



ORDINARY MEETING OF COUNCIL

PUBLIC

AGENDA

21 APRIL 2022



PO Box 42, 14 White Street, Brookton WA 6306



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NOTICE OF MEETING

21 April 2022

**14 White Street
Brookton, WA 6306**

Dear Councillor, Resident or Ratepayer,

Notice is hereby given that the Ordinary Meeting of the Brookton Shire Council will be held on Thursday 21st April 2022 in the Council Chambers at the Shire Administration Centre commencing at 6.00 pm.

The business to be transacted is shown in the Agenda.

Gary Sherry
CHIEF EXECUTIVE OFFICER
14 April 2022

DISCLAIMER

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

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1.04.22 DECLARATION OF OPENING/ANNOUNCEMENT OF VISITORS

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

2.04.22 RECORD OF ATTENDANCE/APOLOGIES/APPROVED LEAVE OF ABSENCE**3.04.22 USE OF COMMON SEAL – MARCH 2022**

The Table below details the Use of Common Seal under delegated authority for the month of March 2022.

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

4.04.22 DELEGATED AUTHORITY – ACTIONS PERFORMED – MARCH 2022

The Table below details the actions of Council performed under delegated authority for the month March 2022.

Shire of Brookton, Delegation Register, 1.41 Building Matters – Permits, Certificates & Orders

BUILDING			
Application No.	Lot & Street	Type of Building Work	Date Granted
20.21-22	Lot 94 White Street, Brookton	Dwelling	15 March 2022
21.21-22	1455 Mills Road, Aldersyde	Patio	24 March 2022

Shire of Brookton, Delegation Register, 1.37 Specific Provisions under the Town Planning Scheme No. 4.

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

5.04.22 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil.

6.04.22 PUBLIC QUESTION TIME**7.04.22 APPLICATIONS FOR LEAVE OF ABSENCE****8.04.22 PETITIONS/DEPUTATIONS/PRESENTATIONS**

9.04.22 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

9.04.22.01 ORDINARY MEETING OF COUNCIL – 17 MARCH 2022

That the minutes of the Ordinary meeting of Council held in the Shire of Brookton Council Chambers, on 17th March 2022, be confirmed as a true and correct record of the proceedings.

9.04.22.02 BUSH FIRE ADVISORY COMMITTEE – 30 MARCH 2022

That the minutes of the Bush Fire Advisory Committee meeting held in the Shire of Brookton Council Chambers, on 30th March 2022, be received by Council.

9.04.22.03 AUDIT AND RISK COMMITTEE – 05 APRIL 2022

That the minutes of the Audit and Risk Committee meeting held in the Shire of Brookton Council Chambers, on 5th April 2022, be received by Council.

9.04.22.03 SPECIAL MEETING OF COUNCIL – 05 APRIL 2022

That the minutes of the Special meeting of Council held in the Shire of Brookton Council Chambers, on 5th April 2022, be confirmed as a true and correct record of the proceedings.

10.04.22 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

11.04.22 DISCLOSURE OF INTERESTS

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

Disclosure of Financial & Proximity Interests

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

Disclosure of Interest Affecting Impartiality

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

12.04.22 TECHNICAL & DEVELOPMENT SERVICES REPORTS

Nil.

13.04.22 COMMUNITY SERVICES REPORTS

13.04.22.01 BROOKTON MEMORIAL HALL CHARGE – CONTRIBUTION TO THE GO PINK BROOKTON LADIES LONG LUNCH FUNDRAISER

File No:	PRO 010A
Date of Meeting:	21 st April 2022
Location/Address:	N/A
Name of Applicant:	Mrs. Jasmin Locke
Name of Owner:	Shire of Brookton
Author/s:	Gary Sherry – Chief Executive Officer
Authorising Officer:	Gary Sherry – Chief Executive Officer
Declaration of Interest:	The author and authorising officer do not have an interest in this item
Voting Requirements:	Absolute Majority
Previous Report:	N/A

Summary of Item:

Council is to consider not imposing the adopted charge for use of the Brookton Memorial Hall associated with the *Go Pink Brookton Ladies Long Lunch Fundraiser* community event to be held on Sunday 1st May 2022.

Description of Proposal:

The proposal would effectively provide a Council contribution to the *Go Pink Brookton Ladies Long Lunch Fundraiser* of the foregone cost of the hire charge.

Background:

In response to a local resident's recent diagnosis of breast cancer, a group of local residents are planning, the *Go Pink Brookton Ladies Long Lunch Fundraiser* event on Sunday 1st May 2022 at the Brookton Memorial Hall.

The current event program includes market stalls (open to public) to start the day followed by a guest speaker from one of the Breast Cancer foundations at a ticketed grazing lunch and hands on DIY workshops. The event is being supported by local businesses.

Consultation:

Mrs. Jasmin Locke is the primary contact for the event. The event is being widely advertised in the Brookton community.

Statutory Environment:

Nil at this time.

go PINK

ticketed event
SUNDAY
Save The Date
01.05.22

BROOKTON LADIES LONG LUNCH FUNDRAISER

MARKET STALLS
9AM - 12 NOON
open to the public

BROOKTON LADIES LONG LUNCH FUNDRAISER
12NOON - 5:30PM
ticketed event

WHEN: SUNDAY 1ST MAY 2022
WHERE: BROOKTON TOWN HALL (TBC)
LUNCH: 3 COURSE GRAZING BOARD
FUN: CHOICE OF DIY WORKSHOPS
RAFFLES & MORE
DRESS CODE: PINK & BLACK ONLY
COST: PRE RELEASE TICKETS ONLY
NO DOOR SALES
TICKETS TO BE RELEASED SOON!

SUNDOWNER
5:30PM TIL LATE

Lockemess
DESIGN

Relevant Plans and Policy:

Nil

Financial Implications:

Council's adopted fees for the Brookton Memorial Hall are:

Hirer	Rate	GST Inclusive \$
Commercial/State Government & Other Agencies	Daily	250
Private Function	Daily	150
Community Group	Daily	40
Community Group	Hourly	6

This use of the hall would be classified as either a Commercial event or a Private Function.

The \$500 bond for a hirings with a liquor licence will be paid. Staff are not proposing any amendment to the bond provisions of Council's hiring arrangements.

Risk Assessment:

There is little risk or consequences associated with this activity.

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

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

Community & Strategic Objectives:

Nil

Comment

The Officer's Recommendation is for Council to not charge the hire fee for use of the Memorial Hall because:

1. The organisers will pay the normal \$500 bond required for hirings where the serving of alcohol occurs; and
2. There is significant local contributions in addition to the recommended Council contribution; and
3. The event is confined to one day without any ongoing financial contribution required by Council; and
4. The event has a component that it is available to the wider public to attend; and
5. The event will add to the local economy and social calendar; and
6. Council's contribution of \$250/\$150 is proportionate to the community benefit of that the event is providing.

OFFICER'S RECOMMENDATION

That Council does not charge the adopted hire fee for the hiring of the Brookton Memorial Hall for the Sunday 1st May 2022.

(Absolute majority vote required)

13.04.22.02 BROOKTON COMMUNITY GARDEN – MIYAWASKI FOREST PROJECT

File No:	PRO 004, COM004 & A2542
Date of Meeting:	21 st April 2022
Location/Address:	N/A
Name of Applicant:	Brookton Community Garden, a part of Brookton Community Inc.
Name of Owner:	Shire of Brookton
Author/s:	Gary Sherry – Chief Executive Officer
Authorising Officer:	Gary Sherry – Chief Executive Officer
Declaration of Interest:	The author and authorising officer do not have an interest in this item
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

The Brookton Community Garden (BCG) Committee requesting authorisation and support from the Shire of Brookton to complete their Miyawaki Forest Project on their grounds in collaboration with the NGO Carbon Positive Australia and Murdoch University Harry Butler Institute (HBI's), led by ecologist and urban forest maker, Dr Grey Coupland.

Background:

The Brookton Community Garden utilize the area of the old tennis courts on Reserve 43158, facing White Street Brookton. This use was planned in the Council's Brookton Reserve 43158 Management Plan – 2020 – 2030.



Figure 7 – Outline of Community Garden / Men's Shed Precinct

Miyawaki Forest is a technique pioneered by Japanese botanist Akira Miyawaki, that helps build dense, native forests. The approach is supposed to ensure that plant growth is 10 times faster and the resulting plantation is 30 times denser than usual. Miyawaki forests use a diverse range of local species, are

established in two to three years, and then become self-sustaining. The approach is associated with regeneration projects, particularly in urban settings, where they help lower temperatures in concrete heat islands, reduce air and noise pollution, attract local birds and insects, and create carbon sinks.

Description of Proposal:

Brookton Community Garden (BCG) has been successful with the Carbon Positive Australia and Murdoch University Harry Butler Institute (HBI's), led by Ecologist and Urban Forest Maker, Dr Grey Coupland with Brookton Community Garden being selected as the 6th Miyawaki Forest Project to be planted in Australia in 2022.

