



ORDINARY COUNCIL MEETING

MINUTES

20 June 2019

These minutes were confirmed by Council as a true and correct record of proceedings by the Ordinary Council Meeting held on 20/06/2019

Presiding Member:.....

A handwritten signature in black ink, appearing to read "Sheets", written over a dotted line.

Date:.....

18/07/2019

Disclaimer

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

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

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

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

Shire of Brookton
Ordinary Meeting of Council held 20 June 2019
Commenced at 5.00 pm

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1.06.19 USE OF COMMON SEAL

The Table below details the Use of Common Seal under delegated authority for the month of May 2019.

Use of Common Seal Register		
File Ref:	Purpose	Date Granted
ADM 0650 OCM 04.18-19	Public Transport Authority - Portion of Railway Reserve	07/05/2019

2.06.19 DELEGATED AUTHORITY – ACTIONS PERFORMED – MAY 2019

The Table below details the actions of Council performed under delegated authority for the month May 2019.

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

BUILDING			
Application No.	Lot & Street	Type of Building Work	Date Granted
26.18-19	3183 Aldersyde-Pingelly Rd	Dwelling	03/05/2019
24.18-19	141 Bodey St	Patio Extension	10/05/2019
27.18-19	Lot 266 Brookton Highway	Shed	22/05/2019

Shire of Brookton, Delegation Register, 1.41 Specific Provisions under the Town Planning Scheme No. 3

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

3.06.19 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

The Presiding Member opened the meeting at 5.00pm and welcomed Councillors, staff and members of the public to the Council Meeting.

4.05.19 RECORD OF ATTENDANCE/APPOLOGIES/APPROVED LEAVE OF ABSENCEElected Members (Voting)

Cr KL Crute	(Shire President)
Cr NC Walker	(Deputy Shire President)
Cr KH Mills	
Cr RT Fancote	
Cr LR Eyre	
Cr CE Hartl	

Staff (Non-Voting)

Ian D'Arcy	Chief Executive Officer
Vicki Morris	Deputy Chief Executive Officer
Steve Thomson	Manager of Infrastructure and Regulatory Services
Courtney Fulwood	Executive Officer

Members of the Public

Shayne Wasley	35 Vincent Street, Bedforddale
Mary-Jane Wasley	35 Vincent Street, Bedforddale
Lynton Messenger	15 Withall Street, Brookton

Heather Williams	32 Paragon Street, Pingelly
Kim Williams	32 Paragon Street, Pingelly
Nick McCabe	PO Box 177, Brookton
Rodney Eva	47 McCabe Road, Brookton

5.06.19 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

6.06.19 PUBLIC QUESTION TIME

Question 1

Lynton Messenger:

If the Council approves the Dog complex at Lot 45 McCabe Road, has it taken note that everyone is totally opposed to as per the survey forms, therefore denied our democratic rights and imposed a fascist decision and are you aware the rate payers pay your salaries and fringe benefits?

Shire President:

I understand all Councillors have read the officer's report, which in my view presents a clear understanding of the:

- Application for a Single House and Dog Kennel Establishment,
- Surrounding landowner's views and concerns; and
- The planning considerations and other legislation that applies to this proposal.

On the matter of second part of your question I find your comments offensive and disrespectful to not only this council but our staff. Consultation with neighbours about a proposed land use is just that, consultation; it does not give final veto to neighbours about any application made to this council or any other council. The proponents are entitled to their democratic rights also, they have the right to make an application for a land use and have it assessed in a fair and equitable manner that takes into account all the legislation, regulations, local laws and policies. No one part of the assessment process stands alone, and all the information gathered by our highly experienced and qualified staff will be taken into account by each and every member of council sitting here today. You the rate payers elect us to be representatives of our community, and to come to all our decisions based on factual information. I therefore ask you to withdraw your comments from the public record.

Lynton Messenger:

Mr. Messenger stated he will not withdraw his comments as we live in a democracy and he is entitled to pose a question and express his view.

Shire President:

The Shire president respectfully acknowledged his right to free speech.

Question 2

Lynton Messenger:

Is the Council aware this proposed complex is in the basin of surrounding water shed which feeds directly into this area which is water logged and no way will septic's work, the salt land extends from the creek up to the home site, therefore the creek will revive the septic water?

Shire President:

With respect to installation of an onsite effluent disposal system to support the Single House and Dog Kennel Establishment in compliant matter, this is subject to a separate application to the Health Department of WA that will need to conform the Health Act 1911, and more specifically Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974, where the applicant will need to demonstrate suitability of the system in consideration of the existing soil conditions and depth of the ground water table.

As to the existing creek, I understand the Department of Water's Water quality Protection Note No.70 states that a septic tank and leach drain system is to be setback 100 metres from the outer edge of a creek, which is addressed in the Officer Recommendation of the report.

Lynton Messenger:

I have grazed livestock on the adjoining land for many years with the area being in a basin. Problems has arisen with the ground being water logged and inundated with salt. I have had a vehicle bogged in the paddock next door with wheels ruts that needing to be levelled as the ground is so soft. Has anyone been out to the property to inspect its unsuitability any form of development?

Shire President:

It is the State Government Departments of Water and Health that are responsible for ensuring the septic tanks and leach drain system are compliant, not the Shire. As already mentioned, the applicants will need to satisfy these authorities that the effluent from proposed house and dog kennels can be managed correctly if Council approves this development.

Question 3

Lynton Messenger:

Using common sense, can't the Council see that this complex is totally out of place amongst grazing livestock and would you as Councillors examine your conscious to oppose it?

Shire President:

As Council is yet to consider the application, I am not in a position comment on this question.

7.05.19	APPLICATIONS FOR LEAVE OF ABSENCE
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Nil

OCM 06.19-01

COUNCIL RESOLUTION

MOVED CR EYRE SECONDED CR MILLS

That Cr Walker be granted a leave of absence for the August 2019 Ordinary Meeting of Council.

CARRIED BY SIMPLE MAJORITY VOTE 6-0

Deputation

Shayne Wasley - Applicant for proposed House and Dog Kennel Development (refer to Item 12.06.19.01 of this Agenda):

Mr Wasley presented to Council that he and his partner have placed an offer of purchase Lot 45 McCabe subject to approval of a planning application for a kennel licence establishment from the Shire.

Mr Wasley informed the Council that he and his partner:

- Currently have a kennel licence for housing Great Danes and a breeding program.
- Maintain a strict code of conduct and have not yet received any reports or infringements in relation to their dogs.
- Have Great Danes that are maintained to a high standard of health, and routinely tested before and after breeding.
- They have so far had 9 litters of dogs, all of which were/are registered dogs.
- The dogs don't end up in rescue places, but is no longer wanted by the initial owners are rehomed with their assistance.
- There has not been any issues with neighbours or the local authority regarding their kennels and breeding program.
- Are looking to become part of the local community and enjoy a rural lifestyle.
- Are accepting of the officer recommendation, and prepared to plant trees around the kennel and property more broadly to address the concerns raised by the neighbours.

Mr. Wasley further commented that they fully appreciate the feedback from the neighbours raising concerns through the application process, with expressed understanding of the possible impact the kennel will have on their lifestyle. He stated that these concerns can be addressed in proactive and positive manner and welcomes the opportunity to have a chat after the meeting to further discuss these concerns and allay any fears. We are looking forward to the country life in Brookton.

Cr Fancote:

Welcomed Mr Wasley to Brookton and thanked him for the application, and then proceeded to ask:

- Is it the intent to have 20 dogs on the property?
- Of the 140 acres being the property size, what is the balance of the land outside of the house and dog kennel development going to be used for?

Shayne Wasley:

Mr Wasley advised that the kennel licence will allow for a maximum of 20 dogs. Usually, 5 dogs will be housed at the kennels for most of the time.

In regard to the balance of the land he stated consideration was being given to the use of this land for lease or shared farming as well as planting of trees.

9.06.19 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

The Shire President requested the respective minutes be moved en-bloc and called for a mover and seconder to the recommendations.

OCM 06.19-02

COUNCIL RESOLUTION

MOVED CR EYRE SECONDED CR WALKER

9.06.19.01 ORDINARY MEETING OF COUNCIL – 16 MAY 2019

That the minutes of the Ordinary meeting of Council held in the Shire of Brookton Council Chambers, on 16 May 2019, be confirmed as a true and correct record of the proceedings.

9.06.19.02 SPECIAL MEETING OF COUNCIL – 30 MAY 2019

That the minutes of the Special Meeting of Council held in the Shire of Brookton Council Chambers, on 30 May 2019, be confirmed as a true and correct record of the proceedings. With the amendment of Danni Chard – Customer Service and Administration Officer to be recorded under staff attendance.

CARRIED BY SIMPLE MAJORITY VOTE 6-0

10.05.19 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Condolences

Former Councillor Keith Powell

11.05.19 DISCLOSURE OF INTERESTS

Nil

12.06.19.01 PROPOSED SINGLE HOUSE AND DOG KENNEL ESTABLISHMENT – LOT 45 McCABE ROAD BROOKTON

File No:	A2766
Date of Meeting:	20/06/2019
Location/Address:	Lot 45 McCabe Road Brookton
Name of Applicant:	M J & S Wasley – Cymros Great Danes
Name of Owner:	C & M Andrews
Author/s:	Ian D’Arcy – Chief Executive Officer
Authorising Officer:	Ian D’Arcy - Chief Executive Officer
Declaration of Interest:	The author does not have an interest in this item
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

The Council is in receipt of a planning application seeking Council approval to establish a single two story house (Stage 1), and a dog kennel development (Stage 2) on Lot 45 McCabe Road Brookton, being 56.65 hectares (139.9 acres). The Officer Recommendation is to support the proposed use and development.

Description of Proposal:

As mentioned, this proposal involves a staged approach to constructing a two storey dwelling, and establishment of a dog kennel development with capacity to accommodate up to 20 Great Dane dogs – **Figure 1** below. Furthermore, the applicants have confirmed they are already registered with the Australian National Kennel Club.



Figure 1 – Great Dane Dog Breed

As to the proposed development, **Figure 2** below illustrates the location of Lot 45.

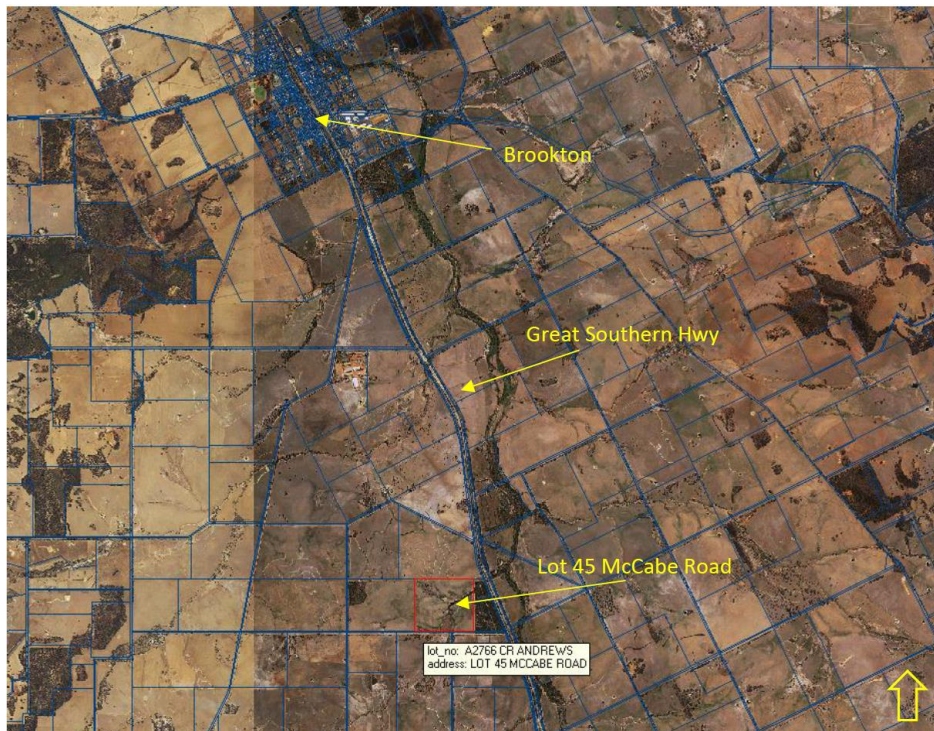


Figure 2 – Location Plan

Additionally Stage 1, being the 2 bedroom residential house, measures 9.0 metres in length, 6.0 metres in width, and 5.5 metres in height with a 3.0 metre wide verandah around the side and front of the building. This is illustrated in **Figure 3** below. The ground and upper floor plans for the proposed dwelling are also offered as **Figure 4**. Of note, the material composition is steel frame with colourbond clad walls and roof. The proposed dwelling is to be serviced by connection to reticulated mains water and power and an onsite effluent disposal system in the form of septic tanks and leach drains of a capacity to accommodate the proposed house and dog kennel development.



Figure 3 – 3D Elevation of Proposed Single House

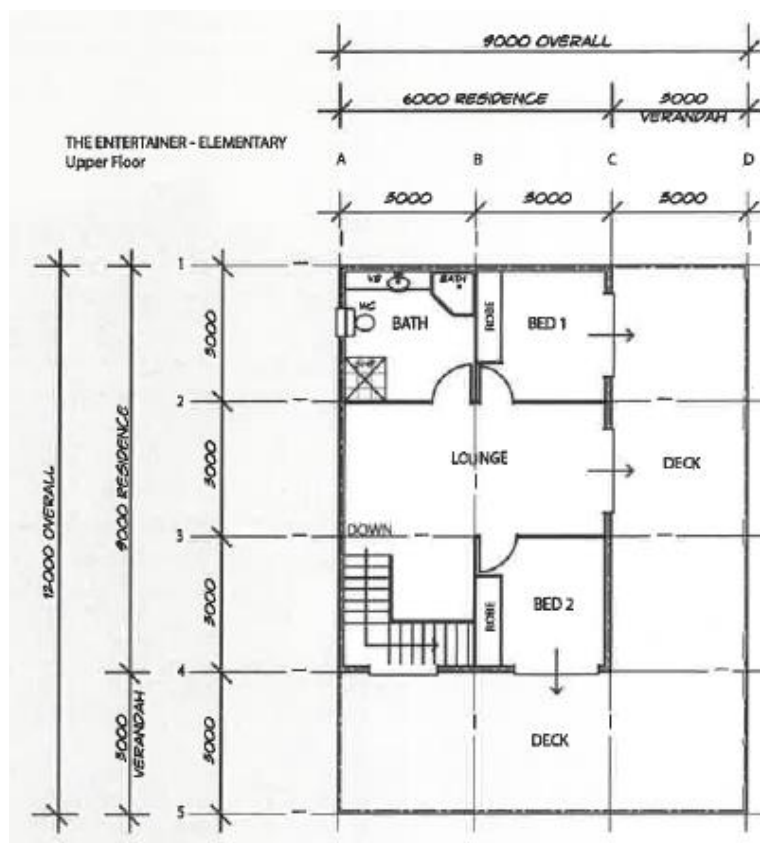
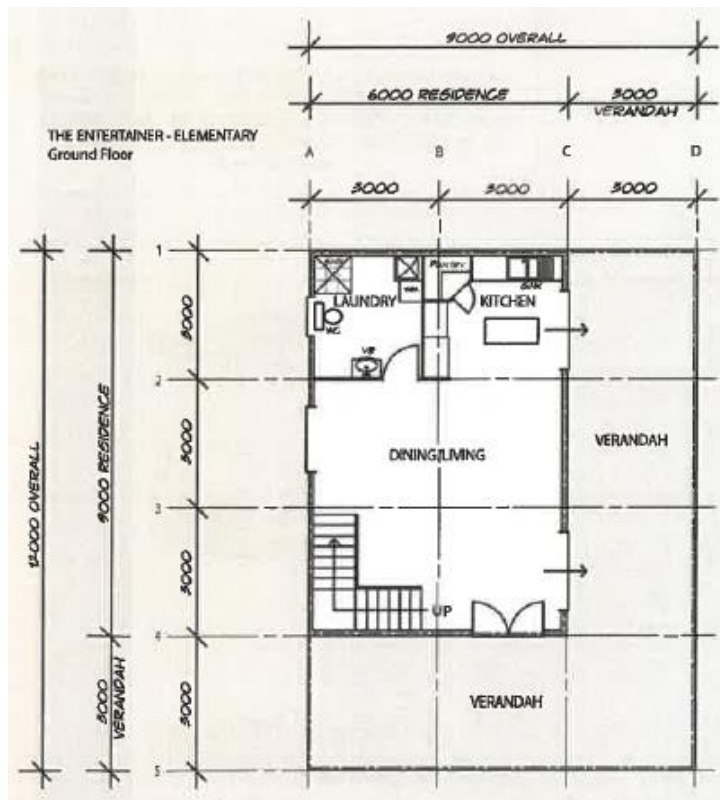


Figure 4 – Ground and Upper Floor Plans of Proposed Single House

In regards to siting of the proposed dwelling and dog kennel development **Figure 5** below affords an understanding of location on the property, while **Figure 6** demonstrates the layout and placement of the respective stages of development with a separation distance of 30 metres between to each other.

As a whole the proposed development is centrally located on the property, being some 450 metres from McCabe Road, 380 and 400 metres respectively from the side boundaries, and 220 metres from the rear boundary of the property. The setback from the seasonal creek line that also traverses Lot 45 is approximately 120 metres.

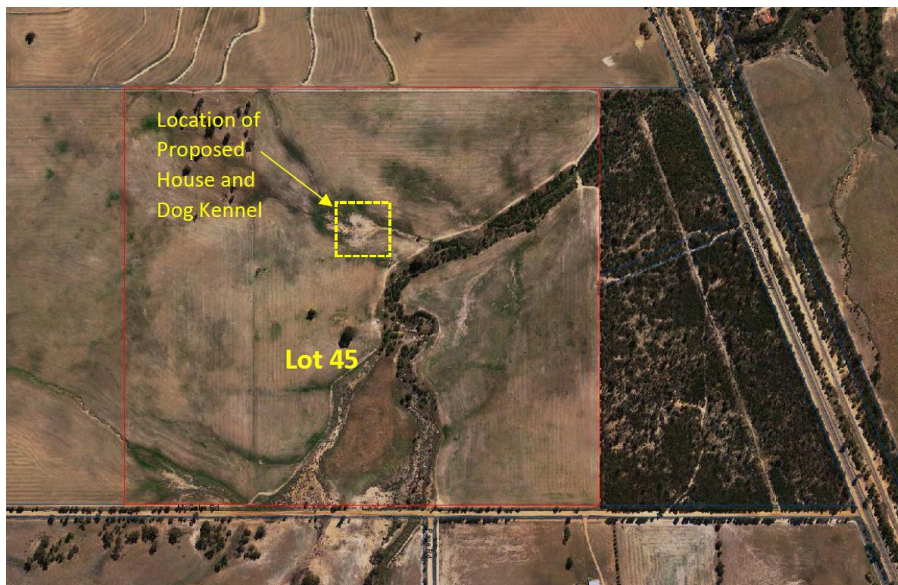
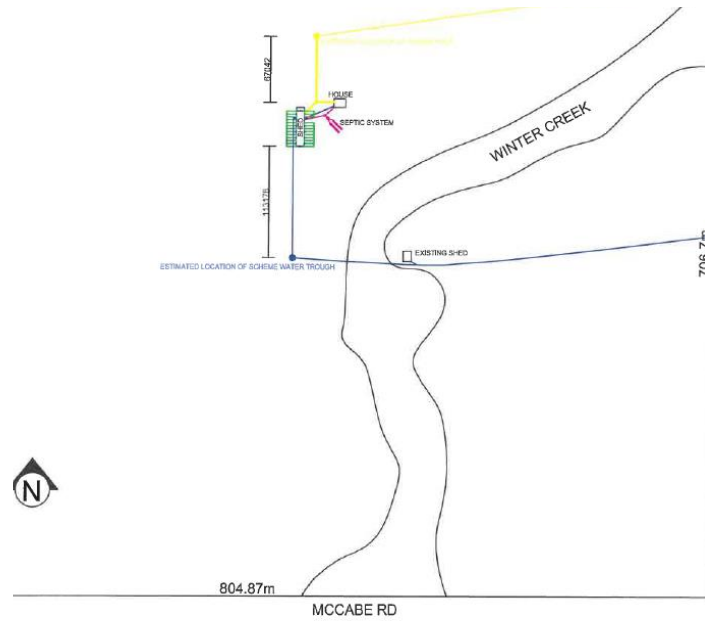


Figure 5 – Site Plans illustrating location of Proposed Development

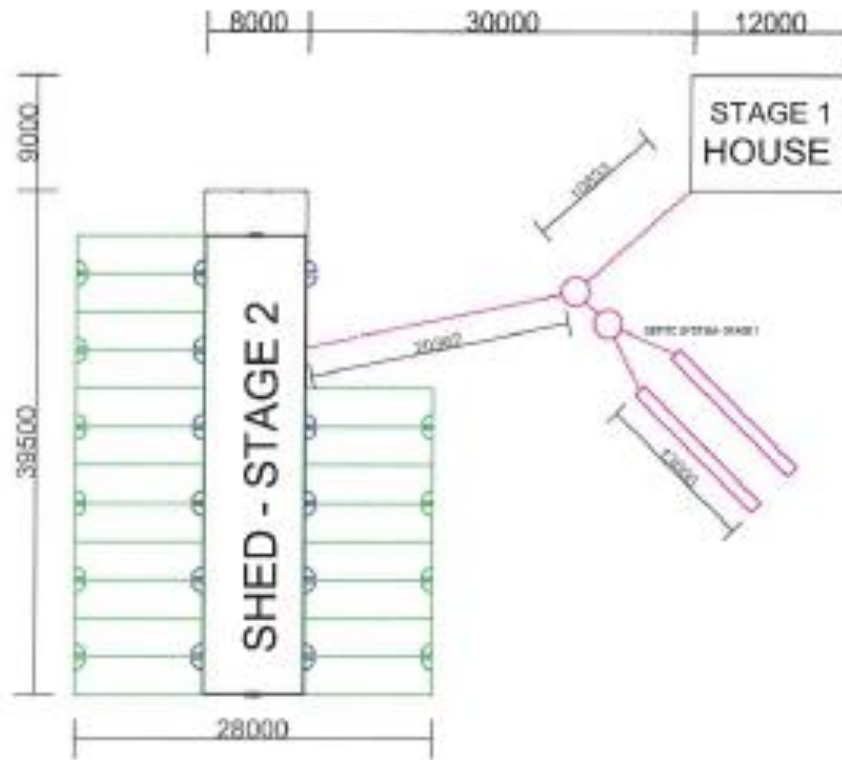


Figure 6 – Proposed Development Layout

In summary, the specifics of the proposed dog kennel development and use includes:

- Maximum capacity of 20 dogs.
- The dimensions of the kennel development being 28.0 metres x 39.5 metres with a total area of 1106 m², inclusive of enclosed kennel and grassed runs - refer to **Figure 7** for floor plan.
- Material used in construction of the building is steel frame and colourbond cladding with a concrete floor – refer to Figure 8 for typical elevation of the building.
- Each kennel has a floor area of 3.0 metres x 3.0 metres with colourbond and chain mesh fencing to 1.8m high.
- The kennel building also incorporates a whelping room, wet room and feed room.
- Access to the building is through the respective dog runs and a roller door at
- The grassed exercise yards 3.0 metres wide and 30.0 metres long enclosed with post and rail chain mesh fencing and gates.
- The kennel establishment is to be connected to an approved effluent disposal system, consisting two septic tanks and 2 x 13 metre leach drains.
- The Kennel use will be exclusive to the breeding of Great Danes and not operate as an ‘open’ boarding kennel to the general public.

