



ORDINARY COUNCIL MEETING

MINUTES

21 September 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 21 September 2017
Commenced at 5.00 pm

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1.09.17 DECLARATION OF OPENING/ATTENDANCE

Attendance

The Presiding Member opened the meeting at 5.00pm 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

Graeme Wearne

Apologies

Nil

Leave of Absence

Nil

2.09.17 ANNOUNCEMENT OF VISITORS

Nil

3.09.17 RESPONSE TO PREVIOUS PUBLIC QUESTIONS TAKEN ON NOTICE

Nil

4.09.17 PUBLIC QUESTION TIME

Mr Graham Wearne –Submitted via email

Mr Wearne read out the following questions:

Question 1: Does the Shire of Brookton Council have any intention to even consider changing the date or name or theme of Australia Day, as is being considered by other Local Government Councils in WA and interstate?

Answer 1: The Shire President advised that this matter has not been raised with or considered by Council to date.

Further, the Shire understands the date, name and theme of Australia Day forms part of the Commonwealth Government responsibility, and therefore cannot be determined by

another tier of government, acknowledging a Local Government is entitled to form an opinion or establish a position on the matter

Question 2: *If WALGA was to notify the Shire of Brookton of its (WALGA's) support to change Australia Day as above, would it automatically be binding on Shire of Brookton to act accordingly without consulting Brookton residents?*

Answer 2: The Shire President informed Mr Wearne that the Shire of Brookton is not bound by any position of the Western Australian Local Government Association (WALGA) on this matter.

Mr Wearne thanked the Shire President for answering his questions and left the meeting at 5.02 pm.

5.09.17 APPLICATIONS FOR LEAVE OF ABSENCE

Nil

6.09.17 PETITIONS/DEPUTATIONS/PRESENTATIONS

Nil

7.09.17 CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.09.17.01 ORDINARY COUNCIL MEETING MINUTES – 17 AUGUST 2017

OCM 09.17-1

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR WALKER

That the minutes of the Ordinary Council meeting held in the Shire of Brookton Council Chambers, on Thursday 17 August 2017, be confirmed as a true and correct record of the proceedings.

CARRIED BY SIMPLE MAJORITY VOTE 7-0

7.09.17.02 BUSHFIRE ADVISORY COMMITTEE MEETING MINUTES – 14 SEPTEMBER 2017

Item 7.09.17.02 was not considered by Council as the Bush Fire Advisory Committee minutes had not be provided to Council and will presented at the following October Ordinary Meeting of Council.

8.09.17 ANNOUNCEMENTS BY THE PRESIDING MEMBER WITHOUT DISCUSSION

Nil

9.09.17 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
16.09.17.01	Cr Eva	Financial/Proximity	Related to land owner and presently leases the subject land.
13.09.17.04	Cr Crute	Impartiality	Deputy Chair of WBS RRG
10.09.17.01	Cr Wilkinson	Proximity	Father owns block next door

10.09.17 TECHNICAL & DEVELOPMENT SERVICES REPORTS

Cr Wilkinson declared a proximity interest in item 10.09.17.01 and left the chambers at 5.05 pm.

10.09.17.01 PROPOSED OUTBUILDINGS – EXCESS OF AGGREGATE FLOOR AREA

File No:	P403
Date of Meeting:	21/09/17
Location/Address:	Lot 20 (Hn 47) Corberding Road, Brookton
Name of Applicant:	Geoffrey R Forward
Name of Owner:	Geoffrey R Forward
Author/s:	Kelly D’Arcy – Governance Officer
Authorising Officer:	Ian D’Arcy – Chief Executive Officer
Declaration of Interest:	The author has no interest in this item, although it should be noted the applicant is an employee of the Shire
Voting Requirements:	Simple Majority
Previous Report:	Nil

Summary of Item:

Council is in receipt of a Development Application for two (2) outbuildings on Lot 20 Corberding Road, Brookton. Pertinent to the application is a request from the landowner seeking a concession to the aggregate outbuilding area. This is due to the application failing to comply with the maximum total area of all outbuildings, as required under the Shire’s ‘Outbuildings’ Policy and the Residential Design Codes.

Noting the written support received from surrounding landowners, the rationale provided by the land owner, the overall area of Lot 20, and that the proposed outbuildings are well set back from neighbouring residents, it is recommended that the provisions of the Policy be waived and Development Approval be granted subject to conditions.

Description of Proposal:

This proposal involves erection of two (2) outbuildings/sheds on Lot 20 Corberding Road, Brookton to be used for restoration and storage of vintage motor vehicles by the land-owner.

The proposed outbuildings will each be 12.0 metres long and 9.0 metres wide, with a floor area of 108m². Both buildings have a respective wall height of 4.0 metres and ridge height 4.875 metres. The application states the outbuildings are to be clad using cream colorbond on the walls and trimming, with a zincalume clad roof.

The submitted site plan, floor plan and elevations are provided at **Attachments 10.09.17.01(a) and 10.09.17.01(b)**.

As shown in the site plan, the respective outbuildings are to be located in the South-South-Western (SSW) rear corner of the lot, and set back approximately 30 metres from the rear of the dwelling. One of the outbuildings is to be setback 2.0 metres from the SSW side boundary, and the second outbuilding is located towards the centre of the South-Western portion of the property. See **Figure 1** below is a site map showing outbuilding locations.



Figure 1 – Proposed Location of Outbuildings

Background:

The subject Lot is zoned 'Residential R12.5' under Town Planning Scheme No. 3 (TPS3) and has an area of 9705 m². Already sited on the property is two existing sheds with a total aggregate area of 174 m², utilised as museum and vintage workshop areas for restoration of motor vehicles. The two additional new sheds are to extend/increase the storage capacity for the vintage/restored vehicles and increase the workshop area to restore more vehicles with the landowner contemplating retirement in a few years. Examples of vehicles are provided in **Attachment 10.09.17.01(c)**.

In support of the application the landowner has consulted with the adjoining property owners, who have offered their support for the increased aggregate outbuilding area and the respective placement of both new outbuildings on Lot 20 by signing the submitted site plan.

Consultation:

Applicant has already consulted with the adjoining owners and obtained their support.

Statutory Environment:

This proposal needs to be considered under the Shire of Brookton Town Planning Scheme (TPS) 3, Residential Design Codes and Council's Outbuilding Policy 3.6.

In this context, a lot zoned 'Residential R12.5' with a typical land area of 800 m² average has a maximum
Shire of Brookton, Unconfirmed minutes Ordinary Meeting of Council, 21 September 2017.

outbuilding area of 60 m², unless otherwise specified under an adopted Local Planning Policy. With the Council having an outbuildings policy, the allowable aggregate shed size/area has been increased to 75 m². The following table is an extract from the Outbuilding Policy 3.6 that details the applicable standards for a 'Residential 12.5' zoned property:

Zone	Maximum Total area of All outbuildings on the lot (m²)	Maximum individual area of proposed outbuilding (m²)	Maximum Wall Height (m)	Maximum Roof height (m)
Residential R10 and above	75	75	3.0	4.0

However, notwithstanding the above, the Council is not bound by this policy and can exercise discretion should it be satisfied the proposal is warranted and accords with the fundamental principles of proper and orderly planning.

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

Relevant Plans and Policy:

Council's Outbuilding Policy 3.6 applies to this matter – refer to commentary in Statutory Environment section, above.

Financial Implications:

A Planning Fee as per the Shire's Fees and Charges has been paid.

Risk Assessment:

The Council needs to be mindful that it does not set an undesirable precedent upon which others can argue for the same entitlement, with little or no relevant justification. On assessment of this application, it is viewed that the risk is low and can be entertain on merit – see Comment Section below.

Community & Strategic Objectives:

It is viewed this proposal does not implicate or compromise any community or strategic objectives for Brookton, including the development and release of land for future residential housing – see comment section below.

Comment

There are a number of matters from a planning perspective that are pertinent to this proposal that warrant special consideration in determining this application, listed as follows:

1. Lot 20 with a land area of 9705 m² and zoning of 'Residential R12.5' has the potential to be subdivided to yield up to 10 lots with an average size of 800 m² accounting roads and public open space. This means the current land area is 12 times the size of a standard 'Residential R12.5' zoned lot that is permitted to accommodate an outbuilding with a maximum floor area of 75 m².
2. The proponent has indicated he does not seek to subdivide Lot 20 at any time in the foreseeable future. Notwithstanding, it is accepted that the proposed buildings can in any event be easily dismantled and relocated off site to allow for subdivision of this land in the future.
3. The proposed sheds are positioned on the property to be well removed from the street and adjoining residences and exceeds the prescribe boundary setback distance of 1.0 meter, as prescribed by the Residential Design Codes.
4. Importantly, the adjoining landowners have provided their support for the application. This

presents as an acknowledgement that neither building is likely to present a visual amenity or over-shadowing issue given the overall size of Lot 20 and with the buildings clad in a cream colorbond finish.

5. The landowner has presented sound rationale for the need to increase the aggregate floor area to support his museum and workshop areas. Although, it is assessed that some constraint will need to be imposed on the use of the workshop to preserve the local amenity, acknowledging the activity is based on entertaining a hobby use as opposed to operating a commercial business which would present a different perspective. On this basis, it is considered that Council will not set an undesirable precedent in determining this application on its merit.

Therefore, in consideration of the above it is recommended that the Outbuildings Policy be waived and Council grant development approval, subject to conditions.

OFFICER'S RECOMMENDATION

That Council grant planning approval for two outbuildings (requiring an increase in the aggregate outbuilding area) on Lot 20 Corberding Road, Brookton pursuant to Schedule 2, Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015, subject to the following:

Conditions

1. *If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of two (2) years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.*
2. *The erection of the two outbuildings shall be carried out in accordance with the terms of the application as approved herein including all stamp approved plans that form part of this Planning Approval.*
3. *The applicant shall implement landscape screening (tree planting) along the western and eastern boundaries of the property immediately adjacent to each outbuilding or in line of sight of a neighbouring residence to assist in softening the visual appearance of each outbuilding.*
4. *The outbuildings shall not be used for commercial or industrial activity, or residential occupation.*
5. *The use of electrical machinery, tools and other equipment associated with the restoration of heritage motor vehicles shall only be conducted on a 'hobby' basis and be limited to the hours of 8.00am to 6.00pm daily, unless otherwise approved by the Chief Executive Officer (or delegate).*
6. *External walls shall be clad with a non-reflective Colorbond finish to the satisfaction of the Chief Executive Officer (or delegate).*
7. *All stormwater runoff from the respective outbuildings shall be retained onsite and disposed in a manner that does not cause erosion.*

Advice Notes1.

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

- a. *This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and Health Services Act 2016. It is the responsibility of the Applicant to*

determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Carnarvon Building and Environmental Health sections on (08) 9642 1106.

- b. Nothing in the approval shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.
- c. The applicant is advised a building Permit is required prior to commencement of any building works.
- d. The applicant is advised of a right of appeal to the State Administrative Tribunal (SAT) subject to Part 14 of the Planning and Development Act 2005. Appeals must be lodged to SAT within 28 days. Further information can be obtained from the SAT website – www.sat.justice.wa.gov.au.

