

Council Minutes Index – 30 July 2020

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unconfirmed minutes

Minutes of an Ordinary Meeting of Council held in Council Chambers on Thursday, 30 July 2020 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 Custodians of the land on which we are gathered, and pay my respects to their Elders past, present and emerging.

Attendance, Apologies and Leave of Absence

President	- Cr J Nicholas
Councillors	- J Bookless
	- J Boyle
	- B Johnson
	- J Moore
	- J Mountford
	- A Pratico
	- P Quinby
	- A Wilson
In Attendance	- T Clynch, Chief Executive Officer
	- M Larkworthy, Executive Manager Corporate Services (retired 6.19pm)
	- E Denniss, Executive Manager Community Services (retired 6.19pm)
	- G Arlandoo, Executive Manager Development & Infrastructure (retired 6.19pm)
	- T Lockley, Executive Assistant (retired 6.19pm)

Attendance of Gallery

H Browne, J&J Dixon, T Dittrich, T Wheeler – MB Times, M Schneider – Bridgetown Star

Responses to Previous Questions Taken on Notice

At the May 2020 a question was taken on notice but the subsequent response wasn't included in the June 2020 Council agenda.

Question – D Della Vedova

In regard to the Mobile Tower on 44 Blackwood Road (Greenbushes) is that up and how far from the primary school is it as the primary school is on Blackwood Road as well? Is it at a safe distance if it is up?

Response

The tower is contained in State Forest on land within the mining lease of Talison Lithium Pty Ltd and was erected in 2011. The tower is approximately 300 metres from Greenbushes Primary School. At the time advice was received from Government agencies that the tower was exempt from local

government planning approval as there was a contractual arrangement for development of a telecommunications facility between Optus and the Department of Biodiversity Conservation and Environment (DBCA) and this the work was classified as 'public works' under the Public Works Act. Shire staff obtained separate legal advice and this confirmed the work was exempt from planning approval.

Notwithstanding the above Shire staff encouraged the applicant to undertake consultation with nearby property owners and some limited consultation was done.

Public Question Time - Nil

Petitions/Deputations/Presentations

Petition

Mr H Browne presented the following petition to Council:

"We the undersigned respectfully request the Councillors to disregard the advice given to them regarding the naming of the road in West Bridgetown.

As the road leads through the property and home of the Dixon family, we respectfully request that the name Dixon Road be suggest to the Nomenclature Committee for their consideration. As another consideration we would suggest Windy Ridge Road as this is what the road is commonly known as by all the neighbours at the present time.

Another suggestion on naming of the road could be Longs Road as there is some history of early ownership by the Long family who owned the land at the end of the roadsince 1928 until the mid 1980's. The pine plantation at the end of the road is an FPC plantation that is known as Long's Plantation.

The land that the road runs through was farmed as a soldier settlement block by a Mr Bob Brooks who had spent time as a POW in Changi Prison and then the Burma Railway. Perhaps Brooks Road could be suggested.

We believe that the naming of this road should reflect local history whether past or recent and not of some unrelated naming.

Whatever the final decision it is our recommendation that a NO THROUGH ROAD sign be added to stop unnecessary use of the road."

Presentation

Mrs J Dixon gave a brief presentation on the renaming of the road in question as per above petition.

Comments on Agenda Items by Parties with an Interest - Nil

Applications for Leave of Absence - Nil

Confirmation of Minutes

C.01/0720 Ordinary Meeting held 25 June 2020

A Motion is required to confirm the Minutes of the Ordinary Meeting of Council held 25 June 2020 as a true and correct record.

Council Decision Moved Cr Wilson, Seconded Cr Moore

C.01/0720 That the Minutes of the Ordinary Meeting of Council held 25 June 2020 be confirmed as a true and correct record.

Carried 9/0

Announcements by the Presiding Member Without Discussion - Nil

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	Tim Clynch
Type of Interest	Financial
Item No.	C.13/0720 - CEO Annual Performance Review
Nature of Interest	Item concerns my employment and remuneration

Name	Cr Mountford
Type of Interest	Impartiality
Item No.	C.02/0720 – Centenarian Wall
Nature of Interest	Chairperson of Blackwood Creatives

Name	Cr Pratico
Type of Interest	Impartiality
Item No.	C.11/0720 – Community Grants, Service Agreements & Other Donations
Nature of Interest	Patron of the Agricultural Society, sponsor of Tennis Tournament, member of Catterick Progress Assoc

Name	Cr Boyle
Type of Interest	Impartiality
Item No.	C.11/0720 – Community Grants, Service Agreements & Other Donations
Nature of Interest	Member of Committee of Blackwood Environment Society

Questions on Agenda Items by Elected Members

Cr Pratico asked questions on Item C.06/0720

Consideration of Motions of which Previous Notice has been Given

Cr Mountford declared an Impartiality Interest in Item C.02/0720 as she is Chairperson of Blackwood Creatives. Cr Mountford stated as a consequence, there may be a perception that her impartiality on the matter may be affected, and declared she would consider the matter on its merits and vote accordingly.