The BCG proposal is to plant a Miyawaki Forest using local sourced plants species on an area of the old tennis courts. The 150m² project is identified in **Attachment 13.04.22.02A**.

BCG are seeking Council's in kind support to prepare the site by removing the tennis court infrastructure and surface and completing basic earth works/site preparation. Once removed BCG will be able to complete all other works.

The BCG have the capacity to engage the wider Brookton community. Including the Brookton District High School in both the establishment of the Forest and in ongoing monitoring.

The establishment of a small dense forest of local species will add to bush fire risk, however because of nearby larger areas of remanent native vegetation, the site is currently assessed as Bushfire Prone by DFES. The classification has impacts on private landowners in their construction standards, but the Miyawaki Forest will not alter the status of any private properties.



Consultation:

The BCG have discussed this matter with Shire of Brookton

Statutory Environment:

The Shire of Brookton are moving to prepare lease agreements with the users of Reserve 43158

Relevant Plans and Policy:

The BCG's proposal to establish a Miyawaki Forest is consistent with the *Brookton Reserve 43158 Management Plan – 2020 – 2030*.

Financial Implications:

There Shire of Brookton will complete works in kind estimated at approximately \$1,000 off plant and labour expenditure.

Risk Assessment:

The Miyawaki Forest does marginally increase fire risk in the town centre, however the size of the property is comparatively small and the Shire will have the ability to impose additional bushfire mitigation responses.

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

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

Community & Strategic Objectives:

The BCG's proposal to establish a Miyawaki Forest is consistent with the *Brookton Reserve 43158 Management Plan – 2020 – 2030*.

Comment

The request of the BCG is recommended for approval because

1. the project supports an activity of a proactive community group providing community activities within the Shire;
2. the project will result in improved visual amenity of what is now a dilapidated tennis court;
3. given the projects benefits and other support, the in-kind costs to the Shire of Brookton are proportionate to the outcome,
4. the project will assist in the environmental sustainability of Brookton, lowering temperatures and attracting local birds and insects,
5. the project will add to the reputation of Brookton as a progressive community by delivering only the 6th Miyawaki Forest in Australia;
6. the project has the potential to provide ongoing opportunities for collaboration with the Brookton District High School;
7. at only 150m² in area, the project will not significantly add to the bushfire risk in the townsite or impact on the Bushfire prone status of the nearest private properties;

8. the project broadly supports longer term environmental sustainability around maintaining environmental diversity and storing carbon;

OFFICER'S RECOMMENDATION

That Council:

1. *approve the Brookton Community Garden's establishment of a Miyawaki Forest using locally provenanced native plants to the Brookton Shire in the area identified in Attachment 13.04.22.02A; and*
2. *agree to provide in-kind support to the Brookton Community Garden's establishment of a Miyawaki Forest through Shire staff and earthmoving equipment removing the required 150m² of tennis court surface.*

(Simple majority vote required)

Attachments

Attachment 13.04.22.02A – Map location of proposed Miyawaki Forest.



13.04.22.03 BROOKTON COMMUNITY RESOURCE CENTRE INC. – OFFER TO TAKE CONTROL OF BROOKTON CRC OPERATIONS

File No:	COM 005
Date of Meeting:	21 st April 2022
Location/Address:	N/A
Name of Applicant:	Brookton Community Resource Centre Inc.
Name of Owner:	Brookton Community Resource Centre Inc.
Author/s:	Gary Sherry – Chief Executive Officer
Authorising Officer:	Gary Sherry – Chief Executive Officer
Declaration of Interest:	The author and authorising officer do not have an interest in this item
Voting Requirements:	Simple Majority
Previous Report:	17 th March 2022

Summary of Item:

Council is consider taking control of the Brookton CRC management contracts and assets of the Brookton CRC Inc. and operate the Brookton CRC under the Shire of Brookton.

Description of Proposal:

The Brookton CRC Inc. is having difficulty retaining a management committee and has offered the Shire of Brookton to take control of the Brookton CRC (Community Resource Centre) management contracts and assets of the Brookton CRC Inc. to ensure that the Brookton CRC remains operating.

Since March 2022, staff have discussed this matter with Brookton CRC Inc committee and members, Brookton CRC employees and interested community members. The common theme of these discussions is the ongoing difficulty in the Brookton CRC Inc to obtain the personnel to adequately manage their contractual and operational requirements.

There were discussions of a group of members stepping up to take control of the Brookton CRC Inc. and retain the Brookton CRC operations. Brookton CRC Inc members who wished to retain control over the Brookton CRC operations could have sought committee positions at an AGM of the Brookton CRC Inc. or by a group of members calling for a Special Meeting under the Brookton CRC Inc's constitution. Neither of these actions has not occurred.

The current Brookton CRC Inc. committee did consider holding a Special Meeting but did not believe it necessary. In any event, while a "new" committee may have had a new vibrancy upon commencing control, the ongoing burden of management would have made this difficult to retain.

Staff believe that the Council needs to move to ensure that the Brookton CRC remains an ongoing concern to:

- Provide the ongoing community services continue; and
- Continue to attract the revenue into the Brookton economy.

Throughout the state currently 12% of CRC's are managed by their local government. These include CRC's in the Shires of Wongan – Ballidu, Boddington and Katanning.

1. Legal Issues Around the Proposed Transfer of Assets by the Brookton CRC Inc.

The transfer of assets of the Brookton CRC Inc. to the Shire of Brookton would occur in two stages.

The Brookton CRC Inc. should be able to transfer the working assets of the Brookton CRC, including furniture, computers, consumables and the like, to the Shire of Brookton to allow services to continue from

the current site. This may need the approval of grant funding bodies who may have contributed to the purchase of these assets.

With the transfer of the working assets, it is expected that the Brookton CRC will no longer have a purpose to exist and the members will move to wind up the association. The winding up and transfer of the remaining financial assets is governed by the dissolution clause of an association's constitution and Staff have not reviewed the constitution of the Brookton CRC Inc in detail.

However it is unlikely, but not certain, that Brookton CRC Inc. will be able to distribute the surplus property on cancellation of the Brookton CRC Inc's incorporation or winding up. It is expected that after transfer of the business of the CRC to the Shire, on winding up the Brookton CRC Inc would transfer by Special Resolution the assets to a group that meets the requirements of Section 24(1) of the Associations Incorporation Act 2015. The Shire of Brookton doesn't appear to meet this requirement.

2. Potential Financial Impacts for the Shire of Brookton;

The ongoing financial impacts for the Shire of Brookton should be neutral.

Given that the operations are currently financially sustainable, Council should be able to assume control on 1st July 2022 and meet outgoing expenditure with service grants and revenue from operations.

Currently the CRC operates from a privately leased property and Council will need to ensure that there are appropriate premises for CRC operations are secured for the longer term. There is not the ability to operate the CRC from the current Shire premises. While current lease is expected to be able to be transferred to the Shire of Brookton, accommodation is the most significant financial risk.

The longer term financial impacts to the Shire of Brookton will depend on:

- The ability to reduce overall operation costs/overheads. With the Shire of Brookton absorbing CRC administration activities such as payroll, creditors and financial reporting, should reduce overall expenditure. Currently the CRC meet all of these operational costs;
- The degree to which the currently separate Shire and Brookton CRC services can be collocated and avoid duplication. In the future the CRC operations could be expected to be able to provide services that meet Council's strategic and operational requirements such as library services, tourism information services, caravan park bookings, receipting services. Providing such services from the CRC would reduce the current Shire's operational costs.
- The cost of merging the IT services of the CRC operations and Shire of Brookton. This cost hasn't been assessed, although the Shire currently has IT connections between the Depot and the Shire Office.

3. The Ability To Take Over/Enter Into Service Contracts With the DPIRD to Provide Brookton CRC Services

The DPIRD have advised that Council will be able to enter into service contracts with the DPIRD to provide the CRC services. The Brookton CRC Inc have requested a new five year operational contract from 1st July 2022.

4. Any Issues Regarding Employment of Exiting Brookton CRC Staff

All the existing Brookton CRC staff should be employed by Council upon take over. Council could also extend a guarantee of at least 12 months employment at current levels to provide security.

5. Any Statutory Implications for Shire of Brookton's Ongoing Management of the Brookton CRC

A summary of the statutory arising from the Shire of Brookton providing CRC services includes:

- Brookton CRC operations will be conducted with Council's purchasing policy. Staff will need to be trained and assisted in this transition; and
- The Brookton CRC operational charges would need to be included in Council's fees and charges. This may pose challenges from time to time as the CRC operation establishes new services that requires a new fee. Council currently approves fees and charges with the annual budget and the Local Government Act has a process for approving fees at other times of the year.

The management of Brookton CRC operations within the statutory compliance requirements of local government is always possible, but may result in the loss of some of the spontaneous, community orientated activities that are the key attraction of a CRC in a community.

In addition to removing the operational cost of the Brookton CRC Inc's management cost, the Shire management of the Brookton CRC should improve the Brookton CRC's compliance including employee management and oversight, financial controls and audit requirements should be easily incorporated into the Shire of Brookton's day to day operations.

