

Council Minutes Index – 31 May 2018

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unconfirmed minutes

Minutes of an Ordinary Meeting of Council held in the Council Chambers on Thursday, 31 May 2018 commencing at 5.30pm

The Presiding Member opened the Meeting at 5.30pm

Acknowledgment of Country – Presiding Member

On behalf of the Councillors, staff and gallery, I acknowledge the Noongar People, the Traditional Owners of the Land on which we are gathered, and pay my respects to their Elders both past and present.

Attendance, Apologies and Leave of Absence

President - Cr A Pratico
Councillors - J Bookless
- J Boyle
- D Mackman
- J Moore
- J Nicholas
- P Scallan
- C Wallace
- A Wilson
In Attendance - T Clynch, CEO
- M Larkworthy, Executive Manager Corporate Services
- E Dennis, Executive Manager Community Services
- T Lockley, Executive Assistant

Attendance of Gallery

B Bebbington, L&D Roberts, C Sousa, P Mills

Responses to Previous Questions Taken on Notice - Nil

Public Question Time

B Bebbington

1. My first question relates to item two on the agenda, Firebreak Order. The officer recommendation that Council adopts the 2018/19 Firebreak Order, point 1 you are asked to vote on is to update it to 2017/18. I think that's incorrect, would you agree?

President's response - Yes it is incorrect.

2. The second point in the same item is the date of the officers report, is the 19 June 2017. Is the date of the officer report incorrect since it refers to the May Bushfire Brigade Meeting?

President's response – Yes.

3. Regarding the Schedule of Fees and Charges motion, the Summer Outdoor Film Festival, the officer report states a single adult fee and a single child fee is to remain the same as 17/18, which was as per the adverts and shire website, shire Insight and facebook, \$5 per adult and \$2 per child under 16. In your document tonight it says the fees and charges will be increased to \$6 for adults and \$3 for children, that's a 20% and 50% increase. Yet the officer report says there is no increase, can you explain why?

CEO's response – The agenda item says that the fee has increased due to the need to round the fee to the nearest dollar, this only applies to the family pass from \$11 to \$12, adults and children will remain as per 17/18 fee - \$6 and \$3.

4. The fee was \$5 last year, so it is increasing by 20% if you adopt it tonight. The last movie, The Beauty and the Beast was advertised for \$5 so there is no indication that there was an increase put up anywhere.

CEO's response – I think people have been undercharged for the last year, it is meant to be \$6, so I am not sure why it would say \$5. I know you are a patron of those and you are saying you were charged \$5, so that says it was an error and should have been \$6. We will look at that when we get to that part of the agenda tonight.

5. So in relation to the increase in family rate that is increasing because of the reference to the adult and child rate, so if that can be looked at at the same time?

CEO's response – Yes it can.

6. If the shire has a fee in the schedule of fees and charges and for example the application fee is \$100, and you end up charging people \$120, should people be entitled to reimbursement, and secondly if there is an item which has a zero fee or for which there is no ability to charge but you do charge a fee, and it's found out that you have charged, would the shire reimburse those amounts as well?

CEO's response – I would have to know the particulars of the specific fee and charge to determine whether it has been charged in accordance with the schedule, or whether there was another fee that has been charged again. It's a bit hard to answer that question without having an example of how that would ever apply. It may be an interpretation of which fee does apply. If there was an example, I would be happy to have a look at that.

7. In the schedule of fees and charges, the introduction of the fee for the disposal of old mattresses, \$32.90 flat fee irrespective of whether it is a single, twin, double, queen or king. Considering all disposal fees are based on cubic size, should there be a concession in tokens or in the dollar charge if you present a single mattress compared to a king sized mattress?

CEO's response – My understanding is that fee is based on what we pay a third party to take them away for disposal elsewhere. That fee is related to what the third party charges the shire to dispose of the mattress. They charge us a per mattress fee, I am happy to look into that more if that is not the case.

8. Relating to the Draft Cats Local Law, of which submissions closed last week and which Council approved for consultation in April Council meeting. In that draft it says you need a permit for three or more cats, however in the agenda tonight the price the shire is charging for a permit to keep 'more' than three cats, so that's four or more cats is specified and there is no fee that is specified for three or more cats. Do you need to pay a fee for three cats, or is it a mistake?

CEO's response - The fee that's in the agenda tonight is relating to the current local law, so Council in the proposed new local law has determined that they wish to change the number of cats you are allowed to have without requiring to have a permit, so if that local law does come into effect, this fee would have to be amended at that time. At the moment we are still going on the current local law, not the proposed local law that Council is currently advertising. We are not making the assumption that the new local law will just go through. If the new local law was to be approved, we would then look at the fee structure based on that local law.

9. Under the draft cats local law it says the local government can give consent to a permit holder to replace the cat listed on the permit because it states that without the consent of local government the permit holder cannot substitute or replace the cat on the permit if the cat dies or permanently leaves the premises. Will there be a fee to modify the identification and the number of cats if it is not increasing the number of cats on the permit already? And is there a fee under the current local law for doing that?

CEO's response - There is not a fee at the moment to amend the permit and under this proposed schedule of fees and charges there is not intended to be a fee for that service. I'm not sure how often that happens. If the workload became significant that would be the trigger for Council to have a fee, but if it's just a paperwork transaction with very little involvement by the ranger staff, then that would be a reasonable reason why there is no fee proposed.

10. If the number of cats under the proposed Cat Law changes from 3 to 2, therefore they don't need a permit, and then they go and get another cat, do they need to apply for a new permit or just notify that they have a change of cat, and similarly how that is interpreted with cats numbers under the existing law?

CEO's response - Assuming the local law comes into effect, and you had two cats now and you wanted to get a third cat, you would have to get a permit. The trigger is the third cat. You would need a permit to keep all three cats. Is that the question you asked?

11. But if you had a permit because you had three cats under the new law, or 4 cats under the existing law, and you dropped below that number of cats if one dies, and you get another cat, does it automatically cancel the permit because you no longer need the permit or will it simply be taken, because it is not clear in the current or the draft legislation?

CEO's response – No, it is not clear - I am happy to take that on notice. Are we talking about a change of cat on the day or the same week or the same month? If there is a clear separation then there will be a need to get a permit, but if it is something that happened concurrently, then perhaps not. To be honest it's not a question I have dealt with before, but I am happy to do some research and get an answer back to you.

President's response – Yes, we will take that on notice.

12. In the draft local law 2018, there is a requirement for a cattery to have a permit, and I have included this in my submission, and it is clear from the wording of the legislation that has been accepted by Council and has now gone to consultation, that if you modify the number of cats, you have to notify the local government. A cattery requires a permit, so is it correct, the intention of the Council that every time the cattery picks up a new cat on Friday and drops it back to the owner on Monday, they have to apply for a new permit to say they have an extra cat and a permit to say they've lost a cat?

CEO's response - I don't believe that is the intention, that is not what happens now. Certainly we do not have a high number of catteries, and they don't advise us on a daily basis if their cat numbers go up and down, for example if it was a boarding cattery there is no way you would want them to do that.

13. In the schedule of fees and charges I note there has been an increase for Greenbushes transfer station, bringing it in line with the Bridgetown fees, however if you drop a 240lt mobile garbage bin at Bridgetown, it costs you two tokens or \$9.40, but in Greenbushes it will cost you three tokens or \$9.40. Why the discrepancy?

CEO's response - This is the first year we have split Bridgetown and Greenbushes into separate categories under fees and charges, there doesn't seem to be a logical explanation why we would want to charge Greenbushes people an extra token to dispose of their bin, the dollar is the same so I would suggest that they should be the same.

14. In relation to the Dogs Local Law 2013, can you confirm that anyone who has three or more dogs has to apply and pay for a permit? And is it an annual fee or a one off fee?

CEO's response - You need to obviously register your dogs and you are limited to two dogs unless you have approval to keep more than two dogs, except of course if you have a working dog in a rural area where that limitation doesn't apply. Let's assume that's not the case and someone wants to keep three dogs on a residential property, you need to get a permit to keep more than two dogs. You obviously need to register all three dogs, they can be

registered for one year, three years or a lifetime. You do need a permit that goes on the property and the property owner to keep more than two dogs.

15. That permit is based on the local law and no other legislation, would I be correct?

CEO's response - I think the Dog Act Dog and Dog Regulations do apply as well as the Dog Local Law.

16. So is the shire charging the permit on the same rate for the Dog Act as it is the Cat Local Law, so it's a shire based fee that is set by the shire?

CEO's response – Yes that's correct.

17. Just to clarify your previous answer, in a rural area you are allowed a limit of four dogs, elsewhere it's two dogs. The word permit does not appear in the Dogs Local Law, therefore there is no basis for the shire to issue a permit, the only reference is 'limitations' and I have a copy of that page from the local law which refers to the two's and four's, but the permit does not appear, so how does the shire issue, charge and monitor a permit or enforce permits that cannot be issued?

CEO's response – I think every local government in WA issues permits for more than two dogs. Without having that document in front of me I'm going to say that there is a statutory framework that allows those approvals to be granted, that's a typical local government approval that is quite standard across the local government sector.

18. You have previously said the shire sets the fees and charges based on the local law, which doesn't allow the issue of a permit.

CEO's response - I mentioned the local law and the legislation, the fee is not set out in the legislation, the fee is determined by Council and we determine that based on the cost of providing that service.

**Council Decision Moved Cr Pratico, Seconded Scallan
C.00/0518 That Public Question Time be extended.**

Carried 8/1

Cr Moore voted against the Motion

19. The local law is quite specific, it proposes a limitation on the number of dogs you have in an urban area to two, and four in a rural area unless you have a licence for a kennel. In one of the earlier answers there was a reference saying you would have to apply for a permit if you had more than those two dogs, and yet that would contradict the local law which says except on rural properties you cannot have more than two dogs, you cannot exceed that. Can we check to see if there have been permits issued for non rural properties for more than two dogs contradicting the local law?

CEO's response - I can confirm that we have issued many permits for more than 2 dogs. There have been many approvals issued.

20. That is in non rural areas?

CEO's response – Yes, some in non rural areas, some in rural areas.

21. How can you override the local law which says you can't do that?

CEO's response – The local law needs to be read in conjunction with the legislation, the local law doesn't substitute the Dog Act, I haven't got the legislation in front of me where I can go to the relevant clauses, and again I am happy to provide you with a better response, but the local law doesn't override legislation, it's compatible with it, just like the local law can't contradict the legislation.

22. Well that's the issue in relation to where the shire can and cannot charge a fee that I raised earlier, because under the local law there is no provision to issue a permit, which would mean that the shire under the local law cannot be charging for a permit. Can it be checked to see whether you actually have the jurisdiction under the Dog Act to issue and permit and charge a fee for a permit.

President's response - We will take that question on notice.

23. Back to the fees and charges, Extractive Industries application fees – there is 3% charge for small operators for applications, but medium and large operators there is no increase in fee. Why isn't there an increase in fee for the larger operators to process the application, but there is for the smaller ones?

CEO's response - The officer has determined the fee is appropriate the way it is and doesn't necessitate the standard 3% increase. Bearing in mind these fees are meant to be determined regarding the cost of the service, I am assuming the officer is comfortable that the figure that applied last year doesn't need to be increased.

24. With regard to replacement price for rural street numbering signs, an increase of 3% – does that include the supply of the sign and the shire actually installing the sign on the verge since we are not allowed to erect signs on our own verges?

CEO's response – The rural street numbering signs? My understanding is that yes, we supply and install.

25. I'm not having an issue with that fee, however at the April 2016 Council meeting, I pointed out an error in a road sign, of which the shire has apparently bought the sign and the last time I raised this was when Cr Nicholas was President, and was told the shire officers hadn't had the time to put it up. Yet, when we are charging for a sign, you've got the time to install it. Can you explain why, after over two years a road sign has not yet been replaced?

CEO's response – I am not aware that it has not been replaced, is that the Tweed Road sign?

The Caribunup Brook Road sign at the Tweed Road end which has a spelling error in it. The sign has been purchased apparently and has been sitting at the depot and probably has been for over a year – I think it was this time last year when I raised it.

CEO's response – I am not aware of that issue, I am happy to follow up on it. As per the Caribunup Brook sign. It seems a bit unusual to have a sign ordered and sitting at the depot and not be put out and I don't understand why that would be the case and it shouldn't take you coming to a Council meeting for that to be actioned, I am happy to follow up and find out why it hasn't been put up.

26. The payment of rates by direct debit, there is a shire fee of \$38.50, why does it cost the shire, as the shire is only allowed under the Local Government Act to recover what it costs, why does it cost the \$38 to process a direct debit?

CEO's response - There was specific cost assessment done for this service, that was provided to Council, I'm not sure if it was in response to a question last year or provided as part of a determination, hence the fee was actually reduced to reflect that.

Executive Manager Corporate Services response – Direct debits are not normally a one off direct debit payment, people usually have a fortnightly direct debit payment, so every fortnight there is an administration process that is entered into to actually create the electronic file, and other officers to authorise and process those payments. It's not just a one off direct debit.

27. So, do you confirm that once the direct debit has been set up, someone reviews that every time there is a direct debit due, or do you only take action when you get a notification of a failure of a direct debit?

Executive Manager Corporate Services response – No, I can confirm that there is a manual process that is instigated twice a week in our system so an officer has to create the file that is then transferred to the bank. It is not automatic.

28. Now the rate installment fee that I raised two years ago, about the price of it \$25.05, is that issued once or for each of the three installments?

Executive Manager Corporate Services response - The fee that is in the fees and charges is the total fee, it is charged only the once and that covers all three reminders for the second, third and fourth installment.

Petitions/Deputations/Presentations

L Roberts – Presentation

Mrs Roberts gave a presentation on the state of the towns amenities.

CR P Scallan - Presentation

Cr Scallan gave a presentation on the upgrade of the Talison Greenbushes Mine

Comments on Agenda Items by Parties with an Interest

P Mills on behalf of the BGBTA – C.15/0518 Community Grants & Service Agreements

Mrs Mills spoke in support of the BGBTA Community Grant

Applications for Leave of Absence - Nil

Confirmation of Minutes

C.01/0518 Ordinary Meeting held 26 April 2018

A motion is required to confirm the Minutes of the Ordinary Meeting of Council held 26 April 2018 as a true and correct record.

Council Decision *Moved Cr Wilson, Seconded Cr Scallan*

C.01/0518 That the Minutes of the Ordinary Meeting of Council held 26 April 2018 be confirmed as a true and correct record.