C.02/0720 Centenarian Wall

Submitted by Cr Pratico

Motion

1. That Council support in-principle the concept of installing a mural and plaques on the western wall (facing Hampton Street footpath) of the Shire Administration Office, recognising local centenarians.
2. That Council seek the input of Blackwood Creatives in the design of the proposed mural and plaques before determining whether to proceed with the project, including obtaining of necessary approvals.

Background/Reasons

Bridgetown recently celebrated its 150th anniversary which recognised the contributions made by people to the development of the town. Following on from those celebrations it would be appropriate to recognise local residents that reach the age of 100 years by allowing their families to affix a plaque on a “centenarian wall” on the outside of the Shire Administration Office. A mural would also be installed meaning the “centenarian wall” would become part of the Bridgetown Art Trail.

At this stage the Motion is only seeking support in-principle to the concept of the “centenarian wall”. If such support is achieved the input of Blackwood Creatives would be sought to assist in the design of the proposed mural and plaques.

Details such as cost estimates and funding plans for the proposal would be determined if Council subsequently endorsed the designs and obtained the necessary approvals.

Officer Comment

The proposed mural and plaques meet the definition of development and therefore would require planning consent under Town Planning Scheme No. 3. The Shire Administration Office is part of the Bridgetown Civic and Community Centre which is a building listed on the State Heritage Register. Entry in the State Register means that any changes or works proposed for the place need to be referred to the Heritage Council for advice. This referral must occur before the local government can consider the granting of planning consent.

Staff of the Heritage Council recently visited Bridgetown to inspect other State Heritage List properties and the opportunity was taken to seek informal feedback on the mural and plaque proposal. Those Heritage Council staff expressed some concern with the proposal and its conformity to the conservation plan endorsed for the Bridgetown Civic and Community Centre. There was concern expressed that placement of a mural and plaques on one wall of the building would focus attention on a modern accessory to the building and therefore detract from the overall heritage fabric of the building.

Referral of any proposals to the Heritage Council couldn't occur until detailed plans are prepared. Therefore if Council is supportive of the concept the input of Blackwood Creatives into the mural and plaque design would be welcome. Conceptual plans could be developed for presentation to Council at which time Council could consider whether to proceed with the proposal, including the preparation of detailed design plans necessary for the seeking of approvals.

It is noted that significant external works on the walls of the Administration Office building are to be budgeted in 2020/21. If Council was to support the "centenarian wall" the works on the western wall would be prioritised.

As mentioned by Cr Pratico in his 'background/reasons', the financial implications of the project will have to be determined. It is assumed that Council would fund the installation of the mural and the framework for affixing of plaques but the actual costs of the plaques would be funded by the families of those persons to be recognised.

It would also have to be determined if the recognition of individuals on the plaques is retrospective or only from a specific date onwards. Would the person being recognised have to have spent a specific period of their life in Bridgetown or would it be open for any former or current resident? The development of such criteria would in due course have to be enshrined into a Council policy.

Statutory Environment

Nil for the seeking of in-principle support but noting that there are statutory requirements for approval of the proposed mural and plaques if Council was to subsequently proceed with the project.

Integrated Planning

➤ Strategic Community Plan

Key Goal 1: Our economy will be strong, diverse and resilient

Objective 1.1 - A diverse economy that provides a range of business and employment opportunities

Strategy 1.1.8 - Develop trails – culinary, art, walk, mountain bike, canoe and bridle

Key Goal 4 - A community that is friendly and welcoming

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

Strategy 4.1.2 - Deliver programs that encourage community interaction and participation