Background:

The Brookton CRC is currently managed by the incorporated association Brookton CRC Inc.

Currently the Brookton CRC provides the following services to the community:

- Access point for MyGov and Centrelink
- video conferencing
- Telehealth Services
- Local printing/ publishing requirements
- Training Services
- Production of the local newspaper (Brookton Telegraph)
- Office rental

The Brookton CRC brings the following income into the Brookton economy:

- Department of Primary Industry and Regional Development (DPIRD) Grant if KPIs are met
- Additional CRC grants
- Training fees from courses run

The Brookton CRC also generates revenue from within Brookton from event management, office rentals, general secretarial work, and advertising from the Brookton Telegraph.

Importantly both the Brookton CRC Inc. and the Brookton CRC Coordinator believe that the operations of the Brookton CRC are currently financial.

The current Brookton CRC Inc. committee format is becoming unsupportable. Member numbers are dwindling, and the committee is finding it difficult to locate individuals who are willing to take on executive roles such as the Chairperson, Treasurer or Secretary. The current Chair and Secretary have resigned, and the Treasurer is looking to remove herself from the role.

If these roles cannot be filled the committee cannot continue to operate and this will leave two options:

- a) Close the Brookton CRC; or
- b) The Shire of Brookton incorporate the operation of the services/contracts of the Brookton CRC under the Shire of Brookton.

The Brookton CRC Inc met Wednesday 16th February 2022 and proposed to have the Shire of Brookton take over the management of the Brookton CRC and that the Brookton CRC Inc. be dissolved. This decision was advertised and the Brookton CRC Inc invited community feedback.

Brookton CRC Inc received 8 submissions.

Comment	Option 1 – Community Management Committee	Option 2 – Shire Operated	Option 3 – Cease Operations	Willing to join a Community Committee
1	1			No
2	1			No
3		1		
4	1			No
5		1		
6	1			No
7	1			Yes
8	1			Yes

The overwhelming sentiment of the submissions received by the Brookton CRC Inc received was that the CRC service was valuable to the community and needed to be retained. The submissions the preference for a community management committee to operate the CRC, but a majority of submissions identified that a Shire operated CRC was preferable to no CRC. Only two public submissions indicated any willingness to join a management committee.

The Brookton CRC Inc met on 8th March 2022 and resolved to offer the management and assets of the Brookton CRC to the Shire of Brookton. The Brookton CRC Inc have advertised that decision.

At the March 2022 Meeting Council decided the following:

That Council:

1. proposes to accept the offer for the Shire of Brookton to take control of the management contracts and assets of the Brookton Community Resource Centre Inc. to ensure that the valuable services of the Brookton CRC remain available to the Brookton community;
2. have staff complete a review of the operations of the CRC, and the possible impacts of the Shire of Brookton taking control of the Brookton CRC management including:
 - a) any legal issues around the proposed transfer of assets by the Brookton CRC Inc.;
 - b) any potential financial impacts for the Shire of Brookton;
 - c) the ability to take over/enter into service contracts with the DPIRD to provide CRC services;
 - d) any issues regarding employment of exiting Brookton CRC staff;
 - e) any statutory implications for Shire of Brookton's ongoing management of the Brookton CRC; and
 - f) any other management issues.
3. seek input from the Brookton community on the proposed Shire of Brookton control of the of the management contracts and assets of the Brookton Community Resource Centre Inc; and
4. advise the Brookton CRC Inc that the Shire will consider their offer and respond in April 2022.

Consultation:

Staff have met or discussed issues with

- Brookton CRC Inc members;
- Local residents and ratepayers with an interest in the Brookton CRC;
- Key Brookton CRC employees; and
- the Project Manager CRC Program of DPIRD who manages CRC contracts across the state.

The Brookton CRC Inc has extensively advertised their proposal in the community and received 8 submissions.

Statutory Environment:

The Shire of Brookton is able to enter into contracts with DPIRD and others to manage the Brookton CRC.

Relevant Plans and Policy:

Nil at this time. Council would need to consider policy responses if management of the Brookton CRC was to occur.

Financial Implications:

There will be an element of the unknown in assessing the financial implication for the Shire of Brookton's management of the Brookton CRC.

The Shire of Brookton would receive all the income and pay all expenses. There is significant income from contracts to operate a CRC provided by the DPIRD. The Shire operated Brookton CRC would need to meet contractual conditions to receive this funding.

There is significant expense in managing the Brookton CRC. The most significant expenses include staff wages and the rent on the Brookton CRC premises.

Risk Assessment:

The Officer's Recommendation seeks for the Shire to move to take over the Brookton CRC operation. This action reduces the community risk of the Brookton CRC service not continuing but increases operational risks to the Shire of Brookton. Over time Staff will need to implement process to reduce or eliminate these risks. These risk reducing processes are regular part of administration operations.

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

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

Community & Strategic Objectives:

The Brookton CRC does not appear specifically appear in the Shire of Brookton's current Community & Strategic Objectives. However the services provided by the CRC does provide services which are represented under goals as diverse as Social Innovation, Jobs and Volunteering, Older Population, Community Engagement, Technology and Automation, Education and Town Precinct.

Comment

The content of this report focuses on the Shire of Brookton taking control of the Brookton CRC services. While focused on this, Council should remain mindful of the years of volunteer time and effort given by many individual Brookton CRC Inc members that has resulted in the Brookton CRC being a vibrant and respected fixture within our community. Council may wish to formally recognise this service in the future.

The management of a CRC is a significant undertaking, involving considerable funds and the supervision of employees. The workload for this form of management can place a burden on members of such a committee than will eventually burn out members if there is not continual renewal. This is particularly common on CRC management committees. Part of the problem with attracting committee members to the Brookton CRC Inc is that a number of supporters of the CRC in the community have served previously on the Brookton CRC Inc committee and, knowing what is required of them, don't wish to return.

The view of staff remains that the best form of management of the Brookton CRC is a community committee. However staff are now of the view that the Brookton CRC Inc. membership is not likely to be able to ensure that the Brookton CRC services are maintained.

The Officer's Recommendation seeks to have Council to move to assume control of the Brookton CRC. With acceptance of this course of action, there is likely to be a requirement in the near future for Council to consider contractual matters, such as contracts with DPIRD and the owner of the Brookton CRC premises, in the implementation of this decision.

OFFICER'S RECOMMENDATION

That Council accepts the offer for the Shire of Brookton to take control of the management contracts and assets of the Brookton Community Resource Centre Inc. to ensure that the valuable services of the Brookton CRC remain available to the Brookton community.

(Simple majority vote required)

14.04.22 CORPORATE SERVICES REPORTS

14.04.22.01 BROOKTON OVAL – RENOVATION OF OVAL LIGHTS

File No:	PRO 017
Date of Meeting:	21 st April 2022
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Gary Sherry – Chief Executive Officer
Authorising Officer:	Gary Sherry – Chief Executive Officer
Declaration of Interest:	The author and authorising officer do not have an interest in this item
Voting Requirements:	Absolute Majority
Previous Report:	N/A

Summary of Item:

Council is to consider allocating resources to complete renovation works to the Brookton Oval lights prior to the 2022/23 Budget.

Description of Proposal:

The Officer's Recommendation is for Council to provide funds to remove, refurbish and re-erect the existing light poles and lights at the Brookton Oval.

Staff have received an indicative price of \$28,850 (GST Exclusive) to complete the following scope of works:

1. Preliminaries to include:
 - a. Mobilisation & Site establishment
 - b. OSH/Permits - SWMS approvals.
 - c. Supervision & management
2. Civils scope of works
 - a. To supply 4 x 4 bolt @570PCD ragbolt cages assemblies.
 - b. To auger drill the 4 x locations 900mm wide x 3000mm deep.
 - c. To position the new ragbolt cages into position and prepare ready for concrete.
 - d. To supply, pour and vibrate 32mpa concrete to the 4 x locations.
 - e. Excavate and extend the existing electrical cables to the new pole position and supply and install new below ground pits to allow the change of direction of the cables.
 - f. Remobilise to site and remove the 3 x existing light poles from the old footings and reinstate onto the new ragbolt footings.
 - g. To vertically align and secure.
 - h. To install grout to the base of the poles to protect.
 - i. Reconnect power to the 4 x poles and test.
 - j. To remove the bottom baseplate section from the fallen pole and reinstate the baseplate onto the existing pole. Provide new galvanising finish to the pole base.
 - k. To provide engineer certification of the new ragbolt cage footings.
 - l. Auger drill clay/rock conditions.

This work would take at least two weeks to complete. Selection of a contractor and contractor's scheduling of any approved works may take an additional four to six weeks.

It is possible for Council to complete temporary works to remove the poles now, include costings to
Shire of Brookton, 21 April 2022, Ordinary Meeting of Council – Agenda

complete the refurbishment and construction costs in Council's 2022/23 Budget and then complete the works in the new financial year. This proposal would mean the users of the oval would not have access to lights through the winter sports season.

Background:

The Shire of Brookton's asset register lists the Brookton Oval Lights as being acquired on 8th August 1999 for a cost of \$108,000. The lights were identified as having a useful life of 16 years.