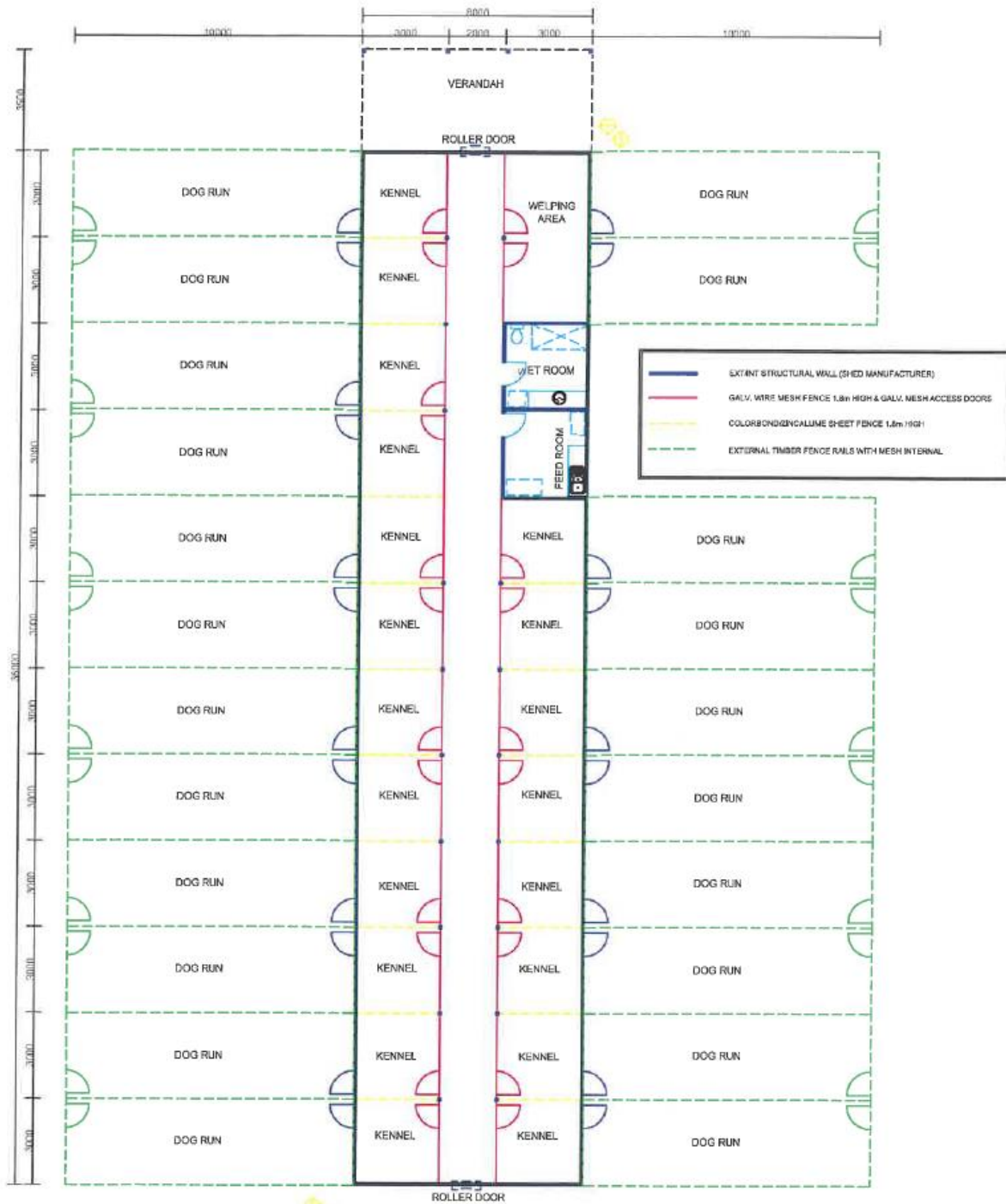


Figure 7 – Proposed Dog Kennel Development Floor Plan

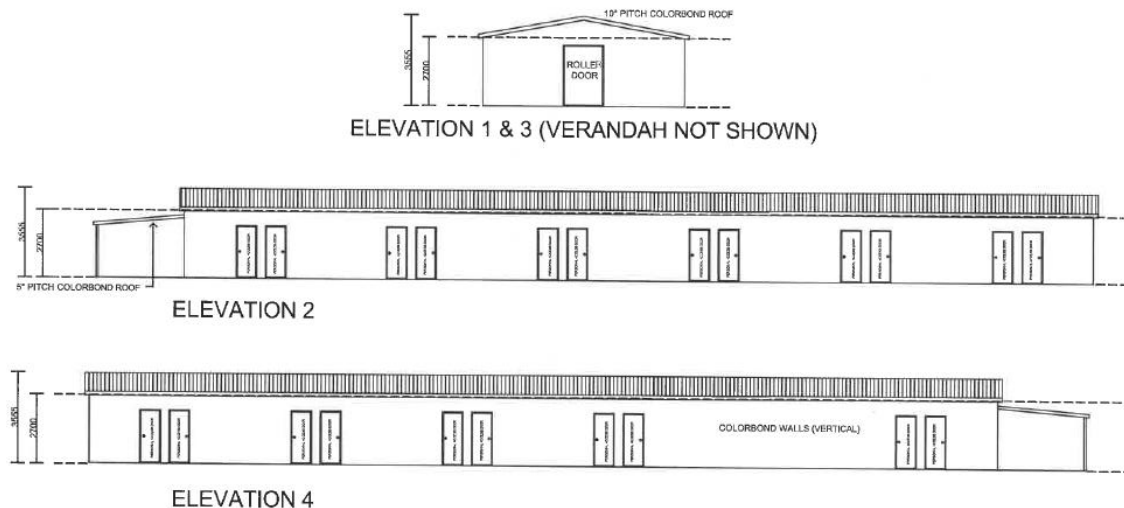


Figure 8 – Proposed Dog Kennel Development Elevations

Background:

In consideration of this proposal the applicants are seeking to be relocated to the Brookton area and have placed an offer to purchase the subject property, conditional on planning approval being granted for the proposed development.

As mentioned, the applicants have stated they are registered dog breeders with membership to the Australian National Kennel Club.

Upon assessment of the property (including review of aerial photography) the following characteristics have been observed:

Site Assessment	
Existing Development	Predominantly vacant land with an existing farm 3 bay shed.
Existing Services	Reticulated power traverses the property and reticulated mains water is available at the boundary.
Vehicular Access	The vehicle crossover is constructed to a basic gravel standard of approx. 6 metres in width. The internal access largely consists of use of firebreaks to a basic compacted sand standard.
Topography	The property presents a gradual fall to a central tree line water course that traverses in a north-west to south direction. The house and kennel site location is a cleared area – refer to Figure 2 above.
Vegetation	Remnant vegetation is evident on both sides of the creek line as a defined vegetation corridor and the adjoining land to the east.
Soil Type/s	Predominantly sand/clay loam.
Surrounding Land	The land adjoining to the north, south and west is pastoral farm lands of relative consistency used for cropping and grazing. The land to the east is remnant vegetation. Of particular note the closest residence is approximately 700 metres from the proposed house and kennel site in a south-east direction and is not visible from this location.
Bushfire Attack Level (BAL) Assessment	The proposed development falls within the Bushfire Prone Area as illustrated below, however the applicant has not submitted a BAL assessment to determine the measures required for mitigation – see Figure 9 below.

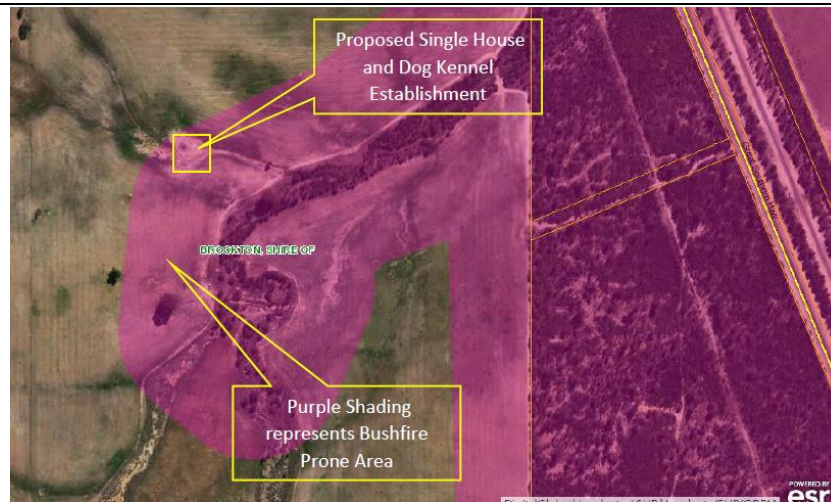


Figure 9 – Bushfire Prone Map – Sourced from DEFS

Consultation:

Upon receipt the application was referred to adjoining landowners to comment of the proposal within a 21 day period. At the conclusion of the referral process a total of six submissions has been received with five expressing objection and one indifferent.

A table detailing the respective landowners submission and corresponding officer comment is provided in the Comment Section of this report.

A copy of each submission is also appended as **Attachment 12.06.19.01** for Council’s reference.

Statutory Environment:

As to the planning framework a dog kennel development (be it boarding or breeding of dogs) needs to be assessment and subsequently determined in line with the Shire of Brookton Town Planning Scheme No.3. Additionally, Council is to:

- a) have regard for valid comments or concerns raised by members of the public; and
- b) Abide by the other legislative or guiding documents applicable to the establishment of a Single House and Dog Kennel establishment.

Accordingly, the following table provides a summary of the legal and other requirements in relation to this proposal:

Shire of Brookton Town Planning Scheme (TPS) No.3 <i>(Statutory instrument)</i>	
Current Zoning	<i>Farming</i>
Permissibility (Table 1 – Zoning Table)	<i>Table 1 – Zoning Table of TPS 3 qualifies a Single House and Dog Kennel as an ‘AA’ use. This means Council has discretion to approve the respective uses with or without relevant planning conditions or refuse the proposal with valid <u>planning reasons</u>.</i>
Definitions	<i>The draft TPS 3 stipulates the objectives of the Farming Zone are:</i> <i>- Dog Kennel: means any land or buildings used for the boarding and breeding of dogs where such premises are registered or required to be</i>

	<p>registered by the Council, and may include the sale of dogs where such use is incidental to the predominant use.</p> <ul style="list-style-type: none"> - Single House (R Codes): means a dwelling standing on its own green title or survey strata lot, together with any easement over the adjoining land for support of a wall or for access or services and excludes dwellings on titles with areas held in common property.
Objectives	<p>The Council's TPS 3 nominates some of the objectives of the Farming Zone to:</p> <ul style="list-style-type: none"> • To protect the potential of agricultural land for primary production and to preserve the landscape and character of the rural areas. • To provide for a range of rural pursuits such as broad-acre and diversified farming which are compatible with the capability of the land and retain the rural character and amenity of the locality. • To consider non-rural uses, such as low key tourism where they can be shown to be of benefit to the district and not detrimental to primary production activity, natural resources or the environment.
<p>Planning and Development (Local Planning Scheme) Regulations 2015 (Statutory instrument)</p>	
Schedule 2; Part 9; Clause 68(2)	<p>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.</p>
Schedule 2; Part 9; Clause 76 (1) and (2)	<p>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.</p>
<p>Shire of Brookton and Beverley Local Planning Strategy – April 2014 (Strategic document)</p>	
10.2 General Agriculture and Land Use (Page 51)	<p>Section 10.2 of the Shire of Brookton Local Planning Strategy stipulates that Council should take into account the following in considering development proposals:</p> <ul style="list-style-type: none"> a) Discourage land uses unrelated to agriculture from locating on agricultural land (unless the proponent suitably demonstrates there are exceptional circumstances to the satisfaction of Council); b) Other elements of the Strategy including protecting environmental assets, servicing and landscape impact; c) Provide adequate separation distance between potential conflicting land uses. The proposed development or use should contain all potentially conflicting effects within the property on which it is located; d) Buffer distances to enable agricultural uses to continue to operate without undue restrictions. The buffers to agricultural land are accommodated within the site subject to the proposal and not within adjoining land; e) How the proposal will not detrimentally impact on existing agricultural operations and outline how the proposal will contribute to sustainable agricultural production in the area; f) Discourage development that may result in land and environmental degradation.

Draft Shire of Brookton Local Planning Scheme (LPS) No.4
(Statutory instrument - pending)

Proposed Zoning	<i>Rural</i>
Permissibility	<i>Table 1 – Zoning Table of draft LPS 4 specifies a Single House is a ‘P’ (permitted) use and Animal Establishment is an ‘A’ use. This means Council does not have ultimate discretion in relation to the Single House development, however does have ability to exercise discretion on the Dog Kennel use based on relevant planning considerations following a public submission process.</i>
Definitions	<i>The definitions for the respective land uses in draft LPS 4 are: - Animal Establishment: means premises used for the breeding, boarding, training or caring of animals for commercial purposes but does not include animal husbandry — intensive or veterinary centre; - Single House: means a dwelling standing wholly on its own green title or survey strata lot, together with any easement over adjoining land for support of a wall or for access or services and excludes dwellings on titles with areas held in common property.</i>
Objectives - 16.2.4 Rural Zone	<i>The draft LPS 4 stipulates the objectives of the Rural Zone are:</i> <ul style="list-style-type: none"> • <i>To manage land use changes so that the specific local rural character of the zone is maintained or enhanced;</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 as secondary uses in circumstances where they demonstrate compatibility with the primary use;</i> • <i>To maintain and enhance the environmental qualities of the landscape, vegetation, soils and water bodies, to protect sensitive areas especially the natural valley and watercourse system from damage;</i> • <i>To provide for the operation and development of existing, future and potential rural land uses by limiting the introduction of sensitive land uses in the Rural zone;</i> • <i>To provide for a range of non-rural land uses where they have demonstrated benefit and are compatible with surrounding rural uses.</i>
Shire of Brookton Dog Local Law 2001 (as amended) (Statutory instrument)	
4.2 Application for licence for approved kennel establishment	<i>The Local Law states an application for a licence must be made in the form of that in Schedule 1, and must be lodged with Council together with plans and specifications of the kennel establishment, and written evidence that either the applicant or another person who will have the charge of the dogs, will reside on the premises or, in the opinion of Council sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare.</i>
4.3 Notice of proposed use	<i>The Local Law further states the application for a Kennel Licence is to be advertised for public comment. Submissions are to be considered and given due regard by Council prior to the granting of a kennel licence.</i>
4.4 Exemption from notice requirements	<i>The Local Law also specifies that where an application for a licence is made in respect of premises on which an approved kennel establishment is either a: a) Permitted use; or b) Use which the local government may approve subject to compliance with</i>

	<i>specified notice requirements, under a town planning scheme, then the requirements of clauses 4.2(b), 4.3 and 4.5(a) do not apply in respect of the application for a licence.</i>
4.5 When application can be determined	<i>The Local Law qualifies that a licence is not to be granted by Council until the applicant has complied with clause 4.2.</i>
4.6 Determination of application	<i>The Local Law under this clause states Council is to have regard to:</i> <i>a) The matters referred to in clause 4.7;</i> <i>b) Any written submissions received within the time specified in clause 4.3(2)(a) on the proposed use of the premises;</i> <i>c) Any economic or social benefits which may be derived by any person in the district if the application for a licence is approved;</i> <i>d) The effect which the kennel establishment may have on the environment or amenity of the neighbourhood;</i> <i>e) Whether the approved kennel establishment will create a nuisance for the owners and occupiers of adjoining premises; and</i> <i>f) Whether or not the imposition of and compliance with appropriate conditions of a licence will mitigate any adverse effects of the approved kennel establishment identified in the preceding paragraphs.</i>
4.7 Where application cannot be approved	<i>Clause 4.7 of the Dog Local Law states the Council cannot approve an application for a kennel licence where:</i> <i>a) An approved kennel establishment cannot be permitted by the local government on the premises under a town planning scheme; or</i> <i>b) An applicant for a licence or another person who will have the charge of the dogs will not reside on the premises, or (in the opinion of Council) sufficiently close to the premises so as to control the dogs and so as to ensure their health and welfare.</i>
4.8 Conditions of approval	<i>Further the Local Law states Council may approve an application for a licence subject to the conditions contained in Schedule 2, and to such other conditions as it considers appropriate, and may vary any of the conditions contained in Schedule 2.</i>
Schedule 2	<i>Schedule 2 of the Local Law specifies that an application for a kennel licence may be approved subject to conditions. Some of the conditions applicable to the application and any subsequent approval by Council includes:</i> <ol style="list-style-type: none"> <i>1. Each kennel, unless it is fully enclosed, must have a yard attached to it;</i> <i>2. Each kennel and each yard must be at a distance of not less than:</i> <ul style="list-style-type: none"> <i>- 25m from the front property boundary of the premises and 5m from any other boundary of the premises;</i> <i>- 10m from any dwelling; and</i> <i>- 25m from any church, school room, hall, factory, dairy or premises where food is manufactured, prepared, packed or stored for human consumption;</i> <i>3. Each yard for a kennel must be kept securely fenced with a fence constructed of link mesh or netting or other materials approved by the local government to a height of no less than 2m;</i> <i>4. The minimum floor area for each kennel must be calculated at 2.5 times the length of the breed of dog (when it is fully grown), squared, times the number of dogs to be housed in the kennel and the length of the dog is to be determined by measuring from the base of the tail to the front of its shoulder;</i>

	<ol style="list-style-type: none"> 5. <i>The floor area of the yard attached to any kennel or group of kennels must be at least twice the floor area of the kennel or group of kennels to which it is attached;</i> 6. <i>A range of other construction standards in relation to:</i> <ul style="list-style-type: none"> - <i>The kennel floor and drainage.</i> - <i>Wall and roof materials including steel framing sheeted internally and externally with good quality new impervious zincalume or colourbond sheeting as approved by the Local Government;</i> 7. <i>All external surfaces of each kennel must be kept in good condition;</i> 8. <i>All kennels and yards and drinking vessels must be maintained in a clean condition and must be cleaned and disinfected when so ordered by an authorized person;</i> 9. <i>All refuse, faeces and food waste must be disposed of daily into the approved apparatus for the treatment of sewage;</i> 10. <i>Noise, odours, fleas, flies and other vectors of disease must be effectively controlled;</i> 11. <i>Suitable water must be available at the kennel via a properly supported standpipe and tap; and</i> 12. <i>The licensee or the person nominated must reside at the premises, or sufficiently close to the premises, so as to control the dogs and to ensure their health and welfare.</i>
<p>Dog Act, 1976 (Statutory instrument)</p>	
<p>Section 27 Licensing of approved kennel establishments</p>	<p><i>Specifically, the Dog Act states under Section 27:</i></p> <ol style="list-style-type: none"> 1. <i>Where, under section 26(1)(a) or (b), a limit is imposed on the number of dogs that can be kept in or at any premises situate in a local government's district area, and a person proposes to keep more than that number of dogs in or at premises in that area that are not exempt from the limitation, the person must apply for the premises in question to be licensed as an approved kennel establishment.</i> 2. <i>A person who keeps, or permits or suffers to be kept, any dog over the age of 3 months of a breed or kind to which that licence applies at an approved kennel establishment otherwise than in accordance with the licence relating to that establishment commits an offence.</i> <i>Penalty:</i> <ol style="list-style-type: none"> (a) <i>a fine of \$5 000;</i> (b) <i>for each separate and further offence committed by the person under the Interpretation Act 1984 section 71, a fine of \$100.</i> 3. <i>Local laws made under this Act may require that dogs in an approved kennel establishment shall be kept in kennels and yards appropriate to the breed or kind in question and having specifications of a standard not less than that prescribed, sited and maintained in accordance with the requirements of public health, and sufficiently secured.</i> 4. <i>A licence to keep an approved kennel establishment may be granted by a local government on an application made in the prescribed manner and form, which may be required to be supported by evidence that due notice of the proposed use of the land has been given to persons in the locality, and where notice is required to be given the local government</i>

