government's functions (other than purchasing the principal place of residence).
- (d) Employees who exercise a recruitment or any other discretionary function will disclose any actual (or perceived) conflict of interest to the CEO before dealing with relatives or friends and will disqualify themselves from dealing with those persons in any formal process.
- (e) Employees will conduct themselves in an apolitical manner and refrain from political activities which could cast doubt on their neutrality and impartiality in acting in their professional capacity.

3.17 Secondary Employment

An employee must not engage in secondary employment (including paid and unpaid work) without receiving the prior written approval of the CEO.

3.18 Disclosure of Financial Interests

- (a) All employees will apply the principles of disclosure of financial interest as contained within the Act.
- (b) Employees who have been delegated a power or duty, have been nominated as 'designated employees' or provide advice or reports to Council or Committees, must ensure that they are aware of, and comply with, their statutory obligations under the Act.

3.19 Disclosure of Interests Relating to Impartiality

- (a) In this clause, **interest** —
 - (i) means an interest that could, or could reasonably be perceived to, adversely affect the impartiality of the person having the interest; and
 - (ii) includes an interest arising from kinship, friendship, or membership of an association.
- (b) An employee who has an interest in any matter to be discussed at a Council or Committee meeting attended by the employee is required to disclose the nature of the interest:
 - (i) in a written notice given to the CEO before the meeting; or
 - (ii) at the meeting immediately before the matter is discussed.
- (c) An employee who has given, or will give, advice in respect of any matter to be discussed at a Council or Committee meeting not attended by the employee is required to disclose the nature of any interest the employee has in the matter:
 - (i) in a written notice given to the CEO before the meeting; or
 - (ii) at the time the advice is given.
- (d) A requirement described under (b) and (c) excludes an interest referred to in Section 5.60 of the Act.
- (e) An employee is excused from a requirement made under (b) or (c) to disclose the nature of an interest because they did not now and could not reasonably be expected to know:
 - (i) that they had an interest in the matter; or
 - (ii) that the matter in which they had an interest would be discussed at the meeting and they disclosed the nature of the interest as soon as possible after the discussion began.
- (f) If an employee makes a disclosure in a written notice given to the CEO before a meeting to comply with requirements of (b) or (c), then:
 - (i) before the meeting the CEO is to cause the notice to be given to the person who is to preside at the meeting; and
 - (ii) at the meeting the person presiding must bring the notice and its contents to the attention of persons present immediately before a matter to which the disclosure relates is discussed.
- (g) If:

- (i) to comply with a requirement made under item (b), the nature of an employee's interest in a matter is disclosed at a meeting; or
- (ii) a disclosure is made as described in item (e)(ii) at a meeting; or
- (iii) to comply with a requirement made under item (f)(ii), a notice disclosing the nature of an employee's interest in a matter is brought to the attention of the persons present at a meeting,

the nature of the interest is to be recorded in the minutes of the meeting.

3.20 Use and Disclosure of Information

- (a) Employees must not access, use or disclose information held by the Shire of Brookton except as directly required for, and in the course of, the performance of their duties.
- (b) Employees will handle all information obtained, accessed or created in the course of their duties responsibly, and in accordance with this Code, the Shire of Brookton's policies and procedures.
- (c) Employees must not access, use or disclose information to gain improper advantage for themselves or another person or body, in ways which are inconsistent with their obligation to act impartially and in good faith, or to improperly cause harm, detriment or impairment to any person, body, or the Shire of Brookton.
- (d) Due discretion must be exercised by all employees who have access to confidential, private or sensitive information.
- (e) Nothing in this section prevents an employee from disclosing information if the disclosure:
 - (i) is authorised by the CEO or the CEO's delegate; or
 - (ii) is permitted or required by law.

3.21 Improper or Undue Influence

- (a) Employees will not take advantage of their position to improperly influence Council Members or employees in the performance of their duties or functions, to gain undue or improper (direct or indirect) advantage or gain for themselves or for any other person or body.
- (b) Employees must not take advantage of their position to improperly influence any other person to gain undue or improper (direct or indirect) advantage or gain, pecuniary or otherwise, for themselves or for any other person or body.
- (c) Employees must not take advantage of their positions to improperly disadvantage or cause detriment to the Shire of Brookton or any other person.