Carried 9/0

Announcements by the Presiding Member Without Discussion

Today was sad day for the Taylor family, I attended the funeral for Pam Taylor. Jim Taylor was a Shire President and Councillor for many years. Many remembered Pam as the first school nurse for the area. We send our condolences to the Taylor family on their loss.

Notification of Disclosure of Interest

Section 5.65 or 5.70 of the Local Government Act requires a Member or Officer who has an interest in any matter to be discussed at a Committee/Council Meeting that will be attended by the Member or Officer must disclose the nature of the interest in a written notice given to the Chief Executive Officer before the meeting; or at the meeting before the matter is discussed.

A Member who makes a disclosure under Section 5.65 or 5.70 must not preside at the part of the meeting relating to the matter; or participate in; or be present during any discussion or decision making procedure relating to the matter, unless allowed by the Committee/Council. If Committee/Council allows a Member to speak, the extent of the interest must also be stated.

Name	T Clynch
Type of Interest	Financial & Impartiality
Item No.	C.04/0518 - Appointment of Consultant to Facilitate 2018/19 CEO Performance Review
Nature of Interest	Subject matter concerns my forthcoming performance review

Name	Cr Nicholas
Type of Interest	Impartiality
Item No.	C.15/0518 – Community Grants & Service Agreements
Nature of Interest	I am a member of the BGBTA, a grant recipient

Name	Cr Bookless
Type of Interest	Impartiality
Item No.	C.15/0518 – Community Grants & Service Agreements
Nature of Interest	I am a member of the BGBTA

Questions on Agenda Items by Elected Members

Cr Scallan asked questions on C.09/0518, C.10/0518 and C.11/0518

Consideration of Motions of which Previous Notice has been Given - Nil

Reports of Officers

Reports of Officers have been divided into Departments as follows:

- CEO's Office
- Finance & Administration
- Planning & Environmental Services
- Works & Services
- Community Services

CEO's Office

ITEM NO.	C.02/0518	FILE REF.	
SUBJECT	2018/19 Firebreak Order		
OFFICER	Chief Executive Officer		
DATE OF REPORT	18 May 2018		

Attachment 1 2017/18 Firebreak Order (to use as comparison to changes recommended for 2018/19 Firebreak Order)

OFFICER RECOMMENDATION That Council adopts the 2018/19 Fire Break Order:

- 1. All dates to be updated to the 2018/9 year.*
- 2. Update FCO details.*
- 3. Part 2 – ‘All Land under 4 Hectares (10 acres)’ – Under Part (b) replace reference to a “2 metre firebreak” inside and along the boundary of the property with a “minimum 3 metre wide firebreak with a minimum 4 metre vertical clearance to overhanging vegetation”. Reference to a 3 metre wide firebreak around buildings and haystacks to remain.*
- 4. Part 3 – ‘Managed Land over 4 hectares (10 acres)’ - replace reference to a “4 metre wide firebreak and vertical clearance of 3 metres” with a “minimum 3 metre wide firebreak with a minimum 4 metre vertical clearance to overhanging vegetation”.*

Summary/Purpose

The draft 2018/19 Firebreak Order is presented for Council's consideration and adoption. Other than minor changes to update details the changes recommended by Council's Bush Fires Advisory Committee relate to modifying the specification of a firebreak to make it consistent across all land.

Background

At its meeting held on 9 May 2018 the Bush Fires Advisory Committee reviewed the draft 2018/19 Firebreak Order.

In recent years Council has made a number of changes to the Firebreak Order, including:

- Clarification of what constitutes “managed land”.
- The imposition of specific conditions relating to the harvesting of plantations.
- Amend definition of “flammable materials”.
- Bring forward compliance date for adherence to the Firebreak Order from 1 December to 15 November.
- Under the requirements for harvesting operations require a driveable fire unit of at least 400 litres in operational condition (full of water and in good working order) to be on site in the same compartment as the harvesting operations in plantations. The same requirement was also introduced for stump grinding.
- Require a 3 metre radius perimeter around any waste heap to be cleared of all flammable material.

The following changes are recommended from the 2017/18 Firebreak Order to the 2018/19 version:

1. All dates to be updated to the 2018/19 year
2. Update FCO details
3. Part 2 – ‘All Land under 4 Hectares (10 acres)’ – Under Part (b) replace reference to a “2 metre firebreak” inside and along the boundary of the property with a “minimum 3 metre wide firebreak with a minimum 4 metre vertical clearance to overhanging vegetation”. Reference to a 3 metre wide firebreak around buildings and haystacks to remain.
4. Part 3 – ‘Managed Land over 4 hectares (10 acres)’ - replace reference to a “4 metre wide firebreak and vertical clearance of 3 metres” with a “minimum 3 metre wide firebreak with a minimum 4 metre vertical clearance to overhanging vegetation”. This will ensure that a consistent standard is required.

At its meeting the Bush Fires Advisory Committee signaled its intent to undertake over 2018/19 a comprehensive review of the various specifications included in the Firebreak Order so that it is clearer to property owners and occupiers in what is expected to achieve compliance. Also the inclusion of photographs and diagrams will be considered in order to provide more guidance on compliance expectations. Rather than review the Firebreak Order at this point in time the Committee decided to form a working group be formed consisting of selected committee members to review the document during 2018/19 so that it can be presented back to the Bush Fire Advisory Committee well in advance of 2019/20.

Part 12 of the Firebreak Order states that its requirements are considered the minimum standard of fire protection required to protect not only the individual property but the community as a whole. Council can impose additional requirements to remove or abate hazards if it considers it necessary.

In line with Part 12 above a report will be presented to Council in the next few months addressing the need for specific property owners to comply with the fire managed plans approved for various estates or subdivisions, examples including Highland Estate, 4 Seasons Estate (FMP currently being prepared), and Bridgetown Gardens. A review of approved FMPs is currently being undertaken. The responsibilities under these FMPs are passed onto the property owner once the initial developer/subdivider sells the property.

Statutory Environment

Bush Fires Act 1954, Section 33 - Local Government may require occupier of land to plough or clear fire-break.

Policy - Nil

Integrated Planning

- Strategic Community Plan
 - Key Goal 4 - A community that is friendly and welcoming
 - Objective 4.6 - Fire prepared communities
 - Strategy 4.6.3 - Develop policies and strategies concerning fire management on private properties

- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans - Nil
- Other Integrated Planning - Nil

Budget Implications

Cost of printing notices and advertising the Fire Break Order in Government Gazette and Newspaper circulating the District is included in the annual budget.

Fiscal Equity

The requirements of the Firebreak Order apply to all private land irrespective of individual ownership.

Whole of Life Accounting – Not Applicable

Social Equity

The requirements of the Firebreak Order apply to all private land irrespective of individual ownership.

Ecological Equity

The Firebreak Order allow property owners, if they consider it impracticable or environmentally damaging to carry out the standard requirements, to apply for permission to provide alternative firebreaks or other fire prevention measures.

Cultural Equity

The requirements of the Firebreak Order apply to all private land irrespective of individual ownership.

Risk Management

The review of the Fire Break Order is done annually to address new and emerging risks associated with bush fires.

Continuous Improvement

Changes to the Shire's Fire Break Order are considered to continually improve the safety of the community.

Delegated Authority

The annual Firebreak Order requires adoption by Council.

Voting Requirements - Simple Majority

**Council Decision Moved Cr Scallan, Seconded Cr Wilson
C.02/0518 That Council adopts the 2018/19 Fire Break Order:**

- 1. All dates to be updated to the 2018/19 year.**
- 2. Update FCO details.**

3. **Part 2 – ‘All Land under 4 Hectares (10 acres)’ – Under Part (b) replace reference to a “2 metre firebreak” inside and along the boundary of the property with a “minimum 3 metre wide firebreak with a minimum 4 metre vertical clearance to overhanging vegetation”. Reference to a 3 metre wide firebreak around buildings and haystacks to remain.**
4. **Part 3 – ‘Managed Land over 4 hectares (10 acres)’ - replace reference to a “4 metre wide firebreak and vertical clearance of 3 metres” with a “minimum 3 metre wide firebreak with a minimum 4 metre vertical clearance to overhanging vegetation”.**

Carried 9/0

Note: Corrections were made to the incorrect reference to the 2017/18 year in the officer recommendation and the date of the officer report.

ITEM NO.	C.03/0518	FILE REF.	
SUBJECT	Appointment of Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officers		
PROPONENT	Bush Fire Advisory Committee		
OFFICER	Community Emergency Services Manager		
DATE OF REPORT	21 May 2018		

OFFICER RECOMMENDATION That Council:

1. *Appoints Mr Michael Campbell to the position of Chief Bush Fire Control Officer*
2. *Appoints Mr Greg Kennedy and Lyndon Pearce as Deputy Chief Bush Fire Control Officers*
3. *Cancels the appointment of Mr Hugh Browne as Chief Bush Fire Control officer and acknowledges his services to Council's Bush Fire Organisation at a later date.*

Summary/Purpose

For Council to appoint a new Chief Bush Fire Control Officer and two new Deputy Chief Bush Fire Control Officers.

Background

Mr. Hugh Browne has advised he is relinquishing the position of Chief Bush Fire Control Officer after five years in the position. Council's Bush Fire Advisory Committee (BFAC) has nominated Michael Campbell to replace Mr. Browne, and also recommended appointment of two additional Deputy Chief Fire Control Officers, being Greg Kennedy and Lyndon Pearce.

Officer Comment

At its May 2018 BFAC meeting, Hugh Browne confirmed his intentions to step down from the position of Chief Bush Fire Control Officer (CBFCO) as the fire season was drawing to a close. One nomination for the position of CBFCO was received, being Michael Campbell, the current Deputy Chief Bush Fire Control Officer (DCBFCO). The committee supports the nomination and recommends to Council that Michael Campbell be appointed as Chief Bush Fire Control Officer.

With the position of DCBFCO vacant, it was recommended by staff that the Committee nominate two volunteers to this position. By having two volunteer DCBFCO's, it allows for better succession planning to occur as well as providing greater capacity to manage larger incidents. Mr. Greg Kennedy, current FCO for Greenbushes Bush Fire Brigade, and Mr. Lyndon Pearce, current FCO for Yornup Bush Fire Brigade, have been nominated by BFAC for these positions.

It is recommended that Council endorse these nominations.

Hugh Browne was first appointed as a Fire Control Officer for the Shire in 1959, and has served in various positions within the Bush Fire Brigade ever since. Given this remarkable service to the community, it would be appropriate for Council to recognize this service at a date suitable to Mr. Browne and his family.

Statutory Environment

38. Local government may appoint bush fire control officer

(1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.

(2A) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district.

Policy/Strategic Implications – Nil.

Budget Implications

Costs of advertising these appointments can be accommodated within current budget.

Fiscal Equity – Not Applicable

Whole of Life Accounting – Not Applicable.

Social Equity – Not Applicable.

Ecological Equity – Not Applicable.

Cultural Equity – Not Applicable.

Risk Management

Council is responsible for all fires outside of the Gazetted Fire District. All persons recommended for appointment have the experience and skills to undertake the duties and responsibilities of the positions.

Continuous Improvement

The appointment of two volunteer Deputy Chief Bush Fire Control Officers builds the organisation's capacity and capability to manage incidents as they escalate.

Voting Requirements – Simple Majority

Council Decision Moved Cr Pratico, Seconded Cr Boyle

C.03/0518 That Council:

- 1. Appoints Mr Michael Campbell to the position of Chief Bush Fire Control Officer.**
- 2. Appoints Mr Greg Kennedy and Lyndon Pearce as Deputy Chief Bush Fire Control Officers.**
- 3. Cancels the appointment of Mr Hugh Browne as Chief Bush Fire Control officer and acknowledges his services to Council's Bush Fire Organisation at a later date.**

Carried 9/0

Moved Cr Pratico, Seconded Cr Boyle

4. That Council consider an ex-gratia payment for both the Chief Bush Fire Control Officer and volunteer Deputy Chief Fire Control Officers.

Lost 4/5

Crs Mackman, Nicholas, Scallan, Moore and Bookless voted against the Motion

The CEO, being the author of this report declares an Impartiality and Financial Interest with the nature of the interest being that its subject matter concerns his forthcoming performance review

ITEM NO.	C.04/0518	FILE REF.	
SUBJECT	Appointment of Consultant to Facilitate 2018/19 CEO Performance Review		
OFFICER	Chief Executive Officer		
DATE OF REPORT	18 May 2017		

OFFICER RECOMMENDATION That Dillinger Group Development be appointed to facilitate the CEO Performance Review for the period 1 July 2017 to 30 June 2018.

Summary/Purpose

The CEO Performance Review Committee is recommending the appointment of Dillinger Group Development to facilitate the upcoming performance review of the CEO.

Background

Council for many years has engaged an external consultant to assist the CEO Performance Review Committee. The last two years Mr Joe Radici of Dillinger Group Development Pty Ltd was engaged to assist the CEO Performance Review Committee and facilitate the review process.

Mr Radici was invited to submit a quote to conduct the forthcoming CEO performance review. The process to be followed for the performance review is similar to the last two performance reviews. Mr Radici has submitted the following description of the process to be followed:

- Performance Review Committee to determine changes if any to the forms used.
- Consultant to send out forms to councillors and three executive managers with request that these be completed and emailed back to consultant within 2 weeks deadline.
- Consultant to send completed forms to members of Committee together with preparing preliminary summary of patterns or trends.
- Consultant to attend meeting in Bridgetown to meet with Committee to go through completed forms, identify patterns or trends and identify any recommendations for inclusion in final report to be presented to Council.
- Consultant to prepare draft report and email to committee members.
- Depending on whether any feedback has been received Consultant to finalise report and email to Chairperson of the CEO Performance Review Committee.
- Assumption made that the entire process to be conducted in July/August with forms to be sent out 1st week of July and final report completed by middle of August 2018.
- The quote provides for a single visit to Bridgetown with a price variation referenced if any additional visits are required.

Based on the above process Mr Radici has tendered a quote of \$4,753 ex GST to undertake the work. This is the same amount as quoted for the last performance review conducted in 2917/18.

All three members of the CEO Performance Review Committee have indicated support for this quote and presentation to Council for acceptance.

Statutory Environment

Clause 5.38 of the Local Government Act requires an annual performance assessment to be undertaken. The performance review process for the position of CEO is set out in that officer's Contract of Employment.

Under the terms of the CEO's Contract of Employment the selection of a consultant for the performance review must be to the satisfaction of both parties. Based on past performance the CEO has no objection to the appointment of Mr Radici for this task but reserves his right to review proposals from other providers/facilitators before indicating acceptance or not.

