



ORDINARY COUNCIL MEETING

MINUTES

17 August 2017

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

Presiding Member:.....**Date:**.....

Disclaimer

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

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

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

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

Shire of Brookton
Ordinary Meeting of Council held 17 August 2017
with a scheduled commencement at 12.30 pm

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1.08.17 DECLARATION OF OPENING/ATTENDANCE

Attendance

The Presiding Member opened the meeting at 12.33pm and welcomed Councillors and Staff.

Elected Members (Voting)

Cr KL Crute	Shire President (Presiding Member)
Cr NC Walker	Deputy Shire President
Cr KT Wilkinson	
Cr KH Mills	
Cr TM Eva	
Cr L Allington	
Cr RT Fancote	

Staff (Non Voting)

Ian D'Arcy	Chief Executive Officer
Vicki Morris	Deputy Chief Executive Officer
Courtney Fulwood	Executive Officer

Public

Nil

Apologies

Nil

Leave of Absence

Nil

2.08.17 ANNOUNCEMENT OF VISITORS

Nil

3.08.17 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.08.17 PUBLIC QUESTION TIME

Nil

5.08.17 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6.08.17 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

7.08.17 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

That Council agreed to move following items 7.08.17.01, 7.08.17.02, 7.08.17.03, 7.08.17.04, AND 7.08.17.05 on en-bloc.

OCM 08.17-1

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR EVA

7.08.17.01

ORDINARY COUNCIL MEETING MINUTES – 20 JULY 2017

That the minutes of the Ordinary Council meeting held in the Shire of Brookton Council Chambers, on Thursday 20 July 2017, be confirmed as a true and correct record of the proceedings.

7.08.17.02

EMPLOYMENT COMMITTEE MEETING MINUTES – 20 JULY 2017

That the minutes of the Employment Committee meeting held in the Shire of Brookton Council Chambers, on Thursday 20 August 2017, be confirmed as a true and correct record of the proceedings.

7.08.17.03

SPECIAL MEETING OF COUNCIL MINUTES – 27 JULY 2017

That the minutes of the Special Meeting of Council held in the Shire of Brookton Council Chambers, on Thursday 27 July 2017, be confirmed as a true and correct record of the proceedings.

7.08.17.04

SPECIAL MEETING OF COUNCIL MINUTES – 31 JULY 2017

That the minutes of the Special Meeting of Council held in the Shire of Brookton Council Chambers, on Monday 31 July 2017, be confirmed as a true and correct record of the proceedings.

7.08.17.05

LES MCMULLEN COMMITTEE MEETING MINUTES – 14 AUGUST 2017

That the minutes of the Les McMullen Committee meeting held in the Shire of Brookton Council Chambers, on Friday 11 August 2017, be received by Council.

CARRIED BY SIMPLE MAJORITY VOTE 7-0

8.08.17 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

The Shire President announced Cr Allington and Cr Mills have tender their resignations as elected members on Council to take effect from the 19th October 2017 ordinary meeting.

It was also stated by the Shire President that the October 2017 Ordinary Local Government Elections will now consist of five vacant positions.

9.08.17 DISCLOSURE OF INTERESTS

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

Disclosure of Financial & Proximity Interests

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

Disclosure of Interest Affecting Impartiality

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

Financial, Proximity and Impartiality Interests

Item no.	Members/Officers	Type of Interest	Nature of Interest
10.08.17.01	Cr Eva	Financial/Impartial	Currently sells hay to Balco.
10.08.17.01	Cr Wilkinson	Impartial	Previously sold hay to Balco in the past, but no longer.
10.08.17.01	Cr Walker	Impartial	Previously sold hay to Balco in the past, but no longer.
13.08.17.01	Cr Mills	Impartial	Member of the Brookton Historical Society.
13.08.17.01	Cr Crute	Financial	Treasurer of the Brookton Historical Society.
16.08.17.01	Cr Crute	Financial	Employed by one of the tenderers and wrote their tender application.
16.08.17.02	Cr Eva	Financial/Proximity	Related to land owner and presently leases the subject land.

10.08.17 TECHNICAL & DEVELOPMENT SERVICES REPORTS

Cr Wilkinson and Cr Walker declared an impartial interest in item 10.08.17.01 and remained in the Council Chambers, while Cr Eva declared a financial and proximity interest in this item and left the meeting at 12.37 pm.

10.08.17.01 PROPOSED CANTER LEVERED ROOF STRUCTURE – LOT 233 COPPING ROAD BROOKTON

File No:	P902
Date of Meeting:	17/08/2017
Location/Address:	Lot 233 (Hn. 91) Copping Road, Brookton
Name of Applicant:	Balco Holdings Pty Ltd
Name of Owner:	Balco Holdings Pty Ltd
Author/s:	Kelly D’Arcy – Governance 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:	No previous report

Summary of Item:

This item relates to a proposal by Balco Holdings to construct a canter lever roof extending off the existing operations building. The extension is to protect employees whilst loading and unloading vehicles.

Description of Proposal:

An application for development approval has been received from Balco Holdings Pty Ltd for the construction of a canter levered roof extending affixed to the existing operations building. The Balco hay processing facility is located at Lot 233 Copping Road, as shown in **Figure 1** below:



Figure 1 – Aerial Photo – Location of Balco Hay Facility – Lot 233 Copping Road



Figure 2 – Aerial Photo – Site Layout of Balco Hay Facility – Lot 233 Copping Road

Background:

Balco Holdings Pty Ltd has operated from the Copping Road premises for several years, with the hay processing and storage facility consisting of four industrial size hay storage sheds and an operations building, as reflected in **Figure 2** above. The steel structure is to be clad in zincalume corrugated iron to match the existing finish of the operations building.

In summary the proposed roof structure is located on the west side and spans the full width of the operations building at 41 meters, with an overall height of 6.9 meters measured for from ground level. The depth of the new structure is understood to be 6 meters to provide protection over the existing doors for weather protection, while increasing the area of usable operational space for the loading and unloading vehicles.

The following plans (**Figures 3** and **4**) provide a graphical illustration of the proposed canter levered roof structure.