3.22 Use of Shire of Brookton Resources

- (a) In this clause –

Shire of Brookton resources includes all local government property and services provided or paid for by the Shire of Brookton.

local government property means anything, whether land or not, that belongs to, or is vested in, or under the care, control, or management of the local government.

- (b) Employees will:
 - (i) be honest in their use of the Shire of Brookton resources and must not misuse them or permit their misuse (or the appearance of misuse) by any other person or body;
 - (ii) use the Shire of Brookton resources entrusted to them effectively, economically, in the course of their duties and in accordance with relevant policies and procedures; and
 - (iii) not use the Shire of Brookton resources (including the services of employees) for private purposes (other than when supplied as part of a contract of employment), unless properly authorised to do so, and appropriate payments are made (as determined by the CEO).
 - (iv) Use the Shire of Brookton resources in accordance with Council policies where applicable, unless otherwise varied at the absolute discretion of the CEO.

3.23 Use of Shire of Brookton Finances

- (a) Employees are expected to act responsibly and exercise sound judgment with respect to matters involving the Shire of Brookton's finances.
- (b) Employees will use Shire of Brookton finances only within the scope of their authority, as delegated and prescribed in a position description, policy and procedure, or other administrative practice.
- (c) Employees with financial management responsibilities will comply with the requirements of the *Local Government (Financial Management) Regulations 1996*.
- (d) Employees exercising purchasing authority will comply with the Shire of Brookton's Purchasing Policy, and the systems and procedures established by the CEO in accordance with regulation 5 of the *Local Government (Financial Management) Regulations 1996*.
- (e) Employees will act with care, skill, diligence, honesty and integrity when using local government finances.
- (f) Employees will ensure that any use of Shire of Brookton finances is appropriately documented in accordance with the relevant policy and procedure, including Shire of Brookton's Recordkeeping Plan.

3.24 Reporting of Suspected Breaches of the Code of Conduct

Employees may report suspected breaches of the Code to their Manager or the CEO, in accordance with Council Policy 2.6 - Discrimination, Harassment and Bullying.

3.25 Handling of Suspected Breaches of the Code of Conduct

Suspected breaches of the Code will be dealt with in accordance with the Council Policy 2.7 - Grievances, Investigations, and Resolutions depending on the nature of the suspected breach.

3.26 Reporting Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour

- (a) Employees may report suspected unethical, fraudulent, dishonest, illegal or corrupt behaviour to their supervisor, Manager, or the CEO.
- (b) In accordance with the *Corruption, Crime and Misconduct Act 2003*, if the CEO suspects on reasonable grounds that the alleged behaviour may constitute misconduct as defined in that Act, the CEO will notify:
 - (i) the Corruption and Crime Commission, in the case of serious misconduct; or
 - (ii) the Public Sector Commissioner, in the case of minor misconduct.
- (c) Employees, or any person, may also report suspected serious misconduct to the Corruption and Crime Commission or suspected minor misconduct to the Public Sector Commissioner.
- (d) Employees, or any person, may also make a Public Interest Disclosure to report suspected unethical, fraudulent, dishonest, illegal, or corrupt behaviour, using the Shire of Brookton's Public Interest Disclosure Procedures, published on the Shire's website.

3.27 Handling of Suspected Unethical, Fraudulent, Dishonest, Illegal or Corrupt Behaviour

Suspected unethical, fraudulent, dishonest, illegal, or corrupt behaviour will be dealt with in accordance with the appropriate Shire of Brookton policies and procedures, and where relevant, in accordance with the lawful directions of the appropriate statutory body.