Policy – Nil

Integrated Planning

- Strategic Community Plan - Nil
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans – Not Applicable

- Workforce Plan - Nil
- Other Integrated Planning - Nil

Budget Implications

If endorsed by Council the sum of \$4,753 will be included in the 2018/19 budget.

Fiscal Equity – Not Applicable

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management

The CEO is the only employee the Council is able to direct. Therefore the review of the performance of that employee is of critical importance to the performance and direction of the whole organisation.

Continuous Improvement

Engaging the services of a consultant lessens the volume of work to be undertaken by committee members as well as providing the Committee with specific expertise in the area of local government CEO performance review and management.

Voting Requirements – Simple Majority

Council Decision Moved Cr Bookless, Seconded Cr Nicholas

C.04/0518 That Dillinger Group Development be appointed to facilitate the CEO Performance Review for the period 1 July 2017 to 30 June 2018.

Carried 9/0

ITEM NO.	C.05/0518	FILE REF.	
SUBJECT	Councillor Fees/Allowances		
PROPONENT	Salaries and Allowances Tribunal		
OFFICER	Chief Executive Officer		
DATE OF REPORT	4 May 2017		

Attachment 2 2018 Determination of the Salaries and Allowances Tribunal for Local Government Chief Executive Officers and Elected Members

OFFICER RECOMMENDATION that Council:

1. *Retain the method of payment of Councillor and President meeting fees as an annual attendance fee rather than a per meeting basis.*
2. *Set Councillor Attendance Fees and Allowances for the following in 2018/19:*
 - *Annual Attendance Fee for Council Members within the range of \$7,612 to \$16,205.*
 - *Annual Attendance Fee for Shire President within the range of \$7,612 to \$25,091.*
 - *Annual President's Allowance within the range of \$1,015 to \$36,591.*
 - *Provision of an Annual Deputy President Allowance to an amount 25% of the amount determined for the Annual President's Allowance.*
 - *Annual Information and Communications Technology Allowance within the range of \$500 to \$3,500.*

Summary/Purpose

To consider the method and amount of meeting fees/allowances for councillors.

Council is to have regard to the recent determination by the Salaries and Allowances Tribunal when setting fees or allowances for 2018/19.

Background

Part 5, Division 8 (Sections 5.98, 5.98A, 5.99 and 5.99A) of the Local Government Act provides for council members (councillors) to receive certain payments.

The Salaries and Allowances Tribunal (the Tribunal) has completed its annual review of fees, allowances and expenses for elected council members of Local Governments throughout Western Australia. The determination which will operate from 1 July 2018 establishes a scale of payments and provisions for reimbursement of expenses in accordance with the *Local Government Act 1995* and the *Local Government (Administration) Regulations 1996*.

The Tribunal has divided all local governments into four bands based on a number of factors such as population, size of budget, complexity of issues, etc. The Shire of Bridgetown-Greenbushes has been classified as a Band 3 local government (same as for 2017/18).

The levels of remuneration for elected council members are not intended to be salaries but do take into account the responsibilities and commitments of members serving as representatives of the community.

The Salaries and Allowances Tribunal has determined there will be no increase at this time to the band ranges. This determination has been made in light of the serious economic conditions facing Western Australia at this time.

The Tribunal notes that a majority of local governments retain the capacity to provide an increase within their current band parameters. While noting that the annual Consumer Price Index for December 2017 was 0.9%, each local government must satisfy itself and provide public justification for any increase within their allotted band in the current economic climate.

The Tribunal has made the same determination regarding local government CEO remuneration however this report is restricted to addressing elected member fees and remuneration only.

Meeting Fees or Annual Attendance Fees – Councillors other than Shire President

Pursuant to Section 5.98 of the Local Government Act a council member, mayor or president who attends a council or committee meeting is entitled to be paid a fee set by the Council within the range stipulated in the Tribunal's determination.

Pursuant to Section 5.99 of the Local Government Act a Council may decide by absolute majority that instead of paying council members, mayors or presidents a meeting fee it will be pay an annual attendance fee within the range stipulated in the Tribunal's determination.

For Band 3 Council is able to set a meeting fee for council members other than the President of between \$191 and \$406 for council meetings. The meeting fee for committee meetings (including the President) is to be between \$96 and \$203.

Alternatively Council, via absolute majority can pay an annual attendance fee within the range of \$7,612 to \$16,205.

In 2017/18 Council resolved to pay a councillor annual attendance fee of \$8,500 (no change from previous year).

Meeting Fees or Annual Attendance Fees – Shire President

The President can be provided with a higher meeting or annual attendance fee in recognition of the greater workload and responsibility associated with presiding at a council meeting.

For Band 3 Council is able to set a council meeting fee for the President between \$191 and \$628 for council meetings. The President would receive the same meeting fee for committees as determined for council members by the Council. Alternatively Council, via absolute majority can pay the President an annual attendance fee within the range of \$7,612 to \$25,091.

In 2017/18 Council resolved to pay a President's annual attendance fee of \$10,200 (no change from previous year).

Annual Allowance for President

Under Section 5.98 of the Local Government Act Council can determine an allowance for the President (separate from meeting or annual attendance fees) within the range of \$1,015 to \$36,591.

In 2017/18 Council resolved to pay a President's Allowance of \$8,500 (no change from previous year)

Annual Allowance for Deputy President

For the latter, Section 5.98A of the Local Government Act allows Council to provide a special allowance to the Deputy President with the amount of the allowance being 25% of the President's allowance.

In 2017/18 Council resolved to pay a Deputy President's Allowance and has done so for several years.

Meetings Fees or Annual Attendance Fee?

It is recommended that Council retain the "annual" method for determining councillor allowances rather than changing to a "per meeting" fee. The advantages of the "annual" method include:

- A "per meeting" fee doesn't take into account all the work that a councillor does in between Council or Committee meetings. A councillor may undertake a significant amount of work between meetings but if he/she misses a meeting due to legitimate reasons they would not receive any payment towards that work.
- Under the Local Government Act only Council or committee meetings trigger payment of a meeting fee. This Council uses the "working party and workshop" processes extensively and those meetings, which can generate more work for a councillor than some committee meetings, would not provide a meeting fee to participating councillors.
- Council has introduced monthly Concept Forums to replace Standing Committee Meetings.
- Whilst the annualising of meetings fees can result in councillors receiving a fee when not attending meetings such as when an apology or on leave of absence it is still a relatively rare occurrence for a councillor to take extended leave of absence.

Reimbursement of Expenses Including Annual Allowances in Lieu of Reimbursement

Under the Local Government Act and Local Government (Administration) Regulations elected members are entitled to reimbursement of telecommunications, information technology, child care, travel and accommodation expenses. Policy M.30 (Reimbursement of Expenses Incurred by Council Members) provides guidance on these entitlements.

Pursuant to Section 5.99A of the Local Government Act Council can decide by absolute majority that instead of reimbursing councillors for all of a particular type of expense it pay an annual allowance.

Where a Council has decided to pay council members an annual allowance for an expense of a particular type instead of reimbursing expenses of that type under section 5.98(2) of the LG Act, section 5.99A of the LG Act provides for reimbursement of expenses of that type in excess of the amount of the allowance.

In determining the maximum annual allowance for expenses of a particular type, the Tribunal has taken into account a range of factors including the following:

- (a) the intent of the allowance to reflect the extent and nature of the expenses incurred and not to result in a windfall gain for council members;
- (b) the capacity of local governments to set allowances appropriate to their varying operational needs;
- (c) the particular practices of local governments in the use of information and communication technology (e.g. laptop computers, iPads);
- (d) the varying travel requirements of council members in local governments associated with geography, isolation and other factors.

The Tribunal has retained the Information and Communications Technology Allowance with a permissible range between \$500 and \$3,500.

In 2017/18 Council resolved to pay an Annual Information and Communications Technology Allowance of \$2,060 (no change from previous year).

For the purpose of Section 5.99A of the Local Government Act Council can provide a \$50 annual allowance for travel and accommodation expenses. Historically this allowance isn't provided and council members can instead seek reimbursement of these costs via the applicable Council policies.

Statutory Environment – Local Government Act

5.98. Fees etc. for council members

- (1) A council member who attends a council or committee meeting is entitled to be paid —
 - (a) the prescribed minimum fee for attending a council or committee meeting; or
 - (b) where the local government has set a fee within the prescribed range for council or committee meeting attendance fees, that fee.
- (2A) A council member who attends a meeting of a prescribed type at the request of the council is entitled to be paid —
 - (a) the prescribed minimum fee for attending a meeting of that type; or
 - (b) where the local government has set a fee within the prescribed range for meetings of that type, that fee.
- (2) A council member who incurs an expense of a kind prescribed as being an expense —
 - (a) to be reimbursed by all local governments; or
 - (b) which may be approved by any local government for reimbursement by the local government and which has been approved by the local government for reimbursement,

is entitled to be reimbursed for the expense in accordance with subsection (3).
- (3) A council member to whom subsection (2) applies is to be reimbursed for the expense —

- (a) where the minimum extent of reimbursement for the expense has been prescribed, to that extent; or
 - (b) where the local government has set the extent to which the expense can be reimbursed and that extent is within the prescribed range (if any) of reimbursement, to that extent.
- (4) If an expense is of a kind that may be approved by a local government for reimbursement, then the local government may approve reimbursement of the expense either generally or in a particular case but nothing in this subsection limits the application of subsection (3) where the local government has approved reimbursement of the expense in a particular case.
- (5) The mayor or president of a local government is entitled, in addition to any entitlement that he or she has under subsection (1) or (2), to be paid —
- (a) the prescribed minimum annual local government allowance for mayors or presidents; or
 - (b) where the local government has set an annual local government allowance within the prescribed range for annual local government allowances for mayors or presidents, that allowance.
- (6) A local government cannot —
- (a) make any payment to; or
 - (b) reimburse an expense of,
- a person who is a council member or a mayor or president in that person's capacity as council member, mayor or president unless the payment or reimbursement is in accordance with this Division.
- (7) A reference in this section to a **committee meeting** is a reference to a meeting of a committee comprising —
- (a) council members only; or
 - (b) council members and employees.

[Section 5.98 amended by No. 64 of 1998 s. 36; No. 17 of 2009 s. 33.]

5.98A. Allowance for deputy mayor or deputy president

- (1) A local government may decide* to pay the deputy mayor or deputy president of the local government an allowance of up to the prescribed percentage of the annual local government allowance to which the mayor or president is entitled under section 5.98(5).

* *Absolute majority required.*

- (2) An allowance under subsection (1) is to be paid in addition to any amount to which the deputy mayor or deputy president is entitled under section 5.98.

[Section 5.98A inserted by No. 64 of 1998 s. 37.]

5.99. Annual fee for council members in lieu of fees for attending meetings

A local government may decide* that instead of paying council members a fee referred to in section 5.98(1), it will instead pay all council members who attend council or committee meetings —

- (a) the prescribed minimum annual fee; or
- (b) where the local government has set a fee within the prescribed range for annual fees, that fee.

* Absolute majority required.

5.99A. Allowances for council members in lieu of reimbursement of expenses

A local government may decide* that instead of reimbursing council members under section 5.98(2) for all of a particular type of expense it will instead pay all council members —

- (a) the prescribed minimum annual allowance for that type of expense; or
- (b) where the local government has set an allowance within the prescribed range for annual allowances for that type of expense, an allowance of that amount,

and only reimburse the member for expenses of that type in excess of the amount of the allowance.

* Absolute majority required.

Policy Implications

Policy M.30 (Reimbursement of Expenses Incurred by Council Members) addresses expenses other than meeting fees.

Strategic Plan Implications - Nil

Budget Implications

As part of the annual budget process Council sets annual attendance fees (or per meeting fees) within the permissible range set by the Tribunal

Fiscal Equity – Not Applicable

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management – Not Applicable

Continuous Improvement – Not Applicable

Voting Requirements

Absolute Majority is required for payments of allowances to elected members.

Council Decision Moved Cr Mackman, Seconded Cr Scallan

C.05/0518 That Council retain the method of payment of Councillor and President meeting fees as an annual attendance fee rather than a per meeting basis.

Carried 9/0

Moved Cr Mackman, Seconded Cr Scallan

That Council set Councillor Attendance Fees and Allowances for the following in 2018/19:

- Annual Attendance Fee for Council Members within the range of \$7,612 to \$16,205.

- Annual Attendance Fee for Shire President within the range of \$7,612 to \$25,091.
- Annual President's Allowance within the range of \$1,015 to \$36,591.
- Provision of an Annual Deputy President Allowance to an amount 25% of the amount determined for the Annual President's Allowance.
- Annual Information and Communications Technology Allowance within the range of \$500 to \$3,500.

Council Decision Moved Cr Boyle, Seconded Cr Mackman

C.05/0518a That Council invokes clause 18.1 of the Standing Orders to allow for informal discussion at 7.17pm

Carried 9/0

Council Decision Moved Cr Wilson, Seconded Cr Mackman

C.05/0518b That application of clause 18.1 of the Standing Orders cease at 7.31pm

Carried 9/0

Amendment Moved Cr Mackman, Seconded Cr Scallan

That Council set Councillor Attendance Fees and Allowances for the following in 2018/19:

- Annual Attendance Fee for Council Members - \$8,500
- Annual Attendance Fee for Shire President - \$10,200
- Annual President's Allowance - \$8,500
- Provision of an Annual Deputy President Allowance to an amount 25% of the amount determined for the Annual President's Allowance.
- Annual Information and Communications Technology Allowance - \$2,060

Carried 8/1

Cr Nicholas voted against the Motion

The Amended Motion becomes the Substantive Motion – The Motion was Put

Council Decision Moved Cr Mackman, Seconded Cr Scallan

C.06/0518c That Council set Councillor Attendance Fees and Allowances for the following in 2018/19:

- ***Annual Attendance Fee for Council Members - \$8,500***
- ***Annual Attendance Fee for Shire President - \$10,200***
- ***Annual President's Allowance - \$8,500***
- ***Provision of an Annual Deputy President Allowance to an amount 25% of the amount determined for the Annual President's Allowance.***
- ***Annual Information and Communications Technology Allowance - \$2,060***

Absolute Majority 9/0

ITEM NO.	C.06/0518	FILE REF.	261.1
SUBJECT	2018 Local Government Convention & WALGA Annual General Meeting		
PROPONENT	WALGA		
OFFICER	Senior Administration Officer		
DATE OF REPORT	4 May 2018		

OFFICER RECOMMENDATION that Council determine how many elected members (and who these will be) to attend the 2018 Local Government Convention.