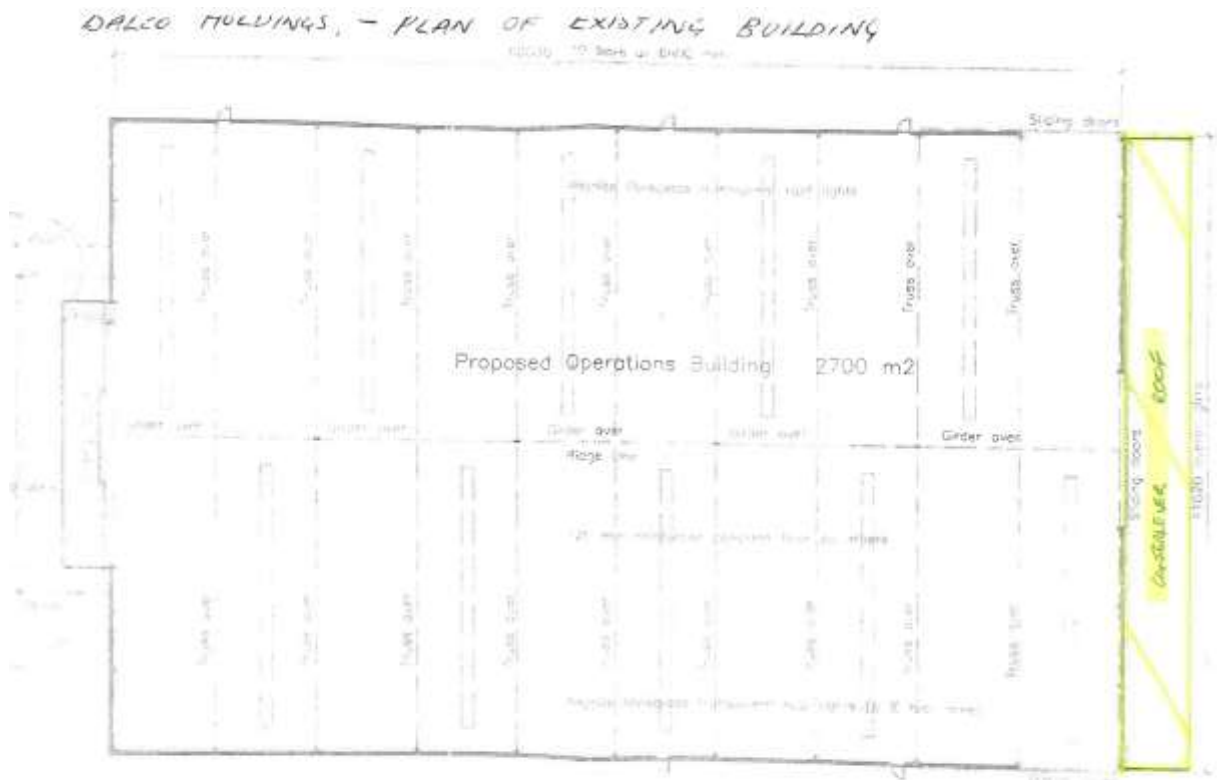


Figure 3 – Floor Plan of Existing Operations Building and Proposed Canter Level Roof Structure

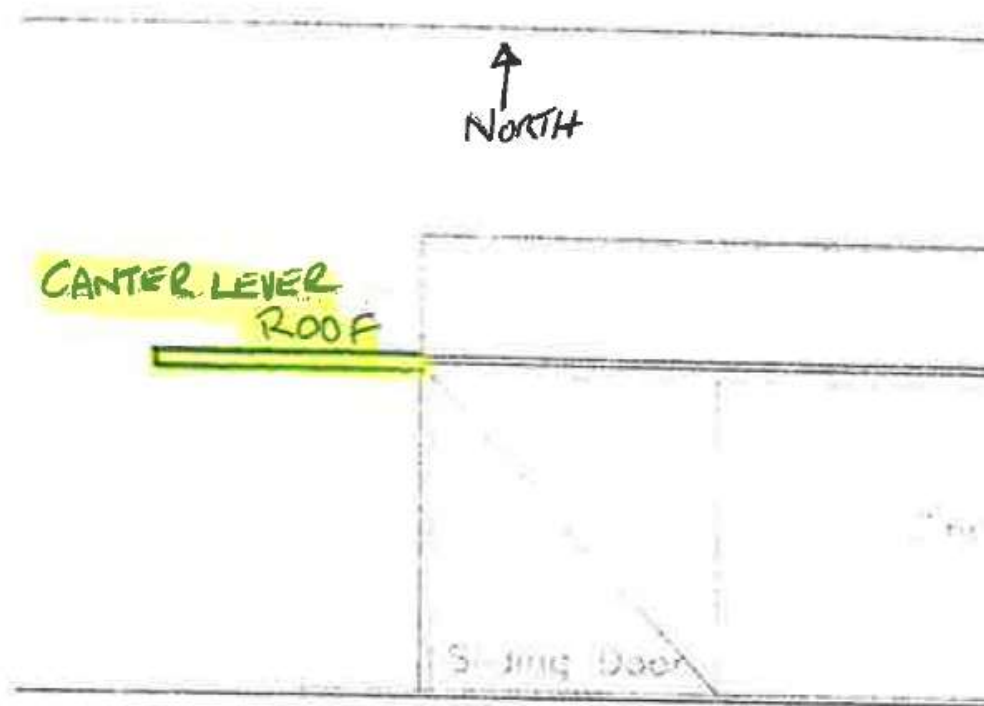


Figure 4 – Side Elevation of Existing Operations Building and Proposed Canter Level Roof Structure

Consultation:

Consultation on this proposal has been entertained at the officer level only.

Statutory Environment:

Lot 233 Copping Road is zoned 'Farming' under the Shire's TPS No.3, with the proposed roof structure assessed as part of the existing 'Rural Industry' land-use classification. In this context a 'Rural Industry' use is shown 'AA' in Table 1 of the TPS, affording Council the authority to exercise its discretion to approve or refuse the application.

Further, Council is empowered to determine the application pursuant to Schedule 2, Clause 68 of the Planning and Development (Local Planning Schemes) Regulations, 2015.

Relevant Plans and Policy:

There are no plans or policy statement applicable to this proposal.

Financial Implications:

There are no financial implications relative to this application.

Risk Assessment:

The risk applicable to this application and the Shire is deemed negligible and therefore assessed as very low.

Community & Strategic Objectives:

This proposal generally aligns with the Shire of Brookton Strategic Community Plan 2013 – 2023 under:

Outcome 4.1: A diverse and strong economic base.

4.1.3: Support planning and design that encourages economic growth.

Comment

The proposed canter level roof, from a planning perspective is assessed as value adding to an already existing 'Rural Industry' use approved by Council, being the hay production/processing business, with no identifiable adverse effects on amenity of the local area.

In light of this, it is recommended the Council grant planning approval for the Canter Lever roof structure.

OFFICER'S RECOMMENDATION

That Council pursuant to Schedule 2, Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015, grant planning approval for a canter lever roof structure extending off the existing operations building at Lot 233 (91) Copping Road, Brookton, subject to the following:

Conditions:

- 1. Development shall accord to the terms of the application as approved herein inclusive of all plans and specifications endorsed as part of this approval.*

Advice Notes:

- a) Should construction of the canter levered roof structure have not commenced within a 2 year period, this approval will deemed to have lapsed with further application required and approval granted by Council.*
- b) The applicant is advised a building Permit is required prior to commencement of any building works.*

That Council pursuant to Schedule 2, Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015, grant planning approval for a canter lever roof structure extending off the existing operations building at Lot 233 (91) Copping Road, Brookton, subject to the following:

Conditions:

- 1. *Development shall accord to the terms of the application as approved herein inclusive of all plans and specifications endorsed as part of this approval.***

Advice Notes:

- a) *Should construction of the canter levered roof structure have not commenced within a 2 year period, this approval will deemed to have lapsed with further application required and approval granted by Council.***
- b) *The applicant is advised a building Permit is required prior to commencement of any building works.***

CARRIED BY SIMPLE MAJORITY VOTE 6-0

Cr Eva re-entered the meeting at 12.39 pm and was informed of the Council decision by the Shire President.