OCM 09.17-2

COUNCIL RESOLUTION

MOVED CR WALKER

SECONDED CR EVA

OFFICER'S RECOMMENDATION

That Council grant planning approval for two outbuildings (requiring an increase in the aggregate outbuilding area) on Lot 20 Corberding Road, Brookton pursuant to Schedule 2, Clause 68 of the Planning and Development (Local Planning Schemes) Regulations 2015, subject to the following:

Conditions

- 1. If the development, the subject of this approval, is not SUBSTANTIALLY COMMENCED within a period of two (2) years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval of the responsible authority having first been sought and obtained.***
- 2. The erection of the two outbuildings shall be carried out in accordance with the terms of the application as approved herein including all stamp approved plans that form part of this Planning Approval.***
- 3. The applicant shall implement landscape screening (tree planting) along the western and eastern boundaries of the property immediately adjacent to each outbuilding or in line of sight of a neighbouring residence to assist in softening the visual appearance of each outbuilding.***
- 4. The outbuildings shall not be used for commercial or industrial activity, or residential occupation.***
- 5. The use of electrical machinery, tools and other equipment associated with the restoration of heritage motor vehicles shall only be conducted on a 'hobby' basis and be limited to the hours of 8.00am to 6.00pm daily, unless otherwise approved by the Chief Executive Officer (or delegate).***
- 6. External walls shall be clad with a non-reflective Colorbond finish to the satisfaction of the Chief Executive Officer (or delegate).***
- 7. All stormwater runoff from the respective outbuildings shall be retained onsite and disposed in a manner that does not cause erosion.***

Advice Notes

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

- a. This approval does not confer approval under other relevant legislation, including but not limited to, the Building Act 2011 and Health Services Act 2016. It is the responsibility of the Applicant to determine any necessary approvals required and obtain such approvals prior to the commencement of development and use. However, to assist in understanding the necessary requirements and approvals, further information can be obtained by contacting the Shire of Carnarvon Building and Environmental Health sections on (08) 9642 1106.***
- b. Nothing in the approval shall excuse compliance with all relevant written laws in the commencement and carrying out of the development.***
- c. The applicant is advised a building Permit is required prior to commencement of any building works.***
- d. The applicant is advised of a right of appeal to the State Administrative Tribunal (SAT) subject to Part 14 of the Planning and Development Act 2005. Appeals must be lodged to SAT within 28 days. Further information can be obtained from the SAT website – www.sat.justice.wa.gov.au***

CARRIED BY SIMPLE MAJORITY VOTE 6-0

Cr Wilkinson returned to the chambers at 5.07 pm.

11.09.17 COMMUNITY SERVICES REPORTS

Nil

12.09.17 FINANCE & ADMINISTRATION REPORT

12.09.17.01 LIST OF ACCOUNTS FOR PAYMENT

File No:	N/A
Date of Meeting:	21 September 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:	17/08/17

Summary of Item:

The list of accounts for payment to 31 August 2017 is 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

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Totals of all payments from each of Councils bank accounts are listed below and detailed within Attachment 12.09.01A.

To 31st August 2017

Municipal Account

Direct Debits	\$152,240.05
EFT	\$341,569.78
Cheques	\$24,374.54
Trust Account	\$4,210.00

OFFICER'S RECOMMENDATION

That with respect to the list of accounts for payment, Council: note the payments authorized under delegated authority and detailed below and in the List of Accounts 31st August 2017, per the summaries included in Attachment 12.09.17.01(A)

To 31st August 2017

Municipal Account

Direct Debits –	\$152,240.05
EFT	\$341,569.78
Cheques	\$24,374.54
Trust Account	\$4,210.00

OCM 09.17-3

COUNCIL RESOLUTION

MOVED CR WALKER SECONDED CR WILKINSON

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 August 2017, per the summaries included in Attachment 12.09.17.01(A)

To 31st August 2017

Municipal Account

Direct Debits –	\$152,240.05
EFT	\$341,569.78
Cheques	\$24,374.54
Trust Account	\$4,210.00

CARRIED BY SIMPLE MAJORITY VOTE 7-0

12.09.17.02 STATEMENT OF FINANCIAL ACTIVITY FOR THE PERIODS ENDED 31 JULY AND 31 AUGUST 2017

File No:	N/A
Date of Meeting:	21/09/17
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Kelly D'Arcy – Governance Officer Deanne Sweeney – Senior Finance Officer
Authorising Officer:	Vicki Morris – Deputy Chief Executive Officer
Declaration of Interest:	The authors have no financial interest in this matter
Voting Requirements:	Simple Majority
Previous Report:	There is no previous meeting reference

Summary of Item:

The Statement of Financial Activity for the periods ended 31 July and 31 August 2017 are presented to council.

Description of Proposal:

That Council receive the Statement of Financial Activity for the periods ended 31 July and 31 August 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

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Corporate Business Plan by providing comparatives against the Annual Budget.

Comment

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

OFFICER'S RECOMMENDATION

That Council receives the Statement of Financial Activity for the periods ending 31 July and 31 August 2017.

OCM 09.17-4

COUNCIL RESOLUTION

MOVED CR ALLINGTON SECONDED CR MILLS

That Council receive the Statement of Financial Activity for the periods ending 31 July and 31 August 2017.

CARRIED BY SIMPLE MAJORITY VOTE 7-0

12.09.17.03 FEE WAIVER/DISCOUNT REQUEST - BROOKTON FAMILY FESTIVAL 2018

File No:	ADM 0552
Date of Meeting:	21 September 2017
Location/Address:	Reserve 43158
Name of Applicant:	Scripture Union - Janice March – Brookton Family Festival 2018
Name of Owner:	Shire of Brookton
Author/s:	Kelly D’Arcy – Governance Officer
Authorising Officer:	Vicki Morris – Deputy Chief Executive Officer
Declaration of Interest:	The author has no interest in this item
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

Council is in receipt of a request from the organising committee of the Brookton Family Festival 2018 seeking consideration for a discounted rate for hire for various facilities being utilised during the six (6) day festival in January 2018.

The Committee has also requested a memorandum of understanding be drafted on the basis of this being recognised as an annual event.

Description of Proposal:

This proposal involves a request to waive hire fees for the 2018 Brookton Family Festival in consideration of community benefits.

Background:

A sub group of the Scripture Union, which is a not for profit organisation, has been running the Brookton Family Festival since 2011. The event scheduled for January 2018, it is envisaged that around 30 people will be camping at the Brookton Caravan Park, as well as using the WB Eva Pavilion for organised morning and afternoon activities.

It is understood the organisers from Scripture Union do not receive any payment, with all program costs funded through donations and the organisers own pockets. The events are offered free of charge to participants from the broader community.

The program outlines morning events for younger children and evening events for teenagers. A free bus service is also offered to transport participants from Pingelly for the weekday events. A program of events is provided at **Attachment 12.09.17.03** for the Council’s information.

Consultation:

There has been no consultation, to date, on this matter but the event has been a regular occurrence in Brookton for a number of years.

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:

No relevant plans or policy applicable to this matter.

Financial Implications:

Under the Council's Schedule of Fees and Charges, the Organising Committee of the Brookton Family Festival 2018 has been quoted the following, plus a \$250 refundable bond that is held in trust:

Facility Hire six days @ \$154 per day	=	\$ 924.00
Oval Hire six days @ \$130 per day	=	\$ 780.00
Camping five nights @ \$22 per night per site (30 people – 5 per site = 6 sites)	=	\$ 660.00 -----
		\$2,364.00

A discount of the above fees has been requested so the financial implication will depend on the amount of discount applied. That is, if Council applied a 50% discount the implication of the fees and charges budget would be a reduction of \$1,182.00.

It should be noted that the percentage of waiver (if entertained) is at the Council's discretion.

Risk Assessment:

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

Community & Strategic Objectives:

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

Outcome 1.4: A vibrant and inclusive community.

Strategy 1.4.1: Promote community and cultural events.

Comment

As stated prior, the organising Committee are a volunteer group that do not draw any payment for their time and efforts. It is acknowledged the committee actually funds part of the program from their own pockets and the balance is funded through the sourcing of small donations. This coupled with the continuity of this event since 2011 and broad benefit delivered to local youth, it is recommended that Council apply a 50% discount for the overnight camping and hire fees for the WB Eva Pavilion and Brookton Oval in accommodating the 2018 Brookton Family Festival.

OFFICER'S RECOMMENDATION

That Council:

1. Pursuant to Section 6.12 (1)(b) of the Local Government Act, 1995 award a 50% discount to the Scripture Union Brookton Family Festival 2018, outlined as follows:

Fee	Full Rate	Discounted Rate of 50%
Facility hire fee	\$154 per day	\$77 per day
Oval Hire fee	\$130 per day	\$65 per day
Camping fee	\$22 per site per night	\$11 per site per night

2. Request staff prepare a draft Memorandum of Understanding (MOU) with the Scripture Union for the annual Brookton Family Festival outlining the Shire's support and detailing an ongoing commitment to reduced charges for the event.

That Council:

- 1. Pursuant to Section 6.12 (1)(b) of the Local Government Act, 1995 award a 50% discount to the Scripture Union Brookton Family Festival 2018, outlined as follows:**

<i>Fee</i>	<i>Full Rate</i>	<i>Discounted Rate of 50%</i>
<i>Facility hire fee</i>	<i>\$154 per day</i>	<i>\$77 per day</i>
<i>Oval Hire fee</i>	<i>\$130 per day</i>	<i>\$65per day</i>
<i>Camping fee</i>	<i>\$22 per site per night</i>	<i>\$11 per site per night</i>

- 2. Request staff prepare a draft Memorandum of Understanding (MOU) with the Scripture Union for the annual Brookton Family Festival outlining the Shire’s support and detailing an ongoing commitment to reduced charges for the event.**

CARRIED BY SIMPLE MAJORITY VOTE 7-0

13.09.17 GOVERNANCE

13.09.17.01 REQUEST FOR TENDER RFT 04/2017 – CONSTRUCTION OF SHIRE HOUSE

File No:	ADM 0633
Date of Meeting:	21 September 2017
Location/Address:	Lot 104 (Hn. 8) Avonbank Close, Brookton
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Kelly D’Arcy – Governance Officer
Authorising Officer:	Ian D’Arcy – Chief Executive Officer
Declaration of Interest:	Nil
Voting Requirements:	Simple Majority
Previous Report:	Nil

Summary of Item:

This report seeks the Council’s endorsement for the initiation of a Request for Tender “RFT 04/2017 - Construction Staff House – Avonbank Close” as specified in the tender schedule and for the selection criteria to be included in the Tender

Under Section 3.57 of the *Local Government Act 1995* and Regulation 14(2a) of the Local Government (Functions and General) Regulations 1996, local governments are required to establish, in writing, tender selection criteria prior to calling tenders and these must be included in the tender documentation.

Description of Proposal:

The proposal is to construct a new house that incorporates the principles of sustainable design on Lot 104 Avonbank Close, Brookton as shown in **Figures 1, 2, 3 and 4** below.