OFFICER RECOMMENDATION that of the Elected Members selected to attend the Local Government Convention, Council appoints two of these as its voting delegates to represent the Shire of Bridgetown-Greenbushes at the Western Australian Local Government Association Annual General Meeting.

OFFICER RECOMMENDATION that if Council determines to submit a Notice of Motion(s) for the Annual General Meeting, the Motion(s) are to be submitted in the format set out by WALGA.

Summary/Purpose

Each year WALGA holds its Annual General Meeting during the Local Government Convention with all member Councils being invited to submit Notices of Motions for this meeting.

In addition, pursuant to the WALGA Constitution, all member Councils are entitled to be represented by two (2) voting delegates. Voting delegates may be either elected members or serving officers and the names of these delegates will be required to be submitted to WALGA in either late June or early July.

Background

An invitation has been issued to all local authorities to submit motions for inclusion on the Agenda for consideration at the 2018 Annual General Meeting. Having regard to the Association's constitutional requirement to provide completed Agenda papers to all Member Councils at least 30 days before the date of the AGM, it will not be possible to include motions received after the closing date of 5 June. Any motions proposing alterations or amendments to the Association's Constitution must be received by 11 May 2018 in order to satisfy the 60 day constitutional notice requirements.

Guidelines for Formulation of Motions

- Motions should focus on policy matters rather than issues which could be dealt with by the State Council with minimal delay.
- Due regard should be given to the relevance of the motion to the total membership and to Local Government in general. Some motions are of a localised or regional interest and might be better handled through other forums.

- Due regard should be given to the timeliness of the motion – will it still be relevant come Local Government Week or would it be better handled immediately by the Association through the State Council.
- The likely political impact of the motion should be carefully considered.
- Due regard should be given to the educational value to members – ie; does awareness need to be raised on the particular matter.
- The potential media interest of the subject matter should be considered.
- Annual General Meeting motions submitted by member Councils must be accompanied by fully researched and documented supporting comment.

Local Government Convention

The 2018 Local Government Convention will commence on Wednesday, 1 August and concludes on Friday, 3 August. There will however be a forum and reception for Mayors and Presidents on the day preceding the Convention (Tuesday, 31 July). The venue is again the Perth Convention & Exhibition Centre and in preparation for the AGM, which will be held on the Wednesday, the proponent is requesting the CEO to register the names of our voting delegates.

Prior to the AGM, all member local governments will be provided with copies of the Agenda papers (these should be distributed during late June or early July) and a report on the Motions will be presented to Council to enable Council to determine how it would like its voting delegates to vote on each Motion.

Elected Member representation during the past five years has been:

2017	2016	2015	2014	2013
Cr Wilson Cr Pratico Cr Hodson	Cr Nicholas Cr Moore Cr Pratico	Cr Pratico Cr Hodson Cr Mackman Cr Scallan	Cr Pratico Cr Boyle Cr Mackman	Cr Pratico Cr J Moore Cr Mackman Cr Hodson Cr Scallan Cr Nicholas

The tentative schedule for the Convention is set out as follows:

Date	Event	Start Time
31 July	Mayors & Presidents Forum	3.30pm
	Mayors & Presidents Reception	5.30pm
1 August	State & Local Government Forum	9.00am
	Registration for AGM & collection of voting keypads	10.00am

	Honour Recipients Luncheon (by invitation only) WALGA AGM opening (including Honours Awards Presentations) Convention Opening Welcome Reception	12.00noon 1.30pm 5.00pm
2 August	ALGWA AGM and Breakfast (separate invitation) Opening and Convention Sessions Convention Gala Dinner	7.00am 9.00am 7.00pm
3 August	Convention Breakfast Convention Sessions	7.30am 9.00am

The Convention Programs and Registration forms will be distributed during May.

Statutory Environment

WALGA Constitution in relation to the Annual General Meeting

Integrated Planning

- Strategic Community Plan
 - Key Goal 5: Our leadership will be visionary, collaborative and accountable
 - 5.4.2 – Participate in local government collaborative groups
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan – Nil
- Other Integrated Planning – Nil

Policy/Strategic Plan

Policy M.3 – Conference Attendance & Training (clause 5) which reads:

“5. Attendance at Local Government Convention

There will be no restriction on the number of elected members attending Local Government Convention. The number and the names of the elected members however, will be determined annually by Council. Council will ensure adequate funds are allocated in its annual budget to cover delegate expenses each year.

The Shire President will have automatic rights to attend Local Government Convention each year.”

Budget Implications – Funds are allocated in the budget each year to enable delegates (and the CEO) to attend the Local Government Convention.

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management – Not Applicable

Continuous Improvement – Attendance of Elected Members to the annual Local Government Convention gives an insight into local government on a State-wide basis and provides networking opportunities for Councillors attending.

Voting Requirements – Simple Majority

Moved Cr Scallan, Seconded Cr Wilson

That Council determine how many elected members (and who these will be) to attend the 2018 Local Government Convention.

Amendment Moved Scallan, Seconded Cr Wilson

That Council determined two elected members attend the 2018 Local Government Convention, being Crs Pratico and Bookless.

Carried 9/0

The Amended Motion becomes the Substantive Motion – The Motion was Put
Council Decision ***Moved Scallan, Seconded Cr Wilson***

C.06/0518 That Council determined two elected members attend the 2018 Local Government Convention, being Crs Pratico and Bookless.

Carried 9/0

Council Decision ***Moved Cr Scallan, Seconded Cr Mackman***

C.06/0518a That of the Elected Members selected to attend the Local Government Convention, Council appoints Crs Pratico and Bookless as its voting delegates to represent the Shire of Bridgetown-Greenbushes at the Western Australian Local Government Association Annual General Meeting.

Carried 9/0

Note: the 3rd officer recommendation was not moved as no Notices of Motion for the WALGA AGM were put forward.

ITEM NO.	C.07/0518	FILE REF.	209
SUBJECT	Rolling Action Sheet		
OFFICER	Chief Executive Officer		
DATE OF REPORT	1 May 2018		

Attachment 3 Rolling Action Sheet

OFFICER RECOMMENDATION that the information contained in the Rolling Action Sheet be noted.

Summary/Purpose

The presentation of the Rolling Action Sheet allows Councillors to be aware of the current status of Items/Projects that have not been finalised.

Background

The Rolling Action Sheet has been reviewed and forms an Attachment to this Agenda.

Statutory Environment – Nil

Policy/Strategic Plan Implications – Nil

Budget Implications – Nil

Fiscal Equity – Not Applicable

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management – Not Applicable

Continuous Improvement – Not Applicable

Voting Requirements – Simple Majority

Council Decision Moved Cr Boyle, Seconded Cr Wallace

C.07/0518 That the information contained in the Rolling Action Sheet be noted.

Carried 9/0

Corporate Services

ITEM NO.	C.08/0518	FILE REF.	
SUBJECT	Adoption of 2018/19 Fees & Charges		
OFFICER	Executive Manager Corporate Services		
DATE OF REPORT	22 May 2017		

Attachment 4 Draft 2018/19 Schedule of Fees & Charges

OFFICER RECOMMENDATION that Council:

- 1. Adopt the 2018/19 Schedule of Fees & Charges as per Attachment 4.*
- 2. Determine the waste rate under Section 66 of the Waste Avoidance and Resource Recovery Act at the time of adoption of the 2018/19 budget.*
- 3. Determine the kerbside rubbish and recycling collection charges at the time of adoption of the 2018/19 budget.*

Summary/Purpose

To consider and adopt the Schedule of Fees & Charges for 2018/19.

Background

Council adopts its Schedule of Fees & Charges separate to the budget adoption process. As the budget will not be adopted prior to 30 June, adoption of the 2018/19 Schedule of Fees & Charges this month will allow them to take effect from 1 July 2018.

Under Council's Long Term Financial Plan 2017/18 to 2031/32, discretionary fees and charges are proposed to increase annually by CPI plus an additional 2%. At its budget workshop held 17 May 2018 Council considered the increase in fees and charges that would apply in 2018/19. Having regard for the Long Term Financial Plan Councillors indicated that an increase of 3% would be considered. This has been factored into the draft 2018/19 fees and charges, the attached draft includes an increase of 3% to fees and charges subject to appropriate rounding of some fees. The attached Schedule of Fees and Charges shows the fees and charges for 2017/18 and the recommended charges for 2018/19.

There are a small number of non-regulatory fees proposed for an increase in excess of 3% in order to set a fee that better fits the cost of providing the service or for other reasons. These are explained below:

- Liquid Waste Disposal Casual Charge – as determined at the May 2018 Council Budget Workshop this fee has been increased to ensure cost recovery of the new liquid waste facility.
- Transfer of Grant of Right of Burial – an assessment of the costs of providing this service has been undertaken and the costs are the same as for the issuing of a Grant of Right of Burial.
- Annual Gym memberships – All gym membership categories have increased by approximately 5% in accordance with Council feedback on regional gym pricing comparisons.

- Gym & Pool Memberships – All ‘Gym & Pool’ membership categories have increased by approximately 5% in accordance with Council feedback on regional gym and pool pricing comparisons.
- Annual Adult Pool Pass – Fee has increased to \$200 in accordance with Council feedback on regional pool pricing comparisons.
- Summer Outdoor Film Festival Family Pass – fee has increased due to rounding of the fee to the nearest dollar amount to mitigate the need for duty staff to have a supply of change.

The following non-regulatory fees propose no increase or an increase less than 3% for reasons explained:

- Rate Instalment Fee – fee has been reduced to reflect the actual costs of administering the rate instalment program as required by the Local Government Act.
- Photocopying Fees – all fees remain as per the 2017/18 charges. An increase is not being recommended following an assessment of other providers’ fees and actual costs to deliver this service.
- Council/Standing Committee Recordings – This fee remains as per the 2017/18 charge as the current fee is considered adequate given the cost of providing the recordings.
- Temporary Accommodation Initial Approval (up to 12 months) – fee has been reduced to reflect the actual costs of providing the service.
- Temporary Accommodation Approval (12 month extension) – This is now a 12 month fee instead of a quarterly fee. The amount has decreased overall to reflect the actual costs of providing the service.
- Hire of Community Bus – all fees for mileage have been reduced due to the introduction of a new administration booking fee that will apply to all bookings.
- Greenbushes Community Bus Service Fee Per Passenger – fee to stay the same as 2017/18 charge due to the need for the driver to have appropriate change.
- Hall Hire Alcohol Surcharge – fee has remained as per the 2017/18 charge as this fee was considered adequate given the administrative processing costs.
- With the exception of the Annual Adult Pass, fees in the Pool Only Membership category have remained the same as per 2017/18. This is in accordance with Council feedback on regional pool pricing comparisons.
- Group Fitness Room – fee has stayed the same as 2017/18 to offset removal of Health & Fitness membership categories by encouraging independent instructor use of this room.
- Replacement Leisure Centre Membership Card – this is a standard fee payable to a third party for the cost of replacing the lost or non-returned card.
- Direct Debit Cancellation Fee for Leisure Centre Memberships – fee has not increased due to this being a standard fee payable to a third party for the administrative costs associated with cancelling the direct debit.
- Aquatic fees – all aquatic one off entry fees and passes have remained the same as 2017/18 this is in accordance with Council feedback on regional pool pricing comparisons.
- Book Club per month – only minimal increase due to other groups offering a similar program and consideration of participants preparedness to pay.

- Summer Outdoor Film Festival – single adult and single child fees remain the same as per 2017/18 to mitigate the need for duty staff to have a supply of change.
- Copy of Building and /or Septic Tank Plans – Fee has been reduced to reflect actual costs of providing the service.

It is proposed to introduce the following new non-regulatory fees and charges in 2018/19:

- Food Business Application for Registration, Notification and Assessment Fees – A review of food business registration fees has been undertaken with the aim of simplifying the existing categories being charged. The proposed streamlined fee structure will ensure consistency when fees are being applied.
- Health/Environmental Inspection Fee
- Late Payment of Invoice Penalty
- Caravan & Camping Facility Minimum Fee
- Blues Festival Business Stallholder Single Day Permit – this new fee free category has been introduced following a successful trial in 2017.
- Disposal of Old Mattresses
- Greenbushes Transfer Station – separate fees have been listed from Bridgetown Waste Management Facility as not all fees apply to the Greenbushes facility.
- Community Bus Booking Fee
- Gym 6 Months – Adult – new gym membership fees are recommended to allow for member options following the cessation of Health & Fitness membership options.
- Gym 6 Months – Youth 14-17 years
- Gym 6 Months – Adult Concession
- Gym 6 Months – Youth 14-17 years Concession
- Gym 3 Months – Adult
- Gym 3 Months – Youth 14-17
- Gym 3 Months – Adult Concession
- Gym 3 Months – Youth 14-17 Concession
- Gym 1 Month – Adult
- Gym 1 Month – Youth 14-17
- Gym 1 Month – Adult Concession
- Gym 1 Month – Youth 14-17 Concession

In addition it is recommended that the following Council fees be deleted (note a number have been replaced by new fees that have been better worded or clarified):

- Health & Fitness – all health and fitness membership categories, passes and casual entry fees have been deleted in accordance with Council feedback on the financial operational review which showed a non-viable product.
- Truck Body/Large Equipment - covered by other fees.
- Liquid Waste Disposal Annual Charge – all charges will now be based on the cubic meter rate.
- Medium Risk Tearooms (Food Business) – replaced by new Food Business Class.

- Exempt – charitable or community groups (Food Business) - replaced by new Food Business Class.
- High risk Restaurants, Cafes etc. (Food Business) - replaced by new Food Business Class.
- Low Risk Stalls Home Producers etc. (Food Business) - replaced by new Food Business Class.
- Exempt – River Markets (Food Business) - replaced by new Food Business Class.
- Pool Spectator Entry Fee
- Inflatable Entry per Child Per 2 Hours Plus Entry
- Serviced Apartments – this category of fees has been deleted as the fees are adequately covered by the new Other Health Fees category.
- Minimum Bus Hire – replaced by a new Administration fee.
- Greenbushes Hard Courts

Many fees (e.g. development application fees, building fees, swimming pool inspection fees, dog/cat fees, FOI fees, etc) are regulatory and Council does not have the discretion to set fees higher than permitted by the applicable legislation. If these fees are changed during the year the revised fee automatically replaces the fee referenced in Council's Schedule of Fees & Charges without the need for Council to formally modify the schedule.

Historically Council sets its rubbish and recycling collection charges and waste rate at the time of budget adoption as these fees and the rate are imposed on a cost recovery basis.