11.08.17 COMMUNITY SERVICES REPORTS

11.08.17.01 BROOKTON & SEABROOK CRICKET CLUBS CRICKET NETS

File No:	ADM 0007
Date of Meeting:	17/08/2017
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Vicki Morris - DCEO
Authorising Officer:	Ian D'Arcy - CEO
Declaration of Interest:	None
Voting Requirements:	Simple majority
Previous Report:	N/A

Summary of Item:

Council has recently received an application from the Brookton Cricket Club Inc (on behalf of both the Brookton and Seabrook Cricket Clubs) to seek a grant from the Department of Sport and Recreation for the construction of two new cricket practice nets at the Town Oval. This report is seeking Council endorsement of the proposal and support for the Cricket Club to submit the application for grant funding under the Community Sporting and Recreational Facilities Fund (CSRFF) funding program.

Description of Proposal:

The proposal is to construct two new cricket practice nets for both cricket clubs to use and for members of the public to use. **Figure 1** below is an extract from the application that provides an understanding of the location of the proposed practice nets in relation to the oval, pavilion, tennis/netball courts and existing practice pitches:



Figure 1 – Extract from CSRFF Application

Background:

The Brookton and Seabrook Cricket Clubs currently have practice cricket pitches on the Town Oval boundary. The nets are in need of major repair and the turf is also and worn.

The netting is moved around as required, but this is causing issues especially when other oval users require the space. The pitches are also not available to use during matches for practice and hit ups and bowling. The pitches require two adults to move the nets making the flexibility of these nets almost impossible for junior members to move them.

The construction of the new nets will enable all the cricket clubs to use the facilities all year round and allow for greater lighting and pavilion usage during the extended training hours.

Consultation:

Representatives of both the cricket clubs came to the Shire to discuss the proposal with the CEO and the DECO. Since this time, the Brookton Cricket Club Inc. has taken the initiative, on behalf of both cricket clubs, to consult with staff from the Shire on the location and opportunities for in kind support.

Consultation was also undertaken with relevant sporting associations (Western Australian Cricket Association) and the Department of Sport and Recreation (Ms. Jenifer Collins).

Statutory Environment:

There is no specific legislation that applied to this matter.

However, as part of the application process clubs and organisations are required to obtain the local government's support. Additionally, Council as custodian of the Recreation Reserve and owner of the sporting facilities needs to grant consent to any new facilities prior to establishment.

Relevant Plans and Policy:

The Shire of Brookton Sport and Recreation Plan 2015 carries relevant to this proposal.

Financial Implications:

The contribution and overall budget for the project is yet to be confirmed, pending clarification for the Cricket Clubs.

However, the Cricket Clubs have requested that Council provide "in kind" support for the project in the form of providing expertise, material and equipment in the form of assisting with earthworks and culvert construction and electrical supply. As outlined above, the dollar value of Council's contribution is estimated at \$7000.00 with this amount to be covered by the current budget allocation for the Town Oval maintenance. Council has not been requested to provide a direct cash contribution.

Risk Assessment:

There is a risk should the grant not be forthcoming that the current issues with the cricket nets will continue for another season. This will have an impact on the wear and tear of the current nets and continue to mean that the cricket clubs must keep constantly erecting and removing the netting, restrict community and club member usage and restrict the players not being able to hit up and practice bowling during matches and at training sessions.

Community & Strategic Objectives:

This proposal and request for a grant clearly falls within the Strategic Community Pan objective 1.1.2, outlined as follows:

Strategic Community Plan 2013-2023 – Strategy 1.1.2 *“Support and promote sporting and recreational activities in collaboration with clubs and groups to attract participants and increase the utilisation of facilities”*

Comment

The Brookton Cricket Club Inc. (on behalf of both cricket clubs within the Shire of Brookton) have taken the initiative and sought grant funding from the Department of Sport and Recreation for the construction of two new cricket nets to replace the old existing cricket practice nets.

Both cricket clubs have committed their club funds and their member’s time to facilitate this project if the grant application is successful.

Shire staff have also assisted with facilitation of this grant proposal, and fully support the grant application and the project more generally.

The Cricket Clubs are now seeking formal Council support and endorsement of their CSRFF grant application to part fund the proposed cricket nets.

OFFICER’S RECOMMENDATION

That Council endorse the Brookton Cricket Club Inc. Community Sporting and Recreational Fund (CSRFF) grant application to be lodged with the Department of Sport and Recreation for the construction of two new cricket nets at the Town Oval in Brookton.

OCM 08.17-3

COUNCIL RESOLUTION

MOVED CR MILLS SECONDED CR FANCOTE

That Council endorse the Brookton Cricket Club Inc. Community Sporting and Recreational Fund (CSRFF) grant application to be lodged with the Department of Sport and Recreation for the construction of two new cricket nets at the Town Oval in Brookton.

CARRIED BY SIMPLE MAJORITY VOTE 7-0

12.08.17 FINANCE & ADMINISTRATION REPORT

12.08.17.01 LIST OF ACCOUNTS FOR PAYMENT

File No:	N/A
Date of Meeting:	17 August 2017
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Corinne Kemp – Finance Officer
Authorising Officer:	Ian D’Arcy– Chief Executive Officer
Declaration of Interest:	The author has no financial interest in this matter.
Voting Requirements:	Simple Majority
Previous Report:	20 July 2017

Summary of Item:

The list of accounts for payment to 31st July 2017 are presented to Council for inspection.

Description of Proposal:

N/A

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 the Committee and 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 Risk Identified

Community & Strategic Objectives:

No Reference

Comment

Totals of all payments from each of Council’s bank accounts are listed below and detailed within **Attachment 12.08.01.**

To 31st July 2017

Municipal Account

Direct Debits	\$103,681.16
EFT	\$832,577.12
Cheques	\$15,322.33
Trust Account	\$1,368.40

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 July 2017, per the summaries included in Attachment 12.08.17.01.

To 31st July 2017

Municipal Account

<i>Direct Debits –</i>	<i>\$103,681.16</i>
<i>EFT</i>	<i>\$832,577.12</i>
<i>Cheques</i>	<i>\$15,322.33</i>
<i>Trust Account</i>	<i>\$1,368.40</i>

OCM 08.17-4

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR ALLINGTON

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 July 2017, per the summaries included in Attachment 12.08.17.01.