Figure 1 – Location Plan

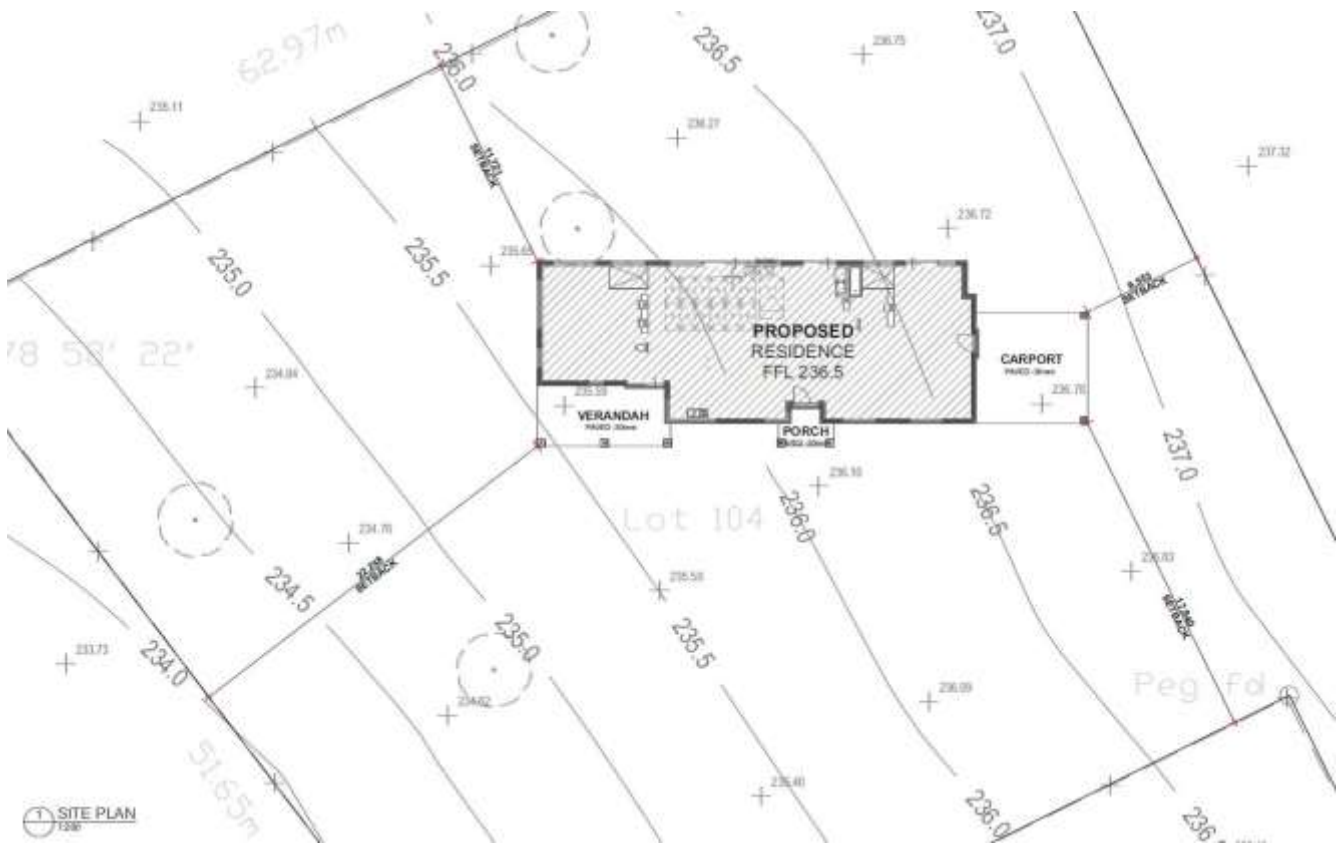


Figure 2 – Site Plan

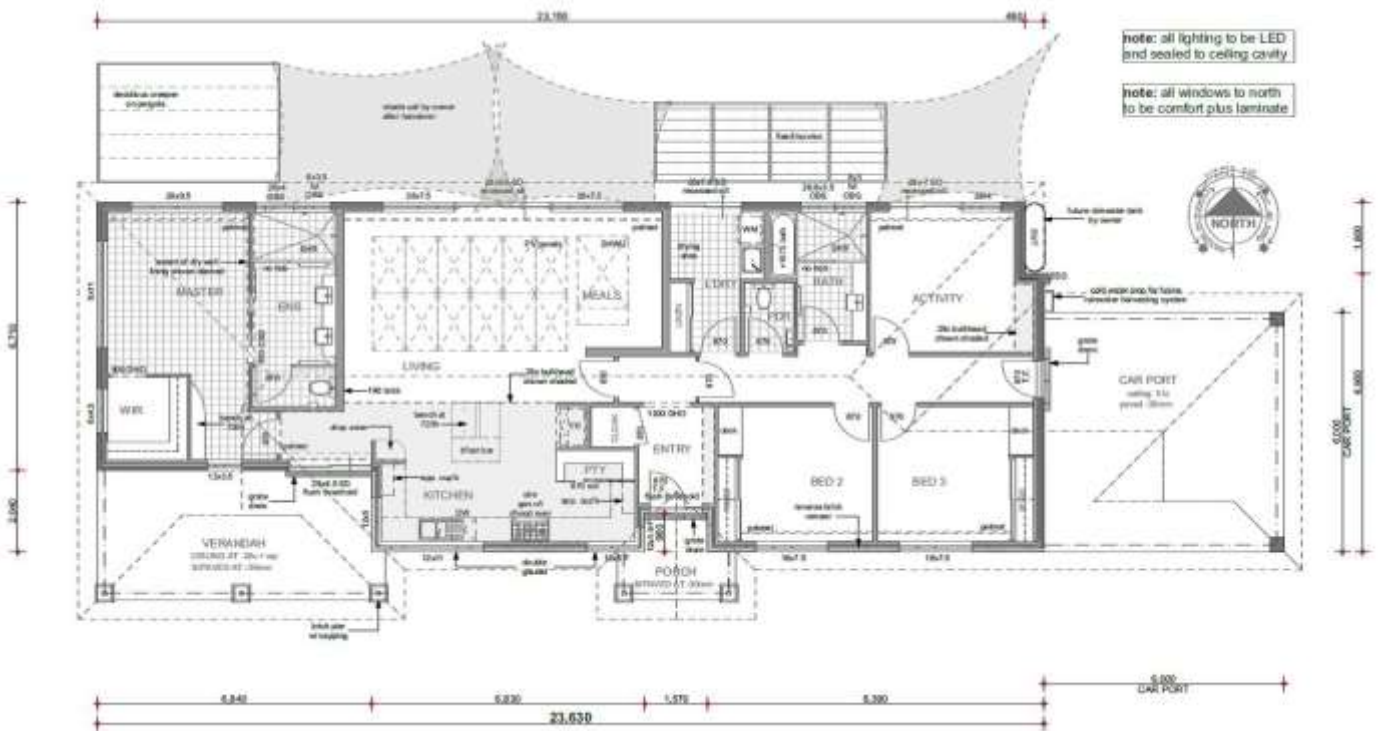


Figure 3 – Floor Plan



Figure 4 – Front, Side and Rear Elevations

Background:

Council has endorsed the Housing Development Plan which advocates the construction and sale of houses over a fifteen (15) year period. Under the development plan it is depicted to construct a 3 x 2 unit and a 4 x 2 house in the 2016/17 financial year.

However, at the March 2017 Council Corporate Briefing Forum (CBF) discussion ensued on building one house only, with the view to incorporating sustainable housing design principles. Following this discussion a specialist designer, Mr Griff Morris from Solar Dwellings, was engaged to draft the conceptual design as shown in **Figures 2, 3 and 4** above. A number of further discussions were entertained with Councillors, including a presentation from Mr Morris explaining the sustainable principles and benefits to be realised from this approach. The discussions also focused on acceptance of external presentation of the house to finalise the design as an executive style solar passive residence designed to suit the needs of a family.

Council has also allocated funding in the current 2017/18 budget to construct the new house as outlined in the Financial Implications section of this report. With this in mind to progress to the construction phase, a tender is required to be called.

Consultation:

Consultation has been conducted with Councillors, Project Officer, CEO and house designer.

Statutory Environment:

Under Section 3.57 of the *Local Government Act 1995* and Regulation 14(2a) of the Local Government (Functions and General) Regulations 1996, local governments are required to establish, in writing, tender selection criteria prior to calling tenders and these must be included in the tender documentation.

Specifically, Part 4 (Tenders) of the Local Government (Functions and General) Regulations 1996 applies. In particular, Regulation 14 (2a) states:

14. Publicly inviting tenders, requirements for

(2a) "If a Local Government -

(a) is required to invite a Tender; or

(b) not being required to invite a Tender, decides to invite a Tender.

The Local Government must, before Tenders are publicly invited, determine in writing the criteria for deciding which Tender should be accepted."

Relevant Plans and Policy:

This project generally aligns with Council's Housing Plan 2016 – 2031, albeit this project was scheduled to be constructed in the 2016/17 financial year, but due to change in staff resulted in delay and will now roll over into the 2017/18 and 2018/19 financial years.

Financial Implications:

An allocation of funding is set aside for the call of tenders under COA E042020.321 in the current budget.

The construction of a new eco-friendly house is provided for in the existing budget under COA E092510 with funds taken from the Housing Reserve account. Respectively, the tender process will provide clarification on the cost of construction evaluated against the allocated budget for this project.

Risk Assessment:

The risk at this stage applies to the tender process being conducted in accordance with the legislative requirements, which is presently assessed as low.

Community & Strategic Objectives:

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

Outcome 4.4: Availability of land for housing and industrial development.

Strategy 4.4.3: Support housing development in the Shire to increase the affordability of housing and accommodation.

Comment

As previously discussed with Council, the house design has been modelled on the eco-friendly sustainable concept to showcase the Shire of Brookton's commitment to protect the environment and focus on minimum usage of consumable energy.

Additionally, the project is intended to seize opportunities in educating others to adopt a more Shire of Brookton, *Unconfirmed minutes Ordinary Meeting of Council, 21 September 2017.*

sustainable approach to building design and construction, as well as simultaneously promoting the attributes of Brookton as a desirable place to live, work, play and invest. It is hoped this will be achieved through a level of sponsorship secured from possible stakeholders, such building material supply companies that could potentially offset some of the cost, and again yield a level of promotion and exposure for Brookton that would otherwise not be available if building a conventional staff house.

However, notwithstanding the above this report merely seeks Council endorsement to initiate the formal tender process to secure a suitably qualified and experienced builder.