	<p>shall have regard to any objections raised.</p> <p>5. A licence under this section has effect for a period of 12 months, and is renewable upon payment of the prescribed fee, but may be cancelled at any time by the local government if the local government is dissatisfied with the conduct of the establishment.</p> <p>6. The cancellation of a licence under this section shall be effected by the service of a notice on the licensee specifying a period at the end of which the licence is cancelled, which shall be a period of not less than 3 months.</p> <p>7. Where:</p> <p>(a) the local government refuses the grant of a licence under this section; or</p> <p>(b) notice of the cancellation of a licence under this section is given,</p> <p>the applicant or the licensee as the case may be may apply to the State Administrative Tribunal for a review of the decision.</p>
<p>Dog Regulations, 2013 (Statutory instrument)</p>	
Generally	<p>While not specific to the establishment of a Dog Kennel, these regulations apply to the registration and management of dogs, and are applicable to owners including those who own and/or operate a Dog Kennel Establishment.</p>
<p>Guidance for the Assessment of Environmental Factors - Separation Distances between Industrial and Sensitive Land Use – No.3 - June 2005 (Guidance document)</p>	
Generally	<p>This Guidance Statement has been prepared to provide a guide to a practical separation distance that should be set and maintained between an industry (such as a Dog Kennel), and sensitive land use (such as a residence). In recognition that a site-specific technical study may not be necessary in all situations, generic separation distances have been developed by the Department Water and Environmental Regulation (DWER) and other regulatory authorities in consideration of amenity impacts from gaseous, dust, noise and odorous emissions, as well as with elevated levels of off-site risk to the public.</p>
Definitions	<p>The relevant definitions extracted from the Guidance Statement are:</p> <ul style="list-style-type: none"> - Buffer: means all the land between the boundary of the area that may potentially be used by an industrial land use, and the boundary of the area within which unacceptable adverse impacts due to industrial emissions on the amenity of sensitive land use are possible. This may be represented by the separation distance. - Industrial land use, industry: means a general term used in this Guidance Statement to encompass a range of industrial, commercial and rural land uses and infrastructure associated with emissions that may affect the amenity of sensitive land uses. - Sensitive land use: means land use sensitive to emissions from industry and infrastructure. Sensitive land uses include residential development, hospitals, hotels, motels, hostels, caravan parks, schools, nursing homes,

	<i>child care facilities, shopping centres, playgrounds and some public buildings. Some commercial, institutional and industrial land uses which require high levels of amenity or are sensitive to particular emissions may also be considered.</i>
Appendix 1	<i>The table under Appendix 1 prescribes the following: a) Dog kennels in rural zones to have a buffer distance from a sensitive land use of 500 metres for noise and odour. b) Dog kennels <u>near or in urban areas</u> to have a <u>buffer distance</u> from a sensitive land use of <u>1000 metres</u> for noise and odour.</i>
Environmental Protection (Noise) Regulations 1997 <i>(Statutory instrument)</i>	
Generally	<i>A noise complaint is assessed against the provisions of these Regulations where measurements are taken over a long enough period to represent the noise emission. For a constant noise, this may only need to be a few minutes while for a noise that varies over time, a longer duration (up to several hours), may be needed to capture an amount that is typical of the noise or to capture several cycles if the noise is repetitive. Usually a measurement is taken from within and outside of a noise sensitive premise.</i>
Schedule 1; Part C – Noise sensitive premises	<i>Schedule 1 of the Noise Regulations specifies in part (for the purpose of this application) that a ‘sensitive premise’ is: 1. Premises occupied solely or mainly for residential or accommodation purposes. 2. Rural premises.</i>
Definition	<i>The relevant definitions extracted from the Noise Regulations are: - Noise sensitive purpose, in relation to a building, or part of a building, on noise sensitive premises, means – (a) a residential or accommodation purpose - Rural premises means premises used primarily for pastoral or agricultural purposes on land classified or zoned agricultural or rural use, or for rural lifestyle living, under a planning scheme as defined in the Planning and Development Act 2005 section 4(1).</i>
Schedule 3 – Determination of influencing factor on noise sensitive premises	<i>The Regulations provide that the noise needs to be measured upon complaint when deemed excessive to the assigned (maximum allowable) level using calibrated equipment at the affected premise by a qualified person.</i>
State Planning Policy 3.7 – Planning in Bushfire Prone Areas <i>(Statutory instrument – tied to Planning Regulations)</i>	
Generally	<i>State Planning Policy 3.7 Planning in Bushfire Prone Areas (SPP 3.7) directs how land use should address bushfire risk management across WA. It applies to all land which has been designated as bushfire prone by the Fire and Emergency Services (FES) Commissioner as highlighted on the Map of Bush Fire Prone Areas. SPP 3.7 a guide to implementing effective risk-based land use planning to preserve life and reduce the impact of bushfire on property and infrastructure.</i>
	<i>The applicants are required to undertake a BAL assessment and address the assigned BAL rating prior to the issuance of Building Permit.</i>

Relevant Plans and Policy:

There are no specific plans or policy documents that apply to this proposal other than those specified in the Statutory Section of this report, including:

- Respective policy statements in the Shire of Brookton Local Planning Strategy – April 2014;
- The BAL requirements under State Planning Policy 3.7.

Financial Implications:

Other than receipt of the statutory planning application fee and future building application fees the only other financial consideration could be a cost incurred should Council refuse the application and an appeal be lodged with the State Administration Tribunal (SAT). At this stage such a cost is unknown.

Risk Assessment:

As mentioned, there is a risk the applicant could lodge an appeal with the SAT should Council refuse the application.

Further, as reflected in some of the submissions from neighbouring landowners the proposed Dog Kennel operation could generate an excessive noise issue or see a dog escape a kennel and attack livestock, however these matters are mainly addressed under the separate legislation of the Environmental Protection (Noise) Regulations 1997 and *Dog Act, 1976* after occurrence of an incident.

Community & Strategic Objectives:

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

Specifically, the proposed Single House and Dog Kennel Establishment aligns to:

Function 2 – Land Use Planning

Action 2.3 – Process Development Applications

Comment

In the first instance, Council needs to give due consideration to this proposal on legitimate planning grounds while having due regard to the other legislative requirements, particularly the Shire of Brookton Dog Local Law 2001 and other policy documents listed and explained in the Statutory Section of this report.

Further, consideration also needs to be given to the following comments (concerns and objections) raised by neighbouring landowners, as listed and responded to below. Again, all submissions are provided in **Attachment 12.06.19.01** to this report.

- a) Comment** - *The Dog Kennel use will de-value the surrounding land for many kilometres and raises the question of compensation being paid by the Dog Kennel owner?*

Response – The matter of land de-valuation is an assumption. It is suggested the affected landowner would need to clearly demonstrate that the adjoining and nearby productive agricultural land has injuriously been affected by the dog kennel establishment. Notably, in regional areas many dog kennels are located within an agricultural setting where this land use is generally accepted as compatible, contrary to many of the comments raised on this proposal.

This understanding is supported by the statutory framework as outlined in this report that suggests a dog kennel development is generally deemed an appropriate land use that can be entertained in the 'Rural' zone and within a broad-acre agricultural area, conditional on the operations being in conformity with the prescribed standards.

b) Comment – *The noise of barking dogs from the Dog Kennels will prevent livestock from grazing and similarly raises the question of compensation?*

Response – Again, this is an assumption with no compelling evidence to support this claim.

Furthermore, it should be acknowledged that:

- The shortest boundary to neighbouring agricultural land is approximately 220 metres and for the most part the dogs will not be visually observed by grazing animals on neighbouring farm land.
- The matter of audible barking can be addressed through a range of measures to assist in managing the barking should this be an issue, such as use of behavioural training, acoustic materials, and electronic devices (although this can be viewed as controversial) to name a few.
- The Council may not renew the Dog Kennel Licence (granted for 12 months) should the establishment not operate in conformity with the prescribed standards and conditions of approval and in any event the Council may cancel the licence at any time should it is not satisfied with the performance of the dog kennel use.

c) Comment – *It is unclear how many dogs the applicants intend to breed using the 20 proposed dog kennels.*

Response – As reflected in the application the proposal is to accommodate up to 20 dogs based on one dog per kennel. This would be conditioned as such on any planning approval granted for the dog kennel development and use, and further reflected in the dog kennel licence issued on an annual basis.

d) Comment – *The noise of barking dogs will adversely affect farmers and those that live opposite or in close proximity to the proposed development.*

Response – Again, this is an assumption that would need to be substantiated through technical measurement and analysis in accordance with the Noise Regulations to demonstrate a level of non-compliance with the assigned noise levels for this type of use. However, such analysis is generally not practical until dog kennels are established and operational to take measured readings from within and outside of the residential premises.

Furthermore, as assessed:

- The closest residence is some 700 metres from the proposed development to the south as reflected in **Figure 8** below, and therefore well beyond the prescribed buffer (separation) distance of 500 metres, as recommended by the DWER document titled 'Guidance for the Assessment of Environmental Factors - Separation Distances between Industrial and Sensitive Land Use – No.3 - June 2005'. This residence is located south-east of the dog kennel site where the prevailing winds from the south, south-west, south-east, east and north-east will direct the barking noise away from this residence.

- The second closest residence is some 750 metres removed in a north-east direction on the opposite side of Great Southern Highway and existing rail corridor – also shown in **Figure 10**. This property is also well beyond the prescribed generic buffer distance, screened by dense vegetation, and partially impacted by vehicle noise from the Highway.



Figure 10 – Approx. separation distances to closest residences

Therefore, suggestion that the barking dogs will have an adverse effect and impact on local residences is, from a planning perspective, somewhat questionable accepting people tolerance of noise personally, does vary.

- e) Comment** – *The dogs may escape, attack and possibly kill livestock, as well as threaten the safety and wellbeing of local families in the area. The Kennels will present a similar threat to that of wild dogs.*

Response – While dog attacks do occur, it is not without acknowledgement that these attacks are often from a dog (or dogs) left to roam, be it wild dogs or domestic/farm working dogs. While establishment of a dog kennel development does not afford a guarantee of no attack, it is suggested the structure and security of the facility coupled with responsible management (as required under the dog licence) that should prove effective in diminishing this risk.

Further, capital investment in the facility and breeding of dogs is largely put at risk should management practices not be compliant and an attack occurs resulting in a dog (or dogs) being put down and the kennel licence being terminated. Accordingly, it is suggested there is strong incentive for the operator/licence holder to ensure the dogs associated with the kennel development are well managed and accounted for on a daily basis.

As to the safety and wellbeing of local residents it is understood the Great Dane breed, while intimidating in size for some people, is relatively gentle in nature. This is reflected in the following extract taken from

<https://www.dogbreedinfo.com/greatdane.htm>

“The Great Dane has a good disposition, often called a “gentle giant.” Charming and affectionate, it is playful and patient with children. It loves everyone and needs to be around people. The Great Dane does not bark much and only becomes aggressive when the circumstances require it. It is reliable, trustworthy and dependable. Courageous and loyal, it is a good watchdog.”

- f) Comment** – *With the breeding program female dogs may attract wild dogs and foxes raising the risk of livestock being attacked and/or killed. There has previously been dog attacks in this area with many sheep killed.*

Response – This comment implies dog attacks can directly be attributed to a dog kennel use with a breeding program. While this is not refuted, it is also seen as no different to a domestic and farm circumstances with dogs in heat where similar attacks could occur. It is suggested that reference to previous dog attacks in this area could be attributed to the latter.

- g) Comment** - *The dog effluent may be washed into the existing water course that forms a tributary to the Avon River causing contamination. Similarly, the waste and cleaning chemicals for the dog kennels could adversely affect the creek with drinking water for livestock downstream.*

Response – This comment appears to be dismissive of two matters:

- i. The application specifies the proposed development will be connected to an effluent disposal system that:
 - Is to be approved by the Health Department of WA;
 - Will be setback in excess of 100 metres from the existing creek line;
 - Once installed should diminish any risk of dog faeces, urine and cleaning chemicals entering the existing creek line.
- ii. The surrounding agricultural activities can involve grazing of stock in significant numbers with animal waste and use of chemicals in weed control and grain production that presents a greater risk of contamination to the existing creek line and more broadly the natural environment.

- h) Comment** – *The large shed and kennel runs is out of character with agricultural environs and therefore are not appropriate in this location.*

Response – To the contrary, it is argued the proposed dog kennel shed at 240 m² of floor area under cover constitutes a relatively modest structure in the rural landscape, and being setback some 450 metres from McCabe Road and well screened from Great Southern Highway, will not present visually as out of character with broad-acre agricultural setting.

- i) Comment** – *The statement the Dog Kennels is ‘Registered Non Commercial’ is untruthful and misleading.*

Response – It is agreed that a breeding kennel establishment where the dogs are sold generating a financial return is a commercial business.

- j) Comment** – *The Dog Kennel proposal is an industrial use and should be located in an Industrial Area.*

Response – While a Dog Kennel use is compatible in the ‘industrial’ zone, it is also broadly accepted as a use that can co-exist in an agriculture setting as broadly indicated in the Statutory Section of this report and by other existing establishments in Regional WA.

k) Comment – *The Shire does not need constant complaints in relation to this type of use.*

Response – It is accepted one of the Shire’s functions is to address complaints in relation to service delivery and regularly compliance, but not to dismiss development proposals premised on possible receipt of complaints. As already mentioned, the Council is obliged to assess and determine this application on legitimate planning considerations only.

l) Comment – *There should be a permanent ban by Council in its Local Law.*

Response – This position is not supported at an Officer level as Dog Kennels (Animal Establishment) is a legitimate land use and business activity recognised and broadly provided for under legislation with a relatively stringent legal of regulation. It should be appreciated that this application affords another economic benefit to the community that would otherwise not be realised if Council was to render the land use as ‘not permitted’ within its new Local Planning Scheme.

m) Comment – *What is the point in asking the people who are directly affected if Council knows best and over-rides results of consultation?*

Response – This comment is considered a misguided statement as it conversely implies “*the people who are directly affected*” know best.

From an officer perspective, it would appear that many of the comments and predominant objection to the proposed development is premised on the NIMBY syndrome, this being a common planning acronym for ‘Not in My Back Yard’. Nimby is largely characterized as opposition by residents to a proposed development or use in their local area, and a connotation that such residents are primarily opposed to the development because it is close to them or affects their interests, but is ok to see the proposed use or development sited elsewhere where is doesn’t directly affect them.

Respectfully, the planning and local government processes are not oriented to accommodate the NIMBY syndrome where landowners dictate appropriate land use. The statutory processes take in fairness to the applicant a balanced approach to considering all of the matters and their legitimacy before arriving at a conclusion or handing down a determination on the matter or proposal to ideally achieve an ‘orderly and proper’ planning outcome.

Conclusion

In consideration of the information provided in the Statutory Section of this report it is concluded that the proposed Single House and Dog Kennel uses:

- Can be entertained at the discretion of Council pursuant to the assigned permissibility under the respective planning schemes, and in accordance with the Planning Regulations. Further, it is promoted the Dog Kennel use adequately accords with the stated objectives of the Farming/Rural zone from a land use compatibility subject to an appropriate level of development and operational management being achieved.

- Can be supported under the Dog legislation, including the Shire of Brookton Dog Local Law 2001 where the application generally illustrates as level compliance with the prescribed standards, including an on-site management presence.
- Can be monitored on performance against compliance requirements, acknowledging the *Dog Act 1976* requires the grant of a dog licence to be annual, and furthermore can be terminated at any time should the operations be deemed on-compliant by Council.
- Extends beyond the generic buffer distance of 500 metres for separation from a residence deemed a sensitive land use under the Department of Water and Environmental Regulation's Guidance Statement No.3. Also the distinct location, landscape attributes, and prevailing wind patterns suggest the closest residences are unlikely to receive a level of noise that exceeds assigned levels under the Noise Regulations. Rather, the dog barking is more likely to be a more distant audible noise, although measurements, monitoring and remediation measures can be performed should an issue arise.
- Fall within the designated bushfire prone area where a BAL assessment will be required prior to the issuance of a building permit.

In response to the comments from many of the neighbouring landowners, most of the matters raise already exist within the agricultural area, including:

- Noise often generated from use of farm machinery, road transport be it movement of grain, stock or passing transport, and barking from working dogs;
- Dog attacks that are mainly from wild and domestic/working dogs roaming, sometimes from neighbouring or nearby properties;
- Contamination from agricultural chemicals (such as the common herbicides and fertilisers) and livestock waste (including dead and rotting carcasses) having an adverse effect on natural water courses and water bodies.

REVISED OFFICER'S RECOMMENDATION

That Council grant planning approval for a Single House and Dog Kennel Establishment on Lot 45 McCabe Road, Brookton pursuant to Schedule 2 Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015, subject to the following:

Conditions

1. *Should the development, the subject of this approval, not be SUBSTANTIALLY COMMENCED within a period of two (2) years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.*
2. *Development of the approved single house and dog kennel establishment shall be carried out in accordance with the terms of the application as approved herein, and the respective plans inclusive of location plan, site plan, floor plans and elevations that form part of this approval.*
3. *A Bushfire Attack Level (BAL) assessment shall be prepared for the approved single house and dog kennel establishment to be submitted with the application for a building permit.*
4. *The approved dog kennel establishment shall not exceed more than twenty (20) dogs at any one time.*
5. *The approved single house shall be used as a manager residence for the dog kennel establishment*

with an on-site presence being maintained on a 24 hour/7 day a week basis.

- 6. The dogs housed in the kennel establishment shall be limited to the Great Dane breed, unless otherwise approved by the Local Government.*
- 7. The approved single house and dog kennel establishment shall be connected to an approved effluent disposal system setback a minimum distance of 100 metres from the edge of the existing creek line.*
- 8. Each exercise yard within the dog kennel establishment shall be kept securely fenced with a fence constructed of link mesh or netting or other materials approved by the local government to a height of no less than 2.0 metres.*
- 9. The dog kennel establishment shall be kept in good condition with the all kennels, yards and drinking vessels being maintained in a clean and a disinfected standard on a daily basis.*
- 10. All refuse, faeces and food waste associated with the dog kennel establishment shall be disposed of daily into the approved apparatus for the treatment of sewage.*
- 11. All barking and whining from dogs within the kennel establishment shall be controlled through application of effective measures that accords to industry standards to the satisfaction of the local government.*
- 12. A minimum of one (1) kennel within the main building shall be acoustically sound proofed to the satisfaction of the local government and used as required to house particularly noisy dog as part of the overall management practices for the kennels.*
- 13. The crossover and internal vehicle access to the approved single house and dog kennel site shall be constructed to an all-weather 2wd drive gravel standard, inclusive of the traverse the existing creek line crossing.*
- 14. The single house and dog kennel establishment is to be connected a reticulated domestic water supply or alternatively supported by provision of an independent fit-for-purpose domestic potable water supply using roof catchment with a minimum 120,000 litres storage capacity, and an additional 15,000 litres of water for firefighting purposes.*
- 15. A tree planting program shall be undertaken around the dog kennel establishment to provide partial shade for the dog run enclosures to the satisfaction of the local government.*

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. It is the responsibility of the Applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire's Building sections on (08) 9642 1106.*

- b. *Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.*
- c. *The applicant is advised a Building Permit is required prior to commencement of any building works.*
- d. *With reference to Condition 13. above:*
 - *Where rainfall is to be used as the predominant source with a water storage tank, the minimum collection area in terms of rain surface runoff to service the tank should be 250 m². The collection area will normally comprise of the roof area of structures on the lot and may include the dwelling, outbuildings and dog kennel building capable of collecting and directing water into the tank. Such water is to accord with the specified standards under the Australian Drinking Water Quality Guidelines 2004.*
 - *For fire-fighting purposes a water tank(s) need to be fitted with a coupling(s) and gate valve(s) to the specification of the Department of Fire and Emergency Services.*
- e. *The applicant is to lodge a formal application for a dog licence prior to commencement of the dog kennel and breeding activity.*
- f. *With reference to Condition 4. above the maximum number of 20 dogs does not apply to any dog under the age of 3 months of the breed specified in this planning approval or the approved dog kennel licence.*
- g. *All signage associated with the dog kennel establishment shall be the subject of a separate planning application to the local government.*
- h. *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 12.06.19.01

(Note to minute: The Chief Executive Officer tabled a Revised Officer Recommendation with change to the 'Advice Notes' part of the Officer Recommendation that reflects the relevant legislation particular to keeping dogs under the age of 3 months.)