CARRIED BY SIMPLE MAJORITY VOTE 7-0

12.08.17.02 ASSET WRITE-OFF – FAIR VALUE

File No:	N/A
Date of Meeting:	17 August 2017
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Deanne Sweeney – Senior Finance Officer
Authorising Officer:	Ian D’Arcy – Chief Executive Officer
Declaration of Interest:	The author has no financial interest in this matter
Voting Requirements:	Simple Majority
Previous Report:	There is no previous meeting reference

Summary of Item:

This report recommends that Council approve the removal of 21 items of land and buildings with a total written down value of \$254,053.67(asset # 6278, 6990 & 6679), along with 1 items of furniture and fittings with a written down value of \$27,593.90(asset # 7026) from the Fixed Asset Register with 15 items to be recorded on Council’s Asset Inventory Listing

Description of Proposal:

In April 2016 the accounting policy was amended to increase the capitalisation threshold to \$5,000. Therefore, fixed assets with a written down value under \$5,000 will be recorded on Council’s Inventory Asset Listing rather than being continued to be depreciated in Council’s financial statements. To remove these items it requires them to be written off the balance sheet. Unintentionally asset number 6278 toilet block, 6990 water tank and 6679 Aldersyde Hall with a written down value of \$254,053.67 was included as part of the fair value revaluation. It has been discovered that these assets on Reserve number 16825 is not vested in the Shire of Brookton, and therefore is not the property of the shire. It has been established that these assets are in fact the property of the Aldersyde Hall Committee. This has resulted in a loss on disposal of assets of \$281,647.57 as detailed in **Attachment 12.08.17.03**.

Background:

In July 2012 the Local Government (Financial Management) Regulations 1996 were amended and the measurement of non-current assets at fair value became mandatory. This prompted a review of the accounting policy and capitalisation threshold surrounding the classification and depreciation of fixed assets.

Consultation:

Nil.

Statutory Environment:

Regulation 17A of the Local Government (Financial Management) Regulations 1996.

Relevant Plans and Policy:

Significant Accounting Policies.

Financial Implications:

As a result of asset # 6278, 6990, 6679 & 7026 disposed of from the asset register, there will be an un-budgeted \$281,647.57 ‘write-off’ incurred in the financial statements.

This will not impact on the cash position of the Shire in any way as any profit(loss) on the sale/write off of assets are added back in the cash flow and rate setting statement. However, there will be a budget variation of \$281,647.57 required as a result of the write off of these assets in the financial statements.

Risk Assessment:

No risk identified

Community & Strategic Objectives:

Plan (2013 – 2023)

Not applicable

Comment

The report has been prepared in accordance with statutory requirements.

OFFICER'S RECOMMENDATION

That Council

1. *Approve the write-off of 22 assets totaling \$281,647.57, with 15 items to be recorder on Council's Asset Inventory Listing presented in Attachment 12.08.17.02.*

OCM 08.17-5

COUNCIL RESOLUTION

MOVED CR WILKINSON

SECONDED CR FANCOTE

That Council

1. ***Approve the write-off of 22 assets totaling \$281,647.57, with 15 items to be recorder on Council's Asset Inventory Listing presented in Attachment 12.08.17.02.***

File No:	N/A
Date of Meeting:	17 August 2017
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Deanne Sweeney – Senior Finance Officer
Authorising Officer:	Ian D’Arcy – Chief Executive Officer
Declaration of Interest:	The author has no financial interest in this matter
Voting Requirements:	Simple Majority
Previous Report:	There is no previous meeting reference

Summary of Item:

The Statement of Financial Activity for the period ended 30 June 2017 is presented to council.

Description of Proposal:

That Council receives the Statement of Financial Activity for the period ended 30 June 2017.

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 as to tracking of expenditure and income.

Statutory Environment:

Section 6.4 of the *Local Government Act 1995*.

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

Relevant Plans and Policy:

There is no Council Policy relative to this issue.

Financial Implications:

The Budget is regularly monitored on at least a monthly basis, by the CEO, Deputy CEO, Senior Finance Officer, with Responsible Officers 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

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

1. *Receive the Monthly Statement of Financial Activity for the period ending 30 June 2017 presented in Attachment 12.08.17.03.*

OCM 08.17-6

COUNCIL RESOLUTION

MOVED CR FANCOTE SECONDED CR MILLS

That Council receive the Monthly Statement of Financial Activity for the period ending 30 June 2017 presented in Attachment 12.08.17.03.

CARRIED BY SIMPLE MAJORITY VOTE 7-0

13.08.17 GOVERNANCE

Cr Mills declared an impartial interest in item 13.08.17.01 and remained in the meeting.

Cr Crute (Shire President) declared a financial interest in item 13.08.17.01 and left the meeting at 12.43 pm. Cr Walker (Deputy Shire President) assumed the chair.

13.08.17.01 BROOKTON & DISTRICTS HISTORICAL SOCIETY - RESERVE FUNDS

File No:	ADM 0017
Date of Meeting:	17 August 2017
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Vicki Morris - DCEO
Authorising Officer:	Ian D'Arcy - CEO
Declaration of Interest:	The author does not have an interest in this item
Voting Requirements:	Absolute Majority
Previous Report:	N/A

Summary of Item:

Council has recently received a request from the Brookton & Districts Historical Society Inc. (Historical Society) requesting that the Shire provide funds from the Municipal Buildings Reserve for repairs and maintenance on the damp course and brick work on the north side of the Museum and Heritage Centre building.

Description of Proposal:

The Historical Society has advised the Shire that the damp course and brick work on the north side of the building housing the Museum and Heritage centre requires conservation and restoration work. The building is owned by the Shire and the Shire has a responsibility to ensure that the building is fit for purpose.

The Historical Society is seeking Shire reserve funds to carry out this work and they have requested that this funding so that in September 2017 the works can be scheduled with the relevant trades people.

Background:

The current north wall of the building housing the Museum and Heritage centre in Robinson Road, Brookton is deteriorating and requires specialist restoration work. The Historical Society currently occupies the building.

The Historical Society have sought quotations from specialist trades people and the quotation is an appendix to this report.

Consultation:

The Historical Society have written to the Shire with the request for restoration funds. They have also consulted with representatives from the appropriate specialist companies to undertake such work.

Statutory Environment:

N/A

Relevant Plans and Policy:

N/A

Financial Implications:

The Municipal Building Reserve has been set aside for the purposes of “upgrading of Shire owned public and community buildings and facilities”.

The request from the Historical Society and the purpose of the proposed use of the funds fits with the purpose of the reserve.

The reserve currently has a balance of \$219,095.00 in the Reserve. The Historical Society are requesting \$6300.00 +GST for the works.

Risk Assessment:

There is a risk that the wall and the damp will significantly deteriorate the wall and escalate in costs if the funds are not released to enable reparation works.

Council has a responsibility to ensure that repairs and maintenance to the public building are carried out in a timely manner.