OFFICER'S RECOMMENDATION

That Council pursuant to Section 3.57 of the Local Government Act, 1995 and Division 2 of the Local Government (Functions and General) Regulations, 1996:

1. *Endorse the conceptual design plans, as provided in Figures 3 and 4 to this report, for the purpose of calling for tenders for 'Construction of Shire House' at Lot 104 Avonbank Close, Brookton.*
2. *Call for Request for Tender RFT 04/2017 for 'Construction of Shire House' on Lot 104 Avonbank Close, Brookton.*
3. *Endorse the Qualitative Evaluation Criteria for RFT 04/2017 as follows:*

<i>Qualitative Selection Criteria</i>	<i>Weighting</i>
<p><i>Building Experience</i></p> <ul style="list-style-type: none"> • <i>Company prolife, builders registration, and experience in building sustainable eco-friendly houses</i> • <i>List of recent building construction works in the past 2 years based on eco-friendly sustainable building principles</i> • <i>Confirmation these projects were delivered on time and within budget, and if not, why not?</i> • <i>A minimum of two (2) referees</i> 	<i>25%</i>
<p><i>Company Capacity</i></p> <ul style="list-style-type: none"> • <i>The provision of trade qualified personnel, plant, equipment and</i> • <i>Ability and commitment to complete construction works to specification within a twelve (12) month period from issuance of a building permit</i> 	<i>15%</i>
<p><i>Demonstrated Understanding and Flexibility</i></p> <ul style="list-style-type: none"> • <i>Written understanding and compliance of the plans and specifications that form part of the tender documents</i> • <i>Identification of any works considered necessary, but not detailed or listed in the plans and specifications</i> • <i>Preparedness to amend or alter the build, including change in design and materials, and arrangement for the Shire to source its own materials/perform its own works.</i> 	<i>10%</i>
<p><i>Price</i></p> <ul style="list-style-type: none"> • <i>Total building construction costs (including GST) that accord with the building plans and specifications as part of the tender document.</i> 	<i>50%</i>

That Council pursuant to Section 3.57 of the Local Government Act, 1995 and Division 2 of the Local Government (Functions and General) Regulations, 1996:

- 1. Endorse the conceptual design plans, as provided in Figures 3 and 4 to this report, for the purpose of calling for tenders for ‘Construction of Shire House’ at Lot 104 Avonbank Close, Brookton.**
- 2. Call for Request for Tender RFT 04/2017 for ‘Construction of Shire House’ on Lot 104 Avonbank Close, Brookton.**
- 3. Endorse the Qualitative Evaluation Criteria for RFT 04/2017 as follows:**

Qualitative Selection Criteria	Weighting
Building Experience <ul style="list-style-type: none"> • Company prolife, builders registration, and experience in building sustainable eco-friendly houses • List of recent building construction works in the past 2 years based on eco-friendly sustainable building principles • Confirmation these projects were delivered on time and within budget, and if not, why not? • A minimum of two (2) referees 	25%
Company Capacity <ul style="list-style-type: none"> • The provision of trade qualified personnel, plant, equipment and • Ability and commitment to complete construction works to specification within a twelve (12) month period from issuance of a building permit 	15%
Demonstrated Understanding and Flexibility <ul style="list-style-type: none"> • Written understanding and compliance of the plans and specifications that form part of the tender documents • Identification of any works considered necessary, but not detailed or listed in the plans and specifications • Preparedness to amend or alter the build, including change in design and materials, and arrangement for the Shire to source its own materials/perform its own works. 	10%
Price <ul style="list-style-type: none"> • Total building construction costs (including GST) that accord with the building plans and specifications as part of the tender document. 	50%

CARRIED BY SIMPLE MAJORITY VOTE 7-0

**13.09.17.02 SHIRE OF BROOKTON INTEGRATED PLANNING AND REPORTING FRAMEWORK REVIEW
PROJECT BRIEF**

File No:	ADM 0256
Date of Meeting:	21/09/17
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
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
Previous Report:	N/A

Summary of Item:

This proposal relates to endorsement of the draft Project Brief that seeks engagement of a suitably qualified consultant to perform public consultation and preparation of a revised Strategic Community Plan and Corporate Business Plan, as part of the Shire's Integrated Planning and Reporting Framework Review process, required to be conducted under legislation.

Description of Proposal:

To undertake a major four year review of the Strategic Community Plan and Corporate Business Plan in line with legislative requirements and community expectations.

Background:

The Department of Local Government, Sport and Cultural Industries (DLGSCI) Integrated Planning and Reporting (IPR) Framework requires all local governments to prepare a Strategic Community Plan (SCP) and other accompanying integrated plans, including the:

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

Specifically these plans are 'desktop' reviewed every 2 years, with major review of the Community Strategic Plan (being the over-arching document) to be completed every 4 years.

In consideration of the above, a minor "desktop" review of the SCP for the Shire was completed in May 2015, two years after the initial adoption of the SCP by Council in 2013. In accordance with the IPR timetable, the Shire was scheduled to complete the pending major review of the SPC in the first half of 2017, and lodged the document with the DLGSCI by 30 June 2017. As this did not occur due to administration difficulties, Council resolved to inform the DLGSCI it would be proceeding with the IPR review process in the second half of the 2017/18 financial year, which was formally acknowledged by the Department.

Accordingly, discussion has been entertained with Councillors on the pending review of the SCP, with completion of a Project Brief presented as **Attachment 13.09.17.02** to this report for Council's consideration and endorsement. Additionally, the draft IPR Project Brief also advocates the formation of

a Project Management Team and Working Group of Council, with a define purpose of guiding the review process.

Statutory Environment:

The legislative requirement for IPR is contained in Section 5.56(1) of the *Local Government Act, 1995* and the regulations under Section 5.56 (2) of the Act. These sections also outline the minimum requirements required to achieve compliance with these sections, as explained in the Background Section of this report.

Relevant Plans and Policy:

As mentioned, the IPR process will initially involve consideration and review of a number of integrated plans that are listed in the Background Section of this report.

Financial Implications:

The 2017/18 municipal budget allocates \$45,000 (Excl. GST) under COA E042020 / Job 327 for the IPR process.

Risk Assessment:

Should the SCP and CBP review not proceed at this time, it is assessed the risk is high predicated on Council having blatantly breached of the legislation.

Community & Strategic Objectives:

The SPC is pivotal to determining and mapping the future direction of the Shire premised on community expectations, and the allocation and prioritisation of resources. It is therefore important the SPC is able to project with clarity:

- Effective use of Shire resources based on priority and sound planning;
- Fundamental decision making aligned to community expectations and aspirations;
- Effective delivery of services and infrastructure within the capacity of the Shire;
- Strategic planning premised on factual information (data and research);
- Certainty and confidence from a social and economic perspective over the short to medium term;
- A suite of outcomes incorporating social, economic, environmental and good governance principles;
- Place-based plans, issues-based strategies, corporate business planning, informing strategies and systematic operational planning.

Following the review of the SCP and CBP, Council will be able to better understand the community aspirations and views and will be able to plan and deliver outcomes for the local community over the next two to four years.

Comment

While there has been a delay in fulfilling the obligations to review the IPR, there is considered benefit having Strategic Review aligned with the election cycle, as this will enable the Council post-election to quickly get behind the 'steering wheel' of strategic direction which is at the heart of its governance role. With this noted, the key to success of the Review process is engagement and 'buy-in' by key stakeholders and the local community at large. Therefore, the Project Brief has been prepared with emphasis on consultation within a framework of what is expected by the Shire, without attempting to limit or inhibit innovation by the selected consultant.

Additionally, it is viewed the project should consist of:

- a) A Project Management Team (PMT) headed by the Deputy CEO with support from Economic Development Officer. The purpose of this team is to manage the appointed consultant on daily basis, and present as a point of contact for members of the community; and
- b) A dedicated Working Group of Council to provide oversight and guidance across the review process in line with the endorsed Project Brief, and act as a 'sounding board' for the consultant and PMT.

OFFICER'S RECOMMENDATION

That Council endorse:

- 1) *The draft Shire of Brookton Strategic Community Plan and Corporate Business Plan Project Brief as provided in Attachment 13.09.17.02 of this report.*
- 2) *Establishment an Integrated Planning and Reporting Framework Working Group to oversee the review of the Shire of Brookton Strategic Community Plan and Corporate Business Plan, with the Working Group consisting of:*
 - *Elected Members x 2 (Cr _____ [Chair]/ Cr _____)*
 - *Chief Executive Officer*
 - *Deputy Chief Executive Officer*
 - *Economic Development Officer*
 - *Other Shire Officers co-opted, as required*

(Simple majority vote required)

OCM 09.17-7

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR EVA

That Council suspend Standing Orders to facilitate discussion.

CARRIED BY SIMPLE MAJORITY 7-0

OCM 09.17-8

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR WALKER

That Council resume standing orders.

CARRIED BY SIMPLE MAJORITY 7-0

COUNCIL RESOLUTION

MOVED CR MILLS SECONDED CR ALLINGTON

That Council endorse:

- 1) The draft Shire of Brookton Strategic Community Plan and Corporate Business Plan Project Brief as provided in Attachment 13.09.17.02 of this report.***

- 2) Establishment an Integrated Planning and Reporting Framework Working Group to oversee the review of the Shire of Brookton Strategic Community Plan and Corporate Business Plan, with the Working Group consisting of:***
 - Elected Members x 3 (Cr Crute [Chair], Cr Walker, Cr Fancote),***
 - Chief Executive Officer***
 - Deputy Chief Executive Officer***
 - Economic Development Officer***
 - Other Shire Officers co-opted, as required***

CARRIED BY SIMPLE MAJORITY VOTE 7-0

(Note to Minute: The Council motion deviated from the Officer Recommendation so as to include a third Elected Member on the Integrated Planning and Reporting Framework Working Group.)

13.09.17.03 RFT 05/2017 – SHIRE CLEANING SERVICES

File No:	ADM 0630
Date of Meeting:	21 September 2017
Location/Address:	Various Civic Buildings and Shire Houses
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
Author/s:	Courtney Fulwood – Executive Officer
Authorising Officer:	Ian D’Arcy - CEO
Declaration of Interest:	The author does not have an interest in this matter
Voting Requirements:	Simple Majority
Previous Report:	N/A

Summary of Item:

This item seeks Council approval to initiate a formal tender process calling for submissions from experienced persons to perform routine cleaning duties of Council’s civic buildings, and staff houses as required, over a three (3) year contractual period with possible extension.

Description of Proposal:

As above.

Background:

The Shire is looking to efficiently manage the cleaning of Council’s civic buildings and staff houses by packaging all cleaning works and sourcing a suitable contractor, rather than managing three casual/part time staff members.

Over the past few years the current staff cleaning arrangements has incurred conflict due to cleaning staff requiring annual leave during the school holidays, with insufficient relief cleaning staff able to cover the required duties for cleaning. Presently the cleaning works is distributed across two part-time cleaning staff where a selective approach has been entertained resulting in difficulties managing the respective employees performance. In part, this is due to lack of capacity by one of the employees to satisfactorily fulfil all of the cleaning duties due to physical and health limitations that has emerged in recent times.

Furthermore, it is understood that this employee propose to move overseas in the near future that has enhanced the opportunity to review the Shire’s approach and rationalise its cleaning program.

Statutory Environment:

Section 3.57 of the *Local Government Act, 1995* requires a local government to obtain quotes, or alternatively call for tenders, before it can enter into a contract for the supply of goods or services. This is detailed further under Regulation 11(1) of the Local Government (Functions and General) Regulations 1996, which states that goods or services exceeding \$150,000 in value must be awarded through a formal tender process.

Therefore, it is promoted that Council call tenders for cleaning services in accordance with this legislation.

Relevant Plans and Policy:

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

Financial Implications:

Presently the Shire incurs a cost of \$37,814.40 through the payment of wages (including on-costs) for its cleaning services annually, which is included in the 2017/2018 budget. This cost is based on 28 hours cleaning per week, and does not include one-off cleans that are required from time to time.

On projection, a revised cleaning schedule has been prepared that will require 24 hours of cleaning per week across all of Council's civic buildings. This includes additional duties to be performed that in the past has been over looked, but does not involve the cleaning of Council's units, which will be covered through the rental accommodation rate.