In the event of Council adopting the fees & charges in May it is intended they will apply from 1 July 2018. A notice will be inserted in the Manjimup Bridgetown Times advising of the new fees and the commencement date as per Section 6.19 of the Local Government Act.

Statutory Environment

Section 6.16(1) and (2) of the Local Government Act states:

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

Section 6.17(1) of the Local Government Act states:

In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —

- (a) the cost to the local government of providing the service or goods;*
- (b) the importance of the service or goods to the community; and*
- (c) the price at which the service or goods could be provided by an alternative provider.*

Section 6.19 of the Local Government Act states:

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —

- (a) its intention to do so; and*
- (b) the date from which it is proposed the fees or charges will be imposed.*

Policy Implications – Nil

Integrated Planning

- Strategic Community Plan
Key Goal 5 Our leadership will be visionary, collaborative and accountable
Objective 5.2 We maintain high standards of governance, accountability and transparency
Strategy 5.2.6 Ensure the future financial sustainability of the organisation
- Corporate Business Plan
Action 5.2.6.3 Assess level of fees and charges to apply cost recovery principle where appropriate
- Long Term Financial Plan
Council's Long Term Financial Plan proposes an annual increase in fees and charges of CPI plus 2% from 2018/19 to 2031/32.
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Budget Implications

The draft 2018/19 budget will have a number of income streams that will be estimated using the draft Schedule of Fees & Charges.

Fiscal Equity

The fees are determined having regard to the cost of providing the service, the scope of the service and the anticipated preparedness of a person to pay the fee.

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management – Not Applicable

Continuous Improvement

Since 2017 officers have been assessing individual discretionary fees and charges to ensure cost recovery where appropriate.

Voting Requirements – Absolute Majority

7.56pm – Cr Moore vacated the Meeting

Moved Cr Scallan, Seconded Cr Bookless

That Council:

1. Adopt the 2018/19 Schedule of Fees & Charges as per Attachment 4.
2. Determine the waste rate under Section 66 of the Waste Avoidance and Resource Recovery Act at the time of adoption of the 2018/19 budget.
3. Determine the kerbside rubbish and recycling collection charges at the time of adoption of the 2018/19 budget.

Council Decision **Moved Cr Scallan, Cr Wilson**

C.08/0518 That Council invokes clause 18.1 of the Standing Orders to allow for informal discussion at 7.56pm.

Carried 8/0

7.57pm – Cr Moore returned to the Meeting, Cr Wilson vacated the Meeting

7.59pm – Cr Wilson returned to the Meeting, Mrs Lockley vacated the Meeting

8.01pm – Mrs Lockley returned to the Meeting, Ms Denniss vacated the Meeting

8.04pm – Ms Denniss returned to the Meeting

Council Decision **Moved Cr Scallan, Cr Mackman**

C.08/0518a That application of clause 18.1 of the Standing Orders cease at 8.17pm.

Carried 9/0

Amendment Moved Cr Scallan, Seconded Cr Wilson

That the following minor changes be made:

- Correct errors on p14 – Greenbushes Transfer Station – 240lt Mobile Garbage Bin - \$9.40 and 2 tokens
- Amend error in body of report – ‘Officer Comment’ – Cost of Summer Outdoor Film Festival
- Note the error in the Schedule of Fees and Charges showing the incorrect fee for the Summer Outdoor Film Festival.

Carried 9/0

**The Amended Motion becomes the Substantive Motion – The Motion was Put
Council Decision Moved Cr Scallan, Seconded Cr Bookless
That Council:**

1. **Adopt the 2018/19 Schedule of Fees & Charges as per Attachment 4 with the following minor changes:**
 - **Correct errors on p14 – Greenbushes Transfer Station – 240lt Mobile Garbage Bin - \$9.40 and 2 tokens**
 - **Amend error in body of report – ‘Officer Comment’ – Cost of Summer Outdoor Film Festival**
 - **Note the error in the Schedule of Fees and Charges showing the incorrect fee for the Summer Outdoor Film Festival.**
2. **Determine the waste rate under Section 66 of the Waste Avoidance and Resource Recovery Act at the time of adoption of the 2018/19 budget.**
3. **Determine the kerbside rubbish and recycling collection charges at the time of adoption of the 2018/19 budget.**

Absolute Majority 9/0

ITEM NO.	C.09/0518	FILE REF.	120
SUBJECT	Sundry Debtor Write-Offs		
OFFICER	Executive Manager Corporate Services		
DATE OF REPORT	22 May 2018		

OFFICER RECOMMENDATION That Council write-off the following outstanding sundry debtor accounts:

<i>Debtor</i>	<i>Invoice</i>	<i>Amount</i>
<i>SHE05</i>	<i>7846</i>	<i>\$2,275.86</i>
<i>PRA03</i>	<i>12435</i>	<i>\$71.76</i>
	<i>12457</i>	<i>\$185.70</i>
	<i>12482</i>	<i>\$278.55</i>
	<i>12600</i>	<i>\$92.85</i>

Summary/Purpose

In accordance with Council policy F.17 this report is submitted for Council's consideration to approve the write-off of sundry debts totalling \$2,904.72. All accounts are deemed uncollectable.

Background

This report provides details of sundry debtor invoices which are being recommended for write-off. The Shire's Delegation of Authority requires that all debts in excess of \$500 can only be written off by resolution of Council.

SHE05 – Invoice 7846 - \$2,275.86

Mr Shields was ordered to pay compensation of \$3,855.86 to the Council for damage done to a road barrier on Nelson Street in 2008. After some ad-hoc payments over a period of time Mr Shields stopped paying, the last payment being on 30 November 2011.

All attempts to contact or locate Mr Shields for a number of years have been unsuccessful.

PRA03 – Various Invoices - \$628.86

Mr Prater hired the Recreation Centre to hold mixed martial arts classes in 2016/17. After non payment of his invoices a direct debit arrangement was entered into for repayment of the debt. After several payments Mr Prater defaulted on this arrangement. The outstanding account was referred to the Shire's debt collection agency to recover the debt. The agency has been unable to make contact or locate Mr Prater.

Officer Comment

Administration have taken all reasonable steps possible to locate the debtors including utilising the aid of Council's debt collection agency. Should Council resolve to write-off of these outstanding accounts this does not preclude the Shire from recovering the debts in the future in the event of the debtors being located.

Statutory Environment

Local Government Act 1995:

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

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

** Absolute majority required.*

Policy/Strategic Implications

Council policy F.17 Collection of Non-Rates Fees and Charges provides for the following debt management procedure:

"1.6 Once all reasonable attempts to either locate the debtor or to obtain payment have failed, the officer responsible for raising the debt will be asked to submit a written request for the invoice to be considered for write off."

Budget Implications

Of the total debt being recommended for write off an amount of \$2,275.86 has already been included in Council's doubtful debt provision as at 30 June 2017. The write-off of this amount will not impact the final end of year position as at 30 June 2018.

The balance of \$628.86 has been carried forward as part of Council's opening net current asset position as at 1 July 2017. The write off of this amount will be treated as an operating expense in the current year's accounts.

Fiscal Equity – Not Applicable

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management – Not Applicable

Continuous Improvement – Not Applicable

Voting Requirements – Simple Majority

Council Decision *Moved Cr Wilson, Seconded Cr Moore*
C.09/0518 *That Council write-off the following outstanding sundry debtor accounts:*

Debtor	Invoice	Amount
SHE05	7846	\$2,275.86
PRA03	12435	\$71.76
	12457	\$185.70
	12482	\$278.55
	12600	\$92.85

Carried 9/0

ITEM NO.	C.10/0518	FILE REF.	108.3
SUBJECT	Asset Management Plans 2017-37		
OFFICER	Asset Management Coordinator and Executive Manager Corporate Services		
DATE OF REPORT	17 May 2018		

Attachment 5 Shire of Bridgetown-Greenbushes Consolidated Asset Management Plan 2017-37

OFFICER RECOMMENDATION that Council adopts the Shire of Bridgetown-Greenbushes Consolidated Asset Management Plan 2017-37 as presented in Attachment 5.

Summary/Purpose

Council is required under the Integrated Planning and Reporting Framework and Guidelines to adopt a Corporate Business Plan that is informed by various strategies and plans, including Asset Management Plans (AMP) developed for Council's various asset classes.

Council's existing individual AMP's have been updated to reflect changes in asset values as a result of works undertaken during 2016/17 on Council assets and deletion of any improvement action items completed. The revised plans reflect the

position of Council's assets as at 30 June 2017 hence the consolidated plan being presented for Council endorsement is for the period 2017 to 2037.

Background

The Integrated Planning and Reporting Framework and Guidelines were introduced in Western Australia as part of the State Government's Local Government Reform Program. Integrated Planning is the ongoing development and delivery of a Strategic Community Plan and a Corporate Business plan. Asset Management is a core component of the framework.

Council adopted AMP's for all its asset classes at its meeting held 30 June 2016, as follows:

- Transport Infrastructure Asset Management Plan;
- Parks, Reserves and Other Infrastructure Asset Management Plan;
- Property Infrastructure Asset Management Plan; and
- Plant and Equipment Asset Management Plan

The above plans were last updated in June 2016 to incorporate all capital expenditure on assets undertaken during 2015/16 and a Consolidated Asset Management Plan was adopted by Council in June 2017. This updating process is to occur on an annual basis, as such the plans have again been updated to incorporate all capital expenditure on assets undertaken during 2016/17. Improvement plan action items completed during the year have also been deleted. These include:

- Determine split in costs between renewal and upgrades for all future upgrades in Council's planning documents
- Develop a hierarchy for all assets identifying parent/child relationships

Officer Comment

Under Council's Asset Management Policy F.15, Council is not required to adopt Asset Management Plans, however, it is important that Council is informed of the current state of its assets, and how it is proposed that these assets are managed and resourced in the future based on a 'whole of life' cost approach that will inform the Long Term Financial Plan.

The Asset Management Plans include improvement plans that outline the actions required to reduce the potential of a funding gap between the required level of renewal/upgrade of assets as compared to the actual funding currently being provided through the Budget and Long Term Financial Planning process.

Preparing AMP's enable Council to produce the asset ratios required under the Local Government (Financial Management) Regulations 1996 as part of Annual Financial Statement reporting.

AMP's are 'living' documents and need to be regularly updated and actions noted in the associated improvement plans. Improvements are required in the quality of data held for all of Council's asset classes. These improvements include ensuring the useful lives, remaining useful lives, replacement cost and current condition of Council's assets are accurately rated and recorded as these factors have a major

influence on the projected renewal cost and ultimately on the size of any reported funding 'gap'.

Key components of each individual AMP have been consolidated into a single document titled Shire of Bridgetown-Greenbushes Consolidated Asset Management Plan 2017-2037. This document is presented for Council endorsement.

Statutory Environment

Section 5.56 of the Local Government Act 1995 – Planning for the Future
Regulation 19DA of the Local Government (Administration) Regulations 1996 – Planning for the Future

Integrated Planning

- Strategic Community Plan
Key Goal 5: Our leadership will be visionary, collaborative and accountable
Objective 5.2: We maintain high standards of governance, accountability and transparency
Strategy 5.2.6: Ensure the future financial sustainability of the organisation

Objective 5.3: We operate within the Integrated Planning Framework
Strategy 5.3.1: Implement the Shire's Integrated Planning Review Cycle
Strategy 5.3.2: Apply best practice asset management principles
- Corporate Business Plan
Action 5.3.1.13 Annually review Asset Management Plans
Action 5.3.2.1 Review and maintain asset management plans for all relevant asset classes
- Long Term Financial Plan – Council's asset management plans inform development of the Long Term Financial Plan
- Asset Management Plans – This item seeks endorsement of an updated Consolidated Asset Management Plan
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy

Council's 'F.15 Asset Management' policy provides:

"Responsibility:

- **Council** is responsible for adopting the policy and ensuring that sufficient resources are applied to manage the assets.
- The **Chief Executive Officer** has overall responsibility for developing an asset management strategy, plans and procedures and reporting on the status and effectiveness of asset management within Council."

Budget Implications – Not applicable

Fiscal Equity – Not applicable

Whole of Life Accounting

The Asset Management Plans enshrine the principle of whole of life accounting costs to ensure assets are managed responsibly and cost effectively.

Social Equity

Council's Asset Management Policy F.15 requires social equity principles are considered in the development of asset management strategies and plans in accordance with Council's Strategic Community Plan.

Ecological Equity

Council's Asset Management Policy F.15 requires ecological equity principles are considered in the development of asset management strategies and plans in accordance with Council's Strategic Community Plan.

Cultural Equity – Not applicable

Risk Management

Failure to identify and fund gaps between required and planned expenditure in relation to managing assets will result in a high likelihood of asset failures occurring that may compromise safety to users of the asset and in-turn a financial implication to undertake reactive maintenance.

Continuous Improvement

AMP's contain an asset management improvement plan detailing a program of tasks to be completed and resources required to increase the level of confidence in the AMP's and level of the organisation's asset management maturity.

Voting Requirements – Simple Majority

Council Decision Moved Cr Scallan, Seconded Cr Boyle

C.10/0518 That Council adopts the Shire of Bridgetown-Greenbushes Consolidated Asset Management Plan 2017-37 as presented in Attachment 5.

Carried 9/0

ITEM NO.	C.11/0518	FILE REF.	131
SUBJECT	April 2018 Financial Activity Statements and List of Accounts Paid in April 2018		
OFFICER	Senior Finance Officer		
DATE OF REPORT	21 May 2018		

Attachment 6 April 2018 Financial Activity Statements
Attachment 7 List of Accounts Paid in April 2018

OFFICER RECOMMENDATIONS

1. *That Council receives the April 2018 Financial Activity Statements as presented in Attachment 6.*
2. *That Council receives the List of Accounts Paid in April 2018 as presented in Attachment 7.*

Summary/Purpose

Regulation 34 of the Local Government (*Financial Management*) Regulations 1996 (the Regulations) requires a local government to prepare each month a statement of financial activity reporting on the sources and applications of its funds. Further, where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal and trust funds, a list of those accounts paid in a month are to be presented to the council at the next ordinary meeting (see Reg 13 of the Regulations).

Background

In its monthly Financial Activity Statement a local government is to provide the following detail:

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c) of the Local Government Act;
- (b) budget estimates to the end of the month to which the statement relates;
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) the net current assets at the end of the month to which the statement relates.

Each of the Financial Activity Statements is to be accompanied by documents containing:

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
- (b) an explanation of each of the material variances referred to in sub-regulation (1)(d); and
- (c) such other supporting information as is considered relevant by the Local Government.