Community & Strategic Objectives:

N/A

Comment

The Historical Society have notified Council of the need to have work undertaken on the brick wall on the north side of the building that currently houses the Museum and Heritage Centre.

The work will assist in the restoration of the brick wall and assist in halting further damage, from rising damp, of the north side of the building.

OFFICER’S RECOMMENDATION

That Council agrees to release \$7000.00 from the Municipal Buildings Reserve and transfer this amount to the Brookton & District Historical Society Inc. for the repairs and maintenance of the north wall of the building housing the Museum and Heritage Centre.

(Absolute Majority Vote required)

OCM 08.17-7

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR EVA

That Council agrees to release \$7000.00 from the Municipal Buildings Reserve and transfer this amount to the Brookton & District Historical Society Inc for the repairs and maintenance of the north wall of the building housing the Museum and Heritage Centre.

CARRIED BY ABSOLUTE MAJORITY VOTE 6-0

Cr Crute (Shire President) returned to the meeting at 12.45 pm.

Cr Walker vacated the chair for the Shire President and informed her of the decision of Council in relation to the Brookton and Districts Historical Society Inc.'s request.

13.08.17.02 RECORDS INFORMATION MANAGEMENT POLICY

File No:	N/A
Date of Meeting:	17 August 2017
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Vicki Morris - DCEO
Authorising Officer:	Ian D'Arcy - CEO
Declaration of Interest:	The author does not have an interest in this item
Voting Requirements:	Simple majority
Previous Report:	N/A

Summary of Item:

Council has recently reviewed its policies and as part of that review is required to review and/or replace policies that were obsolete or outdated.

The Records Information Policy replaces a number of previous Management Polices that were obsolete and not relevant. This items is required under the State records Act 2000 and is also a requirement of the National Archives Australia (NAA). Council is also required to review its Recordkeeping Plan as part of the IPR review process. However this document is the strategic high level policy required while the Recordkeeping Plan will focus on the requirements for good record keeping in accordance with ISO 15489.

Description of Proposal:

N/A

Background:

Council is required under the State Records Act 2000 to have a Records policy that complies with ISO 15489 and the *State Records Act 2000 (WA)*.

In the current Recordkeeping Plan for the Shire there is little or no reference to the strategic policy required to be adopted by Council, and as required by the National Archives of Australia as well as the *State Records Act 2000 (WA)*.

Consultation:

Consultation was undertaken with all staff and relevant stakeholders such as the State Records Office.

Statutory Environment:

State Records Act 2000
National Archives Australia

Relevant Plans and Policy:

Shire of Brookton Recordkeeping Plan 2010

Recordkeeping policy review 2015.

Financial Implications:

No financial implication for the introduction or adoption of this policy.

Risk Assessment:

Council is required to have a recordkeeping policy in accordance with the relevant legislation. Failure to have a policy and an up to date plan is a non-compliance issue with the State Records Act 2000.

The fact that the Shire's recordkeeping plan is well out of date does not however mean that the Shire is not complying "in principle" with the requirements for good records keeping.

Community & Strategic Objectives:

Recordkeeping plans are required to be developed in line with the State Records Act 2000 and form part of the suite of documents required under Local Government legislation to be reviewed every 5 years by every local government authority.

The Recordkeeping Plan for the Shire of Brookton requires review, but the overarching records policy, that must identify and describe in broad strategic terms the record keeping recommendations of the organisation within the business and regulatory environment in which we operate, must be developed.

Council must have an overarching records management policy. This is a requirement of the legislation. The review of the recordkeeping plan will become part of the documents to be reviewed as part of the IPR framework. This is the reason that the policy is being presented to Council at this meeting.

Comment

The Records Information Management policy provides Council with the strategic overarching policy that identifies and describes the organization's broad record keeping requirement under legislation. The Recordkeeping Plan for the Shire of Brookton should detail the historical background of the Shire, the mission statement and the functions and activities required to ensure compliance with the State Records Act 2000.

OFFICER'S RECOMMENDATION

That Council adopts the Records Information management Policy as attached to this report

OCM 08.17-8

COUNCIL RESOLUTION

MOVED CR WILKINSON

SECONDED CR ALLINGTON

That Council adopts the Records Information management Policy as attached to this report.

CARRIED BY SIMPLE MAJORITY VOTE 7-0

13.08.17.03 AUTHORISATION OF DUAL FIRE CONTROL OFFICERS

File No:	ADM 0191
Date of Meeting:	17 August 2017
Location/Address:	N/A
Name of Applicant:	Shire of Pingelly
Name of Owner:	N/A
Author/s:	Ian D'Arcy - CEO
Authorising Officer:	Ian D'Arcy - CEO
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

In accordance with legislative requirements the Council is required to formal 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 Pingelly.

Background:

Council has been requested by the Shire of Pingelly 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 follow people in the capacity of Dual Fire Control Officer:

- Mr Rodney Leonard Shaddick
- Mr Robert Alexander Kirk
- Mr Jeffrey Bernard Edwards
- Mr Victor Arthur Lee
- Mr Malcolm Leslie Cunningham
- Mr Adam Lindsay Watts

A copy of this letter from the Shire of Pingelly is provided at **Attachment 13.07.17.01**.

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 2017/18 Bush Fire season is under taken 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 generally aligns with the Shire of Brookton Strategic Community Plan 2013 – 2023 under:

Outcome 5.3: Effective and efficient corporate and administrative services.

Comment

Nil.

OFFICER'S RECOMMENDATION

That Council appoint under Section 38 of the Bush Fires Act, 1954 the following people from the Shire of Pingelly as authorised officers in the capacity of Dual Fire Control Officer for the 2017/18 Bush Fire Season:

- *Mr Rodney Leonard Shaddick*
- *Mr Robert Alexander Kirk*
- *Mr Jeffrey Bernard Edwards*
- *Mr Victor Arthur Lee*
- *Mr Malcolm Leslie Cunningham*
- *Mr Adam Lindsay Watts*

OCM 08.17-9**COUNCIL RESOLUTION**

MOVED CR WALKER SECONDED CR WILKINSON

That Council appoint under Section 38 of the Bush Fires Act, 1954 the following people from the Shire of Pingelly as authorised officers in the capacity of Dual Fire Control Officer for the 2017/18 Bush Fire Season:

- ***Mr Rodney Leonard Shaddick***
- ***Mr Robert Alexander Kirk***
- ***Mr Jeffrey Bernard Edwards***
- ***Mr Victor Arthur Lee***
- ***Mr Malcolm Leslie Cunningham***
- ***Mr Adam Lindsay Watts***

CARRIED BY SIMPLE MAJORITY VOTE 7-0

13.08.17.04 ANNUAL REVIEW – SHIRE OF BROOKTON DELEGATION REGISTER

File No:	N/A
Date of Meeting:	17 August 2017
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Ian D’Arcy - CEO
Authorising Officer:	Ian D’Arcy - CEO
Declaration of Interest:	The author does not have an interest in this item
Voting Requirements:	Absolute Majority
Previous Report:	N/A

Summary of Item:

The Council is obligated to review its Delegation Register annually. Accordingly, this report seeks Council adoption of this document with amendment.