In March staff became aware of the northeast pole no longer vertical and leaning. An engineer's inspection provided the following assessment:

S not

Leaning measures light pole:

- The light pole was observed to be leaning in a westerly direction towards the oval. The lean was calculated from onsite measurement to be approximately 2.75 degrees from vertical. (not accounting for the slight pole taper)
- A separation between the face of the pole and adjacent grass/soil was observed, indicating that the movement had occurred within recent times such that the grass has not grown into that space. Anecdotal evidence suggests at least that the lean may have been present two to three weeks ago.
- The soil around the light pole is significantly lower than immediately around the pole. It is unclear if settlement of the soil has occurred, or this has always been the case.
- Digging around the base of the light pole revealed significant corrosion to all buried steel elements including the bottom 50-100mm of the light pole, the light pole baseplate, hold down bolts and the stub column and fixing plate below.
- It was not considered safe to excavate to a lower depth at the time of inspection as the surrounding soil may be assisting in providing some stability to the light pole.
- It is recommended to remove the steel post from the footing to remove the risk of collapse. The post should be accessed and removed from the roadside only. (where the poles are leaning away).
- It is recommended to maintain the exclusion zone on the oval side. The exclusion zone should extend a minimum 30m from the base of pole and be in a semicircular shape extending clockwise from the south, through the west to the north. The exclusion zone should remain in place until the light pole has been removed.
- The cause of rotation is unclear at this stage, however, may be related to footing movement or a failure or partial failure of the steel connections.



Other Light poles:

- The adjacent pole to the south was also inspected as the baseplate was reasonably exposed already and would demonstrate the typical construction of the poles.

- The light pole baseplate was located above ground level and was considered in a good condition. Below the light pole baseplate was a circular stub column section of approximately 150mm high with a cap plate (bolted to the light pole baseplate over) and baseplate bolted to the concrete footing below.
- The sections below the ground level were observed to be significantly corroded including; the stub column section, cap plate and baseplate, and the holding down bolts to the footing below.
- below the stub column baseplate there was no structural grout observed. Typically, this area would be fully grouted to assist with stability and load transfer and provide some protection to the holding down bolts.
- The light pole baseplate to the southwest of the oval was above ground and was visually inspected. The steelwork and bolts appeared to be a good condition. No grout was observed below the stub column baseplate.
- The light pole baseplate to the northwest of the oval was below the ground level at the time of inspection and could not be observed.
- It is recommended to undertake further investigation in due course of the remaining 3 light poles to confirm the condition of the steel work and bolts.
- It is considered likely that some remedial works may be required to these poles to ensure they remain in a structurally acceptable condition including grouting below the stub column baseplate at a minimum, and steel repair or replacement for corroded sections.
- There may be ongoing maintenance required with the existing configuration, or potentially some preventative such as raising the base above ground etc. can be considered.



Staff have engaged appropriately qualified contractors and removed the northeast pole and made the site safe.

Consultation:

Winter sports clubs have been advised of the status of the oval lights from time to time.

Statutory Environment:

The requirement to

Relevant Plans and Policy:

Local Government Act

6.8. Expenditure from municipal fund not included in annual budget

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

* Absolute majority required.

Financial Implications:

Council has received indicative pricing of \$28,000 to complete the works. There are no allocated funds for this task.

Staff have identified savings from budget allocations that will not be expended in 2021/22 and believe that Council can complete the works in a financially sustainable manner.

Risk Assessment:

The ongoing structural integrity of infrastructure at a public venue is a high risk for Council. Council needs to take action to ensure risk is lowered.

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

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

Community & Strategic Objectives:

The Brookton Oval is used by two winter sports clubs who utilise the lights. Not having lights will impact on the activities of these clubs.

Comment

The Officer's Recommendation is to utilise general savings through the 2021/22 to complete these works prior to the 2022/23 Budget.

OFFICER'S RECOMMENDATION

That Council authorise out of budget expenditure of up to \$30,000 (GST Exclusive) to complete works at the Brookton Oval to remove and refurbish the existing light poles, construct new foundations and reinstate the four light poles with the existing lights onto the new footings.

(Absolute majority vote required)

14.04.22.02 LIST OF PAYMENTS – MARCH 2022

File No:	N/A
Date of Meeting:	21 st April 2022
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Leigh Anderson – Finance Administration Officer - Creditors
Authorising Officer:	Deanne Sweeney –Manager Corporate and Community
Declaration of Interest:	The author and authorising officer do not have an interest in this item.
Voting Requirements:	Simple Majority
Previous Report:	17 th March 2022

Summary of Item

The purpose of this report is to present the list of payments for the month of March 2022, as required under the *Local Government (Financial Management) Regulations 1996*.

Description of Proposal

To present to Council the accounts paid under Delegation 1.1, Power to Make Payments.

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.

There has been no consultation on this matter.

Statutory Environment

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

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

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

The Local Government (Administration) Regulations 1996 require that:

13. Publication of unconfirmed minutes of meetings (Act s. 5.25(1)(i))

- 1) The CEO must publish on the local government's official website —
 - a) the unconfirmed minutes of each council and committee meeting that is open to members of the public;

Relevant Plans and Policy

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

Financial Implications

No financial implications have been identified at the time of preparing this report.

Risk Assessment

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

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

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

Community & Strategic Objectives

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

Comment

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

The following table summarizes the payments for the period by payment type, with full details of the accounts paid contained within **Attachment 14.04.22.01A**.

Payments For March 2022		
Payment Type	Account Type	Amount
Payment Deductions (Direct Debits)	Municipal	\$ 189,246.92
Cheque Payments – 18509	Municipal	\$ 9,080.60
EFT Payments #13062 to #13104 & #13106 to #13144	Municipal	\$ 156,270.35
Sub Total	Municipal	\$ 354,597.87
EFT Payments – Nil	Trust	\$ -
Sub Total	Trust	\$ -
EFT Payments – #13105 & 13145	Bond	\$ 410.00
Sub Total	Bond	\$ 410.00
Totals		\$ 355,007.87

Contained within **Attachment 14.04.22.01B** is a detailed transaction listing of credit card expenditure paid in March 2022. This amount is included within the total payments, listed above.

OFFICER'S RECOMMENDATION

That Council receives:

- 1. the list of accounts paid in March 2022 under delegated authority, totalling \$355,007.87, as contained within Attachment 14.04.22.01A, in accordance with Regulation 13(1) of the Local Government (Financial Management) Regulations 1996; and*
- 2. the list of List of Credit Card Payments Paid in March 2022, contained within Attachment 14.04.22.01B.*

(Simple majority vote required)