Furthermore, the change to a set contractual arrangement should also present an additional cost benefit by reducing staff time in managing multiple cleaning staff.

Risk Assessment:

There is minimal risk identified relating to the possibility of no tender submissions being received in conformity with the tender requirements and allocated budget. Should this occur, a further review of this service will need to be performed by staff.

Community & Strategic Objectives:

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

Comment

From an employee perspective it is considered appropriate that Council favourably consider contracting out its cleaning services for a minimum 3 year period, given the past difficulties in managing and coordinating causal cleaning staff.

It is viewed that this approach will deliver a number of improvements and efficiencies to the cleaning regime or the Shire's civic buildings and houses, including:

- A redistribution of cleaning hours for to deliver where most needed (ie Administration Office cleaning changed to 3 days per week instead of 5 that currently occurs).
- Increasing monthly cleaning of some buildings to include external pressure clean and cobweb removal.
- Increasing annual cleaning requirements to include steam cleaning of carpets, cleaning of exhausts, vents and light fittings etc.
- Cleaning of short term accommodation units after each use and after long term rental vacations.

OFFICER'S RECOMMENDATION

That Council call for tender submissions under a formal 'Request for Tender (RFT) 05-2017' 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 for Shire Cleaning Services, based on:

- 1) The formal contract parameters in relation to RFT 05-2017 Shire Cleaning Services being set at an initial three (3) year period, with the option to extend for a further twelve (12) months at the discretion of Council (or delegate) .*
- 2) Conformity with the Compliance Criteria of the formal tender documentation, and the following Selection Criteria being used to assess the RFT 05-2017 submissions:*

Qualitative Selection Criteria	Weighting
<i>Relevant Experience in completing/supplying similar services, including a minimum of two (2) referees.</i>	20%
<p><i>Respondent's Resources including:</i></p> <ul style="list-style-type: none"> <i>a) The provision of experienced personnel to cover all of the prescribed cleaning program/specification that forms part of this tender</i> <i>b) The provision of suitable equipment to fulfil all of the cleaning requirements</i> <i>c) The provision of a suitable vehicle</i> 	30%
<p><i>Pricing, including:</i></p> <ul style="list-style-type: none"> <i>a) Hourly rate price including GST</i> 	40%
<p><i>Previous experience:</i></p> <ul style="list-style-type: none"> <i>a) With the Shire of Brookton</i> <i>b) Within the local area (adjoining Shires)</i> <i>c) The registered business is based in the Shire of Brookton</i> 	5% 2.5% 2.5%

That Council call for tender submissions under a formal 'Request for Tender (RFT) 05-2017' 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 for Shire Cleaning Services, based on:

- 1) The formal contract parameters in relation to RFT 05-2017 Shire Cleaning Services being set at an initial three (3) year period, with the option to extend for a further twelve (12) months at the discretion of Council (or delegate) .*
- 2) Conformity with the Compliance Criteria of the formal tender documentation, and the following Selection Criteria being used to assess the RFT 05-2017 submissions:*

Qualitative Selection Criteria	Weighting
<i>Relevant Experience in completing/supplying similar services, including a minimum of two (2) referees.</i>	20%
<i>Respondent's Resources including:</i> <ol style="list-style-type: none"> <i>a) The provision of experienced personnel to cover all of the prescribed cleaning program/specification that forms part of this tender</i> <i>b) The provision of suitable equipment to fulfil all of the cleaning requirements</i> <i>c) The provision of a suitable vehicle</i> 	30%
<i>Pricing, including:</i> <ol style="list-style-type: none"> <i>a) Hourly rate price including GST</i> 	40%
<i>Previous experience:</i> <ol style="list-style-type: none"> <i>a) With the Shire of Brookton</i> <i>b) Within the local area (adjoining Shires)</i> <i>c) The registered business is based in the Shire of Brookton</i> 	5% 2.5% 2.5%

CARRIED BY SIMPLE MAJORITY VOTE 7-0

Cr Crute declared an impartial interest in item 13.09.17.04 and remained in the meeting.

13.09.17.04 WHEATBELT SOUTH REGIONAL ROAD GROUP CHAIRPERSON HONORARIUM

File No:	ADM 0125
Date of Meeting:	21/09/17
Location/Address:	N/A
Name of Applicant:	Shire of Cuballing
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:

The item relates to a request from the Shire of Cuballing seeking the support of the Wheatbelt South Regional Road Group (WBS RRG) members for payment of an honorarium to the Chairperson as part compensation for investment of time in performing the role.

Description of Proposal:

This proposal involves a voluntary contribution of \$100 from member Councils on the WBS RRG toward a \$1,800 honorarium for the chairperson of the WBS RRG.

Background:

The Council is in receipt of an email request from the Shire of Cuballing seeking support of the Wheatbelt South Regional Road Group (WBS RRG) members at the last Regional Road Group meeting.

While the Shire of Brookton was not in attendance and the minutes are yet to be released, it is understood the following motion was considered and past requesting a contribution payment to an honorarium for the Chairperson as part compensation for the investment of time in performing the role.

The rationale for the request as provided by the Shire of Cuballing is outlined as follows:

“The Chairperson of the Wheatbelt South Regional Road Group (WBS RRG) is a time consuming, volunteer role that delivers significant outcomes for members of the WBS RRG.

The role will always be additional to the considerable activities required as a Councillor of a member Shire.

The role of Chairperson of the WBS RRG requires:

- attending and chairing 2 or 3 WBS RRG meetings per year;*
- attending and chairing 2 or 3 WBS RRG Technical Group meetings per year;*
- attending and representing the WBS RRG at an annual meeting of all RRG Chairs;*
- actively participating and represent the WBS RRG in projects such as the Secondary Freight Network project; and*
- prepare and present a report on WBS RRG activities to 5 Central Country Zone Meetings each year.*

An Honorarium is not expected to cover the full cost to the recipient but be a recognition for the effort completed and a contribution to the expense of completing the activities required.

The honorarium of \$1,800 per year represents a contribution of \$100 per year from each WBS RRG member Council.

Without the WBS RRG having financial capability, it is envisaged that the WBS RRG member Councils could pay an invoice from the Shire of which the WBS RRG is a Councillor. The Shire of which the WBS RRG Chairperson is a Councillor could then pay the WBS RRG Chairperson through their Elected Member payment system."

Consultation:

There has been no consultation in relation to this matter.

Statutory Environment:

There is no specific statutory environment to this request.

Relevant Plans and Policy:

There are no plans or policies applicable to this proposal.

Financial Implications:

Council has discretionary funding to cover this expense, if supported. This funding can be taken from COA E041040 - Members Community Donations that has a present budget allocation of \$8,000.

Risk Assessment:

On assessment there is negligible risk in relation to this matter.

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

It is acknowledged that the proposed honorarium is not expected to cover the full cost to the recipient, although it will provide a level of recognition for the effort undertaken and constitute as payment for some of the expense incurred in carrying out the duties and activities required by the role.

It is therefore recommended the Council honour this request and contribute \$100 to this position, with payment made upon invoice from the Shire of Cuballing that in turn will pay the Chairperson through their Elected Member payment system.

OFFICER'S RECOMMENDATION

That Council authorise the annual payment of \$100.00 towards the honorarium of \$1,800 for the Wheatbelt South Regional Road Group Chairperson, with the payment to be taken from COA E041040 in the 2017/18 budget.

OCM 09.17-11

COUNCIL RESOLUTION

MOVED CR MILLS SECONDED CR EVA

That Council authorise the annual payment of \$100.00 towards the honorarium of \$1,800 for the Wheatbelt South Regional Road Group Chairperson, with the payment to be taken from COA E041040 in the 2017/18 budget.

CARRIED BY SIMPLE MAJORITY VOTE 7-0

13.09.17.05 RFT 06/2017 – SUPPLY OF BITUMINOUS SEALING PRODUCTS/WORKS

File No:	ADM 0632
Date of Meeting:	21/17
Location/Address:	Shire of Brookton
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
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
Previous Report:	N/A

Summary of Item:

This item seeks Council approval to initiate a formal tender process calling for submissions from experienced companies for supply of bituminous sealing products/works as required over a three (3) year contractual period.

Description of Proposal:

As above.

Background:

In accordance with Council’s records the Shire’s roads works/resealing programs has largely involved to seeking of quotes for the supply of bitumen products and services. However, over time the expenditure threshold of \$150,000 under the Local Government Act has been exceeded, raising the need for Council to conduct a formal tender process for the continued delivery of this service.

Statutory Environment:

Section 3.57 of the *Local Government Act, 1995* requires a local government to obtain quotes, or alternatively call for tenders, before it can enter into a contract for the supply of goods or services. This is detailed further under Regulation 11(1) of the Local Government (Functions and General) Regulations 1996, which states that goods or services exceeding \$150,000 in value must be awarded through a formal tender process.

Council does have the option under the legislation to seek quotes from a Western Australian Local Government Association (WALGA) pre-qualified supplier list, or conversely opt for calling of tenders in-house as a separate formal process, with the view of offering a fixed term supply contract.

Relevant Plans and Policy:

There are no plans or policies applicable to this matter.

Financial Implications:

From a financial perspective the supply of bitumen products and services is accommodated in Council’s annual budget through the endorsed road works and resealing programs.

Risk Assessment:

Importantly, the Shire is compelled to call for tender submissions (or quotes through WALGA) from suppliers to negate a high risk of breaching the legislation.

Community & Strategic Objectives:

Largely, the tender process aligns with the broad intent of the Shire of Brookton Strategic Community

Plan 2013 -2023, in seeking to achieve:

- Value for money for the Brookton rate payers; and
- Statutory compliance by performing a fair and equitable process.

Comment

As already stated, Council needs to conform to the requirements of the Local Government (Functions and General) Regulations 1996 in relation to the purchase of goods and services.

In acknowledging this, it is important Council set the qualitative selection criteria to ensure an equitable approach, and subsequent assessment of the submissions is achieved. Once the tender process is concluded an evaluation report and recommendation will be presented to Council to award a contract to the successful tenderer for the supply of bitumen services over 3 year period.