The information in a statement of financial activity may be shown:

- (a) according to nature and type classification;

- (b) by program; or
- (c) by business unit.

The Financial Activity Statement and accompanying documents referred to in sub-regulation 34(2) are to be:

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
- (b) recorded in the minutes of the meeting at which it is presented.

Statutory Environment

Section 6.4 (Financial Report) and Section 6.8 (Expenditure from municipal fund not included in annual budget) of the Local Government Act 1995, and Regulations 13 (List of Accounts) and 34 (Financial activity statement report) of the Local Government (*Financial Management*) Regulations 1996 apply.

Integrated Planning

- Strategic Community Plan
Key Goal 5: Our leadership will be visionary, collaborative and accountable
Objective 5.2: We maintain high standards of governance, accountability and transparency
Strategy 5.2.8: Ensure all legislative responsibilities and requirements are met
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy

F.6. Purchasing Policy - To ensure purchasing is undertaken in an efficient, effective, economical and sustainable manner that provides transparency and accountability.

F.7. Reporting Forecast Budget Variations Policy - To set a level of reporting detail (in Financial Activity Statement) that ensures that the council is satisfied with the implementation of its annual budget.

Budget Implications

Expenditure incurred in April 2018 and presented in the list of accounts paid, was allocated in the 2017/18 Budget as amended.

Fiscal Equity – Not applicable

Whole of Life Accounting – Not applicable

Social Equity – Not applicable

Ecological Equity – Not applicable

Cultural Equity – Not applicable

Risk Management – Not Applicable

Continuous Improvement – Not applicable

Delegated Authority – Not Applicable

Voting Requirements – Simple Majority

Council Decision Moved Cr Wilson, Seconded Cr Boyle

C.11/0518

- 1. That Council receives the April 2018 Financial Activity Statements as presented in Attachment 6.**
- 2. That Council receives the List of Accounts Paid in April 2018 as presented in Attachment 7.**

Carried 9/0

Planning & Environmental Services

ITEM NO.	C.12/0518	FILE REF.	A36071
SUBJECT	Proposed Building Envelope Modification (Setback Variation)		
PROPONENT	Alan Clayton and Deborah Reimer-Clayton		
LOCATION	Lot 82 (RSN 142) Henderson Road, Kangaroo Gully		
OFFICER	Manager Planning		
DATE OF REPORT	18 May 2018		

- Attachment 8 Locality Plan
Attachment 9 Neighbour Submissions
Attachment 10 Proposed Site Plan
Attachment 11 Applicant's Correspondence/Concept Outbuilding Plan

OFFICER RECOMMENDATION: That Council, noting the content of the two neighbour submissions, as per Attachment 9, and pursuant to Clause 3.4.4 and Clause 4.5.6(ii) of Town Planning Scheme No. 4 and provisions of the Building Envelopes Policy, grants development approval for the proposed building envelope modification and setback variation for Lot 82 (RSN 142) Henderson Road, Kangaroo Gully, as per Attachment 10, subject to the following conditions

- 1. Approval is granted for a third building envelope with an area of 390m² and a reduced setback of 18 metres to the southern side boundary, as shown on the approved plan.*
- 2. All future development to be contained within the approved building envelopes.*

Summary/Purpose

To consider a development application for a third building envelope with a setback variation at Lot 82 (RSN 142) Henderson Road, Kangaroo Gully. Noting the content of the two submissions received, it is recommended that approval be granted subject to conditions.

Background

A development application has been received seeking approval for a third building envelope in the south-eastern corner of the property, to accommodate a future large outbuilding and new water tank. The proposed envelope is to be setback only 18 metres from the southern rear boundary, in lieu of the required 20 metre setback.

The property is zoned 'Special Rural SR2a' under Town Planning Scheme No. 4 and has an approximate area of 3.1087 hectares. The original building envelope was 50m x 50m nominated as part of the original Structure Plan for the zone, then subsequently extended by 20 metres in August 1999 to accommodate the existing dwelling.

Council in February 2012 (C.09/0212) considered an application to modify the building envelope again with a 2500m² primary envelope for the main house, and a secondary envelope of 960m² for a shed and water tanks, including a setback variation of 12 metres in lieu of 20 metres to the southern rear boundary. Noting the concerns from one adjoining landowner regarding visual amenity, the secondary envelope was approved with a maximum area of 600m² only, and subject to planting of screen vegetation along the southern boundary.

The applicant is now seeking approval for a third building envelope, including a minor setback variation from 20 metres to 18 metres to the southern boundary. The applicant has provided justification (see Attachment 11) that the third envelope and minor setback variation is necessary to accommodate a proposed large workshop (concept plan included) and water tank that can not be located within the current building envelopes.

Under Clause 4.5.6 of TPS4, all development including outbuildings and water tanks must be contained within a defined building envelope and the envelope should be setback no closer than 20 metres to a side boundary. The proposed envelope has an 18 metre setback to the southern rear boundary in lieu of the required 20 metre setback.

The application was referred to landowners of seven surrounding properties with the submission period closing on 18 May 2018. Two submissions were received (see Attachment 9) from adjoining landowners to the south-east and north, indicating no objection to the proposed envelope. No objections were raised by any adjoining, affected landowners.

The two existing envelopes have respective areas of 2500m² and 600m² with the proposed third envelope an area of 390m². The aggregate area of the three envelopes would therefore be 3490m², essentially matching the 3500m² area of the original and extended envelope approved in 1999. Whilst nomination of a third building envelope would be unusual, and although noting the minor setback variation, the proposed envelope is modest in size and could be supported.

Noting no objections were raised by surrounding landowners, and the location and size of the proposed third envelope, it is recommended that approval be granted for the proposed building envelope modification.

Statutory Environment

- Town Planning Scheme No. 4

Clause 3.4.4 of TPS4 provides Council with the power to waive or modify a development requirement. *“The power conferred by this clause may only be exercised if the Council is satisfied that:*

- (a) approval of the proposed development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality;*
- (b) the non-compliance will not have any adverse effect upon the occupiers or users of the development of the locality or the inhabitants of the locality or upon the likely future development of the locality.”*

Clause 4.5.6 (ii) of TPS4 requires development to be contained within a defined building envelope. Council may permit construction of buildings in areas other than the building envelope if it is satisfied that the proposed location thereof will not be detrimental to the landscape or the environment but in any case the distance from a lot boundary will not be less than 25 metres to a road frontage or 20 metres from the side or rear boundaries of a lot.

Under Schedule 3 for Special Rural SR2a zone *“(8) no dwelling, house, outbuilding or structure shall be constructed unless it is within a building envelope on the Subdivision Guide Plan”; and “(9) Where, for the purpose of retaining natural flora, sound environmental reasons or the physical constraints of a site dictate, Council may set an alternative building envelope.”*

Clause 7.6.4 of TPS4 states *“A Town Planning Scheme Policy shall not bind the Council in respect of any application for Planning Approval but the Council shall take into account the provisions of the policy and objectives which the policy was designed to achieve before making its decision.”*

The reduced setback of the secondary building envelope at 18 metres in lieu of 20 metres to the southern side boundary, to accommodate the future outbuilding and water tank, is not expected to have an adverse effect upon the amenity of surrounding properties or the wider locality.

Council has discretion to waive any policy requirements where Council is satisfied that the provisions and objectives of the policy have been considered. A variation to the policy is required to consider the minor setback variation however the proposal is considered reasonable.

Policy Implications

- Shire of Bridgetown-Greenbushes Building Envelopes Policy

Under the Shire’s Building Envelopes Policy TP.5, the purpose of a building envelope is to ensure buildings are sited on a suitable location on a lot taking into account topography, vegetation, amenity, watercourses, physiographic features and access.

The policy provides scope for minor alterations of a building envelope of no more than 20 metre extensions to cater for unforeseen physiographic constraints or other circumstances. The Policy states that no intrusion into the specific setback area is permitted however Council may vary the 25 and 20 metre setbacks required by TPS4, therefore permitting the proposed relocation if it is satisfied that the proposal will not have a detrimental impact upon the landscape or the environment.

Given the terms of the policy, circumstances exist that could allow Council to approve the proposed building envelope including the minor setback variation, as no objections were received from surrounding landowners and no detrimental impacts upon surrounding properties are anticipated following future construction within the proposed envelope.

Budget Implications

The applicable development application fee has been paid.

Strategic Plan Implications - Nil

Fiscal Equity – Not applicable

Whole of Life Accounting – Not applicable

Social Equity

The proposed building envelope modification is not anticipated to have any adverse impacts on surrounding landowners.

Ecological Equity – Not applicable

Cultural Equity – Not applicable

Risk Management – Not applicable

Continuous Improvement

The content of the two submissions received has been taken into consideration.

Delegated Authority

Shire staff do not have delegated authority to approve the proposed building envelope modification given the proposed setback variation, so determination by Council is required.

Voting Requirements – Simple Majority

Council Decision Moved Cr Scallan, Seconded Cr Mackman

C.12/0518 That Council, noting the content of the two neighbour submissions, as per Attachment 9, and pursuant to Clause 3.4.4 and Clause 4.5.6(ii) of Town Planning Scheme No. 4 and provisions of the Building Envelopes Policy, grants development approval for the proposed building envelope modification and setback variation for Lot 82 (RSN 142) Henderson Road, Kangaroo Gully, as per Attachment 10, subject to the following conditions:

- 1. Approval is granted for a third building envelope with an area of 390m² and a reduced setback of 18 metres to the southern side boundary, as shown on the approved plan.**
- 2. All future development to be contained within the approved building envelopes.**

Carried 9/0

ITEM NO.	C.13/0518	FILE REF.	
SUBJECT	Temporary Accommodation Policy Review		
OFFICER	Chief Executive Officer and Manager Environmental Health		
DATE OF REPORT	21 May 2018		

Attachment 12 Current Policy H.5 – Temporary Accommodation Approvals
Attachment 13 Revised Policy H.5 – Temporary Accommodation Approvals

OFFICER RECOMMENDATION that Council adopt the modifications to Policy H.5 – ‘Temporary Accommodation Approvals’ as outlined in Attachment 13.

Summary/Purpose

Councils Temporary Accommodation Policy needs modifications to create symmetry between the policy approval timeframes and those applicable in the Planning and Building approval process. The modifications will also align with Council’s proposed Temporary Accommodation Approval fee structure for the 18/19 financial year. In addition other minor amendments have been included to provide clarity and require a statutory declaration from applicants acknowledging the conditions of the policy.

Background

The Temporary Accommodation Policy was previously reviewed in 2014 to allow applications for temporary accommodation in various Zones under the Shire of Bridgetown-Greenbushes Town Planning Schemes. At its February 2014 Ordinary Meeting Council resolved:

C.09/0214 That Council adopt the following modifications to Policy H.5 – ‘Temporary Accommodation Approvals for Rural Locations’:

- 1. Change title of policy from ‘Temporary Accommodation Approvals for Rural Locations’ to ‘Temporary Accommodation Approvals’*
- 2. Change wording of the Policy Objective to “To assist with security on new housing developments on land within a Rural Zone Special Rural Zone, Special Residential Zone or the Special Use Zones of Bridgetown Gardens Estate or Windy Hollow Estate, through the provision of ‘Temporary Accommodation’, in a caravan or shed.*
- 3. Change wording of Policy Statement to “Council has delegated authority to the CEO to grant a ‘Temporary Accommodation’ approval to temporarily occupy a caravan or live in a shed on an eligible zoned lot while a house is being built to provide security.*

Officer Comment

This review seeks to modify the initial approval and potential extensions of time under council policy to be more consistent with the Planning's development approval timeframe which requires development to substantially commence within 24 months and the Building Permit timeframe which allows 24 months to complete construction. Under both the Planning and Building requirements the applicant has the opportunity to apply for extensions of time under certain circumstances.

The proposed Temporary Accommodation approval timeframe will provide an initial 12 months to substantially commence and a further 12 months to complete the construction of the dwelling. In addition under Council's current fees structure applicants were required to pay an initial fee for a 12 months approval period and were then subsequently billed quarterly for any approved extensions. By simplifying and aligning the fee structure in the 18/19 schedule of fees and charges to 12 month periods the Council can achieve time and financial efficiency in administering the policy.

The proposed changes to the policy are shown as "track changes" to the existing policy in the applicable attachment.

Statutory Environment

Section 144 of the *Health (Miscellaneous Provisions) Act 1911* is set out below:

144. Building not erected as dwelling not to be converted into one

No person shall convert into or adapt or use as a dwelling any building not originally constructed or erected as a dwelling-house, and no person shall let, or lease, or sublet, or sublease, or otherwise permit, whether for any consideration or gratuitously, the use of, the building as a dwelling, without having first obtained the consent of the local government of the district in which the building is situated, and complied (in case a conditional consent is given) with such conditions as the local government has seen fit to impose.

Note the conversion of the shed/outbuilding for residential accommodation is only a temporary approval. Permanent approval of the use is not possible under the *Health (Miscellaneous Provisions) Act 1911* as additional legislative requirements need to be met under the *Building Act 2011*. In addition the permanent conversion would also result in the eventual establishment of two dwellings on a lot which is prohibited in most of the zones under the Town Planning Schemes.

Integrated Planning

➤ Strategic Community Plan

Key Goal 1 – Our Economy will be Strong, Diverse and Resilient

Strategy 1.2.1 - Embrace a "can do" approach to development

Key Goal 5 - Our Leadership will be Visionary, Collaborative and Accountable

Strategy 5.2.7 – Council's policies and local laws are responsive to community needs

- Corporate Business Plan
Strategy 1.2.1 - Embrace a “can do” approach to development
Action 1.2.1.2 - Develop internal and external planning, building control and environmental health processes that have regard to the importance of business development and social capacity whilst ensuring regulatory compliance is met
- Long Term Financial Plan – Not applicable
- Asset Management Plans – Not applicable
- Workforce Plan – Not applicable
- Other Integrated Planning - Nil

Policy Implications

This item proposes the modification of an existing Council Policy

Budget Implications - Nil

Fiscal Equity - Nil

Whole of Life Accounting - Nil

Social Equity - Nil

Ecological Equity - Nil

Cultural Equity - Nil

Risk Management - Nil

Continuous Improvement

The revisions to the policy should make it easier for applicants to comply with the policy as well as making the requirements of the policy consistent with timeframes associated with planning and building approvals.

Voting Requirements - Simple Majority

Council Decision Moved Cr Wilson, Seconded Cr Moore

C.13/0518 That Council adopt the modifications to Policy H.5 – ‘Temporary Accommodation Approvals’ as outlined in Attachment 13.