OCM 06.19-03

COUNCIL RESOLUTION

MOVED CR WALKER SECONDED CR FANCOTE

That Council grant planning approval for a Single House and Dog Kennel Establishment on Lot 45 McCabe Road, Brookton pursuant to Schedule 2 Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015, subject to the following:

Conditions

- 1. Should the development, the subject of this approval, not be SUBSTANTIALLY COMMENCED within a period of two (2) years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.**
- 2. Development of the approved single house and dog kennel establishment shall be carried out in accordance with the terms of the application as approved herein, and the respective plans inclusive of location plan, site plan, floor plans and elevations that form part of this approval.**
- 3. A Bushfire Attack Level (BAL) assessment shall be prepared for the approved single house and dog kennel establishment to be submitted with the application for a building permit.**
- 4. The approved dog kennel establishment shall not exceed more than twenty (20) dogs at any one time.**
- 5. The approved single house shall be used as a manager residence for the dog kennel establishment with an on-site presence being maintained on a 24 hour/7 day a week basis.**
- 6. The dogs housed in the kennel establishment shall be limited to the Great Dane breed, unless otherwise approved by the Local Government.**
- 7. The approved single house and dog kennel establishment shall be connected to an approved effluent disposal system setback a minimum distance of 100 metres from the edge of the existing creek line.**
- 8. Each exercise yard within the dog kennel establishment shall be kept securely fenced with a fence constructed of link mesh or netting or other materials approved by the local government to a height of no less than 2.0 metres.**
- 9. The dog kennel establishment shall be kept in good condition with the all kennels, yards and drinking vessels being maintained in a clean and a disinfected standard on a daily basis.**
- 10. All refuse, faeces and food waste associated with the dog kennel establishment shall be disposed of daily into the approved apparatus for the treatment of sewage.**
- 11. All barking and whining from dogs within the kennel establishment shall be controlled through application of effective measures that accords to industry standards to the satisfaction of the local government.**
- 12. A minimum of one (1) kennel within the main building shall be acoustically sound proofed to the satisfaction of the local government and used as required to house particularly noisy dog as part of the overall management practices for the kennels.**
- 13. The crossover and internal vehicle access to the approved single house and dog kennel site shall be constructed to an all-weather 2wd drive gravel standard, inclusive of the traverse the existing creek line crossing.**
- 14. The single house and dog kennel establishment is to be connected a reticulated domestic water supply or alternatively supported by provision of an independent fit-for-purpose domestic potable**

water supply using roof catchment with a minimum 120,000 litres storage capacity, and an additional 15,000 litres of water for firefighting purposes.

15. A tree planting program shall be undertaken around the dog kennel establishment to provide partial shade for the dog run enclosures to the satisfaction of the local government.

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. It is the responsibility of the Applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire's Building sections on (08) 9642 1106.**
- b. Nothing in the approval or these conditions shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.**
- c. The applicant is advised a Building Permit is required prior to commencement of any building works.**
- d. With reference to Condition 13. above:**
 - Where rainfall is to be used as the predominant source with a water storage tank, the minimum collection area in terms of rain surface runoff to service the tank should be 250 m². The collection area will normally comprise of the roof area of structures on the lot and may include the dwelling, outbuildings and dog kennel building capable of collecting and directing water into the tank. Such water is to accord with the specified standards under the Australian Drinking Water Quality Guidelines 2004.**
 - For fire-fighting purposes a water tank(s) need to be fitted with a coupling(s) and gate valve(s) to the specification of the Department of Fire and Emergency Services.**
- e. The applicant is to lodge a formal application for a dog licence prior to commencement of the dog kennel and breeding activity.**
- f. With reference to Condition 4. above the maximum number of 20 dogs does not apply to any dog under the age of 3 months of the breed specified in this planning approval or the approved dog kennel licence.**
- g. All signage associated with the dog kennel establishment shall be the subject of a separate planning application to the local government.**
- h. Should the applicant be aggrieved by the conditions of this planning approval, a right of appeal exists to the State Administrative Tribunal (SAT) subject to Part 14 of the Planning and Development Act 2005. Appeals must be lodged to SAT within 28 days. Further information can be obtained from the SAT website – www.sat.justice.wa.gov.au.**

CARRIED BY SIMPLE MAJORITY VOTE 6-0



Received on

30 MAY 2019

By the Shire of Brookton Registrar & Council

Town Planning Application
Submission Form

TO: The Chief Executive Officer (PO Box 42 Brookton 6306 or email mail@brookton.wa.gov.au)

Proposal: Registered Non-Commercial Dog Kennel

Address: Lot 45 McCabe Road, Brookton

Return on or before 3 pm Monday 11 June 2019

SUBMISSION

Name: Kim Williams

Address: 32 Paragon ST Pingelly

Phone: 0408871399

Email: kim99@westnet.com.au

Please indicate your position: Support Object Indifferent

Please state your concerns, objections or support for this proposal with reasons (if applicable)

Please see attached pages 2 + 3.

Signature: K. J. Williams Date: 23/5/2019
Please attach additional comment if required.

1. We strongly object to the proposal of 20 dog kennels & 20 dog runs at Lot 45 McCabe Road Brookton.
2. This application & proposal seems hard to believe if a person is seeking to build a very large shed with 20 dog kennels & 20 dog runs & saying it's for non commercial use when the applicant is a registered dog breeder.
3. If this dog kennel proposal is approved it will devalue the farm land surrounding it for many kilometres , no sheep, lambs or livestock will graze on the adjacent land because of the barking dog noise.
4. Who will be liable for the loss of the lands value , the council for approving it or the applicant for building it in an area where sheep & livestock have grazed for many years.
5. Is the applicant going to pay farmers compensation for the loss of the use of their land because no sheep will graze alongside a complex where there is barking dogs
6. The noise of the barking dogs will be heard for many kilometres , this complex & the noise of barking dogs will affect the farmers & those that live opposite & near bye & their livestock.
7. The applicant doesn't say how many or the maximum number of dogs that he intends to have & to breed in his shed of 20 kennels & 20 runs.
8. Will the surrounding farmers be given compensation if the dogs or a dog escapes & attacks or kills any of their livestock , including the farmer & his wife or children that work & play in the yards opposite this proposed complex.
Having a large complex where there is a lot of dog for breeding or female dogs on heat may attract wild dogs & foxes to them, putting the neighbours sheep & lambs at risk of being attacked & or killed.

When a female dog is on heat she can be smelt by other dogs & foxes up to 5 Kilometres away because of her female odour when she is in season to mate.

There have been dog attacks in the past in this area & many sheep were killed.
9. On this property at Lot 45 McCabe Road Brookton, it has a long creek running through it, this creek & land varies very significantly by rainfall due to a dry summer or very wet winter rainfall.
The creek starts further west of this property & runs through to Brookton & into the Avon river that runs through to the Perth Swan river.
10. The applicant has stated he will have 2 septic tanks & 2 leach drains for the run off from the house & his 108 sq metre complex .This property & land slopes running downhill towards the creek from where he is going to put the drains.

11. The applicant will have to clean his sheds out on a regular basis with running water & CHEMICALS to remove the dogs urine, faeces & smell , this waste will run down towards the creek, as we know water runs downhill , the waste from the house & complex may well all end up in the creek.
This is a major concern for all the farm animals that drink out of the creek further downstream.

12. This proposed dwelling at Lot 45 McCabe Road ,Brookton with a large shed & 20 dog kennels & 20 dog runs is OUT Of CHARACTER for this area.
This is farming land for sheep, cattle & grain growing , having these dog kennels in this area will have a SIGNIFICANT IMPACT on the surrounding farmers lifestyle & their animals & the ENVIRONMENT (because of barking dogs).

13. We strongly object to this proposal at Lot45 McCabe Road Brookton for a large shed with 20 Dog Kennels & 20 Dog runs on this property.
We have mentioned a few reasons why we object & there are many more .
We feel for all farmers that are concerned & some have approached us with their concerns regarding the application.
We are hoping that the council can see that having these dog kennels here is not the APPROQUATE location for them.

P2766



Shire of
Town Planning Application
Submission Form

Received
31 MAY 2019
By the
Shire of Bro
Meeting Area

TO: The Chief Executive Officer (PO Box 42 Brookton 6306 or email mail@brookton.wa.gov.au)

Proposal: Registered Non-Commercial Dog Kennel

Address: Lot 45 McCabe Road, Brookton

Return on or before 3 pm Monday 11 June 2019

SUBMISSION

Name: Lyn TON JAMES MESSENGER

Address: P.O. Box 153 BROOKTON 6306 WA.

Phone: 0428421018

Email: ljm@bigpond.com

Please indicate your position: Support Object Indifferent

Please state your concerns, objections or support for this proposal with reasons (if applicable)

I Totally oppose this application.
Reasons on attached sheets 1 and 2
Its a no Brainer!

Signature: L.J. Messenger Date: 29-5-2019
Please attach additional comment if required.

1. *I totally object to the proposal Dog Kennel Complex on Lot 45 McCabe Rd Brookton.*
2. *This is a threat to sheep and cattle production, similar to wild dog attacks.*
3. *Years ago when there were only 3 farmers up Glenester Rd, we had Ian Clements dogs kill initially 40 ewes and a number of lambs, more ewes and lambs died from injuries later, they were spooked out for at least another year and the lambing percentage dramatically dropped and no compensation. Since then Ian Ian Clements has been split up and an application for kennels on one of the blocks. I objected and the application was rejected on our previous experience.*
4. *The title of "Registered Non Commercial" dog kennel is not a TRUTHFUL description, when theres 20 runs and 2 per run. I doubt anybody having 40 PET Great Danes---they are just pulling the wool over everyones eyes. Its not for PETS, but its an "INDUSTRIAL COMPLEX"*
5. *Registered breeders blanked out, with a magnifying glass in good light, you can decipher the printing they^r trying to hide, it is---Mary Jane and Shayne Wasley, Cymroz Great Danes, Australian National Kennel Club Registered Breeder*

A. J. Mesinger. 29-5-2019

2

6. Council has already a designated dog breeding area in the S.E. corner of town, promoted by the Real Estate agent when he was on Council. I note 1 or 2 complexes are not in much use, an offer could be made.
7. This proposal is an Industrial complex and should be in the INDUSTRIAL AREA.
8. This INDUSTRIAL COMPLEX if allowed, will set a precedent for every life style block amongst sheep and cattle farming to have dog breeding complexes next door. We have to take notice of the dog attacks in the vast pastoral areas, here we are closer settled and the problem is more intense.
9. When the Bitches are on heat, the wind will carry their scent 7 miles or 11.26 KMS. The stray dogs will travel across country through livestock.
10. All stray dogs will be shot, no second chances.
11. Adjoining land owners don't want the noise created and problems associated with it.
12. The Shire doesn't need the constant complaints from this type of operation.
13. A permanent BAN should be in Councils BYLAWS Period.

A. J. Munger 29-5-2019.

Town Planning Application

Submission Form

TO: The Chief Executive Officer (PO Box 42 Brookton 6306 or email mail@brookton.wa.gov.au)

Proposal: Registered Non-Commercial Dog Kennel

Address: Lot 45 McCabe Road, Brookton

Return on or before 3 pm Monday 11 June 2019

SUBMISSION

Name: RODNEY EVA

Address: 47 MCCABE ROAD, BROOKTON WA 6306

Phone: 0409 978 908

Email: ramblingacres@outlook.com

Please indicate your position: Support Object Indifferent

Please state your concerns, objections or support for this proposal with reasons (if applicable)

We strongly oppose this application and feel it would be irresponsible for a dog breeding facility to be placed in the middle of livestock production area.

There are other locations already established in this Shire where a dog breeding facility would be more appropriate.

The potential risk to our livelihood and business is too great to let this proposal go ahead.

Signature:  Date: 14th May '19

Please attach additional comment if required.

**Town Planning Application
Submission Form**

Received on

05 MAY 2019

By the
Shire of Brookton
Meeting Room 2

TO: The Chief Executive Officer (PO Box 42 Brookton 6306 or email mail@brookton.wa.gov.au)

Proposal: Registered Non-Commercial Dog Kennel

Address: Lot 45 McCabe Road, Brookton

Return on or before 3 pm Monday 11 June 2019

SUBMISSION

Name: Brendan + Shannon McCabe.

Address: Lot 45 Great Southern Highway Brookton

Phone: 0829621149

Email: brendanandshannon@hotmail.com

Please indicate your position: Support Object Indifferent

Please state your concerns, objections or support for this proposal with reasons (if applicable)

Our family resides directly across the road from the property, a very short distance as our house is quite close to the road. We would object based on noise. We have young children - a past experience has been that dogs bark a lot at night, & this noise travels far. We would not support this application.

Signature:  B. McCabe Date: 29 May 2019
Please attach additional comment if required.

Shire of
BROOKTON
Town Planning Application
Submission Form

TO: **The Chief Executive Officer** (PO Box 42 Brookton 6306 or email mail@brookton.wa.gov.au)

Proposal: Registered Non-Commercial Dog Kennel

Address: Lot 45 McCabe Road, Brookton

Return on or before 3 pm Monday 11 June 2019

SUBMISSION

Name: RJ & LJ Bassett (BRIESTAR PTY LTD)
Address: PO Box 51 BROOKTON 6306
Phone: 0419 421070
Email: lyne.bassett@westnet.com.au

Please indicate your position: Support Object Indifferent

Please state your concerns, objections or support for this proposal with reasons (if applicable)

Signature:  Date: 16.5.19
Please attach additional comments if required.



Shire of
Brookton
Town Planning Application
Submission Form

Received on

06 JUN 2019

By the
Shire of Brookton
"Modern Australia"

TO: The Chief Executive Officer (PO Box 42 Brookton 6306 or email mail@brookton.wa.gov.au)

Proposal: Registered Non-Commercial Dog Kennel

Address: Lot 45 McCabe Road, Brookton

Return on or before 3 pm Monday 11 June 2019

SUBMISSION

Name: Nick McCabe

Address: Box 177, Brookton, 6306

Phone: 04 28 44 88 14

Email: nicksatch177@hotmail.com

Please indicate your position: Support Object Indifferent

Please state your concerns, objections or support for this proposal with reasons (if applicable)

Having discussed this matter with surrounding neighbours,

I know that the majority of people oppose this proposal.

I therefore pose the following question if approval is granted :

What is the point of asking the people who are directly affected

if Council knows best and over-rides the results of consultation ?

The "disconnect" will remain if we don't feel we are getting heard.

Signature:

Date: 06.06.2019

Please attach additional comment if required. *Thank you for the opportunity to have our say.*

12.06.19.02 REQUEST FOR THIRD DOG - 92 WILLIAMS STREET BROOKTON

File No:	ADM 0243
Date of Meeting:	20/06/2019
Location/Address:	Shire of Brookton
Name of Applicant:	Ms. J Senn
Name of Owner:	Shire of Brookton
Author/s:	Stephen Thomson Ian D'Arcy – Chief Executive Officer
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:	Nil

Summary of Item:

This item seeks Council approval of a request received by the resident occupying 92 Williams Street in Brookton (Ms. Joanne Senn) to keep a third dog at that premises.

Background:

The approach to keep the third dog at the premises came through to the Shire as a letter from Joanne Senn dated 8th May 2019.

Consultation:

The request for was provided to Mr. Matt Sharpe, the Shires Contract Ranger to undertake an investigation of the request for 3 dogs. Mr. Sharpe has undertaken an inspection of the property and verbally advised:

- The property was suitably set up to house the existing and requested pet dogs.
- No issues were identified in terms of adverse impact on neighboring properties.
- The breed of the existing and extras dog are all suitable for housing at the premises.
- The owner's past behavior and circumstances give no indication of not being good and compliant pet owner.

Based on these factors Mr. Sharpe is supportive an approval being granted for a third dog to be allowed at the premises.

Statutory Environment:

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 —*

- 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*
- 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*.

Relevant Plans and Policy:

There are no plans or policies applicable to this matter.

Financial Implications:

The extra dog, should approval be given, will incur the Shire’s standard registration and licensing fees.

Risk Assessment:

There is negligible risk to the request based on the investigation undertaken by the Shire's Contract Ranger. However, should issues arise the Council may revoke or vary the approval for a third dog in accordance with Provision 26.(3) of the *Dog Act, 1976* at any time.

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

As mentioned, the Shire Ranger has indicated the permission to keep a third dog at 92 William Street should not pose any issues given the well natured behavior of the animals and Ms Senn presenting a responsible pet owner.

Therefore it is recommended the Council grant approval to Ms. Senn's request.

OFFICER'S RECOMMENDATION

That Council pursuant to Provision 26.(3) of the Dog Act, 1976 grant an exemption for a third dog to be kept at 92 Williams Street in Brookton, subject to the owner maintaining full registration of the dog with the Shire and management of its behaviour, inclusive of the dog being microchipped, vaccinated and restrained within an enclosed yard, as required under the legislation.

Attachments

Attachment 12.06.19.02

OCM 06.19-04

COUNCIL RESOLUTION

MOVED CR MILLS SECONDED CR FANCOTE

That Council pursuant to Provision 26.(3) of the Dog Act, 1976 grant an exemption for a third dog to be kept at 92 Williams Street in Brookton, subject to the owner maintaining full registration of the dog with the Shire and management of its behaviour, inclusive of the dog being microchipped, vaccinated and restrained within an enclosed yard, as required under the legislation.

CARRIED BY SIMPLE MAJORITY VOTE 6-0

ADM0243

Received on

8th May 2019

09 MAY 2019

To Whom It May Concern



This letter is to request permission from the Shire of Brookton to allow me to have 3 dogs in my home.

I moved to Brookton in January 2019. I was previously living in Bodallin and operated a dog breeding business there, Due to an accident & breakdown of a relationship I no longer breed & own only 3 dogs now, Since January I have had 2 dogs living here with me in Brookton & the third has been living with my mother in Perth. Unfortunately the circumstances have changed for my mother & her health no longer allows her to look after my third dog,

My dogs are as follows:-

Missy – Maltese x Shih-Tzu (5-1/2 yrs old)

Rosie – Maltese x Toy Poodle (4-1/2 yrs old)

Clancy – Shih Tzu (6-1/2 yrs old)

Both Missy & Rosie are currently registered within this shire. All three of my dogs are fully vaccinated, flea treated, wormed, microchipped & are members of the Pet Club operated from the Narrogin Veterinary Clinic. Evidence of this can be provided.

I have owned all my dogs since they were pups & therefore have a deep love & bond with each of them.

If you would like to meet them this can also be arranged to confirm they are small friendly lap dogs that do not have a barking issue or any other issue that could be considered a nuisance.

Look forward to your reply.

Kind Regards

Joanne Senn

92 WILLIAMS ST BROOKTON

12.06.19.03 AUTHORISATION OF DUAL FIRE CONTROL OFFICERS

File No:	ADM 0191
Date of Meeting:	20/06/2019
Location/Address:	N/A
Name of Applicant:	Shire of Corrigin
Name of Owner:	N/A
Author/s:	Ian D’Arcy – Chief Executive Officer
Authorising Officer:	As above
Declaration of Interest:	The author has no interest in this item
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

In accordance with legislative requirements the Council is required to formally appoint its Bushfire Control Officers. This is done to ensure compliance and lawfully legitimise their authorisation under *Bush Fires Act 1954*, in fulfilling their duty.

Description of Proposal:

This report seeks Council’s consideration to appointing Dual Fire Control Officers from the Shire of Corrigin.

Background:

Council has been requested by the Shire of Beverley to appoint Dual Fire Control Officers under the *Bush Fires Act, 1954* to empower these volunteers to act in their appointed roles across the municipal boundary. This includes the appointment of the following people in the capacity of Dual Fire Control Officer from Shire of Corrigin:

- Mr Ray Hathaway
- Mr Braden Grylls

A copy of the email from the Shire of Corrigin are provided at **Attachment 12.06.19.03**.

Consultation:

There has been no consultation in relation to this matter.

Statutory Environment:

As mentioned the appointment of a Dual Fire Control Officer for the 2018/19 Bush Fire season is undertaken in accordance with Section 38 of the *Bush Fires Act, 1954*.

Relevant Plans and Policy:

There are no plans or policies applicable to this proposal.

Financial Implications:

There is no impost on the Shire’s finances in relation to this matter.

Risk Assessment:

Without the required authorisation from Council there is a perceived high level risk in relation to the

duties performed by the newly appointed Dual Fire Control Officers, which could be deemed unlawful and potentially invalid should their actions be challenged through a judicial process.

Community & Strategic Objectives:

This proposal relates to delivery of core business and services for the BROOKTON Community.

Comment

Nil.

OFFICER'S RECOMMENDATION

That Council appoints under Section 38 of the Bush Fires Act, 1954 the following people from the Shire of Corrigin as authorised officers in the capacity of Dual Fire Control Officer for 2019/2020 Bush Fire Season:

- *Mr Ray Hathaway*
- *Mr Braden Grylls*

Attachments

Attachment 12.06.19.03

OCM 06.19-05

COUNCIL RESOLUTION

MOVED CR EYRE SECONDED CR WALKER

That Council appoints under Section 38 of the Bush Fires Act, 1954 the following people from the Shire of Corrigin as authorised officers in the capacity of Dual Fire Control Officer for 2019/209 Bush Fire Season:

- *Mr Ray Hathaway*
- *Mr Braden Grylls*

CARRIED BY SIMPLE MAJORITY VOTE 6-0



PO Box 221, Corrigin WA 6375
T: 9063 2203
F: 9063 2005
E: shire@corrigin.wa.gov.au

Our Ref: ES 0001
Contact: Julia Baker
geo@corrigin.wa.gov.au

2 May 2019

Mr Ian D'Arcy
Chief Executive Officer
Shire of Brookton
PO Box 42
BROOKTON WA 6306

Dear Ian

RE: APPOINTMENT OF DUAL FIRE CONTROL OFFICERS 2019/2020

The Shire of Corrigin requests the following people be appointed as Dual Bush Fire Control Officers by the Shire of Brookton for the 2019/2020 bush fire season:

- **Ray Hathaway**
- **Braden Grylls**

Yours sincerely

Natalie Manton
Chief Executive Officer

13.06.19 COMMUNITY SERVICES REPORTS

Nil

14.06.19 FINANCE & ADMINISTRATION REPORTS**14.06.19.01 LIST OF ACCOUNTS FOR PAYMENT**

File No:	N/A
Date of Meeting:	20/06/2019
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Lois Salkilld – Corporate Business Officer - Finance
Authorising Officer:	Vicki Morris – Deputy Chief Executive Officer
Declaration of Interest:	The author has no financial interest in this matter.
Voting Requirements:	Simple Majority
Previous Report:	16/05/2019

Summary of Item:

The list of accounts for payment to 31st May, 2019 are presented to Council for inspection.

Description of Proposal:

To approve the account for payment.