Attachments

Attachment 14.04.22.02A – List of Payments for March 2022

Attachment 14.04.22.02B – Details of Credit Card Payments Paid in March 2022

LIST OF PAYMENTS FOR MARCH 2022

CHQ/EFT	Date	Name	Description	Amount \$
18509	29/03/2022	DEPARTMENT OF TRANSPORT	FLEET LICENSING X 50 VEHICLES 12 MONTHS FROM 01/04/22	\$ 9,080.60
905.1	07/03/2022	EWAY - CARAVAN PARK BOOKING SYSTEM FEES	CARAVAN PARK BOOKING SYSTEM FEES	\$ 1.60
905.1	08/03/2022	EWAY - CARAVAN PARK BOOKING SYSTEM FEES	CARAVAN PARK BOOKING SYSTEM FEES	\$ 2.95
905.1	09/03/2022	EWAY - CARAVAN PARK BOOKING SYSTEM FEES	CARAVAN PARK BOOKING SYSTEM FEES	\$ 10.00
905.1	10/03/2022	EWAY - CARAVAN PARK BOOKING SYSTEM FEES	CARAVAN PARK BOOKING SYSTEM FEES	\$ 2.95
905.1	11/03/2022	EWAY - CARAVAN PARK BOOKING SYSTEM FEES	CARAVAN PARK BOOKING SYSTEM FEES	\$ 20.85
905.1	14/03/2022	EWAY - CARAVAN PARK BOOKING SYSTEM FEES	CARAVAN PARK BOOKING SYSTEM FEES	\$ 22.75
905.1	16/03/2022	EWAY - CARAVAN PARK BOOKING SYSTEM FEES	CARAVAN PARK BOOKING SYSTEM FEES	\$ 6.10
905.1	17/03/2022	EWAY - CARAVAN PARK BOOKING SYSTEM FEES	CARAVAN PARK BOOKING SYSTEM FEES	\$ 4.15
905.1	18/03/2022	EWAY - CARAVAN PARK BOOKING SYSTEM FEES	CARAVAN PARK BOOKING SYSTEM FEES	\$ 2.95
905.1	24/03/2022	EWAY - CARAVAN PARK BOOKING SYSTEM FEES	CARAVAN PARK BOOKING SYSTEM FEES	\$ 12.65
905.1	02/03/2022	EWAY - CARAVAN PARK BOOKING SYSTEM FEES	CARAVAN PARK BOOKING SYSTEM FEES	\$ 1.85
905.1	29/03/2022	EWAY - CARAVAN PARK BOOKING SYSTEM FEES	CARAVAN PARK BOOKING SYSTEM FEES	\$ 8.05
905.1	30/03/2022	EWAY - CARAVAN PARK BOOKING SYSTEM FEES	CARAVAN PARK BOOKING SYSTEM FEES	\$ 16.10
905.1	31/03/2022	EWAY - CARAVAN PARK BOOKING SYSTEM FEES	CARAVAN PARK BOOKING SYSTEM FEES	\$ 2.90
905.1	02/03/2022	CBA MERCHA - BANK FEE - MERCHANT FEE	BANK FEE - MERCHANT FEE	\$ 157.02
905.1	03/03/2022	EWAY - CARAVAN PARK BOOKING SYSTEM FEES	CARAVAN PARK BOOKING SYSTEM FEES	\$ 21.68
DD5964.1	08/03/2022	AWARE SUPER PTY LTD	PAYROLL DEDUCTIONS	\$ 5,110.14
DD5964.10	08/03/2022	CBUS SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 690.65
DD5964.11	08/03/2022	ROD EVENIS SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 713.73
DD5964.2	08/03/2022	HUB24 SUPERFUND	SUPERANNUATION CONTRIBUTIONS	\$ 247.60
DD5964.3	08/03/2022	I & T BROWN FAMILY SUPER FUND	PAYROLL DEDUCTIONS	\$ 539.24
DD5964.4	08/03/2022	AUSTRALIANSUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	\$ 621.83
DD5964.5	08/03/2022	COLONIAL FIRST STATE CHOICE WHOLESALE PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 235.62
DD5964.6	08/03/2022	EXPAND SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 279.87
DD5964.7	08/03/2022	BRET EVENIS SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 315.89
DD5964.8	08/03/2022	MLC NOMINEES PTY LIMITED	SUPERANNUATION CONTRIBUTIONS	\$ 446.92
DD5964.9	08/03/2022	HOSTPLUS	SUPERANNUATION CONTRIBUTIONS	\$ 362.73
DD5966.1	03/03/2022	SYNERGY	ELECTRICITY USAGE 40 WHITE STREET FOR THE PERIOD 02/12/21 TO 17/01/22	\$ 1,275.30

CHQ/EFT	Date	Name	Description	Amount \$
DD5969.1	10/03/2022	SYNERGY	409966190 - ELECTRICITY USAGE 12/01 - 08/02/22	\$ 1,960.04
DD5977.1	22/03/2022	AWARE SUPER PTY LTD	PAYROLL DEDUCTIONS	\$ 5,259.94
DD5977.10	22/03/2022	CBUS SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 761.11
DD5977.11	22/03/2022	ROD EVENIS SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 713.73
DD5977.2	22/03/2022	HUB24 SUPERFUND	SUPERANNUATION CONTRIBUTIONS	\$ 247.60
DD5977.3	22/03/2022	I & T BROWN FAMILY SUPER FUND	PAYROLL DEDUCTIONS	\$ 539.24
DD5977.4	22/03/2022	AUSTRALIANSUPER PTY LTD	SUPERANNUATION CONTRIBUTIONS	\$ 633.58
DD5977.5	22/03/2022	COLONIAL FIRST STATE CHOICE WHOLESALE PERSONAL SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 235.62
DD5977.6	22/03/2022	EXPAND SUPER	SUPERANNUATION CONTRIBUTIONS	\$ 280.29
DD5977.7	22/03/2022	BRET EVENIS SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$ 318.05
DD5977.8	22/03/2022	MLC NOMINEES PTY LIMITED	SUPERANNUATION CONTRIBUTIONS	\$ 350.04
DD5977.9	22/03/2022	HOSTPLUS	SUPERANNUATION CONTRIBUTIONS	\$ 362.73
DD5982.1	18/03/2022	WATER CORPORATION OF WA	9007657321 WATER VACANT LAND CHARGES 50 WHITE ST (L324 CUMMING ST) 01/03/22 - 30/04/22	\$ 44.95
DD5987.1	17/03/2022	TELSTRA CORPORATION	1361575300 - ADMINISTRATION BUILDING - USAGE CHARGES TO 23/02/22. SERVICES & EQUIPMENT RENTAL TO 22/03/22	\$ 1,531.67
DD5989.1	24/03/2022	WATER CORPORATION OF WA	9007657073 LOT 510 BROOKTON HWY WATER USE CHARGE 29/12/21 - 27/01/22	\$ 982.44
DD5991.1	25/03/2022	SYNERGY	378743520 10 MARSH AVE BROOKTON ELECTRICITY SUPPLY 18/01/22 - 17/02/22	\$ 3,907.52
DD5997.1	29/03/2022	SYNERGY	409 966 190 ELECTRICITY ACCOUNT 09/02/22 TO 08/03/22	\$ 1,765.82
DD6002.1	28/03/2022	WATER CORPORATION OF WA	9012299311 SERVICE CHARGE 01/03/22 - 30/04/22	\$ 1,375.49
DD6004.1	31/03/2022	WATER CORPORATION OF WA	9007657030 WATER USE 12/01/22 - 09/03/22 & SERVICE CHARGE 01/03/22 - 30/04/22	\$16,287.67
DD6006.1	28/03/2022	WATER CORPORATION OF WA	9012299274 SERVICE CHARGE - RE ENTERED AS A DIRECT DEBIT FOR BATCH 6002	\$ 44.95
DD6011.1	21/03/2022	TELSTRA CORPORATION	3063520757 - TELSTRA CALLS, USAGE CHARGES & SERVICE CHARGES	\$ 768.30
DD6012.1	14/03/2022	SHIRE OF BROOKTON	CREDIT CARD FEE X 2	\$ 8.00
DD6012.2	14/03/2022	SHIRE OF BROOKTON	MCC CREDIT CARD TRANSACTIONS FEBRUARY 2022	\$ 757.65
DD6012.3	14/03/2022	MASTERCARD - CESM SHIRE OF BROOKTON	CESM MASTER CARD TRANSACTIONS FOR THE PERIOD 01/02/22 - 28/02/22	\$ 490.04
EFT13062	04/03/2022	A&L HOBBS	MUSTERING OF CATTLE - WELFARE CHECKS & FEED	\$ 4,455.00
EFT13063	04/03/2022	ALCOLIZER TECHNOLOGY	ONLINE TRAINING - HH4 CERTIFIED OPERATOR	\$ 421.85
EFT13064	04/03/2022	B & N EYRE BROOKTON NEWSAGENCY	STATIONARY ORER FEBRUARY 2022	\$ 893.45
EFT13065	04/03/2022	BEDFORD ARMS HOTEL	COUNCIL MEETING CATERING	\$ 268.00