15.06.21.03 REQUEST FOR RECONSIDERATION OF 5 DOGS – LOT 287 (HN. 39) KING STREET, BROOKTON

File No:	A631
Date of Meeting:	17 June 2021
Location/Address:	39 King Street Brookton
Name of Applicant:	Ms. Wendy Rose
Name of Owner:	Shire of Brookton
Author/s:	Ian D'Arcy – Chief Executive Officer
Authorising Officer:	As above
Declaration of Interest:	The author does not have an interest in this matter
Voting Requirements:	Simple Majority
Previous Report:	20 May 2021

Summary of Item:

This item relates to a request for Council to reconsider approval to keep 5 dogs at that 39 King Street Brookton, 4 permanently and one temporarily.

A further letter from the property and primary dog owner, Ms Wendy Rose, is presented as **Attachment 15.06.21.03A** to this report while the initial letter of request is presented as **Attachment 15.06.21.03B**.

Ms. Rose has requested to address Council in person to further explain the situation on keeping her family pets.

Proposal:

As above.

Background:

As previously reported, the approach to keep the 5 dogs at the subject premises came through to the Shire as a letter from Ms. Rose dated 28th February 2021. This letter was in response to an approach from the Shire's Contract Ranger Service following up on lawful registration of the dogs within the Shire.

The Council, in consideration of this letter and the Ranger's advice (see Consultation Section below) resolved at its May 2021 Ordinary Council Meeting:

OCM 05.21-09

COUNCIL RESOLUTION

MOVED Cr Crute SECONDED Cr Watts

That Council pursuant to section 26(3) of the Dog Act, 1976, grants an exemption for a third dog to be kept at Lot 287 (Hn.39) King Street Brookton, subject to:

- 1. The owner maintaining full registration (inclusive of microchipping and vaccination) and sterilization of all three Jack Russell dogs.***
- 2. The respective Jack Russell dogs being consistently restrained in an enclosed yard, as required by the legislation.***
- 3. The other dogs on the premises being rehoused elsewhere, within 14 days of a notice being served by the Shire Ranger.***

CARRIED BY SIMPLE MAJORITY VOTE 5/2

At the request of Ms. Rose an extension by an additional 14 days to the timeframe of condition 3. of the Council motion was granted by the CEO.

Consultation:

The initial request for keeping of 5 dogs was investigated by Ms. Samantha Di Candilo from Shire's Contract Ranger service where upon inspecting the 1.14 ha property with a Ms. Brinkworth in the absence of Ms. Rose on 16th April 2021 the following was identified and subsequently reported to the Shire Administration:

- *The property fencing of a standard rural type appears adequate and the dogs do not tend to wander.*
- *Multiple dogs were present with 5 dogs inside the main house listed below:*
 - *Female Border Collie X "Callamity" Registered to Ms. Brinkworth at 71 Brookton Hwy Brookton.*
 - *Male Kelpie X Rotti "Grumpy" belongs to Mr. Max Brinkworth and allegedly moving to Pingelly.*
 - *Male Jack Russell 10 years old "Charlie" Lifetime registration to Mr. Noel Brinkworth LT 00373.*
 - *Female Jack Russell 2-3years old "Lola" belonging to Ms. Rose. Unregistered.*
 - *Female Jack Russell 1 year old "Charlotte" belonging to Ms. Rose. Unregistered.*
 - *Staffy "Morley" 8 year old belonging to Ms. Kristy Lee and reportedly only temporary.*
- *All dogs appear well fed with water bowls available.*
- *Excrement was evidence in many places around the property suggesting it may be cleaned up on an irregular basis.*
- *Ms. Brinkworth advised that the 3 jack Russell dogs are permanent, the other dogs were only staying temporarily.*
- *To approve the permit for the 3 jack Russell dogs all of these dogs would need proof of sterilisation, microchipping and registration to prove breeding would not occur.*
- *The other 3 dogs need to be moved to new addresses within 14 days with proof of registration.*
- *Rangers would need to spot check address to ensure only 3 dogs are kept at address otherwise a kennel license would need to be applied for or enforcement from Rangers.*

The highlighted statements appear to contradict the Ms. Rose's latest letter dated 6th June 2021 – see Comment Section below.