For the record, the specification applicable to this tender will default to technical standards from Main Roads WA and the Australian Standards for bitumen products, and the following schedule of rates per square meter will be requested as part of the tender process:

<i>Schedule of Rates</i>	<i>Tendered Rate</i>
Reseal Class 170 bitumen seal (blend 98/2/.05 meg@ 2 L/m ² hot – 1 visit @ area 2000 x 7 (m ²))	\$/m ²
Prime Class 170 bitumen seal (blend 95/5/.05 meg@ 1.6 L/m ² hot – 3 visits @ area 6000 x 7 (m ²))	\$/m ²
Rate for spreader truck to suit application of Reseal and Prime	\$/hr
Note – All aggregates supplied by the Shire of Brookton	

OFFICER’S RECOMMENDATION

That Council:

- 1) *Call for tender submissions under formal ‘Request for Tender (RFT) 06-2017 - Supply of Bituminous Sealing Products/Works 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.*
- 2) *Endorse the following Qualitative Selection Criteria to be used in assessing RFT 06-2017 submissions:*

<i>Qualitative Selection Criteria</i>	<i>Weighting</i>
<i>Relevant Experience in completing/supplying similar services, including a minimum of two (2) referees.</i>	<i>20%</i>
<i>Respondent’s Resources including:</i> <i>a) The provision of qualified personnel;</i> <i>b) Truck and Trailer configurations and age/condition of such ; and</i> <i>c) Contingency measures to address interruption of service delivery</i>	<i>20%</i>

<p><i>Methodology detailing:</i></p> <ul style="list-style-type: none"> <i>a) Work outputs required for the effective performance to the contract objectives, and in particular compliance with relevant Bituminous Sealing standards;</i> <i>b) Indicate resource usage, scheduling, specialised equipment or resources to be utilised; and</i> <i>c) Detail how your organisation will ensure that a commitment to safety of staff and the public is upheld at all times.</i> 	<p><i>20%</i></p>
<p><i>Pricing, including completion of Price Schedule as detailed in the Tender document</i></p>	<p><i>40%</i></p>

- 3) *Set the formal contract parameters in relation to RFT 06-2017 - Supply of Bituminous Sealing Products/Works 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).*

That Council:

- 1) Call for tender submissions under formal 'Request for Tender (RFT) 06-2017 - Supply of Bituminous Sealing Products/Works 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.**
- 2) Endorse the following Qualitative Selection Criteria to be used in assessing RFT 06-2017 submissions:**

Qualitative Selection Criteria	Weighting
Relevant Experience in completing/supplying similar services, including a minimum of two (2) referees.	20%
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	20%
Methodology detailing: a) Work outputs required for the effective performance to the contract objectives, and in particular compliance with relevant Bituminous Sealing standards; b) Indicate resource usage, scheduling, specialised equipment or resources to be utilised; and c) Detail how your organisation will ensure that a commitment to safety of staff and the public is upheld at all times.	20%
Pricing, including completion of Price Schedule as detailed in the Tender document	40%

- 3) Set the formal contract parameters in relation to RFT 06-2017 - Supply of Bituminous Sealing Products/Works 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 7-0

13.09.17.06 CONTIGUOUS RATING – WITHIN THE SHIRE OF BROOKTON POLICY

File No:	N/A
Date of Meeting:	21 September 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:	Vicki Morris - DCEO
Declaration of Interest:	None
Voting Requirements:	Simple majority
Previous Report:	July 2017

Summary of Item:

This report seeks Council’s consideration to adopt a draft Policy for contiguous rating within the Shire of Brookton that establishes a framework and sets clear guidelines for the rating of properties that are adjoining (Contiguous).

Description of Proposal:

The draft Contiguous Rating Policy with the Shire of Brookton Policy primarily seeks to ensure a framework exists to manage the rating of properties that are contiguous within the Shire boundaries.

Background:

Currently the Shire has a number of properties that are being contiguously valued, and therefore contiguously rated, based on the following criteria:

1. The subject land is contiguous by the very nature of adjoining boundaries;
2. The subject land is used for one purpose (ie agriculture); and
3. The subject land falls under the same ownership.

However, in order to provide guidance to staff and indirectly to ratepayers on Contiguous Rating this draft Policy seeks to detail the abovementioned criteria to ensure a level of consistency across Unimproved Value (UV) properties and Gross Rental Value (GRV) property valuations.

Further, the draft policy also provides clear definition and specific documentation requiring ratepayers to prove eligibility for contiguous rating to ensure that the Policy is accurately applied.

Consultation:

Consultation has been undertaken with senior finance staff, management, Valuer Generals Office and Landgate.

Statutory Environment:

The Policy has been drafted taking into account Sections 4(1), 18 & 23 of the *Valuation of Land Act 1978*.

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

Relevant Plans and Policy:

The Shire has an existing ‘Policy 2.15 - Contiguous Rating – Shire Boundary Properties’. However, this policy does not address contiguous rating wholly within the Shire and across UV and GRV ratable properties.

Shire of Brookton, Unconfirmed minutes Ordinary Meeting of Council, 21 September 2017.

Financial Implications:

If eligible properties are approved for contiguous rating, an interim revaluation on these properties could result in a reduction in rates income for the Shire. It should also be noted that the Valuer General's Office charges Council's for their independent interim rates valuations resulting in a further cost to Council.

Risk Assessment:

There is no perceived risk in relation to this matter at this time.

Community & Strategic Objectives:

Broadly, the preparation of this Policy accords with the following outcome of the Council's Strategic Community Plan 2013 – 2023:

Outcome 5.3: Effective and efficient corporate and administrative services.

Comment

From an operational perspective it is desired that standards are prescribed by Council in relation to the application of contiguous rating through a defined policy. It is important for staff to apply the contiguous rating parameters on a consistent and accurate basis for properties within the Shire boundaries to instill a consistent standard and approach to the Shire's contiguous rating processes.

OFFICER'S RECOMMENDATION

That Council in accordance with Section 7(2)(b) of the Local Government Act, 1995 adopt the Contiguous Rating – Within the Shire of Brookton Policy as presented in Attachment 13.09.17.06 to this report.

OCM 09.17-13**COUNCIL RESOLUTION**

MOVED CR WILKINSON SECONDED CR WALKER

That Council in accordance with Section 7(2)(b) of the Local Government Act, 1995 adopt the Contiguous Rating – Within the Shire of Brookton Policy as presented in Attachment 13.09.17.06 to this report.

CARRIED BY SIMPLE MAJORITY VOTE 7-0

13.09.17.07 COMMUNITY CITIZENSHIP AWARDS 2018

File No:	ADM 0336
Date of Meeting:	21/09/2017
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:

Australia Day WA calls for its participating local governments to nominate members of the community for 4 awards recognizing community achievements either on an individual or group level.

The Shire of Brookton is not a member of the Australia Day WA group for 2017/2018, however, this does not stop Council from seeking expressions of interest and running its own ceremony and event on Australia Day 2018. This matter is entirely up to Council and is in no way associated with Australia Day WA.

Each year on Australia Day, many Local Governments hold Australia Day award ceremonies (as well as Citizenship ceremonies) to recognize the contributions made by individuals and members of the community. The Citizen of the Year awards gives Local Government the opportunity to acknowledge the contribution and celebrate the active citizenship of Western Australians at a local community level.

The awards recognize the individuals and groups who make a contribution during the current year and celebrate those organizations who have given outstanding service to the community for a number of years.

The areas where individual or groups may have made a contribution include areas such as; education, health, fund-raising, charitable and voluntary services, business, sports, arts, the environment, or social inclusion. In essence any area that contributes to the advancement and well-being of the community.

This report recommends the Council calls for nominations by the community for the Awards to be held in January 2018.

Description of Proposal:

N/A

Background:

Council, although not a member of the Australia Day WA organisation in 2017-2018 year, can still call for nominations from members of the public for awards to recognize their contribution to the Shire of Brookton community.

There are generally 4 award categories for Australia Day WA, however, Council Policy 1.10 prescribes 3 categories listed as follows:

- *Citizen of the Year Award.*
- *Young Citizens of the Year Award (must be under 30 years of age on January 26 of each year).*

- *Community Event or Voluntary Act of the Year Award.*

The Policy also stipulates the following requirements to eligibility, nomination and selection outlined below:

Eligibility Criteria

- *Citizen of the Year Award: to be eligible, the person must be an Australian citizen.*
- *Young Citizen of the Year Award: to be eligible, the person must be an Australian citizen under 30 years of age on January 26 each year.*
- *Community Event or Voluntary Act of the Year Award: this is presented to the person/group who has staged the most outstanding community event or individual act during the past year.*

Nomination

- *A person may be nominated by another person in the community or nominate their self.*
- *Such nomination is to be submitted on the appropriate form by the due date for consideration by the selection panel, and must address the Selection Criteria as outlined below.*

Selection Criteria

The selection criteria for Citizen and Young Citizen of the Year awards are:

- *Demonstrating a significant contribution to the community.*
- *Being an inspirational role model for the community.*
- *The scope of impact the individual's contribution on the local government area.*

Additionally, the selection criteria for the community event or the individual voluntary act of the Year are:

- *The quality of the event or nature of the individual voluntary act.*
- *The scope of impact the event or act has had on the local government area.*
- *The event's or individual's lasting contribution to the community.*

In addition to the above, regard must be given to the nominees achievements in the year immediately prior to receiving the award as well as their past achievements and ongoing contribution to the community.

Further, Council also needs to ensure that the eligibility criteria for any awards are met and due regard is also given to the Australia Day WA guidelines that specifies;

- Nominees should reside or work principally within the Shire of Brookton,
- Awards can be made posthumously in recognition of recent achievements,
- A community group must be more than 2 people,
- A person may receive an award on more than one occasion in recognition of the particularly outstanding community contribution and involvement in an alternative initiative,
- Nominations must be apolitical in their nature and should not in any way bring the Shire of Brookton or the intent of the awards program into disrepute.
- Current elected Council members, members of State Parliament and members of the Commonwealth Government are not eligible.

Consultation:

Consultation has not been undertaken to date. Council may determine how it wishes to consult with the community and via what methods.

Statutory Environment:

N/A

Relevant Plans and Policy:

This matter aligns with Council Policy 1.10 – Australia Day Awards as referenced in the Background Section of this report.

Financial Implications:

Council has a small budget allocation to conduct a community event scheduled for Australia Day 2018.

However, Council will need to be mindful of the amount of expenses it wishes to incur for items, such as specific presentations for any awards. Where such awards can be produced “in-house” this will reduce the costs for the actual event.

Risk Assessment:

There are no identified risks with this proposal.

Community & Strategic Objectives:

The recognition of members of the Shire of Brookton community is an important part of community life within the Shire.

The principles of the awards fall within the Strategic Objective of 1.4 – A Vibrant and inclusive community and more specific for the both strategy 1.4.1 Promote community and cultural events and Strategy 1.4.2 promote and support community groups, volunteerism and promote increased participation.

Comment

The Australia Day awards are a way for the Shire to formally recognize individuals and the community groups who contribute to the overall wellbeing of the community and community life and have made a significant contribution to the Shire of Brookton in the preceding year.

In determining the award recipients, it is recommended that Council initiate this process acknowledging the new Awards Committee will be determined following the Local Government Elections on the 21st October 2017 that will comprise of 2 Councillors, the Community Services Manager and the DCEO to assess the nominations against the Australia Day section criteria and make a formal recommendation to Council.

It is also worth noting that Council is not obliged to award any individual or community group with any award should they deem that they have not satisfied the criteria for the awards.

It is therefore recommended that Council calls for nominations from the community for all 3 categories, closing on 31 October 2017. The Awards Committee will then assess the nominations received and then make a final recommendation to Council at the Ordinary Meeting of Council in November 2017. Council will then determine the awards to be presented at the Australia Day celebrations in January 2018.

OFFICER'S RECOMMENDATION

That Council formally call for nominations from the Shire of Brookton community for the following Australia Day Award categories, with such nominations to be lodged on the prescribed nomination form by 4.00 pm on 31 October 2017, and accord with the eligibility and selection criteria under Council Policy 1.10 and WA guidelines:

Categories

- a) *Citizen of the Year Award.*
- b) *Young Citizens of the Year Award (must be under 30 years of age on January 26 of each year).*
- c) *Community Event or Voluntary Act of the Year Award.*

OCM 09.17-14

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR EVA

That Council suspend Standing Orders to facilitate discussion.