Background:

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

Consultation:

N/A

Statutory Environment:

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

Relevant Plans and Policy:

Policy No. 4.4 of the Council Policy Manual states that the Chief Executive Officer is authorized to arrange purchase of specific items in the budget, which do not require calling tenders, providing that it is within the approved budget.

Financial Implications:

There are no financial implications relevant to this report.

Risk Assessment:

No risks identified as this is an operational reporting requirement.

Community & Strategic Objectives:

This activity is contained in the Corporate Compendium.

Comment

Totals of all payments from each of Council's bank accounts are listed below. The payment schedule is provided to Councillors separately and not published on the Shire of Brookton website to mitigate against the potential of fraudulent activity that can arise from this practice. Members of the public can obtain the schedule from the Shire of Brookton Administration Office.

To 31st May 2019

Municipal Account

Direct Debits	\$91,471.51
EFT	\$509,748.46
Cheques	\$42,318.91
Trust Account	\$330.00

OFFICER'S RECOMMENDATION

That with respect to the list of accounts for payment, Council: note the payments authorized under delegated authority and detailed below and in the List of Accounts 31st May 2019.

To 31st May 2019

Municipal Account

Direct Debits	\$91,471.51
EFT	\$509,748.46
Cheques	\$42,318.91
<i>Trust Account</i>	<i>\$330.00</i>

Attachments

Attachment 14.06.19.01A

Members of the public can obtain the schedule from the Shire of Brookton Administration Office.

OCM 06.19-06

COUNCIL RESOLUTION

MOVED CR MILLS SECONDED CR HARTL

That with respect to the list of accounts for payment, Council: note the payments authorized under delegated authority and detailed below and in the List of Accounts 31st May 2019.

To 31st May 2019

Municipal Account

Direct Debits	\$91,471.51
EFT	\$509,748.46
Cheques	\$42,318.91
Trust Account	\$330.00

CARRIED BY SIMPLE MAJORITY VOTE 6-0

14.06.19.02 STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIOD ENDED 31 MAY 2019

File No:	N/A
Date of Meeting:	20/06/2019
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Lois Salkilid – Corporate Business Officer (Finance)
Authorising Officer:	Vicki Morris – Deputy Chief Executive Officer
Declaration of Interest:	The authors have no financial interest in this matter
Voting Requirements:	Simple Majority
Previous Report:	There is no previous meeting reference

Summary of Item:

The Statement of Financial Activity for the period ended 31 May 2019 is presented to Council.

Description of Proposal:

That Council receives the Statement of Financial Activity for the period ended 31 May 2019 as presented.

Background:

In accordance with regulation 34 of the *Local Government (Financial Management) Regulations 1996*, the Shire is to prepare a monthly Statement of Financial Activity for approval by Council.

Consultation:

Reporting officers receive monthly updates to track expenditure and income.

Statutory Environment:

Section 6.4 of the *Local Government Act 1995*.

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

Section 6.8 of the *Local Government Act 1995*

Relevant Plans and Policy:

There is no Council Policy relevant to this issue.

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

Financial Implications:

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

Risk Assessment:

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

Community & Strategic Objectives:

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

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

Corporate Business Plan by providing comparatives against the Annual Budget.

Comment

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

OFFICER'S RECOMMENDATION

That Council receives the Monthly Statements of Financial Activity for the period ending 31 May 2019, as presented in Attachment 14.06.19.02.

Attachments

Attachment 14.06.19.02

OCM 06.19-07

COUNCIL RESOLUTION

MOVED CR HARTL SECONDED CR EYRE

That Council receives the Monthly Statements of Financial Activity for the period ending 31 May 2019, as presented in Attachment 14.06.19.02.

CARRIED BY SIMPLE MAJORITY VOTE 6-0

**Shire of Brookton
Monthly Reporting Model
Base Input Data**

General User Input

Local Government Name
 Last Year (-2)
 Last Year (-1)
 Current Year
 Current Reporting Period
 Start of Current Financial Year
 End of Financial Year

Data to appear in the Report

Shire of Brookton	
	2016-17
	2017-18
	2018-19
For the Period Ended 31 May 2019	
	01-Jul-18
	30-Jun-19

Material Threshold

Material Amount Income
 Material Amount Expenditure
 Material Percentage Income
 Material Percentage Expenditure

	\$10,000
	\$10,000
	10.00%
	10.00%

Material Variances Symbol

Above Budget Expectations
 Below Budget Expectations

	▲
	▼

**Shire of Brookton
Monthly Reporting Model
Graph Input Data**

Statement of Financial Activity

Month	Operating Expenses		Operating Revenue		Capital Expenses		Capital Revenue	
	Budget 2018-19	Actual 2018-19	Budget 2018-19	Actual 2018-19	Budget 2018-19	Actual 2018-19	Budget 2018-19	Actual 2018-19
Jul	769,232	612,509	473,925	677,474	313,560	26,968	124,436	4,369
Aug	1,522,518	1,055,862	1,056,166	1,446,694	627,119	27,654	248,873	4,369
Sep	2,378,662	2,532,956	1,544,365	2,153,293	964,382	30,567	375,059	4,369
Oct	3,086,214	3,475,179	2,068,446	2,790,540	1,295,827	865,984	555,064	182,576
Nov	3,906,757	4,223,376	2,674,472	3,363,107	1,619,784	966,199	683,375	192,351
Dec	4,955,101	4,944,994	3,211,952	4,025,286	1,943,741	1,052,003	815,187	192,351
Jan	5,704,405	5,845,064	3,691,203	4,185,839	2,267,698	1,321,635	944,081	196,847
Feb	6,456,560	6,620,137	4,226,007	4,745,090	2,664,526	1,378,908	1,102,370	196,847
Mar	7,268,609	7,399,083	4,669,326	5,136,456	2,997,592	1,517,462	1,240,166	196,847
Apr	7,992,646	8,187,798	5,099,170	5,682,719	3,330,658	1,958,301	1,377,963	211,136
May	8,803,311	8,965,883	5,658,618	6,235,223	3,693,057	2,136,504	1,517,592	234,886
Jun								

**Shire of Brookton
Monthly Reporting Model
Graph Input Data (Cont.)**

Note 3 - Net Funding Current Position

Month	Actual 2016-17 \$('000s)	Actual 2017-18 \$('000s)	Actual 2018-19 \$('000s)
Jul	267,469	907,333	1,207,105
Aug	3,164,854	3,295,912	4,051,835
Sep	3,435,041	3,637,304	3,520,526
Oct	1,972,833	2,372,296	2,805,542
Nov	2,372,945	2,381,438	2,781,753
Dec	1,584,583	2,034,219	2,887,488
Jan	1,758,100	1,808,505	2,133,457
Feb	1,831,612	1,794,385	2,086,564
Mar	1,584,583	2,034,219	1,810,439
Apr	1,584,583	2,034,219	1,383,009
May	1,584,583	2,034,219	1,251,832
Jun			

**Shire of Brookton
Monthly Reporting Model
Graph Input Data (Cont.)**

Note 4 - Rates and Rubbish Collection History

Month	Last Year 2017-18 %	This Year 2018-19 %
Jul	21	25
Aug	14	-0
Sep	72	28
Oct	72	78
Nov	83	83
Dec	83	84
Jan	91	91
Feb	91	92
Mar	93	96
Apr	93	97
May	93	97
Jun		

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
(Statutory Reporting Program)
For the Period Ended 31 May 2019

	Note	Adopted Annual Budget	Amended Budget - Dec OCM	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)-(a)/(b)	Var.
		\$		\$	\$	\$	%	
Operating Revenues								
Governance		11,550	16,399	15,969	25,803	9,835	61.59%	
General Purpose Funding		600,727	685,877	642,711	1,183,905	541,194	84.20%	▲
Law, Order and Public Safety		20,000	20,000	19,664	20,236	572	2.91%	
Health		1,300	1,300	1,251	890	(361)	(28.84%)	
Education and Welfare		4,429,822	4,495,238	4,123,408	4,028,224	(95,184)	(2.31%)	
Housing		81,696	81,696	74,888	86,244	11,356	15.16%	▲
Community Amenities		391,933	391,933	359,260	390,201	30,941	8.61%	
Recreation and Culture		41,882	43,002	39,477	46,671	7,194	18.22%	
Transport		574,593	604,546	302,273	369,807	67,534	22.34%	▲
Economic Services		50,430	50,430	46,211	43,830	(2,381)	(5.15%)	
Other Property and Services		36,560	36,560	33,506	39,412	5,906	17.63%	
Total (Excluding Rates)		6,240,493	6,426,981	5,658,618	6,235,223	576,606	10.19%	
Operating Expense								
Governance		(505,146)	(531,044)	(432,542)	(376,725)	55,817	(12.90%)	
General Purpose Funding		(206,116)	(206,116)	(178,612)	(152,336)	26,276	(14.71%)	
Law, Order and Public Safety		(172,331)	(180,331)	(90,166)	(143,407)	(53,241)	59.05%	
Health		(80,802)	(79,565)	(50,821)	(61,154)	(10,333)	20.33%	
Education and Welfare		(3,874,446)	(4,434,515)	(4,068,531)	(3,790,810)	277,721	(6.83%)	
Housing		(241,994)	(241,994)	(221,426)	(141,719)	79,707	(36.00%)	
Community Amenities		(481,624)	(492,754)	(453,300)	(334,503)	118,797	(26.21%)	
Recreation and Culture		(1,012,065)	(1,015,690)	(923,629)	(785,855)	137,774	(14.92%)	
Transport		(2,430,797)	(2,435,892)	(2,216,652)	(2,795,252)	(578,600)	26.10%	
Economic Services		(175,834)	(170,697)	(152,402)	(125,317)	27,085	(17.77%)	
Other Property and Services		(28,970)	(28,970)	(15,230)	(258,804)	(243,574)	1599.31%	▼
Total		(9,210,125)	(9,817,568)	(8,803,311)	(8,965,883)	(162,572)	(1.85%)	
Funding Balance Adjustment								
Add back Depreciation		2,109,945	2,109,945	1,934,116	2,703,813	769,697	39.80%	▲
Adjust (Profit)/Loss on Asset Disposal	6	765	(3,181)	(2,916)	(3,946)	(1,030)		
Adjust (Profit)/Loss on Asset Revaluation		0	0	0	0	0		
Movement in Non Cash Provisions		0	0	0	0	0		
Net Operating (Ex. Rates)		(858,922)	(1,283,824)	(1,213,493)	(30,792)	1,182,701	(97.46%)	
Capital Revenues								
Proceeds from Disposal of Assets	6	65,000	106,818	97,917	55,454	(42,462)	0.00%	
Self-Supporting Loan Principal		28,754	28,754	26,358	43,043	16,685	63.30%	▲
Transfer from Reserves	5	1,464,483	1,519,983	1,393,318	136,389	(1,256,929)	(90.21%)	▼
Total		1,558,237	1,655,555	1,517,592	234,886	(1,282,706)		
Capital Expenses								
Land and Buildings	6	(960,000)	(960,000)	(880,000)	(265,556)	614,444	(69.82%)	
Plant and Equipment	6	(357,000)	(405,485)	(371,694)	(137,268)	234,427	(63.07%)	
Furniture and Equipment	6	(75,000)	(69,000)	(63,250)	0	63,250	(100.00%)	
Infrastructure Assets - Roads & Bridges	6	(922,686)	(1,002,664)	(919,109)	(670,544)	248,565	(27.04%)	
Infrastructure Assets - Sewerage	6	(10,000)	(42,000)	(38,500)	(522)	37,978	(98.64%)	
Infrastructure Assets - Parks	6	0	0	0	0	0	0.00%	
Repayment of Debentures	7	(138,653)	(138,653)	(127,098)	(146,172)	(19,073)	15.01%	
Transfer to Reserves	5	(1,394,190)	(1,410,988)	(1,293,406)	(916,443)	376,962	(29.14%)	
Total		(3,857,529)	(4,028,789)	(3,693,057)	(2,136,504)	1,556,553	(42.15%)	
Net Capital		(2,299,292)	(2,373,234)	(2,175,465)	(1,901,618)	273,847	(12.59%)	
Total Net Operating + Capital		(3,158,214)	(3,657,058)	(3,388,958)	(1,932,410)	1,456,548	(42.98%)	
Rate Revenue		2,244,064	2,269,064	2,244,064	2,270,091	26,027	1.16%	
Opening Funding Surplus(Deficit)		914,150	914,150	914,150	914,150	0	0.00%	
Closing Funding Surplus(Deficit)	3	0	(473,844)	(230,744)	1,251,832	1,482,575		

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Program by Nature and Type
For the Period Ended 31 May 2019

	NOTE	2018/19 Adopted Budget \$	2018/19 Amended Budget	2018/19 YTD Budget \$	2018/19 YTD Actual \$	Variance YTD Budget vs YTD Actual \$
REVENUES FROM ORDINARY ACTIVITIES						
Rates		2,244,064	2,269,064	2,269,064	2,270,091	1,027
Operating Grants, Subsidies and Contributions		3,770,450	3,885,553	3,614,124	4,005,605	391,481
Fees and Charges		1,685,956	1,710,956	1,545,368	1,717,845	172,477
Interest Earnings		194,748	238,536	188,915	127,352	(61,563)
Other Revenue		68,231	69,351	88,229	82,581	(5,648)
		7,963,449	8,173,460	7,705,700	8,203,474	497,774
EXPENSES FROM ORDINARY ACTIVITIES						
Employee Costs		(1,472,174)	(1,474,424)	(1,262,171)	(1,312,885)	(50,714)
Materials and Contracts		(5,172,361)	(5,717,384)	(5,029,069)	(4,538,835)	490,234
Utilities		(164,163)	(161,863)	(150,487)	(153,910)	(3,423)
Depreciation		(2,109,941)	(2,109,945)	(1,054,971)	(2,703,813)	(1,648,843)
Interest Expenses	7	(104,477)	(104,476)	(52,239)	(76,747)	(24,508)
Insurance		(185,489)	(183,626)	(185,489)	(179,651)	5,838
Other Expenditure		(754)	(754)	(234,064)	(41)	234,023
		(9,209,359)	(9,752,472)	(7,968,489.00)	(8,965,883)	(997,394)
		(1,245,910)	(1,579,012)	(262,789)	(762,408)	(499,619)
Non-Operating Grants, Subsidies & Contributions		521,106	521,106	477,675	297,894	(179,781)
Profit on Asset Disposals	6	-	3,149	3,149	3,946	798
Loss on Asset Disposals	6	(765)	(765)	(693)	-	693
NET RESULT		(725,569)	(1,055,522)	217,342	(460,568)	(677,910)

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY (Excluding Kalkarni Residential Facility)
Program by Nature and Type
For the Period Ended 31 May 2019

	2018/19	2018/19	2018/19	2018/19	Variance	Actuals
	Adopted Budget	Amended Budget	YTD Budget	YTD Actual	YTD Budget vs YTD Actual	as % of Total
	\$		\$	\$	\$	
REVENUES FROM ORDINARY ACTIVITIES						
Rates	2,269,064		2,269,064	2,270,091	1,027	50%
Operating Grants, Subsidies and Contributions	513,370		628,467	1,133,071	504,604	25%
Fees and Charges	898,695		823,712	911,728	88,016	20%
Interest Earnings	194,749		188,915	127,352	(61,563)	3%
Other Revenue	68,232		88,229	82,581	(5,648)	2%
	3,944,110		3,998,387	4,524,822	526,435	100%
EXPENSES FROM ORDINARY ACTIVITIES						
Employee Costs	(1,461,725)		(1,262,171)	(1,312,885)	(50,714)	25%
Materials and Contracts	(1,347,770)		(1,281,660)	(1,035,525)	246,135	19%
Utilities	(170,371)		(150,487)	(153,910)	(3,423)	3%
Depreciation	(2,009,487)		(745,200)	(2,609,816)	(1,864,616)	49%
Interest Expenses	(99,516)		(36,918)	(73,927)	(37,009)	1%
Insurance	(171,716)		(159,092)	(165,880)	(6,788)	3%
Other Expenditure	(275,754)		(234,064)	(41)	234,023	0%
	(5,536,339)		(3,869,591)	(5,351,983)	(1,482,392)	100%
	(1,592,229)		128,796	(827,161)	(955,957)	
Non-Operating Grants, Subsidies & Contributions	521,106		477,675	297,894	(179,781)	
Profit on Asset Disposals	-		3,149	3,946	798	
Loss on Asset Disposals	(765)		(693)	-	693	
NET RESULT	(1,071,888)		608,927	(525,321)	(1,134,247)	

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2019

Note 1: MAJOR VARIANCES

OPERATING REVENUE (EXCLUDING RATES)

Governance

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

General Purpose Funding

There are a number of factors that relate to the variance with the main driver being the GPG from the Grants Commission - General & Roads balance B/F from 17/18 for an advance payment received for General & Roads received 18/19

Law, Order and Public Safety

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

Health

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

Education and Welfare

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

Housing

More rent received than anticipated

Community Amenities

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

Recreation and Culture

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

Transport

Timing issue - expected to self correct

Economic Services

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

Other Property and Services

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

OPERATING EXPENSES

Governance

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

General Purpose Funding

Timing issue - expected to self correct

Law, Order and Public Safety

Timing issue - expected to self correct

Health

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

Education and Welfare

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

Housing

Timing issue - expected to self correct

Community Amenities

Timing issue - expected to self correct

Recreation and Culture

Timing issue - expected to self correct

Transport

Timing issue - expected to self correct

Economic Services

Timing issue - expected to self correct

Other Property and Services

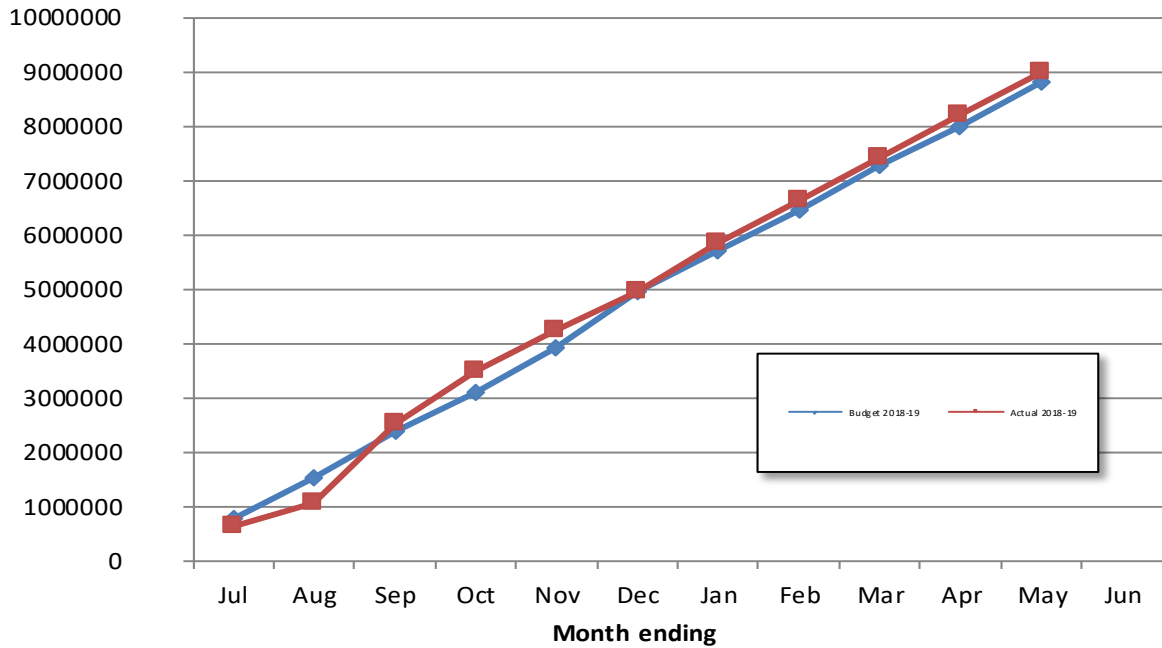
Under recoup of Works Overhead allocations and Plant Cost allocations

CAPITAL REVENUE
Proceeds from Disposal of Assets
Within variance threshold of \$10,000 or 10%
Self-Supporting Loan Principal
Loan 79 Multifunctional Centre paid out in advance
Transfer from Reserves
A portion of Reserve Transfers will be completed at maturity 02/07/19, the remainder will occur towards the end of the financial year
CAPITAL EXPENSES
Land and Buildings
A portion of capital purchases have been completed, with the remainder expected to be completed in the near future.
Plant and Equipment
Adopted budget for plant not yet fully purchased.
Furniture and Equipment
Adopted budget for F & E not yet fully purchased.
Infrastructure Assets - Roads & Bridges
Commencement of projects underway and expected to be completed in 18/19
Infrastructure Assets - Sewerage
Within variance threshold of \$10,000 or 10%
Infrastructure Assets - Parks
Within variance threshold of \$10,000 or 10%
Repayment of Debentures
The variance relates to the profile calculated over 12 month for 18/19 will self correct.
Transfer to Reserves
Timing issue - expected to self correct
OTHER ITEMS
Rate Revenue
Within variance threshold of \$10,000 or 10%
Opening Funding Surplus(Deficit)
Within variance threshold of \$10,000 or 10%
Closing Funding Surplus (Deficit)
Within variance threshold of \$10,000 or 10%