Statutory Environment:

Dog Act, 1976

Specific to this matter the *Dog Act 1976* states under Part V (relevant text underlined):

Part V — The keeping of dogs

26. *Limitation as to numbers*

(1) *A local government may, by a local law under this Act —*

- (a) *limit the number of dogs that have reached 3 months of age that can be kept in or at premises in the local government's district; or*
- (b) *limit the number of dogs of a breed specified in the local law that can be kept in or at premises in the local government's district.*

(2) A local law mentioned in subsection (1) —

- (a) may limit the number of dogs that can be kept in or at premises to 2, 3, 4, 5 or 6 only;
and
- (b) cannot prevent the keeping in or at premises of one or 2 dogs that have reached 3 months of age and any pup of either of those dogs under that age; and
- (c) cannot apply to dogs kept at premises that are licensed under section 27 as an approved kennel establishment; and
- (d) cannot apply to dangerous dogs (declared) or dangerous dogs (restricted breed).

(3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption —

- (a) may be made subject to conditions, including a condition that it applies only to the dogs specified in the exemption; and
- (b) cannot authorise the keeping in or at those premises of —
 - (i) more than 6 dogs that have reached 3 months of age; or
 - (ii) a dog under that age unless it is a pup of a dog whose keeping is authorised by the exemption;and
- (c) may be revoked or varied at any time.

In relation to a Local Law, the *Shire of Brookton Dog Local Law 2001 (Consolidated)* states under Part 3 – Requirements and Limitations on the Keeping of Dogs (relevant text underlined):

3.2 Limitation on the number of dogs

(1) *This clause does not apply to premises which have been —*

- (a) *licensed under Part 4 as an approved kennel establishment; or*
- (b) *granted an exemption under section 26(3) of the Act.*

(2) (i) Other than in an area zoned ‘Farmland’ under the town planning scheme, the limit on the number of dogs which may be kept on any premises is, for the purpose of section 26(4) of the Act, 2 dogs over the age of 3 months and the young of those dogs under that age.

Accordingly, Council may grant an exemption for more than two dogs pursuant to provision 26.(3) of the *Dog Act, 1976* providing this number does not exceed 6 dogs older than 3 months of age.

Additionally, the applicant if still aggrieved by the Council decision may exercise a right of appeal in accordance with Section 26.(5) and 26.(6) of the *Dog Act, 1976* as provided below:

(5) *Any person who is aggrieved —*

- (a) *by the conditions imposed in relation to any exemption under subsection (3); or*
- (b) *by the refusal of a local government to grant such an exemption, or by the revocation of an exemption,*

may apply to the State Administrative Tribunal for a review of the decision.

- (6) *An application under subsection (5) cannot be made later than the expiry of a period of 28 days after the day on which a notice of the decision is served on the person affected by that decision.*

Local Government Act, 1995

Council may revoke or change a decision made at a previous meeting pursuant to Section 5.25(1)(e) of the *Local Government Act, 1995* and Regulation 10 of the Local Government (Administration) Regulations, 1996 which requires an absolute majority vote of Council.

A copy of Regulation 10 is detailed below:

8. Revoking or changing decisions (Act s. 5.25(1)(e))

- (1) *If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —*
 - (a) *in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or*
 - (b) *in any other case, by at least $\frac{1}{3}$ of the number of offices (whether vacant or not) of members of the council or committee,*
inclusive of the mover.
- (1a) *Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least $\frac{1}{3}$ of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.*
- (2) *If a decision has been made at a council or a committee meeting then any decision to revoke or change the first-mentioned decision must be made —*
 - (a) *in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or*
 - (b) *in any other case, by an absolute majority.*
- (3) *This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.*

Relevant Plans and Policy:

There are no plans or policies applicable to this matter.

Financial Implications:

Should Council uphold its current motion on this matter, there will be additional directions to Ms. Rose and possible fines could apply in addition to registration and sterilization costs as required under the *Dog Act, 1976*.

Furthermore, the exercise of an appeal against the Council's decision may incur additional costs presently not determined at this stage.

Risk Assessment:

The risk in relation to this request and based on the investigation undertaken by the Shire's Contract Ranger is deemed 'Medium'.