Carried 9/0

ITEM NO.	C.14/0518	FILE REF.	
SUBJECT	Acceptance of Grant Funding – Bridgetown SES		
PROPONENT	DFES		
OFFICER	Community Emergency Services Manager		
DATE OF REPORT	21 May 2018		

OFFICER RECOMMENDATION That Council:

- 1. Accepts delivery of a new general rescue trailer for the Bridgetown SES Unit.*
- 2. Amends its 2017-18 Annual Budget to include the new asset.*

Summary/Purpose

For Council to accept a new asset, being a general rescue trailer, for the Bridgetown SES Unit .

Background

In 2017-18, the Shire of Bridgetown Greenbushes applied on behalf of the Bridgetown SES Unit for an upgrade to its current general rescue trailer. DFES have advised that the Unit will receive a new trailer to replace the existing vehicle. This information was not received until after the adoption of the 2017-18 budget and thus not included.

Officer Comment

The Bridgetown SES unit currently has a general rescue trailer, which is the property of DFES. DFES have advised that rather than refurbishing the existing trailer to current specifications, they will replace the trailer with a new one, and that the new trailer will need to be registered in the Shire's name, as per the requirements of the Emergency Services Levy Grants Scheme.

DFES have recently advised that the trailer is ready to be delivered to the Unit.

Statutory Environment

Section 6.8 of the Local Government Act requires an absolute majority decision for expenditure not included in the annual budget.

Policy/Strategic Implications

DFES have advised that the value of the new trailer is \$25,000. Given that it is over the \$10,000 delegation that the CCEO has to accept unbudgeted grants, Council needs to approve its receipt.

Budget Implications

DFES will provide the trailer to the Shire as an asset for the Shire to manage on behalf of the Unit. The trailer is valued at \$25,000 and will need to be insured and maintained by Council, via the ESL operational grants, once received. Operational recurrent funds are available for this purpose.

The existing trailer is not an asset of the Shire thus no disposal of assets need to occur.

Fiscal Equity – Not Applicable

Whole of Life Accounting

Funding is made available from DFES to manage the SES assets on behalf of the Unit.

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management – Not Applicable

Continuous Improvement

The new trailer is an improvement on the existing one used by the SES.

Voting Requirements – Absolute Majority

Council Decision Moved Cr Boyle, Seconded Cr Wallace

C.14/0518 That Council:

- 1. Accepts delivery of a new general rescue trailer for the Bridgetown SES Unit.**
- 2. Amends its 2017-18 Annual Budget to include the new asset.**

Absolute Majority 9/0

Works & Services - Nil

Community Services

Cr Nicholas declared an Impartiality Interest in C.15/0518 as he is a member of the BGBTA, a grant recipient. Cr Nicholas declared he would consider the item on its merits and vote accordingly.

Cr Bookless declared an Impartiality Interest in C.15/0518 as he is a member of the BGBTA. Cr Bookless declared he would consider the item on its merits and vote accordingly.

ITEM NO.	C.15/0518	FILE REF.	281
SUBJECT	Community Grants and Service Agreements		
PROPONENT	Council		
OFFICER	Executive Manager Community Services		
DATE OF REPORT	15 May 2018		

Attachment 14 Community Group Grants, Service Agreements, CEO & Other Donations Spreadsheet

OFFICER RECOMMENDATION - that Council determines to allocate \$155,951 in the 2018-2019 budget for community donations as follows:

- \$5,896 New service agreements
- \$69,447 Existing service agreements to be carried forward
- \$28,291 New community group grants
- \$2,500 Chief Executive Officer donations
- \$4,000 Chief Executive Officer hall hire donations
- \$680 Rubbish and recycling collection for community events
- \$200 Rubbish and recycling collection for Shire leased facilities
- \$41,822 Landcare Officer
- \$500 South West Academy of Sport Sponsorship
- \$250 Agricultural Society School Art Prize Sponsorship
- \$1,000 Manjimup Airfield Contribution
- \$1,000 Greenbushes' Australia Day Breakfast Event
- \$365 Bridgetown High School Awards

OFFICER RECOMMENDATION – that Council note the provision of \$4,200 funding to support the Bridgetown-Greenbushes Tourism Association Puzzle Town event was recommended by the working group conditional upon the procurement of \$13,000 state government funding (as identified in the BGBTA event budget) but determine not to provide the \$4,200 funding for this event due to the failure to secure state government funding.

OFFICER RECOMMENDATION – that the provision of \$2,000 to the Greenbushes CWA for the purpose of assisting with building refurbishment be conditional upon the procurement of \$36,000 Lotterywest funding as identified in the CWA project budget as detailed in the grant application submitted to the Shire.

OFFICER RECOMMENDATION – that Council direct the CEO to revise Council Policy F.1 Community Grants/Donations, Funding & Acquittals to include reference to, and selection guidelines, for the allocation of funding to Council identified and endorsed groups or projects outside of the competitive community group grant and service agreement process.

Summary/Purpose

The recommendations seek to further Council's strategic objectives to financially support local community groups within a prescribed annual limit.

The aim of seeking Council recommendations in May is to enable applicant groups to be advised of the outcome of the application in a more timely fashion to assist with procurement of additional grant funds (where required).

Background

At the December 2017 meeting, Council determined (C.03/1217):

That Council request the Community Group Grants and Service Agreement Assessment Working Group to consider identification and recommendation of appropriate groups within the community it wishes to fund on a recurring basis (subject to annual budget processes) from "Other Donations & Contributions" funding allocations within the \$160,000 annual provision for Community Group Grants, Service Agreements and Other Donations and Contributions.

The members of the Community Grants and Service Agreements Working Party were Crs Pratico, Bookman, Wilson, Boyle, Mackman, Moore and Nicholas. The meeting was held on 19 April 2018. The Chief Executive Officer, Executive Manager Community Services and Executive Manager Corporate Services also attended the meeting. At the commencement of the meeting participating councillors and staff were asked to declare any potential interests. Accordingly Cr Boyle advised she was a member of the Biosecurity Group, Cr Nicholas advised that he was a member of Probus and the Bridgetown Greenbushes Tourism Association and Cr Wilson advised he was a member of the Bridgetown Golf Club. All Councillors determined to assess the individual applications on their merits.

Officer Comment

Recommendation 1

The community grant and service agreement application process for 2018-2019 was highly competitive with \$27,801 in new community group grant applications and \$49,977 in new service agreement applications being received. In addition, there is a total of \$69,447 in existing (to be carried forward) service agreements. When combined with the \$7,380 allocation for the Chief Executive Officer (CEO) donations and other financial support provided by Council (\$44,937 and detailed below) the total funding requested was \$199,542. The existing service agreements are funding arrangements of a predetermined, annual figure, over a 3 year period. Therefore the existing service agreements totalling \$69,447 are already fixed and subsequently cannot be altered.

Council's Australia Day Events Policy (Policy O.14) states that the amount of financial support provided by Council to the Greenbushes Ratepayers & Residents Association (now known as Grow Greenbushes) will be determined at such time as Council considers its annual community grants/service agreements/other community donations and allocations. A sum of \$1,000 was recommended to support this event.

The Working Group endorsed recommendation to Council of:

COMMUNITY GRANTS:

Blackwood Biosecurity Inc.	\$500	Fox hunt breakfast
Bridgetown-Greenbushes Business & Tourism Ass	\$4,200	Puzzle Town event
Bridgetown Golf Club	\$1,179	Sprinklers
Bridgetown Historical Society	\$912	Furniture & software
Greenbushes Belles CWA	\$2,000	Building refurbishment
Blues at Bridgetown	\$19,500	Street Party
Sub Total	\$28,291	

SERVICE AGREEMENTS:

Blackwood Youth Action Inc.	\$1,651	Bins, internet & promo
Grow Greenbushes	\$2,745	Fun Run marquee
WA Volunteer Bush Fire Brigades Historical Group	\$1,500	Rental costs
Sub Total	\$5,896	

OTHER CONTRIBUTIONS & ALLOCATIONS

CEO Donations	\$7,380
Landcare Officer	\$41,822
South West Academy of Sport	\$500
Agricultural Society School Art Prizes	\$250
Shire of Manjimup Airfield Contribution	\$1,000
Greenbushes' Australia Day Breakfast Event	\$1,000
High School Awards	\$365
Sub Total	\$52,317
Total	\$86,504

Council has already endorsed (in previous years) the existing service agreements totalling \$69,447 which when added to the total of \$86,504 reflects a financial commitment of \$155,951 for 2018/19.

In assessing the application from Blackwood Biosecurity Inc. the working group indicated support for financial assistance with costs associated with the fox hunt event breakfast. The working group did not support the provision of funding for prizes for the event.

In assessing the application from Bridgetown Historical Society, the working group supported funding of \$912 to purchase furniture and software to assist with the digitisation of photographs and oral histories.

In assessing the application from Blackwood Youth Action Inc. the working group were supportive of providing a Service Agreement of \$1,651 each year. The breakdown of this expenditure is \$255 for 3 extra bin pick-ups; \$996 for 50% of internet costs; \$400 for promotional material. The working group did not support providing funding for rent, community bus hire, catering or venue hire.

In assessing the application from Bridgetown Golf Club, the working group did not support providing three years funding for this project. The reason being it contravened the application guidelines which were revised in October 2018 in Council Policy F.1 Community Grants/Donations, Funding & Acquittals. All applicant groups were advised of the guideline changes via written correspondence, grant application information sessions and 1-on-1 meetings with the Executive Manager Community Services. The working group was of the opinion that due to the recent changes to the guidelines, support be provided for the Bridgetown Golf Club for 1 year only to proportionately reduced value of \$1,179 as a gesture of good will, acknowledging the intent of the changes may not have been understood by the Committee. The EMCS will advise Club of the guideline changes and reiterate that they cannot submit applications for recurring projects in the future.

In assessing the application from Grow Greenbushes, the working group supported providing a Service Agreement of \$2,745 per year for three years to fund marquee hire for the Greenbushes Fun Run & Mountain Bike event.

In assessing the application from WA Volunteer Bush Fire Brigades Historical Group, the working group supported providing a Service Agreement of \$1,500 per year for three years to be used towards rental costs.

Recommendation 2

In assessing the application submitted by the Bridgetown-Greenbushes Business and Tourism Association, the working group supported providing a Community Grant of \$4,200 for expenditure associated with lighting hire, risk management plan and venue hire for the proposed Bridgetown Puzzle Town event. The application identified the total event budget as being \$50,300. The amount requested in the grant application was \$6,200. The Working Group did not recommend the full grant being provided as the expenditure of \$2,000 for a website/brochure was not supported. The working group recommended that the \$4,200 Shire funding should be conditional upon the successful procurement of the \$13,000 state government funding identified in the application/project budget. The BGBTA had submitted a grant application to Tourism WA to secure this funding. The officer is aware that in the intervening time period the BGBTA has been advised that the Tourism WA grant application was not successful. Given the working group recommendation that the Shire funding is conditional upon additional grant funding being procured by the BGBTA the condition of funding now nullifies the provision of the Shire grant.

Recommendation 3

The total project budget for the refurbishment of the Greenbushes CWA building was identified in their application as \$49,376. In assessing the application from Greenbushes Belles CWA, the working group supported providing a Community Grant of \$2,000 assist with this project, on the condition that Lotterywest funding of \$36,000 is secured by the applicant in alignment with their total project budget and identified income sources.

Recommendation 4

In assessing the Service Agreement application from Blues at Bridgetown, the working group did not support venue hire valued at \$5,000. This item of expenditure

was not considered relevant to the conduction of the street party which was the primary focus of the application. The working group supported provision of a one year grant valued at \$19,500, being \$14,100 for traffic management and \$5,400 for cleaning and waste management. The recommendation to offer funding assistance for one year was aligned with Council Policy F.1 Community Grants/Donations, Funding & Acquittals which identifies repeat grant provisions (for the same or similar services) will not be supported.

The working group noted that specific groups, such as the Blues at Bridgetown, will struggle to comply with the grant guideline as there is no other element of the annual music festival which would comply with the intent of provision of grant funding. In allocating funding for the 2018 Blues Festival via a grant instead of a service agreement, the working group determined that the relevant policy should be further developed to include a decision making process whereby Council can identify specific projects to be funded on an annual basis (similar to the Landcare Officer) via a Memorandum of Understanding with clear funding terms and parameters. The working group members expressed the need for a clear assessment process for such groups/applications to be identified to ensure transparency.

Statutory Environment

Whilst determining the value of community grants, service agreements and donations could be seen to be committing Council to funding these amounts in the 2018/19 budget it is important to note that the final commitment comes when Council adopts its annual budget. Hence there are no statutory implications in determining this recommendation.

Integrated Planning

➤ Strategic Community Plan 2017

Objective 4.1 - A cohesive community with a sense of pride

Strategy 4.1.1 - Deliver and support a wide range of community activities, events and associated infrastructure

➤ Corporate Business Plan 2017

Action 4.1.1.2 - Fund community grants, service agreements and donations to a maximum value of \$160,000 per annum

- Long Term Financial Plan - Nil
- Asset Management Plans – Nil
- Workforce Plan - Nil
- Other Integrated Planning – Nil

Policy/Strategic Implications

Council Policy F.1 Community Grants/Donations, Funding & Acquittals outlines the Guidelines and Conditions of grant funding and Council Policy O.14 outlines the arrangements for events on Australia Day in the Shire of Bridgetown-Greenbushes.

Budget Implications

The decision of Council regarding the allocation of funding to specific applicants and projects will be included in the annual budget for the 2018/2019 financial year.

Fiscal Equity

The community group grant and service agreement application process is open to whole of community with applications being assessed on their merits in relation to grant guidelines thus achieving the principles of fiscal equity.

Whole of Life Accounting

Ensuring the allocation of expenditure for community group grants, donations, contributions, sponsorships and service agreements are contained to the identified level enables Council to achieve whole of life accounting principles.

The capacity for groups to apply for 3 year funding arrangements further enhances Council's capacity to financially plan for ongoing costs associated with supporting community groups in a responsible manner. The inclusion of donation increases to venue hire and rubbish and recycling donations (for Shire owned facilities) also enables the real costs associated with such service provision to be clearly identified and planned for.

Social Equity

The application process is open to the whole of community with a requirement for applicants to link with Council's strategic objectives, including the social objectives. This assists to ensure social equity is achieved.