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2019

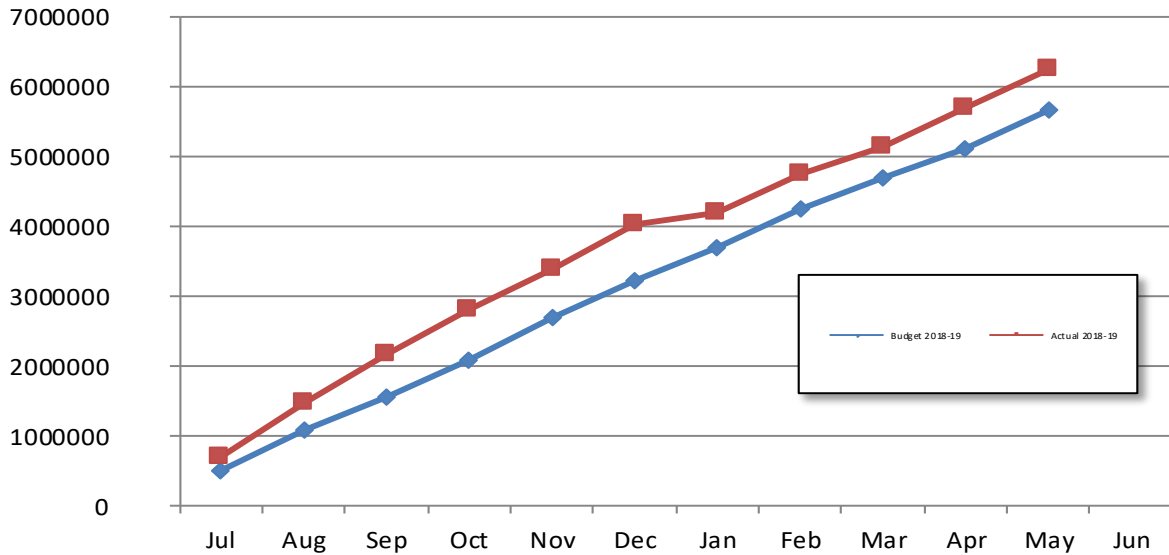
Note 2 - Graphical Representation - Source Statement of Financial Activity

Budget Operating Expenses -v- YTD Actual



Comments/Notes - Operating Expenses

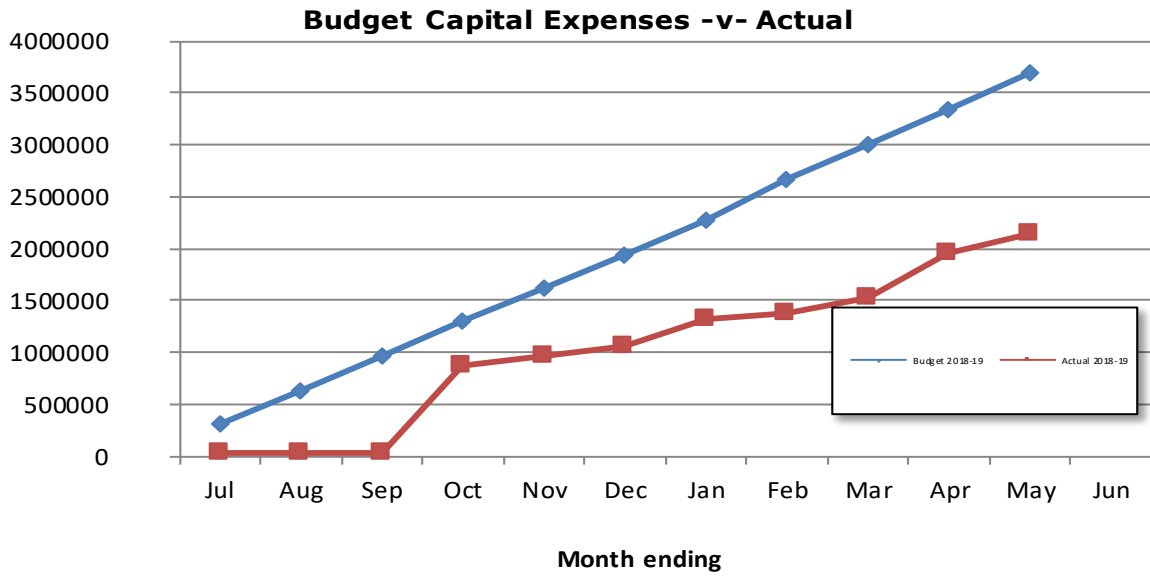
Budget Operating Revenues -v- Actual



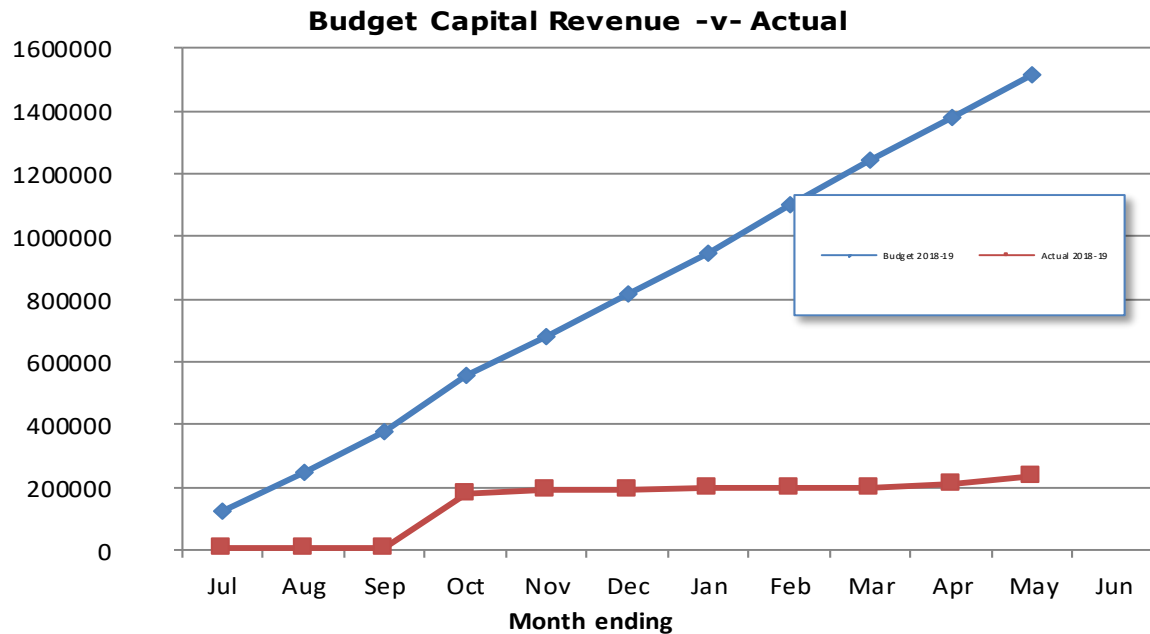
Comments/Notes - Operating Revenues

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2019

Note 1 - Graphical Representation - Source Statement of Financial Activity



Comments/Notes - Capital Expenses



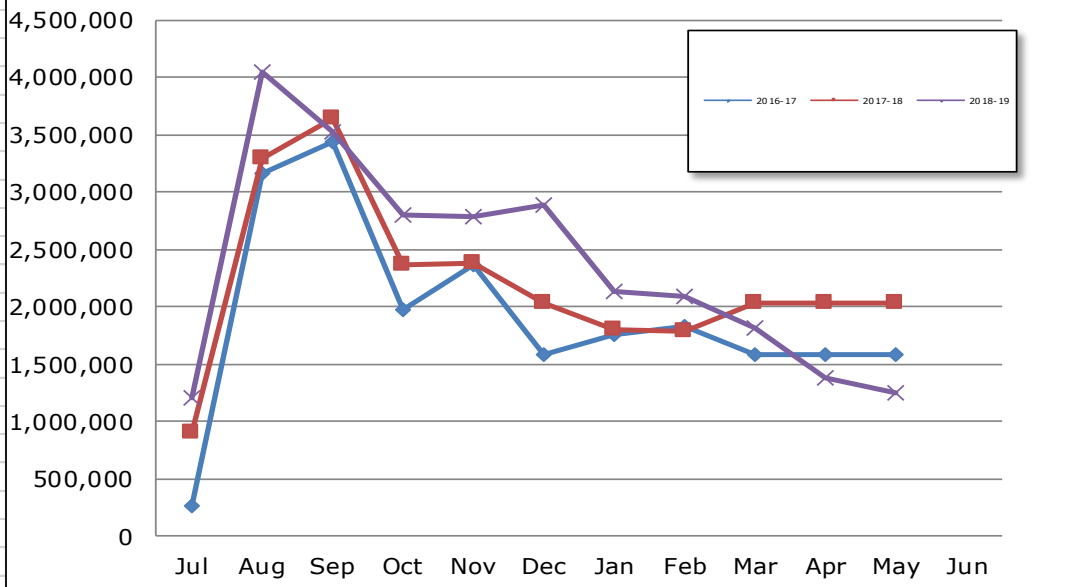
Comments/Notes - Capital Revenues

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2019

Note 3: NET CURRENT FUNDING POSITION

	Positive=Surplus (Negative=Deficit)			
	2018-19			
Note	This Period	Same Period 2017/18	Same Period 2016/17	Surplus C/F 1 July 2018
	\$	\$	\$	\$
Current Assets				
Cash Unrestricted	1,099,186	2,038,002	1,613,094	1,740,530
Cash Restricted	5,054,650	4,259,065	3,244,209	4,274,596
Receivables	4,300,893	3,476,552	3,132,877	4,375,025
Prepayments & Accruals	0	0	0	0
Inventories	34,953	16,322	16,934	27,394
	10,489,682	9,789,941	8,007,114	10,417,545
Less: Current Liabilities				
Payables and Provisions	(4,183,200)	(3,496,657)	(3,178,322)	(5,228,799)
	(4,183,200)	(3,496,657)	(3,178,322)	(5,228,799)
Less: Cash Restricted	(5,054,650)	(4,259,065)	(3,244,209)	(4,274,596)
Net Current Funding Position	1,251,832	2,034,219	1,584,583	914,150

Note 2 - Liquidity Over the Year



Comments - Net Current Funding Position

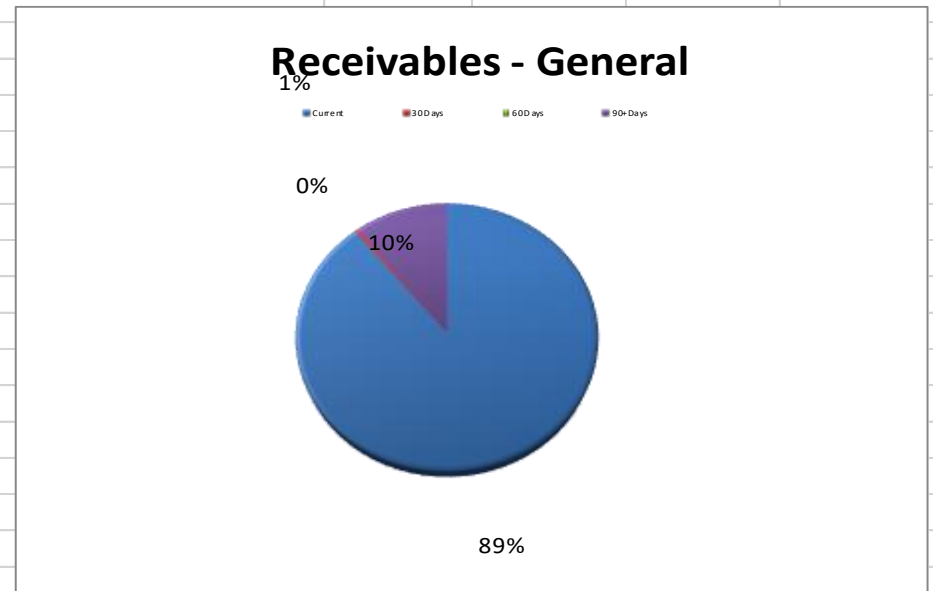
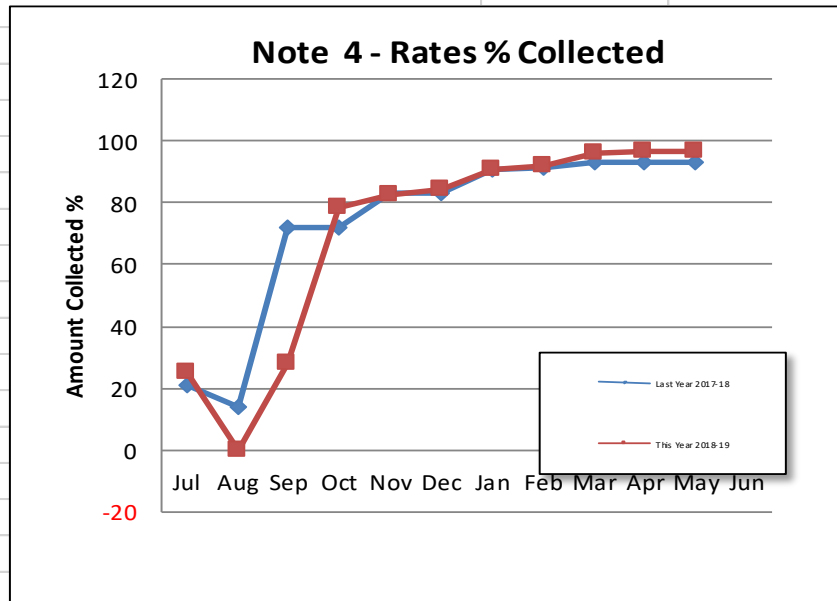
Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2019

Note 4: RECEIVABLES

Receivables - Rates, Sewerage and Rubbish	Current 2018-19	Previous 2017-18
	\$	\$
Opening Arrears Previous Years	53,825	30,159
Rates, Sewerage & Rubbish Levied this year	2,645,818	2,245,204
Less Collections to date	(2,623,304)	(2,107,699)
Equals Current Outstanding	76,339	149,844
Net Rates Collectable	76,339	149,844
% Collected	97.17%	93.36%

Receivables - General	Current	30 Days	60 Days	90+Days
	\$	\$	\$	\$
	46,657	224	0	5,397
Total Outstanding				52,278

Amounts shown above include GST (where applicable)



Comments/Notes - Receivables Rates, Sewerage and Rubbish

Comments/Notes - Receivables General

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2019

Note 5: Cash Backed Reserves

Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Adopted Budget Transfers In (+)	Amended Budget Oct 18 OCM Transfers In (+)	Actual Transfers In (+)	Adopted Budget Transfers Out (-)	Amended Budget Sept 18, Oct 18 OCM & Nov 18 OCM Transfers Out (-)	Actual Transfers Out (-)	Adopted Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$		\$	\$		\$	\$	\$
Aldersyde Hall Reserve (Not Shire Vested Property)	25,805	619	0	0		0	0	0	0	26,424	25,805
Leave Reserve	0	542	1,359	114,700		114,700	0	0	0	115,242	116,059
Brookton Heritage/Museum Reserve	41,889	1,096	784	2,500		2,500	0	0	0	45,485	45,173
Caravan Park Reserve	128,429	3,173	2,431	10,000		10,000	0	0	0	141,602	140,860
Cemetery Reserve	22,622	561	526	10,000		10,000	0	0	0	33,183	33,148
Community Bus Reserve	72,166	1,859	1,382	7,000		7,000	0	0	0	81,025	80,548
Furniture and Equipment Reserve	78,538	2,156	1,414	0		0	0	0	0	80,694	79,952
Health & Aged Care Reserve	691,647	9,276	12,453	65,000		0	(327,000)	0	0	438,923	704,100
Land & Housing Development Reserve	1,024,906	30,673	20,910	136,389		136,389	(420,000)	0	0	771,968	1,182,205
Kweda Hall Reserve	29,497	798	561	2,500		2,500	0	(17,500)	0	15,295	32,558
Land Development Reserve	136,389	0	0	0		0	(136,389)		(136,389)	0	(0)
Madison Square Units Reserve	18,703	467	408	6,000		6,000	0	0	0	25,170	25,111
Municipal Buildings & Facilities Reserve	236,375	5,004	4,256	87,000		0	(74,000)	0	0	254,379	240,631
Plant and Vehicle Reserve	664,198	11,601	11,959	210,000		0	(265,000)	(7,000)	0	613,799	676,157
Railway Station Reserve	29,497	798	1,554	86,356		86,356	0	0	0	116,651	117,407
Rehabilitation & Refuse Reserve	53,610	1,920	1,700	62,000		62,000	0	0	0	117,530	117,310
Road and Bridge Infrastructure Reserve	432,174	8,689	7,782	70,000		0	(113,094)	0	0	397,769	439,956
Saddleback Building Reserve	52,782	1,294	968	1,500		1,500	0	0	0	55,576	55,250
Sewerage & Drainage Infrastructure Reserve	259,113	6,942	5,873	101,932		101,932	0	0	0	367,987	366,918
Sport & Recreation Reserve	15,663	412	400	10,000		10,000	0	0	0	26,075	26,063
Townscape and Footpath Reserve	51,707	717	931	50,000		0	(39,000)	0	0	63,424	52,638
Developer Contribution - Roads	2,635	63	47	0		0	0	0	0	2,698	2,682
Water Harvesting Reserve	42,239	860	761	1,500		0	(10,000)	(24,000)	0	10,599	43,000
Brookton Aquatic Reserve	66,841	1,966	1,914	60,000		60,000	0	0	0	128,807	128,755
Cash Contingency Reserve	97,171	2,694	2,557	60,000	16,798	76,798	0	0	0	176,663	176,526
Independent Living Units Reserve	0	633	837	145,000		145,000	(80,000)	(7,000)	0	65,633	145,837
	4,274,596	94,813	83,768	1,299,377	16,798	832,675	(1,464,483)	(55,500)	(136,389)	4,172,601	5,054,650

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2019

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)
				\$		\$	\$
38,712	40,000	1,288	PT7 Mitsubishi Tandem Truck			0	0
13,817	15,000	1,183	PT13 Isuzu Single Axle Truck			0	0
13,236	10,000	(3,236)	PU30 2016 Mitsubishi Triton Ute	12,838		13,636	798
0	0	0	PAV115 2016 Toyota Prado	38,670		41,818	3,149
0	0	0				0	0
0	0	0				0	0
0	0	0				0	0
0	0	0				0	0
0	0	0				0	0
0	0	0				0	0
0	0	0				0	0
65,765	65,000	(765)	Totals	51,508		55,454	3,946

Comments - Capital Disposal

Summary Acquisitions	Budget	Amended Budget	Actual	Variance
	\$		\$	\$
Property, Plant & Equipment				
Land and Buildings	960,000	962,500	265,556	696,944
Plant & Equipment	357,000	405,485	137,268	268,217
Furniture & Equipment	75,000	69,000	0	69,000
Infrastructure				
Roadworks & Bridge Works & Footpaths	922,686	1,002,664	670,544	332,120
Parks & Gardens	0	0	0	0
Sewerage & Drainage	10,000	42,000	522	9,478
Totals	2,324,686	2,481,649	1,073,889	1,375,760

Comments - Capital Acquisitions

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2019

Note 7: INFORMATION ON BORROWINGS

Particulars	Loan Purpose	Due Date	Term (yrs)	Rate (%)	Principal 1-Jul-18	New Loans	Principal Repayments		Principal Outstanding		Interest Repayments	
					\$	\$	Actual \$	Budget \$	Actual \$	Budget \$	Actual \$	Budget \$
Self Supporting Loans												
*Loan 78 Senior Citizen's Homes	Construction of Mokine Cottages	17/06/2024	15	6.74	104,011	-	7,176	14,595	96,834	89,416	3,571	6,767
*Loan 79 Multifunctional Family Centre	Purchase of the Building	1/08/2020	15	5.82	23,154	-	23,803	8,865	(649)	14,288	751	1,220
*Loan 82 Country Club	Extension and Refurbishment of the Club House	15/11/2027	20	6.95	257,013	-	19,889	19,889	237,124	237,124	16,137	17,523
Governance												
Loan 75 Administration	Shire Office Renovations	3/08/2026	25	6.46	51,806	-	4,745	4,745	47,061	47,061	2,063	3,271
Education & Welfare												
Loan 80 Kalkarni Residency	Kalkarni Residence	1/02/2026	25	5.63	80,511	-	8,220	8,220	72,291	72,291	2,820	4,419
Housing												
Loan 80 Staff Housing	Staff Housing	1/02/2026	25	5.63	132,843	-	13,563	13,563	119,280	119,280	4,652	7,291
Community Amenities												
Loan 80 Sewerage	Sewerage Extension	1/02/2026	25	5.63	56,358	-	5,754	5,754	50,604	50,604	1,974	3,093
Transport												
Loan 80 Grader	New Grader	1/02/2026	25	5.63	132,843	-	13,563	13,563	119,280	119,280	4,652	7,291
Recreation and Culture												
Loan 81 Sport & Recreation	Recreation Plan	1/11/2027	20	6.95	639,122	-	49,459	49,459	589,663	589,662	40,127	43,574
					1,477,660	-	146,172	138,653	1,331,489	1,339,007	76,747	94,449

(* 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 2019

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%	10,991				10,991	Bendigo	
Municipal Cash at Bank - Cash Management Account	0.40%	1,022,659				1,022,659	Bendigo	
Municipal Cash at Bank - Independent Living Units	1.00%	210,898				210,898	Bendigo	
Trust Cash at Bank	0.00%			32,273		32,273	Bendigo	
(b) Term Deposits								
Reserves	2.35%		4,803,485			5,054,650	Bendigo	02/07/2019
Reserves	1.77%		251,165			251,165	WA Treasury	02/07/2019
(c) Investments								
Bendigo Bank Shares					10,000	10,000		
Total		1,244,549	5,054,650	32,273	10,000	6,592,637		

Comments/Notes - Investments

Investment Management Strategy for Kalkarni Bonds

The total bond/RAD amounts (\$3,960,054.51) as at 31/5/19 are invested by Baptistcare with NAB for a term of 1 month at the rate of 1.6%% with a maturity date of 30/6/2019