CHQ/EFT	Date	Name	Description	Amount \$
EFT13066	04/03/2022	BOC GASES	CONTAINER SERVICE - DAILY TRACKING FOR PERIOD 29/01/22 - 25/02/22	\$ 51.02
EFT13067	04/03/2022	BOHAN (WA) PTY LTD T/A VINES MEDICAL PRACTICE	PRE-EMPLOYMENT MEDICAL - N HANKINSON	\$ 150.00
EFT13068	04/03/2022	BROOKTON COMMUNITY RESOURCE CENTRE	BROOKTON TELEGRAPH ADVERTISING - AUSTRALIA DAY BREAKFAST EDITION #23	\$ 115.00
EFT13069	04/03/2022	BROOKTON DELI	SANDWICHES X 12 & CAKE X 10	\$ 171.00
EFT13070	04/03/2022	BROOKTON MOWER AND SAW HOODS MOWER AND SAW	REPAIR BRACKET TO CUB CADET	\$ 100.00
EFT13071	04/03/2022	BROOKTON PHARMACY	ALLTEST COVID19 NASAL RA TEST 1 PACK OF 5	\$ 65.00
EFT13072	04/03/2022	BROOKTON PLUMBING	LABOUR, DRAIN MACHINE HIRE, PUMP OUT	\$ 1,580.00
EFT13073	04/03/2022	BROOKTON RURAL TRADERS	RAPIDSET 20KG X 120	\$ 3,401.26
EFT13074	04/03/2022	CORSIGN WA PTY LTD	ADDRESS PLATE, PART ROAD CLOSED, TRAFFIC HAZARD SIGNS	\$ 1,025.20
EFT13075	04/03/2022	DARRY'S PLUMBING & GAS DARR BEST PLUMBING PTY LTD	INSTALL BALANCE LINE BETWEEN TANKS	\$ 962.62
EFT13076	04/03/2022	DFES	2021/22 ESL QUARTER 3 IN ACCORDANCE WITH THE DEPARTMENT OF FIRE AND EMERGENCY SERVICES OF WA ACT PART 6A - EMERGENCY SERVICES LEVY - SECTION 36ZJ AND OPTION B AGREEMENT ARRANGEMENTS. ESL 3RD QTR CONTRIBUTION	\$20,144.07
EFT13077	04/03/2022	FUEL DISTRIBUTORS OF WA	DIESEL TANK 1- 3700LTRS	\$ 6,214.63
EFT13078	04/03/2022	G & M DETERGENTS AND HYGIENE SERVICES	CLEANING SUPPLIES - BATHROOM CLEANER, FLOOR CLEANER, TOILET BLOCKS, TOILET ROLLS JUMBO, GLOVES	\$ 651.80
EFT13079	04/03/2022	GARY SHERRY	RELOCATION EXPENSES - CEO EMPLOYMENT CONTRACT - GARY SHERRY	\$ 5,665.00
EFT13080	04/03/2022	GREAT SOUTHERN FUEL SUPPLIES	PAV5 1BO - FUEL PURCHASES FOR FEBRUARY 2022	\$ 308.45
EFT13081	04/03/2022	GREAT SOUTHERN WASTE DISPOSAL	DOMESTIC RUBBISH COLLECTION 31/01/22 - 28/02/22	\$11,095.64
EFT13082	04/03/2022	H RUSHTON & CO	2 X BATTERY	\$ 314.06
EFT13083	04/03/2022	HEINRICH VAN DER MERWE	7 X GYM INDUCTIONS	\$ 210.00
EFT13084	04/03/2022	HERSEY SAFETY PTY LTD	SSSMIX THORTZ 50 SACHETS	\$ 121.00
EFT13085	04/03/2022	INDUSTRIAL AUTOMATION GROUP PTY LTD (WATERMAN IRRIGATION)	DEPOT STANDPIPE CONTROL SYSTEM	\$ 10,393.35
EFT13086	04/03/2022	LOCK STOCK & FARRELL LOCKSMITH PTY LTD	LOCKWOOD COINED GENERATION 6 A13 KEY (CUT) X 8 & FREIGHT	\$ 206.30
EFT13087	04/03/2022	MARKET CREATIONS T/AS INTEGRATED ICT	MANAGEMENT & MONITORING TOOL - PER MONTH	\$ 4,702.26
EFT13088	04/03/2022	MARKETFORCE	ADVERTISING - LOCAL GORVERNMENT VACANCIES	\$ 967.46
EFT13089	04/03/2022	MAYDAY RENTAL	DRY HIRE EXCAVATOR 10/02/22 - 18/02/22 7 DAYS	\$ 4,378.00
EFT13090	04/03/2022	MCINTOSH & SON	950MM GRAVE BUCKET	\$ 4,424.57
EFT13091	04/03/2022	MCPEST PEST CONTROL	INSPECT TREES AT MUSEUM	\$ 220.00

CHQ/EFT	Date	Name	Description	Amount \$
EFT13092	04/03/2022	MOORE AUSTRALIA (WA) PTY LTD	PROGRESSIVE INVOICE FOR STRATEGIC RESOURCE PLANING SERVICES	\$ 2,494.89
EFT13093	04/03/2022	NARROGIN GLASS	SUPPLY & FIT GLASS PIVOT SHOWER DOORS X 2	\$ 103.65
EFT13094	04/03/2022	NOURISH BROOKTON	KIOSK SUPPLIES, ICE CREAMS, SOFT DRINKS, CONFECTIONERY	\$ 792.59
EFT13095	04/03/2022	OFFICEWORKS BUSINESS DIRECT	MASKS, SANITISER, WIPES	\$ 770.61
EFT13096	04/03/2022	REINFORCED CONCRETE PIPES AUSTRALIA PTY LTD	RCPA HEADWALL 600 TO SUIT PIPE X 2	\$ 770.00
EFT13097	04/03/2022	RESONLINE	FEBRUARY 22 ROOM MANAGER MONTHLY FEE REF 1162740	\$ 220.00
EFT13098	04/03/2022	SIGMA CHEMICALS	12 X 2 AW BACKSTROKE FLAGS YELLOW/ BLACK ALTERNATING & FREIGHT	\$ 273.02
EFT13099	04/03/2022	T/AS DOWNER EDI LTD DOWNER EDI WORKS PTY LTD	RICHARDSON ST - CEMENT STABILISING WORKS	\$28,817.80
EFT13100	04/03/2022	THE LOCAL GUYS - TEST AND TAG WA TNT	FIRE BLANKET X 4 + TAGS, FIRE EQUIPMENT SIGNS X 4	\$ 143.00
EFT13101	04/03/2022	TOLL TRANSPORT PTY LTD	FREIGHT FROM CORSIGN	\$ 52.87
EFT13102	04/03/2022	WA CONTRACT RANGER SERVICES	RANGER SERVICES 17/02/22 & 23/02/22	\$ 771.38
EFT13103	04/03/2022	WINDSOR D & J	SUPPLY & FIT ENTRY GATE TO SHIRE YARD	\$ 1,514.54
EFT13104	04/03/2022	ZIRCADATA (TOTALLY CONFIDENTIAL RECORDS)	STORAGE - STANDARD 26/01/22 - 25/02/22	\$ 49.20
EFT13106	18/03/2022	CHILD SUPPORT AGENCY EMPLOYER SERVICES	PAYROLL DEDUCTIONS	\$ 231.07
EFT13107	18/03/2022	LGRCEU	PAYROLL DEDUCTIONS	\$ 20.50
EFT13108	18/03/2022	SHIRE OF BROOKTON	PAYROLL DEDUCTIONS	\$ 60.00
EFT13109	18/03/2022	SHIRE OF BROOKTON	PAYROLL DEDUCTIONS	\$ 480.00
EFT13110	18/03/2022	SHIRE OF BROOKTON SOCIAL CLUB	PAYROLL DEDUCTIONS	\$ 35.00
EFT13111	18/03/2022	3E ADVANTAGE PTY LTD	FEBRUARY PRINTING COSTS FOR PHOTOCOPIER	\$ 1,117.60
EFT13112	18/03/2022	ABCO PRODUCTS	WALL MOUNT WIPE DISPENSER & ANTIBACTERIAL WIPES	\$ 299.85
EFT13113	18/03/2022	ARM SECURITY	ALARM MONITORING CHARGES 01/04/22 - 30/06/22	\$ 185.90
EFT13114	18/03/2022	ATO	BAS RETURN FEBRAURY 2022	\$ 7,033.00
EFT13115	18/03/2022	AUSTRALIA POST	FEBRUARY POSTAGE & ANNUAL PO BOX FEE	\$ 584.02
EFT13116	18/03/2022	B & N EYRE BROOKTON NEWSAGENCY	MOUSE PAD	\$ 6.50
EFT13117	18/03/2022	BOLLARD SHOP	4 X INGROUND BOLLARD & FREIGHT	\$ 627.00
EFT13118	18/03/2022	BROOKTON COMMUNITY RESOURCE CENTRE	BROOKTON TELEGRAPH FEBRUARY TO JUNE 2022	\$ 2,080.00
EFT13119	18/03/2022	BROOKTON HISTORICAL SOCIETY	DONATION FOR RESEARCHING & SCANNING PHOTOS FOR ROBINSON RD STREET BINS - FOR REPRODUCTION	\$ 500.00
EFT13120	18/03/2022	BROOKTON RURAL TRADERS	HAPPY VALLEY BORE FIELD - ZINCALUME SHED PREMIER S/DR 2.26W X 2.26D X 2.0H	\$ 977.09
EFT13121	18/03/2022	BROOKTON TYRE SERVICE	DOUBLE COIN DRIVE TYRE	\$ 1,245.20