Description of Proposal:

This item serves as a holistic annual review of Council’s delegations of authority as required by legislation.

Background:

Western Australian Local Governments are empowered under various pieces State Government legislation to perform certain duties and exercise certain powers. This includes the Chief Executive Officer (CEO) and other officers of Local Governments to perform certain duties, but often the legislation (particularly the *Local Government Act, 1995*) defaults to the Local Government Council to perform the specific function or task.

With this acknowledged, the *Local Government Act, 1995* in the main affords Council the ability to delegate some of its powers and duties to the CEO or to a Committee in order to expedite the effective operations and implementation of the Shire’s functions, and broad array of legislation as prescribed. However, a requirement of Council delegating its authority is that a ‘Register of Delegations’ needs to be maintained and reviewed annually by Council.

Therefore, the purpose of this report is complete the review of delegated authority to the CEO and Committees of Council, as discussed, to satisfy the provisions of the *Local Government Act 1995*.

A copy of the existing Delegations Register is provided at **Attachment 13.08.17.04 (a)** under separate cover while a revised delegation register with amendment is offered at **Attachment 13.08.17.04 (b)** under separate cover.

Consultation:

Discussion has been entertained with Council at its Corporate Briefing Forum (CBF) in relation to amending the delegated authority.

Statutory Environment:

In the first instance, Council is empowered pursuant to Sections 5.16 and 5.42 of the *Local Government Act 1995* to delegate roles and responsibilities. The Act also allows the Chief Executive Officer to sub-delegate any of his/her powers to another employee with the sub-delegations to be in writing.

Additionally, the Chief Executive Officer may under the *Local Government Act 1995* place conditions on any sub-delegation passed onto another Shire employee.

Further, the *Local Government Act, 1995* under Section 5.46(2) states the Council must review its Delegation Register annually. However, if no amendments are made to the existing register a vote by **simple majority** can apply. Conversely, Section 5.42 (1) of the *Local Government Act, 1995* states that any decision to amend or revoke a delegation by a Local Government is to be by an **absolute majority**.

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:

Should this review not be completed, it will be deemed the Council will have to honour its obligations under the *Local Government Act, 1995* as reflected in the Statutory Section of this report.

Further, there is an high level of risk that without an appropriate delegation and sub-delegation, the organization will struggle to operate effectively and efficiently, with an adverse effect likely on the delivery of services and good governance to the community.

Community & Strategic Objectives:

This proposal generally aligns with the Shire of Brookton Strategic Community Plan 2013 – 2023 under:

Outcome 5.3: Effective and efficient corporate and administrative services.

Comment

The Delegation Register is to formalize the Council's "day to day" functions/operations through empowerment of staff or a Committee of Council to operate efficiently, effectively and productively in the interest of good governance. However, it is important the level of delegation does not extend beyond:

- The level of permissibility and empowerment afforded under Section 5.42 of the *Local Government Act, 1995*;
- The Council losing (or perceived to be losing) control of its responsibilities under applied legislation with a formed view by some people that the CEO in particular is performing the role of Council in its entirety.

It is also pertinent that such delegations to staff on "day to day" matters are reported back to Council to ensure the grant of delegated authority is not misused and abused in any way. Should Council not be satisfied in this regard, it may at any time amend or remove the delegation to the CEO or another officer.

With this in mind, it is recommended Council adopt the Delegation Register (including sub-delegations) with amendments as presented in **Attachment 13.08.17.04(b)** to align with current legislative requirements.

OFFICER'S RECOMMENDATION

That Council in accordance with Section 5.46(2) of the Local Government Act, 1995 adopt the Shire of Brookton Delegation Register – August 2017, as presented in Attachment 13.08.17.04(b) to this report under separate cover.

OCM 08.17-10

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR MILLS

That Council suspend standing orders pursuant to Section 17.1 of Council Policy 1.36 to facilitate discussion on this item.

CARRIED BY SIMPLE MAJORITY VOTE 7-0

OCM 08.17-11

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR EVA

That Council resume standing orders in accordance with Section 17.1 of Council Policy 1.36.

CARRIED BY SIMPLE MAJORITY VOTE 7-0

OCM 08.17-12

COUNCIL RESOLUTION

MOVED CR EVA SECONDED CR FANCOTE

That Council in accordance with Section 5.46(2) of the Local Government Act, 1995 adopt the Shire of Brookton Delegation Register – August 2017, as presented in Attachment 13.08.17.04(b) to this report under separate cover.

CARRIED BY ABSOLUTE MAJORITY VOTE 7-0

13.08.17.05 ANNUAL REVIEW – SHIRE OF BROOKTON POLICIES

File No:	N/A
Date of Meeting:	17 August 2017
Location/Address:	N/A
Name of Applicant:	N/A
Name of Owner:	N/A
Author/s:	Ian D’Arcy - CEO
Authorising Officer:	Ian D’Arcy - CEO
Declaration of Interest:	The author does not have an interest in this matter
Voting Requirements:	Simple Majority for Officer Recommendations 1 and 3 Absolute Majority for Officer Recommendation 2
Previous Report:	N/A

Summary of Item:

The Council is obligated to review its Policies on a regular basis, and desirable every two years to ensure these documents are contemporary and aligns with legislation and strategic direction set by Council.

Accordingly, this report is seeking review and adoption of a single policy manual, inclusive of amendments to, and rescission of, respective policies that are considered obsolete, impractical or technically unlawful.

Description of Proposal:

This report relates to a holistic review of Council’s Corporate, Management and Local Planning Policies.

Background:

In light a recent change in Senior Management, and following review of Council’s Delegation Register, a thorough review of Council’s policies is required.

Notably, Council has two Policy Manuals, being:

- Shire of Brookton Corporate Policy Manual 2016
- Shire of Brookton Management Policies and Procedures Manual 2016

Accordingly, this review is to largely negate any confusion and ensure Council Policies are contemporary, and lawfully aligned to the strategic direction and delegated authority as set by Council.

A copy of the respective Policy Manuals for reference is provided under separate cover as:

- **Attachment 13.08.17.05 (a) – Shire of Brookton Corporate Policy Manual 2016**
- **Attachment 13.08.17.05 (b) - Shire of Brookton Management Policy and Procedures Manual 2016**
- **Attachment 13.08.17.05 (c) – Shire of Brookton Policy Manual – August 2017**

Consultation:

Discussion has been entertained with Council at its Corporate Briefing Forum (CBF) in relation to reviewing each existing policy, and its legitimacy assessed against current legislation and relevance from a contemporary perspective.

Statutory Environment:

In Council considering this matter, it needs to be mindful of the legislative requirements in relation to adoption of policies, outlined as follows:

Local Government Act 1995

Council Corporate Policies can be adopted by simple majority vote pursuant to 2.7(2)(b) of the *Local Government Act, 1995*.