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2019

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 Ca.	Decrease in Available Ca.	Amended Budget Running Balance
				\$	\$	\$	\$
	Adopted Budget Net Asset Surplus 30 June 2018		Opening Surplus(Deficit)				0
E042531	CEO Vehicle	Sept 2018 OCM	Capital Expenses			7,000	(7,000)
OL01621	CEO Vehicle - Transfer from Reserves	Sept 2018 OCM	Capital Revenue		7,000		0
I042498	ADMIN Sale of Assets GEN	Sept 2018 OCM	Capital Revenue		41,818		41,818
I042499	ADMIN Profit on Sale of Asset	Sept 2018 OCM	Operating Revenue				41,818
E042531	ADMIN Purchase CEO Vehicle GEN	Sept 2018 OCM	Capital Expenses			41,485	333
OL01861	Kweda Hall - Transfer from Reserves	Oct 2018 OCM	Capital Revenue		15,500		15,833
E111512	Kweda Hall - Kitchen Upgrade	Oct 2018 OCM	Capital Expenses			15,500	333
OL01921	Water Harvesting - Transfer from Reserves	Oct 2018 OCM	Capital Revenue		24,000		24,333
E107020	Seabrook Aboriginal Corporation - Dam Lease GPG Grants Commission - Bridges GEN - Budget Correction - Notification received, after budget adoption, of successful grant application in conjunction with MRWA to repair Aldersyde North Bridge	Oct 2018 OCM	Operating Expenses			24,000	333
I032030	Bridge Construction - MRWA & WALGGC GEN - Budget Correction - Notification received, after budget adoption, of successful grant application in conjunction with MRWA to repair Aldersyde North Bridge	Oct 2018 OCM	Operating Revenue		50,025		50,358
E121572	GPG Grants Commission - General GEN - Budget Correction - Notification received after budget adoption of confirmed funding for the Financial Assistance Grant amounts for the 2018/19 fin year	Oct 2018 OCM	Capital Expenses			50,025	333
I032010	GPG Grants Commission - Roads GEN - Budget Correction - Notification received after budget adoption of confirmed funding for the Financial Assistance Grant amounts for the 2018/19 fin year	Oct 2018 OCM	Operating Revenue		34,778		35,111
I032020	INFRA MRWA Direct Grant GEN - Budget Correction - Main Roads Direct grant 2018/19 budget was estimated on last years receipt. Received notification in October from MRWA confirming final amount.	Oct 2018 OCM	Operating Revenue		347		35,458
I122010		Oct 2018 OCM	Operating Revenue		29,953		65,411

E121565	Brookton Kweda Road - Budget Addition - Due to increase in Main Roads Direct grant, able to complete an additional 0.8 kms of resealing	Oct 2018 OCM	Capital Expenses		29,953	35,458
E111010	Casual Hires Liability Insurance -Budget Deletion - LGIS provided cover for no charge	Oct 2018 OCM	Operating Expenses	828		36,286
E111020	Casual Hires Liability Insurance -Budget Deletion - LGIS provided cover for no charge	Oct 2018 OCM	Operating Expenses	1,035		37,321
I033610	Principal Repayment S/S loan Recoup - Budget Deletion - Senior Citizen Loan No. 78 no long self supporting, assets transferred to shire.	Oct 2018 OCM	Capital Revenue			37,321
I116010	Inadvertantly left in the budget when adopted General Income - Budget Addition - Budget Addition - 17/18 Kidsport Acquittal misplaced by Dept Sport and Rec. Relodged and funds received 18/19	Oct 2018 OCM	Operating Revenue	1,120		38,441
E115040	OTH-CULT Community Events GEN - Budget Addition - Regeneration Farming Forum not included in the 18/19 budget - unable to obtain sponsorship so paid from Muni Account	Oct 2018 OCM	Operating Expenses		2,815	35,626
E073480	Sabbleback Medical Centre - Budget Addition - gutters & downpipes have rusted through and are leaking - urgent replacement required \$2,900. Electrician to remove & disconnect solar panels to gain access to area of roof leaks to enable repair \$1,000.	Oct 2018 OCM	Operating Expenses		3,900	31,726
OL01962	Transfer to Reserve - Budget Addition - Transfer excess of Financial Assistance Grants, General and Roads to Cash Contingency Reserve after budget adjustments.	Oct 2018 OCM	Capital Expenses		16,798	14,928
OL01961	Mens Shed Old Bowling Building as per Council Resolution 13.12.18.01	Dec 2018 OCM	Capital Revenue	7,000		21,928
I085050	Amended 2018/2019 budget received from Baptistcare as original budget did not reflect the correct income and expenditure	Dec 2018 OCM	Operating Revenue	43,778		65,706
E085020	Amended 2018/2019 budget received from Baptistcare as original budget did not reflect the correct income and expenditure	Dec 2018 OCM	Operating Expenses		534,252	(468,546)
E042520	Expenditure is under the capital threshold so has been transferred to operating budget	Feb 2019 OCM	Capital Expenses	6,000		(462,546)
E042020	Expenditure is under the capital threshold so has been transferred to operating budget	Feb 2019 OCM	Operating Expenses		6,000	(468,546)
E041030	Wheatbelt South Regional Road Group - Chairperson annual Honorarium \$1,700 to be recouped from participating Shires & !00 Shire Contribution	Feb 2019 OCM	Operating Expenses	100	1,800	(470,246)

I041020	Wheatbelt South Regional Road Group - Chairperson annual Honorarium - recouped from participating Shires	Feb 2019 OCM	Operating Revenue	1,700	(468,546)
E143530	Transfer of light vehicle purchases to correct GL code. Expenditure allocated to Schedule 14 in adopted budget. Should be under Schedule 04	Feb 2019 OCM	Operating Expenses	60,000	(408,546)
E042533	Transfer of light vehicle purchases to correct GL code. Expenditure allocated to Schedule 14 in adopted budget. Should be under Schedule 04	Feb 2019 OCM	Operating Expenses	25,000	(433,546)
E042534	Transfer of light vehicle purchases to correct GL code. Expenditure allocated to Schedule 14 in adopted budget. Should be under Schedule 04	Feb 2019 OCM	Operating Expenses	35,000	(468,546)
E083020	Incorrect figures provided for the preparation of the budget.	Feb 2019 OCM	Operating Expenses	19,822	(488,368)
I083040	Incorrect figures provided for the preparation of the budget.	Feb 2019 OCM	Operating Revenue	19,822	(468,546)
E111512	further works identified after demolition of old kitchen. Works not in original estimated budget	Feb 2019 OCM	Capital Expenses	2,000	(470,546)
0L01861	further works identified after demolition of old kitchen. Works not in original estimated budget	Feb 2019 OCM	Capital Revenue	2,000	(468,546)
E042010	Wages allocation shifted due to alterations of Position Descriptions	Feb 2019 OCM	Operating Expenses	18,198	(486,744)
E071010	Wages allocation shifted due to alterations of Position Descriptions	Feb 2019 OCM	Operating Expenses	5,137	(481,607)
E104030	Wages allocation shifted due to alterations of Position Descriptions	Feb 2019 OCM	Operating Expenses	15,924	(465,683)
E134020	Wages allocation shifted due to alterations of Position Descriptions	Feb 2019 OCM	Operating Expenses	5,137	(460,546)
E055010	Wages allocation shifted due to alterations of Position Descriptions	Feb 2019 OCM	Operating Expenses	8,000	(468,546)
E087020	Electricity was estimated for budget as no historical data available. Estimated is not sufficient to cover the actual costs.	Feb 2019 OCM	Operating Expenses	1,816	(470,362)
I087040	Electricity was estimated for budget as no historical data available. Estimated is not sufficient to cover the actual costs.	Feb 2019 OCM	Operating Expenses	1,816	(468,546)
E113510	expenditure to date is under the capital threshold. The general maintenance under the operational account had sufficient budget to account for expenditure.	Feb 2019 OCM	Capital Expenses	15,000	(453,546)
E122030	expenditure to date is under the capital threshold. The general maintenance under the operational account had sufficient budget to account for expenditure.	Feb 2019 OCM	Operating Expenses	15,000	(468,546)
E087020	Wages allocation amended due to change in works program and job scheduling	Feb 2019 OCM	Operating Expenses	4,179	(472,725)
E102020	Wages allocation amended due to change in works program and job scheduling	Feb 2019 OCM	Operating Expenses	1,798	(474,523)
E105030	Wages allocation amended due to change in works program and job scheduling	Feb 2019 OCM	Operating Expenses	196	(474,719)

E107020	Wages allocation amended due to change in works program and job scheduling	Feb 2019 OCM	Operating Expenses			1,060	(475,779)
E112020	Wages allocation amended due to change in works program and job scheduling	Feb 2019 OCM	Operating Expenses			392	(476,171)
E113030	Wages allocation amended due to change in works program and job scheduling	Feb 2019 OCM	Operating Expenses			2,280	(478,451)
E122020	Wages allocation amended due to change in works program and job scheduling	Feb 2019 OCM	Operating Expenses		9,905		(468,546)
							(468,546)
							(468,546)
							(468,546)
							(468,546)
							(468,546)
Closing Funding Surplus (Deficit)				0	399,723	868,269	(468,546)

Shire of Brookton
NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
For the Period Ended 31 May 2019

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	Amount	Amount	Closing Balance
	For the Period 1 July 2018	Received	Paid	For the Period Ended 31 May 2019
	\$	\$	\$	\$
Housing Bonds	1,200	0	0	1,200
Other Bonds	13,270	11,980	(12,640)	12,610
Rates Incentive Prize	200	0	(200)	0
Staff AFL Tipping	0	0	0	0
Les McMullen Sporting Grants	0	0	0	0
Gnulla Child Care Facility	3,073	0	0	3,073
Wildflower Show Funds	1,240	0	0	1,240
Kalkarni Resident's Accounts	0	0	0	0
Public Open Space Contributions	13,820	0	0	13,820
Developer Road Contributions	(1)	0	0	(1)
Unclaimed Money	30	0	0	30
	32,833	11,980	(12,840)	31,973

1. Developer Road Contributions are:

T129 Allington - Grosser Street -\$1.00 Rounding

Road Contributions are required to be transferred out of Trust into Reserve/Muni for designated purpose.

2. Public Open Space Contribution:

T148 - Paul Webb \$13,820

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

It is to be investigated whether funds can be applied against POS projects such as the Robinson Street Development.

3. Gnulla Child Care Facility

This is an aged transaction. Consider transferring funds to Muni once a designated project has been identified.

4. Housing Bond

Bond is to either be refunded, expended or transferred to the Bonds Authority.

STATEMENT OF FINANCIAL ACTIVITY
Kalkarni Aged Care Facility
For the Period Ended 31 May 2019

Note 11: Kalkarni Aged Care Facility

	Note	Adopted Annual Budget	Amended Budget - Nov & Dec OCM	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a) g	Var. % (b)-(a)/(b) g	Var.
Operating Revenue		\$		\$	\$	\$	%	
Fees & Charges		787,261	787,261	721,656	806,118	84,462	11.70%	
Grants & Subsidies		3,257,080	3,257,080	2,985,657	2,872,534	(113,122)	(3.79%)	
Total Revenue		4,044,341	4,044,341	3,707,313	3,678,652	(28,660)	(0.77%)	
Operating Expenses								
Building Maintenance		0	0	0	0	0	0.00%	
Interest Expenses		(4,960)	(4,960)	(4,547)	(2,820)	1,727	(37.99%)	
Insurance Expenses		(13,772)	(13,772)	(12,624)	(13,772)	(1,147)	9.09%	
Building Maintenance		(53,370)	(53,370)	(48,923)	(10,638)	38,285	(78.26%)	
Loss on Sale of Asset		0	0	0	0	0	0.00%	
Depreciation		(100,458)	(100,458)	(92,087)	(93,997)	(1,911)	2.08%	▼
ABC Administration Expenses		(49,811)	(49,811)	(45,660)	(40,197)	5,463	(11.96%)	
Contract Expenses		(3,450,650)	(3,984,902)	(3,652,827)	(3,452,476)	200,351	(5.48%)	
Total Expenses		(3,673,021)	(4,207,273)	(3,856,667)	(3,613,899)	242,768	6.29%	
Operating Surplus (Deficit)		371,320	(162,932)	(149,354)	64,753	214,107	143%	▼
Excluding Non Cash Adjustments								
Add back Depreciation		100,458	100,458	92,087	93,997	1,911	2.08%	▼
Adjust (Profit)/Loss on Asset Disposal		0	0	0	0	0	0.00%	
Net Operating Surplus (Deficit)		471,778	(62,474)	(57,268)	158,750	216,018	(377.21%)	▼
Capital Revenues								
KBC Capital Income		304,936	348,714	319,655	262,324	(57,331)	(17.94%)	
Transfer from Reserves	5	327,000	327,000	0	0	0	0.00%	
Total		631,936	675,714	319,655	262,324	(57,331)	(0)	
Capital Expenses								
Land and Buildings	6	(320,000)	(320,000)	(293,333)	(183,167)	110,166	0.00%	
Plant and Equipment	6	(7,000)	(7,000)	(6,417)	0	6,417	0.00%	
Furniture and Equipment	6	0	0	0	0	0	0.00%	
Repayment of Debentures	7	(8,220)	(8,220)	(7,535)	(8,220)	(685)	0.00%	
Transfer to Reserves	5	(74,276)	(74,276)	(68,086)	(12,453)	55,633		
Total		(409,496)	(409,496)	(375,371)	(203,840)	171,531		
Net Capital		222,440	266,218	(55,717)	58,484	114,200	(204.97%)	
Closing Funding Surplus(Deficit)		694,218	203,744	(112,984)	217,234	330,218		

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
WB Eva Pavilion by Nature and Type
For the Period Ended 31 May 2019

Note 12 WB Eva Pavilion Operating Statement					
	NOTE	2018/19	2018/19	2018/19	Variance
		Adopted Budget	YTD Budget	YTD Actual	YTD Budget vs YTD Actual
		\$	\$	\$	\$
REVENUES FROM ORDINARY ACTIVITIES					
Hire Fees - WB Eva Pavilion		4,200	2,100	2,571	471
Sporting Club Fees		5,500	2,750	5,279	2,529
Gymnasium Income		11,060	5,530	11,236	5,706
		20,760	10,380	19,086	8,706
EXPENSES FROM ORDINARY ACTIVITIES					
Employee Costs		(7,740)	(7,095)	(2,873)	4,222
Materials and Contracts		(51,970)	(47,639)	(29,226)	18,413
Utilities		(4,200)	(3,850)	(2,122)	1,729
Interest Expenses		(47,917)	(43,924)	(40,127)	3,796
Insurance		(5,600)	(5,133)	(4,565)	569
General Operating Expenses		(8,443)	(7,739)	(3,384)	4,355
Gymnasium Operating		(10,350)	(9,482)	(3,297)	6,185
		(125,870)	(115,381)	(82,297)	33,084
		(105,110)	(105,001)	(63,211)	41,790
NET RESULT		(105,110)	(105,001)	(63,211)	41,790

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Sewerage Programm by Nature and Type
For the Period Ended 31 May 2019

Note 13 Sewerage Operating Statement

NOTE	2018/19 Adopted Budget \$	2018/19 YTD Budget \$	2018/19 YTD Actual \$	Variance YTD Budget vs YTD Actual \$
REVENUES FROM ORDINARY ACTIVITIES				
Sewerage Connection Fees and Charges	1,590	1,590	1,180	(410)
Annual Sewerage Rates	184,575	184,575	187,489	2,914
	186,165	186,165	188,669	2,504
EXPENSES FROM ORDINARY ACTIVITIES				
Employee Costs	(841)	(1,577)	(2,363)	(786)
Materials and Contracts	(56,310)	(51,618)	(13,414)	38,203
Utilities	(6,950)	(6,371)	(6,335)	35
Depreciation	(53,420)	(48,968)	(36,537)	12,431
Interest Expenses	(3,472)	(3,183)	(1,974)	1,209
Insurance	(237)	(237)	(237)	0
General Operating Expenses	(1,012)	(1,770)	(2,572)	(802)
Allocation of Administration Expense	(34,271)	(17,136)	(754)	16,382
	(156,513)	(130,859)	(64,187)	66,672
	29,652	55,306	124,482	69,176
Add Back Depreciation	53,420	48,968	36,537	(12,431)
Non-Operating Grants, Subsidies & Contributions	-	-	-	-
Profit on Asset Disposals	-	-	-	-
Loss on Asset Disposals	-	-	-	-
Transfer to Sewerage and Drainage Reserve	101,932	101,932	101,932	-
Transfer from Sewerage and Drainage Reserve	-	-	-	-
NET RESULT	185,004	206,207	262,952	56,745

The Shire's Asset Management Plan (adopted at the 2016 August OCM) details required renewal expenditure of \$1.482m over the ten year period 2016 - 2027. The Shire's Long Term Financial Plan includes the following planned renewal expenditure:

2016/17 - 47,680	The Sewerage Scheme should be self funding, that is, the capital replacement cost should be amortised over the life of the infrastructure, and funded from the annual sewerage rates. Council should consider a charging model that provides for an annual transfer to the Sewer Reserve, which is equivalent to the required annual renewal expenditure i.e. \$148k per annum. As a minimum, revenue from the Scheme should cover all operating expenditure including depreciation, meaning a minimum transfer to Reserve of \$88k.
2017/18 - 100,000	
2018/19 - 100,000	
2019/20 - 100,000	
2020/21 - 100,000	
2021/22 - 100,000	
2022/23 - 100,000	
2023/24 - 100,000	
2024/25 - 100,000	
2025/26 - 150,000	
2026/27 - 400,000	
Total - 1,397,680 or approx. \$140k per annum	

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Brookton Caravan Park and Brookton Acquatic Centre
For the Period Ended 31 May 2019

	Note	Adopted Annual Budget 2017/18	Amended Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a) 9	Var. % (b)-(a)/(b) 9
		\$		\$	\$	\$	%
Note 14 (a): Brookton Caravan Park							
Operating Revenue							
Caravan Park Fees		40,000	40,000	36,667	32,210	(4,457)	(12.15%)
Total Revenue		40,000	40,000	36,667	32,210	(4,457)	(12.15%)
Operating Expenses							
Brookton Caravan Park		(28,561)	(28,561)	(26,181)	(23,601)	2,580	0.00%
Caravan Park Depreciation		(1,029)	(1,029)	(943)	(957)	(14)	1.49%
Caravan Park Administration Expenses		(36,765)	(36,765)	(33,701)	(29,670)	4,032	0.00%
Total		(66,355)	(66,355)	(60,825)	(54,228)	6,597	10.85%
Operating Surplus (Deficit)		(26,355)	(26,355)	(24,159)	(22,018)	2,140	9%
Excluding Non Cash Adjustments							
Add back Depreciation		1,029	1,029	943	957	14	1.49%
Net Operating Surplus (Deficit)		(25,326)	(25,326)	(23,216)	(21,061)	2,155	(9.28%)
Note 14 (b): Brookton Acquatic Centre							
Operating Revenue							
POOL FEES & CHARGES		10,500	10,500	5,250	10,258	5,008	0.00%
POOL GRANTS & SUBSIDIES		0	0	0	0	0	0.00%
Total Revenue		10,500	10,500	5,250	10,258	5,008	0
Operating Expenses							
POOL EMPLOYEE COSTS		0	0	0	0	0	#DIV/0!
POOL GENERAL OPERATING EXPENSES		(96,298)	(96,690)	(88,633)	(95,181)	(6,548)	7.39%
POOL BUILDING MAINTENANCE		(24,493)	(24,493)	(22,452)	(15,244)	7,208	(32.11%)
POOL Depreciation		(11,683)	(11,683)	(10,709)	(10,872)	(163)	1.52%
POOL Administration Expenses		(28,492)	(28,492)	(26,118)	(22,993)	3,125	(11.96%)
Total		(160,966)	(161,358)	(147,912)	(144,289)	3,622	2.45%
Operating Surplus (Deficit)		(150,466)	(150,858)	(142,662)	(134,031)	8,630	0%
Excluding Non Cash Adjustments							
Add back Depreciation		11,683	11,683	10,709	10,872	163	0.00%
Net Operating Surplus (Deficit)		(138,783)	(139,175)	(131,952)	(123,159)	8,793	0%

Shire of Brookton
STATEMENT OF FINANCIAL ACTIVITY
Road Program
For the Period Ended 31 May 2019

Note 15

Description	Adopted Annual Budget	Amended Budget	YTD Actual	% Completed	Federal Funding		State Funding			Own Source Funding			
					R2R	Other	RRG	RRG Carryover	Direct Grant	FAGS	Reserve	Contributions	Muni
	\$	\$	\$		\$	\$	\$	\$	\$	\$	\$	\$	
Town Street Maintenance	187,201	187,201	171,026	91%					77,855				109,346
Rural Road Maintenance	501,892	491,987	289,750	59%						158,505			343,387
Bridge Maintenance	27,944	42,944	30,961	72%									27,944
R2R Work Schedule													
Brookton - Kweda Road	30,386	30,386	38,123	125%	30,386								0
Other Construction													
Brookton - Kweda Road	6,014	35,967	0	0%									35,967
King Street	103,824	103,824	85,788	83%							103,824		0
Reynolds Street	9,280	9,280	16,046	173%							9,280		0
Boyagarra Road	154,273	154,273	3,035	2%									154,273
Noack Street	89,189	89,189	45,590	51%									89,189
RRG Approved Projects													
York - Williams Road	490,720	490,720	481,832	98%			490,720						0
	1,600,723	1,635,771	1,162,152	73%	30,386	0	490,720	0	77,855	158,505	113,104	0	760,106