CHQ/EFT	Date	Name	Description	Amount \$
EFT13122	18/03/2022	BURGESS RAWSON (WA) PTY LTD	WATER USAGE 12/01/22 - 09/03/22 BROOKTON RAIL YARD	\$ 1,203.76
EFT13123	18/03/2022	CORSIGN WA PTY LTD	CAMERAS IN USE, CURVED ROAD, BEND AHEAD, HAZARD BOARD SIGNS	\$ 1,404.04
EFT13124	18/03/2022	DARRY'S PLUMBING & GAS DARR BEST PLUMBING PTY LTD	SEPTIC PUMP OUT & REPAIRS 23 WHITINGTON STREET	\$ 2,862.13
EFT13125	18/03/2022	GLOBAL SPILL AND SAFETY PTY LTD	BOLLARD POST T-TOP, FLURO ORANGE X 20	\$ 253.22
EFT13126	18/03/2022	LEIGH ANDERSON	EMPLOYEE REIMBURSEMENT - NATIONAL POLICE CLEARANCE	\$ 57.60
EFT13127	18/03/2022	MARKET CREATIONS T/AS INTEGRATED ICT	OFFICE 365	\$ 1,749.17
EFT13128	18/03/2022	NOURISH BROOKTON	MONTHLY PURCHASES MARCH 2022	\$ 92.76
EFT13129	18/03/2022	OFFICEWORKS BUSINESS DIRECT	TORK USLIM TOWEL MINI DISPENSER & DELIVERY FEE	\$ 148.45
EFT13130	18/03/2022	REINFORCED CONCRETE PIPES AUSTRALIA PTY LTD	AS PER QUOTE 100753 6 X 1200 X 1.2 LINER 6 X 1400 GULLY BASE 150 3 X UNIV SIDE ENTRY APRON LEFT 3 X UNIV SIDE ENRTY APRON RIGHT 6 X UNIVERSAL FRAME 6 X UNIVERSAL LID FREIGHT DELIVERY TO BROOKTON	\$ 7,484.40
EFT13131	18/03/2022	RICHARD HIGH	CANCELLATION OF BOOKING CARAVAN BOOKING REFUND - COVID-19	\$ 390.00
EFT13132	18/03/2022	SHIRE OF GINGIN	VELPIC - ULTIMATE 250 ANNUAL SUBSCRIPTION (25/11/2021-25/11/2022) CONTRACTORS OH&S	\$ 949.18
EFT13133	18/03/2022	SIGMA CHEMICALS	PHOTOMETER HIGH RANGE XF DPD 1 BOX 250 TABLETS	\$ 66.00
EFT13134	18/03/2022	SOUTHERN ABORIGINAL CORPORATION	CANCELLED ROOM HIRE ON INVOICE 8365	\$ 50.00
EFT13135	18/03/2022	STUMPY'S GATEWAY ROADHOUSE	MONTHLY PURCHASES FEBRUARY 2022	\$ 25.00
EFT13136	18/03/2022	THE MCMAHON REAL ESTATE CO TRANFORM HOLDINGS PTY LTD	AGREED ONGOING MONTHLY MARKETING 6 AVONBANK CLOSE	\$ 21.00
EFT13137	18/03/2022	WA CONTRACT RANGER SERVICES	RANGER SERVICES 03/03/22 & 09/03/22	\$ 654.50
EFT13138	18/03/2022	WA LOCAL GOVERNMENT ASSN	RAPID ANTIGEN TESTS (RAT) 100 UNITS	\$ 1,466.10
EFT13139	18/03/2022	WILSON COMPLETE	REFUND COVID 19 - CARAVAN PARK BOOKING	\$ 130.00
EFT13140	23/03/2022	CHILD SUPPORT AGENCY EMPLOYER SERVICES	PAYROLL DEDUCTIONS	\$ 231.07
EFT13141	23/03/2022	LGRCEU	PAYROLL DEDUCTIONS	\$ 20.50
EFT13142	23/03/2022	SHIRE OF BROOKTON	PAYROLL DEDUCTIONS	\$ 60.00
EFT13143	23/03/2022	SHIRE OF BROOKTON	PAYROLL DEDUCTIONS	\$ 984.20
EFT13144	23/03/2022	SHIRE OF BROOKTON SOCIAL CLUB	PAYROLL DEDUCTIONS	\$ 35.00
EFT13105	11/03/2022	TROY BASSETT	BOND RETURN - HIRE OF COMMUNITY BUS 05/03 & 06/03/22	\$ 350.00
EFT13145	23/03/2022	JACK WAINAR	BOND RETURN - GYM KEY RETURN	\$ 60.00
PAYJ1060	08/03/2022	SALARIES & WAGES	WEEK 36 - PPE 08/03/2022	\$ 68,716.55
PAYJ1057	22/02/2022	SALARIES & WAGES	WEEK 38 - PPE 22/03/2022	\$ 69,769.83
PAYMENTS TOTAL				\$355,007.87

List of Credit Card Transactions Paid in March 2022

Shire of Brookton - Bendigo Bank Mastercard - CEO

Direct Debit	Date	Name	Description	Amount
DD6012.1	31/02/22	BENDIGO BANK	CARD FEE	\$ 8.00
TOTAL				\$ 8.00

Shire of Brookton - Bendigo Bank Mastercard - AMCC

Direct Debit	Date	Name	Description	Amount
DD6012.2	15/02/2022	ADOBE	ACROBAT PRO DC 12 MONTH SUBSCRIPTION EGO	\$ 263.87
	9/02/2022	VISTAPRINT	VISTAPRINT BUSINESS CARDS D SWEENEY, G SHERRY, CR K CRUTE, CR N WALKER, CR T LILLY, BLANK ADMIN	\$ 159.93
	5/02/2022	BEAUREPAIRS	BEAUREPAIRS PUNCTURE REPAIR TO TYRE	\$ 329.85
	31/02/22	BENDIGO BANK	CARD FEE	\$ 4.00
TOTAL				\$ 757.65

Shire of Brookton - Bendigo Bank Mastercard - CESM

Direct Debit	Date	Name	Description	Amount
DD6012.3	04/02/2022	BP PINGELLY	FUEL DIESEL WORK VEHICLE PINGELLY 4/02/22	\$ 90.22
	09/02/2022	CORRIGIN ROADHOUSE	FUEL CORRIGIN 09/02/22	\$ 101.07
	12/02/2022	CORRIGIN ROADHOUSE	FUEL DIESEL CORRIGIN 12/02/22	\$ 106.93
	13/02/2022	CORRIGIN ROADHOUSE	BREAKFAST WHILST ON DEPLOYMENT TO ASSIST WITH FIRES CORRIGIN 13/02/22	\$ 6.50
	16/02/2022	CORRIGIN HOTEL	DINNER WHILST ON DEPLOYMENT TO ASSIST WITH FIRES CORRIGIN 11/02/22	\$ 24.00
	18/02/2022	GREAT SOUTHERN FUELS	FUEL DIESEL CORRIGIN 18/02/22	\$ 69.91
	23/02/2022	BP ARMADALE	FUEL DIESEL WORK VEHICLE ARMADALE 23/02/22	\$ 87.41
	28/02/2022	BENDIGO BANK	CARD FEE FEBRUARY 2022	\$ 4.00
TOTAL				\$ 490.04

15.04.22 GOVERNANCE REPORTS

15.04.22.01 COUNCIL POLICY 1.27 – FLYING FLAGS AT THE COUNCIL OFFICES

File No:	PRO018
Date of Meeting:	21 st April 2022
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Gary Sherry – Chief Executive Officer
Authorising Officer:	Gary Sherry – Chief Executive Officer
Declaration of Interest:	The author and authorising officer do not have an interest in this item
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

Council is to consider policy on the flying of the Australian flag at the Council Offices.

Description of Proposal:

The adoption of policy will clearly authorise, in accordance with adopted protocols, the flying of flags at half-mast in recognition of local residents

Background:

The Shire of Brookton has 3 flag poles at the front of the Council offices. Flying the flags gives the Shire Office feeling of status and recognition of the offices in the Shire of Brookton.

Consultation: -

Nil

Statutory Environment:

The flying of the Australian Flag should comply with the protocols included in the *Australian Flags booklet*. The requirements of flying the Australian Flag included in the *Australian Flags booklet* are detailed and extensive and include, in part:

Flags in any locality may be flown at half-mast on the death of a local citizen or on the day, or part of the day, of their funeral.

Relevant Plans and Policy:

Any policy adopted by Council is retained in Council's Policy Manual.

Financial Implications:

There are no financial implications to implementing this policy.

Risk Assessment:

This policy seeks to provide guidance to staff to reduce personal conflict at emotional times in families' lives over the respectful recognition of the passing of local residents.

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

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

Community & Strategic Objectives:

Nil

Comment

The flying of flags at the Council offices gives the Shire Offices status and dignity in the community.

That the flags at the Council offices fly at half-mast at the time of a funeral of a local resident allows the Shire of Brookton to recognise the links between residents and the Shire of Brookton

The proposed policy gives direction to staff and allows staff to deal respectfully with local residents at a very emotional time in their lives.

OFFICER'S RECOMMENDATION

That Council adopt the draft Policy 1.27 - Flying of Flags at the Shire Office included at Attachment 15.04.22.01A.

Attachments

Attachment 15.04.22.01A – Draft Policy 1.27 – Flying of Flags at the Shire Office.

1.27 Flying of Flags at the Shire Offices

Directorate:	Executive			
Statutory Environment:				
Council Adoption:	Date:		Resolution #:	
Last Amended:	Date:		Resolution #:	
Review Date:	June 2023			

Objective:

To provide direction on the use of the flags at the Shire Council Offices.

Policy:

The Australian Flag, the Western Australian state Flag and the Australian Aboriginal Flag will be flown on the Council Administration Centre flagpoles every working day of the year.

On any day of any funeral held within the Shire or on the day of the funeral of a present or former Shire of Brookton resident, or any other proclaimed day, the Chief Executive Officer will authorise the flags to be flown at half-mast. The Shire will publicise in a respectful manner on the Council's social media the reason for flags being flown at half-mast.

The flying of flags will comply with Australian Flag booklet protocols.

15.04.22.02 MEMORANDUM OF UNDERSTANDING: SCRIPTURE UNION WESTERN AUSTRALIA – BROOKTON FAMILY FESTIVAL

File No:	CO 009
Date of Meeting:	21 st April 2022
Location/Address:	N/A
Name of Applicant:	Scripture Union, Western Australia
Name of Owner:	Shire of Brookton
Author/s:	Gary Sherry – Chief Executive Officer
Authorising Officer:	Gary Sherry – Chief Executive Officer
Declaration of Interest:	The author and authorising officer do not have an interest in this item
Voting Requirements:	Simple Majority
Previous Report:	12 September 2017, 21 March 2019

Summary of Item:

Council is to consider entering into a new Memorandum of Understanding (MOU) with the Scripture Union Western Australia (Scripture Union) upon the expiry of a previous MOU on 26th March 2022.