Ecological Equity

The application process is open to the whole of community with a requirement for applicants to link with Council's strategic objectives, including any environmental objectives. This assists to ensure ecological equity is achieved.

Cultural Equity

The application process is open to the whole of community with a requirement for applicants to link with Council's strategic objectives, including any cultural objectives. This assists to ensure cultural equity is achieved.

Risk Management

The recommendations seek to achieve risk management by early identification and approval of community groups to be supported financially by Council during the 2018/19 year.

Continuous Improvement

In seeking Council's endorsement of all projects, and total funding to be expended on community group grants, donations, partnerships, sponsorships, contributions and service agreements continuous improvement can be achieved as this will enable the applicants to be notified of the outcome of their applications in a timely manner, and will streamline the budget preparation process.

Voting Requirements - Simple Majority

Council Decision Moved Cr Scallan, Seconded Cr Wilson
C.15/0518 That in accordance with Clause 3.9(1)(f) of the Standing Orders Local Law this Item be allowed full debate and consideration.

Carried 9/0

Council Decision Moved Cr Scallan, Seconded Cr Wilson
C.15/0518a That Council determines to allocate \$155,951 in the 2018-2019 budget for community donations as follows:

- \$5,896 New service agreements
- \$69,447 Existing service agreements to be carried forward
- \$28,291 New community group grants
- \$2,500 Chief Executive Officer donations
- \$4,000 Chief Executive Officer hall hire donations
- \$680 Rubbish and recycling collection for community events
- \$200 Rubbish and recycling collection for Shire leased facilities
- \$41,822 Landcare Officer
- \$500 South West Academy of Sport Sponsorship
- \$250 Agricultural Society School Art Prize Sponsorship
- \$1,000 Manjimup Airfield Contribution
- \$1,000 Greenbushes' Australia Day Breakfast Event
- \$365 Bridgetown High School Awards

Carried 9/0

Moved Cr Scallan, Seconded Cr Wilson

That Council note the provision of \$4,200 funding to support the Bridgetown-Greenbushes Tourism Association Puzzle Town event was recommended by the working group conditional upon the procurement of \$13,000 state government funding (as identified in the BGBTA event budget) but determine not to provide the \$4,200 funding for this event due to the failure to secure state government funding.

Lost 0/9

Council Decision Moved Cr Scallan, Seconded Cr Wilson
C.15/0518b That Council note the provision of \$4,200 funding to support the Bridgetown-Greenbushes Tourism Association Puzzle Town event was recommended by the working group conditional upon the procurement of \$13,000 state government funding (as identified in the BGBTA event budget) but determine to still provide the \$4200 funding for this event (promotion and marketing) as they have secured funding from other sources.

Carried 9/0

Council Decision Moved Cr Scallan, Seconded Cr Mackman
C.15/0518c

1. That the provision of \$2,000 to the Greenbushes CWA for the purpose of assisting with building refurbishment be conditional upon the procurement of \$36,000 Lotterywest funding as identified in the CWA project budget as detailed in the grant application submitted to the Shire.

2. ***That Council direct the CEO to revise Council Policy F.1 Community Grants/Donations, Funding & Acquittals to include reference to, and selection guidelines, for the allocation of funding to Council identified and endorsed groups or projects outside of the competitive community group grant and service agreement process.***

Carried 9/0

Consideration of Standing Committee Recommendations - Nil

Receival of Minutes from Management Committees – Nil

Urgent Business Approved by Decision

ITEM NO.	C.16/0518	FILE REF.	
SUBJECT	Budget Amendment – Palmers Road Drainage		
OFFICER	Executive Manager Works & Services		
DATE OF REPORT	31 May 2018		

Reason for Urgent Business: The request for quotation process for the Palmers Road drainage works job was only completed this week and this has triggered the need for a budget amendment. Approval of the officer recommendation as urgent business will allow the job to commence in June.

OFFICER RECOMMENDATION – *That Council accept Item C.16/0518 as urgent business.*

OFFICER RECOMMENDATION - *That Council amends the 2017/18 budget by:*

- (i) Job DR21 Palmers Road – increase expenditure by \$5,635 from \$16,000 to \$21,635.*
- (ii) Job DR28 Dusting Drive – reduce expenditure by \$3375 from \$25,000 to \$21,625.*
- (iii) Job DR17 Geegelup Brook – reduce expenditure by \$2260 from \$25,000 to \$22,740.*

Summary/Purpose

After undertaking a detailed assessment of Palmers Road drainage works, the scope of works has increased to include the placement of rock drops to prevent scouring. The current budget allocation is insufficient to cover the increased scope of works but savings elsewhere in the drainage program/budget have been identified to fund the increased costs of the Palmers Road drainage job.

Background

The 2017/18 budget contains an allocation of \$16,000 for drainage works on Palmers Road. This allocation was initially \$58,700 but was reduced to \$16,000 at the mid-year budget review. The explanation given in the mid-year budget review report presented to Council's March 2018 meeting was:

This project was originally scoped to reduce the impact of stormwater from the Palmers Road reserve onto private property and to enlarge the open roadside drain upstream. The design was completed in-

house and entailed construction of a rock lined open drain in an easement along the boundary of the affected property directing the stormwater away from the buildings. The owner did not accept this solution and requested the Shire look at alternatives. A consulting engineer was engaged for this purpose but could not find a practical alternative. The reduced budget will allow for the upstream open drain to be enlarged using rock breaking equipment.

The following jobs have been identified to fund the shortfall for drainage works on Palmers Road:

- Dusting Drive – The original budget allocation was an estimate and costs have been determined which will result in savings and allow relocation of funds.
- Geegelup Brook – This project will not be completed this financial year due to delays in securing Aboriginal Heritage approval. It is noted that the budget allocation was an estimate only and the reduction of \$2,260 won't significantly impact upon the extent of proposed works.

Statutory Environment - Nil

Policy

Policy F.7 – 'Reporting Forecast Budget Variations' allows the CEO to approve over expenditure up to 10% for budget accounts with a value between \$10,001 and \$50,000. The proposed variation for the Palmers Road drainage job is in excess of 10%.

Integrated Planning

- Strategic Community Plan
Key Goal 3 - Our built environment is maintained, protected and enhanced
Objective 3.3 - Maintain an appropriate standard of transport networks, roads and pathways
Strategy 3.3.1 - A well maintained local and regional transport network
- Corporate Business Plan
Strategy 3.3.1 - A well maintained local and regional transport network
Action 3.3.1.2 - Renew roads and drainage as identified under the 10 year strategic road works plan
Action 3.3.1.3 - Upgrade roads and drainage as identified under the 10 year strategic road works plan
- Long Term Financial Plan - Nil
- Asset Management Plans
The annual road, footpath and drainage programs are derived from the 10 year strategic works program which is compiled having regard to the renewal and upgrade requirements of the Shire's road and drainage networks
- Workforce Plan – Not Applicable
- Other Integrated Planning - Nil

Budget Implications

The recommendations will have no net effect on the 2017/18 budget.

Fiscal Equity - Not Applicable

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management – Not Applicable

Continuous Improvement – Not Applicable

Voting Requirements – Simple Majority

**Council Decision Moved Cr Wilson, Seconded Cr Wallace
C.16/0518 That Council accept Item C.16/0518 as urgent business.**

Carried 9/0

**Council Decision Moved Cr Moore, Seconded Cr Nicholas
C.16/0518a That Council amends the 2017/18 budget by:**

- (i) Job DR21 Palmers Road – increase expenditure by \$5,635 from \$16,000 to \$21,635.**
- (ii) Job DR28 Dusting Drive – reduce expenditure by \$3375 from \$25,000 to \$21,625.**
- (iii) Job DR17 Geegelup Brook – reduce expenditure by \$2260 from \$25,000 to \$22,740.**

Carried 9/0

ITEM NO.	C.17/0518	FILE REF.	
SUBJECT	Removal of Library Green Roof Vegetation		
OFFICER	Chief Executive Officer		
DATE OF REPORT	31 May 2018		

Reason for Urgent Business: Works for removal of the vegetation on the library roof are scheduled for June. Discussions have been held with the Environmental Officer regarding a change to the scope of works for the job however it has been noted that the revised scope contradicts the wording of the Council resolution from April 2017 therefore endorsement of Council is required before the works can commence. Approval of the officer recommendation as urgent business will allow the job to commence in June.

OFFICER RECOMMENDATION – That Council accept Item C.17/0518 as urgent business.

OFFICER RECOMMENDATION - That Council approves the revised scope of works for removal of the vegetation on the library roof noting that weed matting will not be installed and instead a bi-annual spray program will occur to ensure that vegetation isn't re-established on the roof.

Summary/Purpose

Council has resolved that the vegetation comprising the green roof at the library be removed and weed matting be installed to prevent re-establishment of vegetation. An alternative scope of works has been prepared by the parks and gardens team and Environmental Officer with weed matting not proposed to be used however as the use of weed matting was specifically referenced in the original Council resolution the matter is presented back to Council for endorsement.

Background

Council, at its April 2017 resolved:

C.03/0417 That Council endorse the Sustainability Advisory Committee recommendation to remove the vegetation comprising the green roof and install roof matting.

Below is an extract from the minutes of the April 2017 meeting in part explaining the rationale for the Council resolution:

Construction of the new Bridgetown Regional Library was completed in 2013. One of the features of the library was the creation of a "green roof", being the establishment of a low maintenance garden on the roof of the building to improve thermal and acoustic insulation and to complement the building's setting adjacent to Somme Creek. During the design process the project architect proposed the establishment of the green roof as an example of a local government demonstrating leadership in the area of environmental sustainability. After considerable and at times contentious consideration the Council accepted the recommendation of the project architect and incorporated a green roof into the library design.

The roof was planted in 2013. It was determined in the first year of operations that maintenance requirements of the green roof were greater than anticipated and this resulted in concerns being raised about the method of access to the roof.

The architect based his design for access to the roof on an assumption that only periodical access would be required – in the form of 2-3 times per annum. However in the first year of operation it was determined that more frequent access to the roof was required. The access designed by the project architect involved hooking a ladder into a purpose built rail at the top of the wall. Worksafe became aware of this method of access and after investigating the type and frequency of access an order was issued to the Shire of Bridgetown-Greenbushes to either limit roof access to an infrequent nature or to design a safer form of access that would allow persons to safely access the roof whilst carrying tools or other items necessary for gardening and maintenance of the roof garden.

During the debate of Item C.03/0427 at the April 2017 meeting the option of retaining the green roof garden and improving roof access was discussed however the Council instead endorsed a recommendation from its Sustainability Advisory Committee which stated that “access is a problem and will continue to be a problem just to keep the central gutter clean and prevent flooding and consequential water damage to the building. As the Shire does not want the expense of correcting this Committee recommends that the roof garden soil be covered by root matting and pegged down to obliterate the garden”.

The parks and gardens team has met with the Environmental Officer (as representative of the Sustainability Advisory Committee) to discuss the project. Concern was raised about the life span of the weed matting as they are subject to degradation. The consensus was that this degradation would create additional problems in removal and replacement on a fairly regular basis, negating the value that it may provide on a short term basis. It was agreed that a more effective way to control regeneration of vegetation and weeds on the roof is to spray twice per annum.

Statutory Environment

The officer recommendation proposes an amendment to the scope of works for removal of the library green roof and is not a revocation of the April 2017 Council resolution.

Policy - Nil

Integrated Planning

- Strategic Community Plan - Nil
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans
Bi-annual spraying of the library roof area will be factored into maintenance programs.
- Workforce Plan – Not Applicable
- Other Integrated Planning - Nil

Budget Implications

An amount of \$5,000 is contained in the 2017/18 budget (Job No. PJ11) for removal of the green roof as it was assumed this work would be undertaken by contractors and the amount also covered the purchase of weed matting. Under the revised scope the work would be undertaken by the parks and gardens team with the only significant cost being the hire of an elevated work platform to access the roof. Therefore savings will occur.

Fiscal Equity - Not Applicable

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity

The deletion of weed matting from the project isn't expected to have any impacts on ecological equity.

Cultural Equity – Not Applicable

Risk Management

Implementing a bi-annual spraying program on the library roof will require access to the roof. Maintenance activity not requiring the use of significant materials or equipment can occur with staff and/or contractors accessing the roof using the existing 'hooked ladder' system. If materials or equipment have to be used an elevated work platform will be used.

Continuous Improvement – Not Applicable

Voting Requirements – Simple Majority

Council Decision *Moved Cr Wilson, Seconded Cr Mackman*

C.17/0518 That Council accept Item C.17/0518 as urgent business.

Carried 9/0

Council Decision *Moved Cr Moore, Seconded Cr Boyle*

C.17/0518a That Council approves the revised scope of works for removal of the vegetation on the library roof noting that weed matting will not be installed and instead a bi-annual spray program will occur to ensure that vegetation isn't re-established on the roof.

Carried 6/3

Crs Mackman, Scallan and Boyle voted against the Motion

Responses to Elected Member Questions Taken on Notice - Nil

Elected Members Questions With Notice

Notice of Motions for Consideration at the Next Meeting

Matters Behind Closed Doors (Confidential Items)

Closure

The President to close the Meeting 9.00pm

List of Attachments

Attachment	Item No.	Details
1	C.02/0518	2017/18 Firebreak Order (to use as comparison to changes recommended for 2018/19 Firebreak Order)
2	C.05/0518	2018 Determination of the Salaries and Allowances Tribunal for Local Government Chief Executive Officers and Elected Members
3	C.07/0518	Rolling Action Sheet
4	C.08/0518	Draft 2018/19 Schedule of Fees & Charges
5	C.10/0518	Shire of Bridgetown-Greenbushes Consolidated Asset Management Plan 2017-37
6	C.11/0518	April 2018 Financial Activity Statements
7	C.11/0518	List of Accounts Paid in April 2018
8	C.12/0518	Locality Plan
9	C.12/0518	Neighbour Submission
10	C.12/0518	Proposed Sight Plan
11	C.12/0518	Applicant's Correspondence/Concept Outbuilding Plan
12	C.13/0518	Current Policy H.5 – Temporary Accommodation Approvals
13	C.13/0518	Revised Policy H.5 – Temporary Accommodation Approvals
14	C.15/0518	Community Group Grants, Service Agreements, CEO & Other Donations Spreadsheet

Minutes checked and authorised by T Clynch, CEO		1.6.18
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CERTIFICATION OF MINUTES

As Presiding Member, I certify that the Minutes of the Council Meeting held 31 May 2018 were confirmed as a true and correct record of the proceedings of that meeting at the Ordinary Meeting of Council held on 28 June 2018

..... 28 June 2018