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

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

Community & Strategic Objectives:

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

Specifically, the request for approval for a third dog applies to:

Business Function 7. Ranger Services

General Functions 7.1 - Perform Cat/dog registrations

7.3 – Perform animal control and management

Comment

It is evident that while Ms. Rose is passionate about the dogs:

- There has been a lack of attentiveness to ensure all the dogs have been appropriately vaccinated, microchipped and registered, as required by law.
- The dogs are not well restrained within the curtilage of the property, as assessed by the Ranger and required by law.
- The information provided in written form and verbally to the Ranger by the various residents/dog owners is inconsistent. In this regard the following summary of correspondence and conversations is noted:

➤ **Correspondence received - 08 April 2016**

Letter received from Ms. Wendy Rose in 2016 states three dogs listed (all microchipped), Ellie, Calamity and Morley. Ms. Rose concludes in this correspondence that *“These dogs belong to two of my daughters and it is not anticipated to be a permanent arrangement”*.

➤ **Correspondence received - 28 Feb 2021**

Letter requests to keep additional dogs (refer **Attachment 15.06.21.04B**) being Morley (mentioned in April 2016 correspondence and confirms belongs to her daughter), Charlie, Lola, Charlotte and Grumpy (not mentioned in the previous correspondence).

➤ **Ranger visitation - 16 April 2021**

The following comments made to Ms. Sam Di Candilo (Ranger):

- Female Border Collie X “Callamity” Registered to Ms. Brinkworth at 71 Brookton Hwy Brookton.

- Male Kelpie X Rotti “Grumpy” belongs to Mr. Max Brinkworth and allegedly moving to Pingelly.

- Staffy "Morley" 8 year old belonging to Ms. Kristy Lee and reportedly only temporary.

➤ **Correspondence received - 31 May 2021**

Email received from Matt Sharpe (Ranger). The email trail includes Ms. Rose stating her disappointment at the Council decision (Ref OCM 04.21-09). Requests extension of the 14 days to remove additional dogs and also states Ms. Rose is going to appeal to Council to overturn its decision.

➤ **Correspondence received – 8 June 2021**

Letter of appeal received (refer **Attachment 15.06.21.04A**) that appears to somewhat contradict the verbal statements made by Ms. Brinkworth in discussing this matter with the Ranger on 16 April 2021.

The Shire records do not reflect any correspondence sent or received in 2018 on this matter.

In the Officer's view the current decision of Council appears reasonable based on the information previously provided. However, in light of Ms. Rose's plea it is suggested Council entertain an in-person address from Ms. Rose on this matter to gain an accurate understanding of the circumstances, mindful of the need to be reasonable without setting an undesirable precedent.

To this end, Council may choose to rescind its previous motion and subsequently resolve to approve the keeping of all 5 dogs conditional on:

1. Approval to keep 5 dogs being limited to the current dogs of "Grumpy", "Charlie", "Lola", "Charlotte" and "Morley" as family pets.
2. This approval does not extend to any new dogs.
3. The owner maintaining full registration (inclusive of microchipping and vaccination) and sterilization of the dogs as required by legislation.
4. The property having a fenced enclosure to ensure all dogs are sufficiently contained with the curtilage if the property to the satisfaction of the Shire Ranger.

MOTION 1

That Council pursuant to Reg.10(1)(b) of the Local Government (Administration) Regulations, 1996 agrees to consider a rescission of its previous motion made on 20 May 2021 (Ref: OMC 05-21.09) in relation to an exemption for a third dog to be kept at Lot 287 (Hn.39) King Street Brookton.

(by at least $\frac{1}{3}$ of the number of offices (whether vacant or not) of members of the council, inclusive of the mover.)