CARRIED BY SIMPLE MAJORITY 7-0

OCM 09.17-15

COUNCIL RESOLUTION

MOVED CR WALKER SECONDED WILKINSON

That Council resumes Standing Orders.

CARRIED BY SIMPLE MAJORITY 7-0

OCM 09.17-16

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR MILLS

That Council formally call for nominations from the Shire of Brookton community for the following Australia Day Award categories, with such nominations to be lodged on the prescribed nomination form by 4.00 pm on 31 October 2017, and accord with the eligibility and selection criteria under Council Policy 1.10 and WA guidelines:

Categories

- a) *Citizen of the Year Award.*
- b) *Community Service Award*
- c) *Young Citizens of the Year Award (must be under 30 years of age on January 26 of each year).*
- d) *Community Event or Voluntary Act of the Year Award.*

That Council amend Policy 1.10 Australia Day Awards to also reflect the inclusion of a Community Service Award for future years.

CARRIED BY SIMPLE MAJORITY VOTE 7-0

(Note to Minute: Council deviated from the Officer Recommendation to incorporate a Community Service Award to recognise long serving volunteers to apply in this round of nominations, and in future

years by amending *Policy 1.10 - Australia Day Awards* to include this category.)

13.09.17.08 WORKING FROM HOME POLICY

File No:	N/A
Date of Meeting:	21/09/2017
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
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 reviewed its policies and as part of the process moving forward is now requested to consider new policies that address the needs of the organisation and community.

One of these needs is a 'Working from Home Policy' previously discussed with Council at a Corporate Briefing Session. Lacking in the initial draft policy was the need to address the situation where a staff member may be caring on a temporary basis for an immediate family member due to illness or injury, and afford that employee the opportunity can work from home in the interim period as part of carer's responsibilities.

Accordingly, the initial draft document has been amended to incorporate a degree of flexibility and choice to staff members concerning working arrangements that better balance the demands of the workplace with the needs of the employee on a personal level.

Description of Proposal:

This proposal involves preparation of a draft Council Policy that accommodates flexible working arrangements for Shire employees in consideration of their personal circumstances.

A copy of draft Working from Home Policy is provided as **Attachment 13.09.17.08** to this report.

Background:

As Council is aware, from time to time, the situation arises for the need of flexible working arrangements for staff to reasonably work from home. The reasons for requesting working from home are varied and many, but primarily revolve around caring for immediate family members when ill or injured or where a staff member has requested that they be able to work from home on a semi-permanent arrangement due to location and job tasks.

Council is not mandated to provide for such working arrangements and some staff and jobs do not allow for working from home, but on the whole most Local Governments generally try to be as flexible as possible for staff where it can reasonably be accommodated. In this regard, staff members and their supervisor need to work together closely to establish the requirements of working from home that generally requires discussions around a staff member's needs and the Shire's requirements. As such, considerations for working from home can include (but are not limited to):

- The job type (can the job be done off site, is access required to services, facilities etc.);
- The circumstances surrounding the request (illness, accident, carer's duties, etc.);
- The length of time for any arrangements (medical, career requirements, project tasks, etc.);
- The ability of the staff member to be flexible in achieving outcomes; and

- Service levels required by Council.

Such a policy will provide staff with opportunities to review their personal and professional circumstances, and assist Council in managing those staff who wish to have the opportunity to work from home in certain circumstances in the short term, return to work after an extended period, or for those staff who may be wishing to transition to retirement.

Consultation:

Consultation has been undertaken with all administrative staff. This policy primarily applies to office based administrative staff, however, it is not intended to preclude any staff member from requesting a working from home arrangement.

Statutory Environment:

This policy has its principles ingrained in the following legislation:

- The Local Government Act 1995 (WA).
- Equal Opportunity Act 1984 (WA).
- Occupational Health and Safety Act 1984 (WA).
- Shire of Brookton Equal Opportunity and Valuing Diversity Policy.
- Shire of Brookton Occupational Health and Safety Manual.
- Shire of Brookton Staff Grievance Policy & Staff Grievance Procedure.
- The Western Australian Local Government Award
- Worksafe WA
- Fair Work Act 2009 (Commonwealth)

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

Relevant Plans and Policy:

Pertinent to this proposal is the Shire of Brookton Workforce Plan 2015-2019. Also, it is intended to prepare a Working from Home Procedure and Arrangements Schedule in consultation with staff.

Financial Implications:

There is no apparent financial implication relating to the introduction or adoption of this policy.

Risk Assessment:

As part of the policy, it is a requirement to have an assessment of the staff members home and equipment conducted to ensure that there is no risk of injury to the staff member.

Part of the procedures for this policy, the checklist for the equipment and space utilized by the staff member within the home needs to be assessed.

The Councils OHS requirements also apply to any staff member working from home to ensure the level of risk is understood and minimized where practical.

Community & Strategic Objectives:

The objective of this policy is to provide employees with work life balance options, flexibility and choice that better enhances the demands of the workplace with personal circumstances. This policy fits within the Workforce Plan and the need to attract and retain staff, as well as making the Shire a more attractive place to work when the Shire offers family friendly opportunities to all employees.

Part of being an attractive and competitive employer involves:

- The provision of work life balance policies that help to retain staff,
- The attraction of carers and parents who may have been out of the workforce due to carers responsibilities,
- Staff who may wish to combine work, study and/or leisure.

It is in the best interest of the Shire to be able to offer employees the opportunity to work from home and to remain connected to their place of work. This is also about minimizing, as much as possible, the disruptions that illness or carers responsibilities can often bring. The Policy also fits within the Strategic Community Plan 2013-2023 – Outcome 5.2.2 – Develop and maintain a Workforce Plan for current and future workforce needs.

Comment

It is recommended that Council adopt this policy with it to be reviewed on a yearly basis to ensure continued compliance with relevant legislation.

Working from home arrangements and flexible working opportunities are about a person's ability to manage their own paid work commitments with career goals, personal, community and cultural responsibilities. It is also about an individual having opportunities to manage the combination of paid work and other opportunities.

The issues for all staff will be managed on a case by case basis as every individual's needs are unique. Further, any requests for working from home arrangements be assessed against the Policy, but ultimately the final decision will rest with the CEO.

OFFICER'S RECOMMENDATION

That Council in accordance with Section 7(2)(b) of the Local Government Act, 1995 adopt the Working from Home Policy as provided as Attachment 13.09.17.01 to this report.

OCM 09.17-17

COUNCIL RESOLUTION

MOVED CR ALLINGTON SECONDED CR FANCOTE

That Council in accordance with Section 7(2)(b) of the Local Government Act, 1995 adopt the Working from Home Policy as provided as Attachment 13.09.17.01 to this report.

CARRIED BY SIMPLE MAJORITY VOTE 7-0

**13.09.17.09 CHANGE OF ORDINARY COUNCIL MEETING DATE IN OCTOBER AND DECEMBER 2017
AND CHRISTMAS SHIRE CLOSE DOWN 2017-2018**

File No:	
Date of Meeting:	21/09/2017
Location/Address:	N/A
Name of Applicant:	Shire of Brookton
Name of Owner:	Shire of Brookton
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:

This report is separated into two sections for clarity.

The first section relates to the proposed changes to meeting dates for the October and December 2017 Ordinary Council meetings. The second part of this report relates to the closure of the Shire between the Christmas 2017 and New Year's Day 2018, and the arrangements for this proposal.

The report recommends that the Ordinary Meeting of Council be moved to 26 October 2017 and the December Ordinary Meeting of Council be moved to 14 December 2017.

Further the report also recommends that the Shire be closed between Monday 25 December 2017 and reopen on Tuesday 2 January 2018.

Description of Proposal:

As above.

Background:

Council has scheduled its Ordinary Meeting in October on the 19th October 2017. However, with the Local Government election scheduled to be held on Saturday 21 October 2017, Council is required by the *Local Government Act, 1995* to have a Special meeting of Council as soon as practicable after the election to swear in successful candidates. The Special Meeting of Council is tentatively scheduled for Thursday 26 October 2017, which is 1 week after the scheduled Ordinary Meeting.

This means that Council would be holding two meetings in October, exactly 1 week apart.

Therefore, the proposal is that Council move the Ordinary Meeting of Council to October 26 2017 and conduct a Special Meeting of Council for the swearing in of newly elected representatives prior to the Ordinary Meeting of Council.

The advantage of this is that the Shire is not paying two sets of sitting fees for the month of October, an approximate cost saving of \$2929.00.

The other advantage is that elected members do not have to come back to Council twice in the same month, and within a week of another scheduled meeting.

Also, Council has scheduled its December 2017 Ordinary Meeting for the 21st of the month. In light of this being so close to Christmas, it is recommended that Council agree to move this meeting back 1

Shire of Brookton, Unconfirmed minutes Ordinary Meeting of Council, 21 September 2017.

week to the 14 December 2017. The advantages is that staff can upload and complete the meeting minutes in plenty of time that otherwise would not occur until after the 1st January 2018. In addition, any actions arising from the December Ordinary meeting can be actioned, or the relevant correspondence or advice can be sent to customers, in advance of the Christmas break. It also means that staff have time to deal with any emerging or arising issues in the week before the Christmas break. As Christmas Day falls on the Monday immediately in the following week, it does not leave time for the Council minutes and final follow ups to be completed in one day.

As for the office closure, it is a common practice and tradition amongst many WA Locals Governments that staff be granted leave for the period between the Christmas and New Year's Day, with the Shire of Brookton having generally closed the Administration building and Depot for this period.

Accordingly, this report seeks Council's consideration to officially close for the Christmas & New Year period from 4.30pm Friday 22 December 2017 and resume business (both Depot and Administration Office) on Tuesday 2 January 2018.

Consultation:

Consultation has been undertaken with relevant staff and management.

Statutory Environment:

N/A

Relevant Plans and Policy:

N/A

Financial Implications:

The potential cost savings in moving the October 2017 Ordinary Meeting date (as detailed in the Table 1 below) is \$2929.00, based on the average cost of Councillors and Staff expenses for each Ordinary Meeting of Council (not including any Committee Meetings scheduled). It should be noted this is premised on full attendance of persons and an aggregate of attendance fees, catering and travel costs incurred.

Table 1

Councillor sitting fees (\$200 x 7)	\$ 1400.00 (as set fees)
Shire Presidents Fee (\$400 x 1)	\$ 400.00 (as set fees)
Deputy Shire President Fee (\$375 x 1)	\$ 375.00 (as set fees)
Refreshments/Dinner/Beverages (x7 Crs)	\$ 210.00 (based on current rates of \$30 pp)
Refreshments/Dinner/Beverages (x3 Staff)	\$ 90.00 (based on current rates of \$30 pp)
Average Travel costs (all Councillors)	\$ 454.00 ((based on an average 3 month period)
TOTAL	\$2929.00

As for the December 2017 Ordinary Meeting, there are no financial implications in changing the meeting date from 21 December to 14 December 2017.

In regard to the Christmas/New Year closure, there is a very limited financial implication for the budget, with the majority of staff granted a leave entitlement during this period through their employment arrangement, with only a small number of employees to take annual leave during this period.