However an exception to this is the adoption of Executive Policy 1.18 - Appointment of Acting CEO. This Policy is effectively a standing appointment that will require an absolute majority vote of Council.

Planning and Development Act 2005

Council's Local Planning Policies are adopted under the *Planning and Development Act, 2005* with specific reference to Schedule 2, Part 2, Division 2 of the Planning and Development (Local Planning Schemes) Regulations, 2015.

In accordance with this section the Council is obliged to adhere to clauses 4, 5 and 6 of this Part of the Regulations.

Relevant Plans and Policy:

There are no plans or policies applicable to this proposal at present.

Financial Implications:

There is no impost on the Shire's finances in relation to this matter other than the administrative cost and expense associated with advertising those Local Planning Policies that are being amended or rescinded.

Risk Assessment:

Should this review not be completed, it will be deemed the Council will have to honour its obligations under the *Local Government Act, 1995* to ensure its Policies are contemporary and relevant to delivering good governance.

Further, upon assessment there it is viewed that a number of the Policies contradict (or replicate) legislation, presenting a situation of potentially acting unlawfully if acted on.

Community & Strategic Objectives:

This proposal generally aligns with the Shire of Brookton Strategic Community Plan 2013 – 2023 under:

Outcome 5.3: Effective and efficient corporate and administrative services.

Comment

Upon review at an officer level it has become apparent these documents have evolved over time resulting in unnecessary duplication and presenting as a hybrid mix of policies, procedures or guidelines.

Furthermore, the use of two separate policy manuals while well intended has over a number of years resulted in confusion for the administration.

As expressed in the Risk Assessment section of this report, there is some concern over the legal stature and relevance of some policies, prompting the need for an 'overhaul' and subsequent move to adopting one Policy Manual structured around the following sections:

- Executive - addresses human resource and Council matters.
- Governance – covers finance and operational compliance matters.
- Development – incorporates Planning, Building Environmental Health policies.
- Infrastructure – covers road works, traffic management, plant/equipment policies.
- Regional – entertains across boundaries approaches and initiatives.

Once adopted by Council, it is intended new policies will gradually be presented to Council for consideration and determination on merit to be incorporated into the new Policy Manual – August 2017. This includes a specific policy that outlines Council’s commitment to a thorough review of the Policy Manual on a staggered basis every two years, to follow the Local Government elections. This will ensure incoming Councillors will be presented with the opportunity to become familiar with the local policy framework that falls under the responsibility of Council.

The only exception to this will be this year, where the incoming Council will be briefed on the adopted Policy Manual – August 2017, and thereafter be engaged in the adoption of the new policies being presented to Council.

OFFICER’S RECOMMENDATION 1

That Council in accordance with Section 2.7(2)(b) of the Local Government Act, 1995:

1. Revoke existing policies 1.1 to 1.36; 2.1 to 2.21; and 4.1 as detailed in the Shire of Brookton Corporate Policy Manual 2016; and existing policies 1.1 to 1.48 of the Shire of Brookton Management Policy and Procedures Manual 2016, duly presented in Attachment 13.07.17.04(a) and Attachment 13.08.17.04(b) respectively to this report under separate cover;
2. Adopt the new policies 1.1 to 1.17; 1.19 to 1.21; 2.1 to 2.26; 4.1 to 4.9 as detailed in the Shire of Brookton Policy Manual - August 2017, presented as Attachment 13.08.17.05(c) to this report under separate cover.

(Simple Majority required)

OFFICER’S RECOMMENDATION 2

That Council in accordance with Section 2.7(2)(b) and Section 5.36(1) of the Local Government Act, 1995:

1. Revoke existing policy 2.22 – Appointment of Acting CEO detailed in the Shire of Brookton Corporate Policy Manual 2016, presented in Attachment 13.08.17.05(a) to this report under separate cover.
2. Adopt the new policy 1.18 - Appointment of Acting CEO detailed in the Shire of Brookton Policy Manual – August 2017, presented as Attachment 13.08.17.05(c) to this report under separate cover.

(Absolute Majority required)

OFFICER’S RECOMMENDATION 3

That Council in accordance with Schedule 2, Part 2, Division 2 of the Planning and Development (Local Planning Schemes) Regulations, 2015:

1. Revoke under Clause 6(b) the existing Local Planning Policies 3.1 to 3.15 as presented in 13.08.17.04(a) to this report under separate cover, and advertise the revocation decision on the Shire Website, Facebook page; and Brookton Telegraph news publication.
2. Adopt under clause 5(2) new Local Planning Policies 3.1 to 3.10 as presented in Attachment 13.08.17.04(c) to this report under separate cover.

(Simple Majority required)

OCM 08.17-13

COUNCIL RESOLUTION

MOVED CR WALKER SECONDED CR MILLS

That Council in accordance with Section 2.7(2)(b) of the Local Government Act, 1995:

1. **Revoke** existing policies 1.1 to 1.36; 2.1 to 2.21; and 4.1 as detailed in the Shire of Brookton Corporate Policy Manual 2016; and existing policies 1.1 to 1.48 of the Shire of Brookton Management Policy and Procedures Manual 2016, duly presented in Attachment 13.07.17.04(a) and Attachment 13.08.17.04(b) respectively to this report under separate cover;
2. **Adopt** the new policies 1.1 to 1.17; 1.19 to 1.21; 2.1 to 2.26; 4.1 to 4.9 as detailed in the Shire of Brookton Policy Manual - August 2017, presented as Attachment 13.08.17.05(c) to this report under separate cover.

CARRIED BY SIMPLE MAJORITY VOTE 7-0

OCM 08.17-14

COUNCIL RESOLUTION

MOVED CR FANCOTE SECONDED CR WILKINSON

That Council in accordance with Section 2.7(2)(b) and Section 5.36(1) of the Local Government Act, 1995:

1. **Revoke** existing policy 2.22 – Appointment of Acting CEO detailed in the Shire of Brookton Corporate Policy Manual 2016, presented in Attachment 13.08.17.05(a) to this report under separate cover.
2. **Adopt** the new policy 1.18 - Appointment of Acting CEO detailed in the Shire of Brookton Policy Manual – August 2017, presented as Attachment 13.08.17.05(c) to this report under separate cover.

CARRIED BY ABSOLUTE MAJORITY VOTE 7-0

OCM 08.17-15

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR WALKER

That Council in accordance with Schedule 2, Part 2, Division 2 of the Planning and Development (Local Planning Schemes) Regulations, 2015:

1. **Revoke** under Clause 6(b) the existing Local Planning Policies 3.1 to 3.15 as presented in 13.08.17.04(a) to this report under separate cover, and advertise the revocation decision on the Shire Website, Facebook page; and Brookton Telegraph news publication.
2. **Adopt** under clause 5(2) new Local Planning Policies 3.1 to 3.10 as presented in Attachment 13.08.17.04(c) to this report under separate cover.