MOTION 2

That Council pursuant to Reg.10(2) of the Local Government (Administration) Regulations, 1996 rescinds the following motion made at its 20th May 2021 Ordinary Meeting (Ref: OMC 05-21.09):

OCM 05.21-09

COUNCIL RESOLUTION

MOVED Cr Crute SECONDED Cr Watts

That Council pursuant to section 26(3) of the Dog Act, 1976, grants an exemption for a third dog to be kept at Lot 287 (Hn.39) King Street Brookton, subject to:

- 1. The owner maintaining full registration (inclusive of microchipping and vaccination) and sterilization of all three Jack Russell dogs.***
- 2. The respective Jack Russell dogs being consistently restrained in an enclosed yard, as required by the legislation.***
- 3. The other dogs on the premises being rehoused elsewhere, within 14 days of a notice being served by the Shire Ranger.***

CARRIED BY SIMPLE MAJORITY VOTE 5/2

(Absolute Majority Vote required)

OFFICER RECOMMENDATION

That Council pursuant to section 26(3) of the Dog Act, 1976 grants an exemption for five dogs to be kept at Lot 287 (Hn.39) King Street Brookton, subject to:

- 1. Approval to keep 5 dogs being limited to the current dogs of “Grumpy”, “Charlie”, “Lola”, “Charlotte” and “Morley” as family pets.***
- 2. This approval does not extend to any new dogs.***
- 3. The owner maintaining full registration (inclusive of microchipping and vaccination) and sterilization of the dogs as required by legislation.***
- 4. The property having a fenced enclosure to ensure all dogs are sufficiently contained with the curtilage if the property to the satisfaction of the Shire Ranger.***

(Simple majority vote required)

6 June 2021
Brookton Council
Ref.ADM0243
Re: Request for five dogs- 39 King Street Brookton

Dear Council

I wish to appeal the decision made by council to deny our request to keep four dogs permanently on our premises at 39 King Street Brookton. Also, a fifth dog temporally.

The dogs are well trained, and well-behaved family pets.

An application was put into council in April 2016 and again in 2018 at the Rangers request.

No letter of denial nor ranger action was ever received.

I feel this matter has been swept under the carpet for too long and it is now unjust to expect us to rehome beloved family pets when two previous applications were not formally acknowledged.

I reiterate that it was due to the passing of our 42 year old horse that the Ranger inspected our property, they where not responding to a dog complaint.

I am confused at council's lack of compassion and can only assume you were not fully briefed on the matter and were not made aware of our previous attempts. I am also confused by the Rangers actions when it was the Ranger who microchipped our dogs back in 2016.

Charlie our 9 year old Jack Russell is fully registered for life as an unsterilized dog, and I am now confused as to why I am now asked to sterilize him.

The dogs will be contained within a fully fenced (dog mesh) yard.

There is provision for council to grant permission to keep more dogs as long as we can satisfy the conditions.

I agree to register for life all of our dogs upon approval. I agree to keep our dogs in a fully fenced yard.

My dogs are Family and they are for life.

My latest letter of application is dated 28th February 2021. Your letter of denial is dated 26th May 2021.

The delay in council's decision makes it very difficult for us, as this extended time lapse seemed to follow the same pattern as the previous applications.

I would like to be present when council considers our appeal and ask that we are notified when this is on the council meeting's agenda.

Yours sincerely

Wendy Rose

28/2/21

Attention: Kylie Freeman

Re Ranger services- warning notice 25/2/21 signed by Ian D`arcy CEO

Dear Council

I wish to apply to keep 4 dogs on my property permanently and temporally house a fifth dog.

The property is a 1 hectare property with a Residential/rural zoning

The dogs are family pets,

Morley 7-year-old Tan and White Staffordshire terrier – desexed that belongs to my daughter Kristy-Lee

3 x White and Tan Jack Russel Terriers-Charlie 9 years, Lola 3 years- desexed and Charlotte 18 months-desexed

Grumpy is a 14 ½ year old Rottweiler cross Kelpie- Black and Tan- desexed and is currently a living miracle(as the vets don't believe a Rottweiler cross can live this long)

The dogs are Family pets and well socialized with other dogs and horses, sheep, goats, chickens, ducks ect.

They are well trained and obedient to family

They are contained on the property and supervised.

All dogs are microchipped.

All dogs will be registered for life following confirmation of my application.

Yours Sincerely

Wendy Rose

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

17.06.21	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
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18.06.21	CONFIDENTIAL REPORTS
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Nil.

19.06.21	NEXT MEETING & CLOSURE
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The next Ordinary meeting of the Council will be held on 15th July 2021, commencing at 6.00 pm.