It is proposed that staff leave and other benefits will be considered at part of discussion on Shire Workforce Plan.

Risk Assessment:

There are no immediate risks in approving this item.

Community & Strategic Objectives:

N/A

Comment

This report recommends minor changes to meeting dates in October and December 2017 that will yield financial benefit and administrative efficiencies to the organisation through the proposed changes.

Additionally, it will ensure Councillors are not unduly inconvenienced or disrupted in their business or personal activities in October by having to attend two meetings on different days, when the formalities of swearing in elected members (including the election of President and Deputy President) and the Ordinary Meeting agenda can be accommodated on the same day.

In regard to the Christmas and New Year period closure, it is suggested the Community are accustomed to this occurrence, although the closure will be widely promoted and arrangements put in place for urgent matters to be addressed.

OFFICER'S RECOMMENDATION

That Council:

- 1. Agree to move the scheduled Ordinary Meeting of Council for October 2017 from October 19, 2017 to October 26, 2017;*
- 2. Agree to move the scheduled Ordinary Meeting of Council for 21 December to 14 December 2017;*
- 3. Close the Shire service centers (Depot and the Administration Buildings) from 4.30 pm Friday 22 December 2017 with the Depot to re-open at 7.30 am and Administration at 8.00 am on Tuesday 2 January 2018; and*
- 4. Conduct the appropriate advertising & notifications in relation to Recommendations 1 – 3 above.*

OCM 09.17-18**COUNCIL RESOLUTION**

MOVED CR MILLS SECONDED CR EVA


That Council:

- 1. Agree to move the scheduled Ordinary Meeting of Council for October 2017 from October 19, 2017 to October 26, 2017;*
- 2. Agree to move the scheduled Ordinary Meeting of Council for 21 December to 14 December 2017;*
- 3. Close the Shire service centers (Depot and the Administration Buildings) from 4.30 pm Friday 22 December 2017 with the Depot to re-open at 7.30 am and Administration at 8.00 am on Tuesday 2 January 2018; and*
- 4. Conduct the appropriate advertising & notifications in relation to Recommendations 1 – 3 above.*

CARRIED BY SIMPLE MAJORITY VOTE 7-0

13.09.17.10 REPORT OF THE RETURNING OFFICER – 2017 LOCAL GOVERNMENT ELECTIONS

File No: ADM 0628
Date of Meeting: 21/09/2017
Author/s: Ian D'Arcy – Returning Officer for Shire of Brookton
Signature of Returning Officer



Summary of Item:

This report is to brief elected members on the nomination of candidates in relation to the 2017 Local Government Elections (schedule to be conducted on 21st October 2017) and provide an overview of statistics and outcome in relation to the Election.

Background:

As Council is aware the 2017 Local Government Elections formally commenced with the Shire of Brookton having five Elected Member positions vacant. This consists of three 4 year terms and two 2 year terms as a result of two recent resignations. All positions are representative of the whole of the Brookton District as the Shire no longer entertains a Ward System.

As part of the Election process notification of enrolment of owners and occupiers was published through various mediums between 26th August 2017 and 1st September 2017.

A candidate information pack was prepared and information session convened on Tuesday 5th September 2017, with only one candidate attending the session and four packs being collected.

The call for nominations of candidates for elected member positions subsequently opened at 8.00 am on 1st September 2017 and closed at 4.00 pm 14th September 2017. Simultaneously, the respective residents, and owners and occupiers roles were prepared.

Results and Statistics

The formal nomination period yielded three candidates from a total of nine hundred and fifty seven eligible voters. The respective candidates and their terms are listed below:

- Mrs Katrina Crute - 4 year term
- Mrs Theresa Fancote - 4 year term
- Mr Kim Mills - 4 year term

Given the result, all three candidates are elected unopposed for their specified terms. Accordingly, there is no requirement for a 'in person' election to be conducted on Saturday 21st October 2017. However, there is a need to fill the other two vacant positions through an extraordinary election.

Consultation:

N/A

Statutory Environment:

For this election the CEO acted as the Returning Officer, with the election to be conducted on the basis of electors voting in person (not postal) in accordance with Part 4 of the *Local Government Act 1995* and *Local Government (Elections) Regulations 1997*.

Given the outcome, as detailed in the Results and Statistics Section of this report, the nominated *Shire of Brookton, Unconfirmed minutes Ordinary Meeting of Council, 21 September 2017*.

candidates are elected unopposed pursuant to Section 4.57(2)(a), with public notification to this effect to occur, and additional notice to be provided to the Minister for Local Government with 14 days using Form 20 of the Local Government (Elections) Regulations 1997.

Section 4.57(2)(b) of the Act also prescribes an extraordinary election is now required to fill the remaining two offices as if they had become vacant on the day after the close of nominations, being the 15th September 2017. In this circumstance Section 4.9 of the Act states:

4.9. Election day for extraordinary election

(1) *Any poll needed for an extraordinary election is to be held on a day decided on and fixed —*

(a) *by the mayor or president, in writing, if a day has not already been fixed under paragraph (b); or*

(b) *by the council at a meeting held within one month after the vacancy occurs, if a day has not already been fixed under paragraph (a).*

(2) *The election day fixed for an extraordinary election is to be a day that allows enough time for the electoral requirements to be complied with but, unless the Electoral Commissioner approves or section 4.10(b) applies, it cannot be later than 4 months after the vacancy occurs.*

Relevant Plans and Policy:

N/A

Financial Implications:

It is estimated the cost of the ordinary election is approximately \$3,500 excluding staff time, with this amount to be confirmed as not all invoices have been received. Notwithstanding, this amount will be deducted from the initial budget allocation of \$13,500 for election expenses (COA E041020.604) leaving approximately \$10,000 to conduct an extraordinary election.

Risk Assessment:

Council is compelled by legislation to conduct an extraordinary for the remaining two elected member positions. There is an inherently high risk of breaching the legislation should a date for this election not be fixed within one month and conducted within four months from the positions being declared vacant, being 15 September 2017.

Should either of the remaining two elected member seats not be filled during the extraordinary election, the Council may then (in accordance with Section 4.57(3) of the *Local Government Act, 1995*) approach and appoint a suitably qualified and capable candidate to the position by a vote of absolute majority.

Conversely, the Council may request the Local Government Advisory Board undertake a review of the number of positions if a suitable candidate is not identified, or is not accepting of appointment.

Community & Strategic Objectives:

This matter is integral to the Shire of Brookton Strategic Community Plan 2013 -2023, in seeking to achieve Outcome 5.1: Effective leadership and governance.

Comment

As Council can appreciate, there has been little interest expressed from members of the community in serving on Council, as evident by those being re-elected unopposed and two elected member positions still vacant.

Unfortunately, this has generated requirement for an extraordinary election to be called at additional cost, but more importantly, the lack of interest does not reflect well on the local community's commitment to ensuring strongly leadership in its Council to guide the Shire of Brookton residents through a period of transformational change of the next 4 years.

Notwithstanding this view, the Council or the Shire President needs to determine the appropriate date for an extraordinary election to be conducted. Selection of a date must allow sufficient time for the election to be arranged, being mindful the allocation of time to conduct an ordinary election is 80 days, while the legislation prescribes an extraordinary election must be conducted with 122 days (4 months).

With this acknowledged and also accounting for harvest, the Christmas/New Year period, and Schools Holidays, on projection the Council could consider an extraordinary election date being:

1. Saturday 13th January 2018 - This would result in the nomination period for candidates to occur Friday 1st December 2017, 44 days prior, and close of Friday 8th December 2017, some 37 days prior; or
2. Saturday 9th December 2017 – This would result in the nomination period for candidates occurring on Thursday 26th October 2017, 44 days prior, and close of Friday 2nd November 2017, some 37 days prior.

It is viewed the first option presents the best time line for preparation of the election and avoids the harvest and Christmas/New Year period, although it is acknowledged the 13th January 2018 is midway through school holidays while option.

OFFICER'S RECOMMENDATION

That Council:

1. *Note the Returning Officer's Report on the 2017 Local Government Elections;*
2. *In accordance with Section 4.9 (1)(b) of the Local Government Act, 1995 fix Saturday _____ as the date for the Shire of Brookton extraordinary election to fill the two vacant elected member positions (two 2 year terms).*
3. *Report the date of the extraordinary election to the Minister for Local Government, Heritage, Culture and The Arts and the Department Local Government Sport and Cultural Industries.*

OCM 09.17-19

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR MILLS

That Council suspends standing orders to facilitate discussion.

CARRIED BY SIMPLE MAJORITY VOTE 7-0

OCM 09.17-20

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR ALLINGTON

That Council resumes standing orders.

CARRIED BY SIMPLE MAJORITY VOTE 7-0

OCM 09.17-21

COUNCIL RESOLUTION

MOVED CR FANCOTE SECONDED CR WILKINSON

That Council:

- 1. Note the Returning Officer's Report on the 2017 Local Government Elections;**
- 2. In accordance with Section 4.9 (1)(b) of the Local Government Act, 1995 fix Saturday 9th December 2017 as the date for the Shire of Brookton extraordinary election to fill the two vacant elected member positions (two 2 year terms).**
- 3. Report the date of the extraordinary election to the Minister for Local Government, Heritage, Culture and The Arts and the Department Local Government Sport and Cultural Industries.**

CARRIED BY SIMPLE MAJORITY VOTE 7-0

14.09.17 ELECTED MEMBERS MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

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

16.09.17 CONFIDENTIAL REPORTS

OCM 09.17-22

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR ALLINGTON

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 land owners;**

CARRIED BY SIMPLE MAJORITY VOTE 7-0

Cr Eva declared a financial and proximity interest in item 16.06.17.01 and left the meeting at 5.47 pm.

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

File No:	A2535
Date of Meeting:	21 September 2017
Location/Address:	Lots 8-26 Koornong Drive, Brookton
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:	The author does not have an interest in this item
Voting Requirements:	Simple Majority
Previous Report:	17 August 2017

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 09.17-23

COUNCIL RESOLUTION

MOVED CR FANCOTE SECONDED CR ALLINGTON

That Council authorise the CEO, accompanied by the Shire President, to approach the owners of Lots 8 to 26 Koornong Drive, Brookton to:

- 1. Negotiate on the sale of a single land parcel (encompassing all 19 lots), with due regard given to the sworn property evaluation prepared by APB Valuation Services; and*
- 2. Report back to Council on the outcome of negotiations for further consideration under Section 3.59 of the Local Government Act, 1995 and Regulations 8 of the Local Government (Functions and General) Regulations, 1996 as a defined land transaction under this legislation.*

CARRIED BY SIMPLE MAJORITY VOTE 6-0

OCM 09.17-24

COUNCIL RESOLUTION

MOVED CR WILKINSON SECONDED CR MILLS

That Council re-open the meeting from behind closed doors, the time being 5.52 pm, and advise the public component of any resolutions passed behind closed doors.

CARRIED BY SIMPLE MAJORITY VOTE 6-0

17.09.17 NEXT MEETING & CLOSURE

Cr Eva re-entered the chambers at 5.52 pm.

The next Ordinary meeting of the Council will be held on Thursday 26th October 2017 commencing at 5.00 pm.

There being no further business the meeting was closed at 5.53 pm.