Shire of Brookton									
STATEMENT OF FINANCIAL ACTIVITY									
Capital Works Program									
For the Period Ended 31 May 2019									
Description	Adopted Annual Budget	Amended Budget	YTD Actual	% Completed	Capital Funding				
					Muni	Grants	Reserves	Sale of Assets	Total Funding
	\$	\$	\$		\$	\$	\$	\$	\$
Admin Replacement Airconditioner Units Ceo & Dceo Office	8,000	8,000	3,844	48%	8,000				8,000
Admin Reception Remodel	20,000	20,000	0	0%	20,000				20,000
Kalkarni Capital Works	320,000	320,000	183,167	57%			320,000		320,000
Inde Reroofing Of White St Units	80,000	80,000	0	0%			80,000		80,000
New staff house - Kurmong Estate	420,000	420,000	0	0%			420,000		420,000
Cemetery New Niche Wall And Shelter	23,000	23,000	3,875	17%	23,000				23,000
Multipurpose Courts Drainage And Remarking	15,000	0	0	0%	15,000				15,000
Playground Oval Area	36,000	36,000	11,852	33%			36,000		36,000
Wb Eva Pavilion Refurbishment	38,000	38,000	46,928	123%			38,000		38,000
Kweda Hall Kitchen Improvements	0	17,500	15,891	91%			15,500		15,500
Admin Officer Furniture	6,000	0	0	0%	6,000				6,000
Admin Synergy Records Module	22,000	22,000	0	0%	22,000				22,000
Admin Server Upgrade	40,000	40,000	0	0%	40,000				40,000
Additional table and chairs	7,000	7,000	0	0%	7,000				7,000
Skope Double Door Fridge	7,000	7,000	8,289	118%	7,000				7,000
Light Vehicles and Trucks	350,000	290,000	25,648	7%	85,000		265,000		350,000
ADMIN Purchase CEO Vehicle	0	48,485	48,485	100%			7,000	41,485	48,485
ADMIN PURCHASE MO VEHICLE	0	25,000	20,801		20,801				20,801
ADMIN PURCHASE MIRS VEHICLE	0	35,000	34,045		34,042				34,042
York-Williams Road	490,720	490,720	481,832	98%		490,720			490,720
Corberding Road	0	0	129						0
Brookton-Kweda Road	30,386	30,386	38,123	125%		30,386			30,386
Noack Street	89,189	89,189	45,590	51%	89,189				89,189
Brookton-Kweda Road	6,014	35,967	0	0%	6,014	29,953			35,967
King Street	103,824	103,824	85,788	83%			103,824		103,824
Reynolds Street	9,280	9,280	16,046	173%			9,280		9,280
Boyagarra Road	154,273	154,273	3,035	2%	154,273				154,273
Bridge Works	0	50,025	0	0%		50,025			50,025
Robinson Rd FP Upgrades and Memorial Park FP	39,000	39,000	0	0%			39,000		39,000
Happy Valley Bore Field	10,000	42,000	522	5%			10,000		10,000
	2,324,686	2,481,649	1,073,889	46%	537,319	601,084	1,343,604	41,485	2,523,492

Shire of Brookton								
STATEMENT OF FINANCIAL ACTIVITY								
Grants, Subsidies and Contributions Register								
For the Period Ended 31 May 2019								
Funding Provider	Project	Operating/Non-Operating	Adopted Annual Budget	Amended Budget OCM	Amount Applied For	Amount Approved	Amount Invoiced/Received	% Received
			\$	\$	\$	\$	\$	
Federal Government	KBC Grants & Subsidies	Subsidy	(3,257,080)	(3,257,080)	Recurrent	(3,257,080)	(2,872,534)	88%
Department of Water	ENVIR Gants & Subsidies	Subsidy	-			-	-	0%
Main Roads WA	Regional Road Group	Non Operating	(490,720)	(490,720)		(490,720)	(261,208)	53%
Federal Government	Roads to Recovery	Non Operating	(30,386)	(30,386)		(30,386)	(30,386)	100%
WA Grants Commission	GPG Grants Commission - General	Operating	(291,210)	(325,988)	Recurrent	(325,988)	(643,788)	197%
WA Grants Commission	GPG Grants Commission - Roads	Operating	(158,158)	(158,505)	Recurrent	(158,158)	(345,303)	218%
WA Grants Commission	GPG Grants Commission - Bridges	Operating	-	(50,025)		(50,025)	(50,025)	100%
DFES	ESL Grant - Emergency Services Levy - Operating	Operating	(16,100)	(16,100)	Recurrent	(16,100)	(16,100)	100%
Main Roads WA	Direct Grant	Operating	(47,902)	(77,855)	Recurrent	(77,855)	(77,855)	100%
			(4,291,556)	(4,406,659)		(4,406,312)	(4,297,199)	98%

15.06.19 GOVERNANCE

15.06.19.01 DRAFT POLICY 2.37 – LEASE LICENCE AND TENANCY AGREEMENTS

File No:	N/A
Date of Meeting:	20/06/ 2019
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	N/A
Author/s:	Ian D’Arcy – Chief Executive Officer
Authorising Officer:	As above
Declaration of Interest:	The author has no interest in this item
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This item relates to a new Policy 2.37 – Lease, Licence and Tenancy Agreements presented in draft for Council’s consideration.

The stated objective of this Policy is to enable responsible management of community assets by use of an equitable methodology for specifying terms, calculating charges and applying fees applicable to lease, licence and tenancy agreements for Community Groups and other commercial organisations by classification.

Description of Proposal:

As above.

Background:

It is apparent that Council in agreeing to licence or lease agreements with Community Groups and others for tenure of public buildings and property over a long period of time has generated an inconsistent approach to arrangements and conditions of tenure. In order to provide a level of consistency projecting forward a draft Policy has been prepared premised on a three level classification.

A copy of this draft Policy 2.37 is appended as **Attachment 15.06.19.01** to this report.

Consultation:

This matter has broadly been discussed with Councillors at the May 2019 Corporate Briefing Forum.

Statutory Environment:

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

Relevant Plans and Policy:

This draft Policy is aligned to Council Policy 2.33 - Employee and Community Housing in relation to residential tenancy agreements.

Financial Implications:

This is no specific financial implications that applies to this draft policy, other than to specify fees and charges, and who pays in relation to future agreements.

Risk Assessment:

From a risk perspective, it is important that Council in supporting Community Groups and other individuals or organisations of a commercial nature applies a consistent approach and performs its business in a balanced manner.

A continued random approach to lease, licence or tenancy agreements can generate a perception of bias that Council, or Elected Members individually, are aligned and favour some organisations or individuals over others.

Similarly, the administration can have difficulty in being a cross the variations in agreements and explaining why benefit are offer to one entity, but not another.

Also, there is a need to recognise to some degree the difference between the various groups or organisations with their capacity to pay acknowledging there is a level of regulation that applies to community and commercial arrangements.

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 new draft Policy supports the following Business Functions within the Corporate Compendium:

1. Governance
4. Property Management

Comment

The intention for this policy is to apply to new arrangements with a more structured and consistent approach in regard to future tenure of Council owned property.

OFFICER'S RECOMMENDATION

That Council pursuant to Section 2.7(2)(b) of the Local Government Act (1995) adopt Policy 2.37 – LEASE, Licence and Tenancy Agreements as presented in Attachment 15.06.19.01 to this report.

Attachments**Attachment 15.06.19.01****OCM 06.19-08****COUNCIL RESOLUTION****MOVED CR EYRE SECONDED CR HARTL**

That Council pursuant to Section 2.7(2)(b) of the Local Government Act (1995) adopt Policy 2.37 – LEASE, Licence and Tenancy Agreements as presented in Attachment 15.06.19.01 to this report.

CARRIED BY SIMPLE MAJORITY VOTE 6-0

2.37 Lease, Licence and Tenancy Agreements

Policy Owners:	Chief Executive Officer		
Statutory Environment:	<i>Land Administration Act 1997</i> (Section 46) <i>Local Government Act 1995</i> (Section 3.58) Local Government (Functions and General) Regulations 1996 (Regulation 30)		
Council Adoption:	Date:		Resolution #:
Last Amended:	Date:		Resolution #:
Review Date:	May 2021		

Objective:

This Policy seeks to enable responsible management of community assets by use of an equitable methodology for specifying terms, calculating charges and applying fees applicable to lease, licence and tenancy agreements for community groups and other commercial organisations or individual persons by classification.

Definition:

For the purpose of this policy:

Not-for-Profit Group means a group or organisation incorporated under the *Associations Incorporation Act 2015* and has its primary base of operation located within the Shire of Brookton.

Commercial: means a person, company or organisation that has intent to make or is making a profit in the course of doing business.

Policy:

- 1.0** This policy applies to the leasing, licensing tenancy of real property owned, or under the care, control and management of the Shire of Brookton, including Crown Land.
- 2.0** Where appropriate, organisations will be granted a lease or licence agreement at a subsidised rate in recognition of their perceived benefit to the community, and their ability to pay.
- 3.0** All lessees, licencees, and commercial tenants irrespective of classification must to have public liability insurance to the value as prescribed by the Shire's insurer and detailed in the agreement. Evidence of such is to be presented to the Shire each year during the term of the agreement.
- 4.0** Classifications of lease, licence and tenancy agreements:

Level One

- a. Applies to a 'not-for-profit' community organisation or group incorporated under the *Associations Incorporation Act 2015*.
- b. The organisation or group is specific to the Shire of Brookton and affords significant community benefit.
- c. The organisation or group has limited revenue-raising ability (net of cost of service) e.g. community play group.
- d. The organisation or group (as lessee or licensee) will pay annual lease or licence 'peppercorn' rent of \$10.00 (incl. GST).
- e. The maximum term for a lease or licence agreement is 5 years, with a further 5 year option at the discretion of Council.
- f. The Council (as lessor) will pay costs applicable to preparation and registration of the lease or licence agreement.
- g. The organisation or group (as lessee or licensee) will pay for utilities, general wear and tear, and garden maintenance.
- h. The organisation or group (as lessee or licensee) may qualify for annual financial subsidy for utility costs through the Shire Community Chest grant funding program – refer to Policy 2.34 - Community Funding and Donations Policy.
- i. The organisation or group (as lessee or licensee) may request a waiver of the local government's planning, building and environmental health application fees.

Level Two

- a. Applies to a 'not-for-profit' community organisation or group incorporated under the *Associations Incorporation Act 2015*.
- b. The organisation or group is specific to the Shire of Brookton and affords significant community benefit.
- c. The organisation or group has revenue-raising ability or receives external funding assistance (e.g. has a Sale of Liquor licence or generates revenue from meals or receives funding from State Government or from its members as subscriptions).
- d. The organisation or group (as lessee or licensee) will pay annual lease or licence rent of \$350.00 (incl. GST).
- e. The maximum term for a lease or licence agreement is 5 years, with a further 5 year option at the discretion of Council.
- f. The organisation or group (as lessee or licensee) is to pay 50% of costs applicable to preparation and registration of the lease or licence agreement.
- g. The organisation or group (as lessee or licensee) is to pay for all utilities, general wear and tear and garden maintenance as detailed in lease or licence agreement.
- h. The organisation or group (as lessee or licensee) may qualify for annual financial subsidy for utility costs through the Shire Community Chest grant funding program – refer to Policy 2.34 - Community Funding and Donations Policy.

Level Three

- a. Applies to commercial leases, licences and tenancy agreements with an individual person, company or organisation that holds an Australian Business Number (ABN), and where due process has been entertained under Section 3.58(3) of the *Local Government Act, 1995* unless an exemption applies under Regulation 30 of the Local Government (Functions and General) Regulations, 1996.
- b. Applies to residential tenancy agreements with an individual person, and a company or organisation that holds an Australian Business Number (ABN).

- c. The use must have all relevant statutory approvals, where deemed applicable.
- d. The maximum term for a commercial lease or licence agreement is 5 years, with a further 5 year option at the discretion of Council.
- e. The maximum term for a residential and commercial tenancy agreement is 12 months with possible extension at the discretion of the Council, although periodical agreements may be applied at the discretion of the CEO for residential tenancy agreements.
- f. The individual person, company or organisation (as Lessee, licensee or tenant) is to pay for the rental valuation and document preparation, where applicable.
- g. The individual person, company or organisation (as Lessee, licensee or tenant) is to pay market rent as demonstrated and accepted by the CEO, unless otherwise determined by Council through its Schedule of Fees and Charges or by independent resolution.
- h. The individual person, company or organisation (as Lessee, licensee or tenant) is to pay for all utilities, general wear and tear, and garden maintenance as detailed in the lease, licence or tenancy agreement.

Note - This section does not apply to tenancy agreements that form part of contract with the Shire.

15.06.19.02 SENIOR CITIZENS UNITS – RENTAL ADJUSTMENT

File No:	ADM 0643
Date of Meeting:	20/06/2019
Location/Address:	1-8/40 White St & 1-3/33 Whittington St, Brookton
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Courtney Fulwood – Executive Officer
Authorising Officer:	Ian D’Arcy – Chief Executive Officer
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 review of the Brookton Senior Citizen Homes rental charges for the period of 1st September 2019 to 31st August 2020.

Description of Proposal:

As above.

Background:

The purpose of setting the rental charges for the Brookton Senior Citizen Homes in June each year ensures the Shire does not breach the *Residential Tenancy Act, 1987* or *Local Government Act, 1995*.

Under the *Residential Tenancy Act, 1987* a tenant is not required to pay the increased amount of rent for the first 30 days of the new agreement. This can be problematic under the *Local Government Act, 1995* in applying the fees and charges adopted by Council that take effect on the 1st July. Therefore, if the rental charges for these units are adopted as part of the schedule of fees and charges the Shire will technically be in breach of the *Residential Tenancy Act, 1987* given the need for the 30 day notice after a new tenancy agreement has been signed.

Also, with all of the Senior Citizen Units being 12 month fixed term agreements, these are scheduled to expire on the 31st August 2019 with the new agreements to start the 1st September 2019.

Consultation:

Nil

Statutory Environment:

Residential Tenancy Act, 1987

The Council may entertain a Residential Tenancy Agreement in accordance with Part IV Division 1A Clause 27A. of the *Residential Tenancy Act, 1987* including setting the required rent.

Also, as already provided the *Residential Tenancy Act, 1987* stipulates in relation to increasing the rent at the end of a fixed term tenancy agreement;

“If it is agreed that the tenant will keep renting the same property at the end of the fixed term tenancy agreement and the lessor wants to increase the rent, the rent cannot increase for the first 30 days of the new agreement.”

Local Government Act, 1995

Section 6.15 of the *Local Government Act, 1995* allows the Council the ability to receive a rental income in relation to the Senior Citizen Independent Living Units.

Relevant Plans and Policy:

The item aligns with Policy 2.33 - Employee and Community Housing.

Financial Implication

The current CPI increase for Housing is 1.3% according to Australian Bureau of Statistics – Consumer Price Index Australia. Accordingly, should support a rent increase the following table provides and an understanding of the financial adjustment that will apply:

Current Rental Charges	
Rental charge for one bedroom unit with open garage (White Street)	\$105.00 per week
Rental charge for one bedroom unit with enclosed garage (White Street)	\$110.00 per week
Rental charge for three bedroom unit (Whittington Street)	\$240.00 per week
Rental Charges with CPI increase	
Rental charge for one bedroom unit with open garage (White Street)	\$106.30 per week
Rental charge for one bedroom unit with enclosed garage (White Street)	\$111.43 per week
Rental charge for three bedroom unit (Whittington Street)	\$243.12 per week

If the rental charges are not increased by CPI for the 2019-2018 financial year the total loss of income at a full occupancy rate is **\$1,068.08**, details of breakdown below;

One bedroom unit with open garage	2 units x \$1.30 x 52 weeks = \$135.20
One bedroom unit with enclosed garage	6 units x \$1.43 x 52 weeks = \$446.16
Three bedroom unit additional charges	3 units x \$3.12 x 52 weeks = \$486.72

Risk Assessment:

There is no risk identified in relation to this matter.

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, consideration of a rent increase aligns to:

Business Function 4 - Property Management

Function 4.1 - Review tenancy agreements – Shire Housing

Comment

To maintain alignment with CPI, presently a low 1.3% for the year March 2018 to March 2019, it is recommended that rental charges for the Senior Citizen Units be considered on a CPI basis by Council every year or two.

Further, it is noted that many of the residents receive their income from a pension and while entitled to Commonwealth Housing allowance, largely would not be able to afford as significant rental increase much above 1 - 2%.

OFFICER'S RECOMMENDATION

That Council:

- 1. Under Part IV Division 1A Clause 27A. of the Residential Tenancy Act, 1987 Adopt the following rental amounts for the respective Independent Living Units in-line with the expiring fixed term tenancy agreement as detailed below for the period of 1st September 2019 to 31st August 2020;*
 - Rental charge for one bedroom unit - open garage (White St) - \$106.3 per week*
 - Rental charge for one bedroom unit -enclosed garage (White St) - \$111.43 per week*
 - Rental charge for three bedroom unit (Whittington St) - \$243.12 per week*
- 2. Under Section 6.15 of the Local Government Act, 1995 receive the income from the rent charged in point 1. Above.*
- 3. Set the next review the rental charges for the Senior Citizen Units to be in June 2020 factored on the yearly CPI increase for 2019/2020 year.*

OCM 06.19-09

COUNCIL RESOLUTION

MOVED CR WALKER SECONDED CR FANCOTE

That Council:

- 1. Under Part IV Division 1A Clause 27A. of the Residential Tenancy Act, 1987 Adopt the following rental amounts for the respective Independent Living Units in-line with the expiring fixed term tenancy agreement as detailed below for the period of 1st September 2019 to 31st August 2020;*
 - Rental charge for one bedroom unit - open garage (White St) - \$106.3 per week*
 - Rental charge for one bedroom unit -enclosed garage (White St) - \$111.43 per week*
 - Rental charge for three bedroom unit (Whittington St) - \$243.12 per week*
- 2. Under Section 6.15 of the Local Government Act, 1995 receive the income from the rent charged in point 1. Above.*
- 3. Set the next review the rental charges for the Senior Citizen Units to be in June 2020 factored on the yearly CPI increase for 2019/2020 year.*

CARRIED BY SIMPLE MAJORITY VOTE 6-0

16.06.19 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

18.06.19 CONFIDENTIAL REPORTS

OCM 06.19-10

**COUNCIL RESOLUTION
MOVED CR EYRE SECONDED CR MILLS**

Council close the meeting to the public in accordance with Section 5.23 (2) (Ba) as this item relates to the personal affairs of a person and Section 5.23 (2) (c) relating to commercial confidentiality.

CARRIED BY SIMPLE MAJORITY VOTE 6-0

**18.06.19.01 REQUEST FOR EXTENSION TO UNFIT FOR HUMAN HABITATION NOTICE – LOT 210
WILLIAM STREET BROOKTON**

File No:	A469
Date of Meeting:	20/06/2019
Location/Address:	Lot 210 (Hn. 82) William Street Brookton
Name of Applicant:	N/A
Author/s:	Ian D’Arcy – Chief Executive Officer
Authorising Officer:	As above
Declaration of Interest:	The author has no interest in this item
Voting Requirements:	Simple Majority
Previous Report:	21/03/2019

Summary of Item:
This matter involves a request from the majority property owner of Lot 210 (Hn.82) Williams Street Brookton for a two (2) month extension to the *Unfit for Human Habitation Notice* imposed by Council in March 2019 for works to be completed to the existing dwelling within a 90 day period.

OCM 06.19-10

**COUNCIL RESOLUTION
MOVED CR MILLS SECONDED CR EYRE**

That Council in consideration of the Unfit for Human Habitation Notice (Appendix A) served on the owners of Lot 210 (House Number 82) Williams Street Brookton pursuant to Section 137 of the Public Health Act 2016 grant an extension of time by a further sixty (60) days to 24th August 2019, to satisfy (or at least substantially have completed) the provisions of the Notice to the minimum standards as prescribed under the Shire of Brookton Health Local Law 2000.

CARRIED BY SIMPLE MAJORITY VOTE 6-0

18.06.19.02 CLEANING SERVICES – VARIATION TO CONTRACT (CO -03 - 5/2017)

File No:	Contract – CO-03
Date of Meeting:	20/06/2019
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Vicki Morris – Deputy Chief Executive Officer
Authorising Officer:	Ian D’Arcy – Chief Executive Officer
Declaration of Interest:	The author and authorising officer have no interest in this matter.
Voting Requirements:	Absolute Majority
Previous Report:	14/12/2017 (COM 12-17-2)

Summary of Item:

The current provider of the cleaning services to the Shire (DMC Cleaning) has requested a contract variation to the existing cleaning contract. It has been some 16 months since the inception of the outsourcing of the cleaning services for the Shire and Shire facilities. After some time actually delivering the cleaning services, the contractor and the Shire have recognised that there are some areas where the time allocated for cleaning is not adequate and requires a variation to the contract.

The contract commenced on 1 February 2018 and expires on 31 January 2021.

OCM 06.19-11**COUNCIL RESOLUTION****MOVED CR FANCOTE SECONDED CR MILLS****That Council:**

- 1. Accepts the variation to the Provision of Cleaning Services contract (contract CO-03) effective 1 July 2019 in accordance with the schedule of rates as presented in Attachment 18.06.19.02A to this report; and**
- 2. Notify DMC Cleaning in writing of the contract variation and its effective commencement date.**

OCM 06.19-12**PROCEDURAL MOTION****MOVED CR CRUTE SECONDED CR HARTL**

That Council lay the item on the table with further discussion to be had with the cleaning contractor and their employed cleaners, with this item to be re-presented back to Council at the July 2019 Ordinary Meeting.

CARRIED BY SIMPLE MAJORITY VOTE 6-0

OCM 06.19-13

COUNCIL RESOLUTION

MOVED CR EYRE SECONDED CR HARTL

That Council re-open the meeting to the public.

CARRIED BY SIMPLE MAJORITY VOTE 6-0

19.06.19 NEXT MEETING & CLOSURE

The next Ordinary meeting of the Council will be held on Thursday 18 July 2019 commencing at 5.00 pm.

There being no further business the meeting was closed at 5.40pm.