CARRIED BY SIMPLE MAJORITY VOTE 7-0

14.08.17 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

16.08.17 CONFIDENTIAL REPORTS

OCM 08.17-16

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR EVA

That Council close the meeting at 12.53 pm to the public in accordance with Section 5.23 (2) (e) (ii) as

- a) Item 16.08.17.01 relates to a matter that if disclosed would reveal information that has a commercial value to the tenders;*
- b) Item 16.08.17.02 relates to a matter that if disclosed would reveal information that has a commercial value to the land owner.*

CARRIED BY SIMPLE MAJORITY VOTE 7-0

Cr Crute (Shire President) declared a financial interest in Item 16.08.17.01 and left the meeting at 12.53 pm.

Cr Walker (Deputy Shire President) assumed the chair at 12.53 pm.

16.08.17.01 TRUCK HIRE - REQUEST FOR TENDERS - RFT 01-2017; RFT 02-2017; RFT 03-2017

File No:	ADM0626
Date of Meeting:	17 August 2017
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Kelly D'Arcy – Governance Officer
Authorising Officer:	Ian D'Arcy - CEO
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	15 June 2017

Summary of Item:

For Council to consider the tender submissions and evaluation report for the contractual cartage service for a period of 3 years involving road building and earth works materials associated with the Shire operations and activities.

OCM 08.17-17**COUNCIL RESOLUTION****Moved Cr Wilkinson Secoded Cr Allington**

That Council suspend standing orders pursuant Section 17.1 of Council Policy 1.36 to facilitate discussion on this item.

CARRIED BY SIMPLE MAJORITY VOTE 6-0**OCM 08.17-18****COUNCIL RESOLUTION****MOVED CR MILLS SECONDED CR WILKINSON**

That Council resume standing orders in accordance with Section 17.1 of Council Policy 1.36.

CARRIED BY SIMPLE MAJORITY VOTE 6-0**OCM 08.17-19****COUNCIL RESOLUTION****MOVED CR WILKINSON SECONDED CR MILLS**

- 1) *That Council reject all tender submissions lodged under the formal 'Request for Tender (RFT) 01-2017' for Cartage Truck Hire pursuant to Regulation 18(5) of the Local Government (Functions and General) Regulations, 1996 due to a lack of compliance against the formal tender documentation.*
- 2) *Call for tender submissions under formal 'Request for Tender (RFT) 02-2017 Bulk Cartage Truck Hire' and 'Request for Tender (RFT) 03-2017 Road Works Truck Hire' to be conducted in accordance with Section 3.57 of the Local Government Act, 1995 and Regulation 14 of the Local Government (Functions and General) Regulations, 1996.*
- 3) *Endorse the following Qualitative Selection Criteria to be used in assessing RFT 02-2017 submissions:*

Qualitative Selection Criteria	Weighting
<i>Relevant Experience in completing/supplying similar services, including a minimum of two (2) referees.</i>	30%
<i>Respondent's Resources including: a) The provision of qualified personnel; b) Truck and Trailer configurations and age/condition of such ; and c) Contingency measures to address interruption of service delivery</i>	30%
<i>Pricing, including: a) Price structure for various truck/trailer configurations b) Bulk/Km hire rates without GST</i>	30%

Previous experience:	
a) With the Shire of Brookton	5%
b) Within the local area (adjoining Shires)	2.5%
c) The registered business is based in the Shire of Brookton	2.5%

4) Endorse the following Qualitative Selection Criteria to be used in assessing RFT 03-2017 submissions:

Qualitative Selection Criteria	Weighting
Relevant Experience in completing/supplying similar services, including a minimum of two (2) referees.	30%
Respondent's Resources including: a) The provision of qualified personnel; b) Truck and Trailer configurations and age/condition of such ; and c) Contingency measures to address interruption of service delivery	30%
Pricing, including: a) Price structure for various truck/trailer configurations b) Hourly/daily hire prices without GST	30%
Previous experience: a) With the Shire of Brookton b) Within the local area (adjoining Shires) c) The registered business is based in the Shire of Brookton	5% 2.5% 2.5%

5) Set the formal contract parameters in relation to RFT 02-2017 Bulk Cartage Truck Hire, and RFT 03-2017 Road Works Truck Hire to an initial three (3) year period, with the option to extend for a further twelve (12) months at the discretion of Council (or delegate) .

CARRIED BY SIMPLE MAJORITY VOTE 6-0

(Note to Minute: The Council deviated from the Officer Recommendation to include a weighting in the Qualitative Selection Criteria in support of businesses that have previous experience working within the Shire of Brookton and/or a registered businesses located within the district that adds to local employment and underpins the local economy)

Cr Crute returned to the meeting at 1.41 pm.

Cr Walker vacated the chair for the Shire President and informed her of the decision of Council in relation to the Item 16.08.17.02.

Cr Eva declared a financial and proximity interest in Item 16.08.17.02, and left the meeting at 1.42 pm.

16.08.17.02 PROPOSED LAND ACQUISITION – LOTS 8 – 26 KOORRNONG DRIVE BROOKTON

File No:	A2535
Date of Meeting:	17 August 2017
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Ian and Di Eva
Author/s:	Ian D'Arcy - CEO
Authorising Officer:	Ian D'Arcy - CEO
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This item seeks Council's endorsement to engage in negotiations with the owners for the possible acquisition of Lots 8-26 Koornong Drive, Brookton as a single land parcel. This purchase (if progressed) would establish a land bank and long term investment for the Shire, and facilitate an opportunity for Council to release individual 'lifestyle' lots for sale in response to market demand.

OCM 08.17-20

COUNCIL RESOLUTION

MOVED CR WALKER SECONDED CR WILKINSON

That Council suspend standing orders pursuant Section 17.1 of Council Policy 1.36 to facilitate discussion on this item.

CARRIED BY SIMPLE MAJORITY VOTE 6-0

OCM 08.17-21

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR ALLINGTON

That Council resume standing orders in accordance with Section 17.1 of Council Policy 1.36.

CARRIED BY SIMPLE MAJORITY VOTE 6-0

OCM 08.17-22

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR FANCOTE

That Council 'lay' the item on the table to seek further clarification on the costs associated to further develop the lots to include road access, power and water connection, with this matter to be presented back to Council within the next 2 months.

CARRIED BY SIMPLE MAJORITY VOTE 6-0

OCM 08.17-23

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR ALLINGTON

That Council re-open the meeting to the public, with the time being 12.54 pm.

CARRIED BY SIMPLE MAJORITY VOTE 6-0

17.08.17 NEXT MEETING & CLOSURE

Cr Eva re-entered the meeting at 1.55 pm.

The Shire President announced that next Ordinary meeting of the Council will be held on Thursday 21 September 2017 commencing at 5.00 pm.

There being no further business the meeting was closed at 1.56 pm.