Description of Proposal:

A new MOU, that is largely based on the on the previous MOU, has been discussed with the Scripture Union.

The MOU is a statement of agreed understanding between where the Scripture Union will continue to run the Brockton Family Festival annually on the understanding that the Shire of Brookton will apply the Community Group hire rates to the facility hire for the Brockton Family Festival

The new draft MOU, included at **Attachment 15.04.22.02A**, has the Shire of Brookton providing:

1. ensuring that the Shire facilities are at the required standard when hired by the Scripture Union;
2. reserving the WB Eva Pavilion, Oval, and Caravan Park spots upon receiving event dates from the Scripture Union; and
3. applying the Community Rate of hire for the WB Eva Pavilion and Oval and a 50% discount to Caravan Park hire for the duration of the Brockton Family Festival

The Scripture Union have indicated a willingness to accept the new draft MOU.

Background:

The Scripture Union is a not for profit organisation that has been running the Brookton Family Festival since 2011. The organisers of the event do not receive any payment, with all program costs funded through donations. The event is offered free of charge to participants from the broader community. All events organised during the festival are free.

Council has consistently approved a discount of fees for this event and in 2019 Council entered into a 3 year Memorandum of Understanding (MOU) with the Brookton Family Festival to further define Council's support of the Festival and extend this support over a 3 year period.

Consultation:

There has been consultation undertaken with the Shire of Brookton CEO and Scripture Union in drafting the MOU.

Statutory Environment:

Section 6.12(1)(b) of the Local Government Act 1995 grants authority to Council to waive or grant concessions in relation to hire fees.

Relevant Plans and Policy:

Nil

Financial Implications:

The financial implications will vary from year to year depending on Council's Schedule of Fees and Charges however a 50% discount will be applied to Facility Hire, Oval Hire and Camping Hire for the duration of the event (typically 6 days).

Risk Assessment:

There is no perceived risk to the Shire, other than a marginal impact on the Shire's finances.

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

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

Community & Strategic Objectives:

This proposal broadly aligns to the BROOKTON Strategic Community Plan >2027 aspirations of

3. Social Innovation
9. Community Engagement
13. Education Super Site
16. Community Activity and Visitor Eventing

Comment

The Officer's Recommendation recommends approval of the draft MOU

- in recognition that the Scripture Union organising committee are a volunteer group that do not draw any payment for their time and effort's; and
- the Brookton Family Festival has continued since 2011 and provides broad benefit to local youth.

OFFICER'S RECOMMENDATION

That Council approve the draft Memorandum of Understanding, as included at Attachment 15.04.22.02A, with the Scripture Union Western Australia for the annual Brookton Family Festival.

(Simple majority vote required)

Attachment

Attachment 15.04.22.02A – Draft Memorandum of Understanding

MEMORANDUM OF UNDERSTANDING

SHIRE OF BROOKTON

And

SCRIPTURE UNION WESTERN AUSTRALIA

For

**Services provided by the Shire of Brookton for the Brookton Family Festival Event hosted by the Scripture Union
Western Australia**

APRIL 2022

This Memorandum of Understanding (“MOU”) is made this day of April 2022.

BETWEEN

THE SHIRE OF BROOKTON (“The Shire”)

And

SCRIPTURE UNION WESTERN AUSTRALIA (“Scripture Union”)

BACKGROUND:

1. The Scripture Union is a not-for-profit organisation that has been running the Brookton Family Festival since 2011. The organisers from the Scripture Union do not receive any payment, with all program costs funded through donations. The events are offered free of charge to participants from the broader community. A team of approximately 35 people from the Scripture Union run the week-long event which includes camping and various organised activities for the Brookton surrounding community and family. All events organised by the Scripture Union are free.
2. The Scripture Union applies to Council each year for a discount on the hire rates of the WB Eva Pavilion and Caravan Park. Council has granted the discount and allows the Scripture Union the Community Group rates of hire. In September 2017, Council resolved to draft an MOU that details the rates of payment for the Scripture Union and remove the need for the Scripture Union to apply for Council each year for discounted fees. This is in recognition of the long-standing event.
3. This document is a statement of agreed understanding between the parties at the date of this MOU. The Scripture Union will continue to run the Brookton Family Festival annually, on the understanding that the Shire will apply the Community Group hire rates to the facility hire for the Brookton Family Festival. This document reflects the ongoing relationship between the Shire of Brookton and Scripture Union Western Australia and is not intended to create a contractual relationship or be legally binding on behalf of either party.
4. The Scripture Union is not eligible to apply for funding through the Shire of Brookton Community Chest Fund.

OPERATIVE PART

This Memorandum of Understanding forms the basis of an agreement between the Shire of Brookton and Scripture Union Western Australia relating to arrangements for:

- a) Discounted facility hire and caravan park bookings for the duration of the Brookton Family Festival each year.

1. DEFINITIONS AND INTERPRETATION

1.1. Definitions

In this MOU, unless context otherwise requires:

Brookton Family Festival means the annual event run by the Scripture Union Western Australia.

Caravan Park means the caravan park located on the Reserve (Lot 510) bounded by the Brookton Highway and White Street, Brookton.

Oval means the Town Oval located on the Reserve (Lot 510) bounded by the Brookton Highway and White Street, Brookton.

Scripture Union means Scripture Union Western Australia.

Shire means the Shire of Brookton.

WB Eva Pavilion means the building facility located on the Reserve (Lot 510) bounded by the Brookton Highway and White Street, Brookton.

1.2 Interpretation

In this MOU:

- a) Headings have been included for ease of reference only and are not to be used to construe or interpret any part of this MOU;
- b) A reference to a clause is a reference to a clause of this MOU;
- c) The singular includes the plural, and the plural includes the singular;
- d) A reference to a thing is a reference to a whole or any part of it;
- e) A reference to the word “including” is deemed to be followed by the words “but not limited to”

2. SHIRE OF BROOKTON

The Shire:

- a) Will ensure that the Shire facilities are at the required standard when hired by the Scripture Union;
- b) Will reserve the WB Eva Pavilion, Oval, and Caravan Park spots upon receiving event dates from the Scripture Union;
- c) Will apply the Community Rate of hire for the WB Eva Pavilion and Oval; and
- d) Will apply a 50% discount to charges for camping and caravan stays at the Shire of Brookton Caravan Park for the duration of the Brookton Family Festival.

3. SCRIPTURE UNION WESTERN AUSTRALIA

The Scripture Union:

- a) Will provide the Shire with booking dates no later than 30 September each year prior to the event;
- b) Will provide the Shire with reasonable notice for any additional services they may require in regard to the events or activities being run during the Brookton Family Festival.
- c) Will ensure that they inform the Shire of all facilities that will be used (including but not limited to the WB Eva Pavilion, Oval, and Caravan Park); and
- d) Will ensure that the Shire facilities are left at an appropriate standard of condition and cleanliness after the Brookton Family Festival has concluded.

4. DEFAULT AND DISPUTE RESOLUTION

- a) The Shire CEO in good faith will discuss and communicate with the organisers of the Brookton Family Festival any additional one off charges that fall outside the scope of this MOU prior to asking for payment.
- b) In the first instance, the parties agree that any disputes arising from this MOU will be negotiated at the lowest and most informal levels practicable.

- c) Failing resolution at this level, the non-defaulting party will notify in writing to the defaulting setting out full details of the alleged default.
- d) If a dispute arises out of or in relation to the content of this MOU, the parties will endeavour in good faith to settle all matters notified in writing as being in dispute between them.

5. REVIEW

This MOU may be reviewed at the request of either party in writing at any time within a three (3) year period after the date of the MOU coming into effect.

6. TERMINATION

Either party may terminate this MOU by notifying the other party in writing with a written notice period of thirty (30) days to apply.

7. HONOUR CLAUSE

This MOU is an expression of intent by the parties which is binding in honour only. It is not intended that this MOU gives rise to any legal relationship, rights, duties, or consequences or be the subject of litigation.

8. NOTICES

Any notice in writing pursuant to this MOU is to be sent to:

Chief Executive Officer
Shire of Brookton
PO Box 42
BROOKTON WA 6306
PH: 9642 1106
mail@brookton.wa.gov.au

State Director
Scripture Union Western Australia
7 Irvine Street
BAYSWATER WA 6053
PH: 9371 9100
kent.morgan@suwa.org.au

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

17.04.22	NEW BUSINESS OF AN URGENT NATURE INTRODUCED BY DECISION OF MEETING
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18.04.22	CONFIDENTIAL REPORTS
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Nil.

19.04.22	NEXT MEETING & CLOSURE
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The next Ordinary meeting of the Council will be held on 19th May 2022 commencing at 6.00 pm.