- Corporate Business Plan
Strategy 4.1.1 - Deliver and support a wide range of community activities, events and associated infrastructure
Action 4.1.1.2 – Implement Council's Public Art Strategy
- Long Term Financial Plan – Not applicable
- Asset Management Plans – Not applicable
- Workforce Plan – Not applicable
- Other Integrated Planning
Council's Public Art Strategy states that *Council understands that the impact of public art on a community is priceless and immeasurable. Public art has the power to energize public spaces, arouse thinking and transform the places where residents live, work and play into a more welcoming, beautiful and enriching environments. Public art enhances the quality of life by encouraging a heightened sense of place, by sharing the stories of the community (past and present) and by introducing people to works of art that can positively impact on them, and generations to come. Public art expresses the community's positive sense of identity and values. In addition to community enrichment, public art increases the community's assets and has the potential to encourage visitors to the area, whose casual spend will provide ongoing economic benefit to the community. A co-ordinated and planned approach to public art will ensure that the Bridgetown and Greenbushes communities will continue to receive the myriad of benefits that result from a public art program. Council is committed to the implementation of public art programs that are sympathetic to the natural environment and reflect the environmental, cultural, historic and social nuances of the area.*

The Bridgetown Civic and Community Centre is within the Bridgetown Special Design Heritage Precinct which is an area identified for the development of public art.

Policy Implications – Nil at this stage

Budget Implications – Nil at this stage

Whole of Life Accounting – Not Applicable

Risk Management – Nil at this stage

Voting Requirements – Simple Majority

Moved Cr Pratico, Seconded Cr Quinby

1. That Council support in-principle the concept of installing a mural and plaques on the western wall (facing Hampton Street footpath) of the Shire Administration Office, recognising local centenarians.

2. That Council seek the input of Blackwood Creatives in the design of the proposed mural and plaques before determining whether to proceed with the project, including obtaining of necessary approvals.

Amendment Moved Cr Moore, Seconded Cr Boyle

That point 1 be amended to read – “That Council support in-principle the concept of installing a mural and plaques on a memorial wall to be built in the town area recognising pioneers and past residents of the area.”

Carried 6/3

Crs Quinby, Pratico and Mountford voted against the Motion

The Amended Motion becomes the Substantive Motion – The Motion was Put
Council Decision *Moved Cr Pratico, Seconded Cr Quinby*
C.02/0720

1. ***That Council support in-principle the concept of installing a mural and plaques on a memorial wall to be built in the town area recognising pioneers and past residents of the area.***
2. ***That Council seek the input of Blackwood Creatives in the design of the proposed mural and plaques before determining whether to proceed with the project, including obtaining of necessary approvals.***

Carried 9/0

Reports of Officers

Reports of Officers have been divided into Departments as follows:

- CEO's Office
- Corporate Services
- Development & Infrastructure
- Community Services

CEO's Office

ITEM NO.	C.03/0720	FILE REF.	
SUBJECT	Proposed Container Deposit Scheme Refund Point at Bridgetown Waste Disposal Site		
PROPONENT	Hastie Waste		
OFFICER	Chief Executive Officer		
DATE OF REPORT	21 July 2020		

Attachment 1 Draft MOU with Hastie Waste

OFFICER RECOMMENDATION

That Council:

- 1. Determines that the use of a Container Deposit Scheme Refund Point is consistent with the use of the Bridgetown Waste Disposal Site and approves the use accordingly.*
- 2. Endorses the draft Memorandum of Understanding (Attachment 1) between the Shire of Bridgetown-Greenbushes and Hastie Waste setting out each party's obligations for the operation of the Container Deposit Scheme Refund Point ('Containers for Change') at the Bridgetown Waste Disposal Site.*
- 3. Notes the income received for the use of the premises and hire of the Shire forklift at the Bridgetown Waste Site will be included in the 2020/21 budget.*
- 4. Notes that an amendment to its licence for operation of the Bridgetown Waste Disposal Site is required to accommodate the activities of the Container Deposit Scheme Refund Point and directs the CEO to submit an application for this amendment.*

Summary/Purpose

To consider a proposal to operate a container deposit scheme refund point at the Bridgetown Waste Disposal Site and enter into a Memorandum of Understanding with the operator of the refund point.

Background

The Container Deposit Scheme is an initiative through 'Containers for Change' and the State Government. 'Containers for Change' is Western Australia's new container deposit scheme. Containers for Change will provide a 10-cent refund for each eligible container returned for recycling at approved Containers for Change Refund Points, encouraging recycling and creating a cleaner WA for everyone. The scheme aims to:

- increase recovery and recycling of empty beverage containers;
- reduce the number of empty beverage containers that are disposed of as litter or to landfill;
- ensure that first responsible suppliers of beverage products take product stewardship responsibility;
- provide opportunities for social enterprise and benefits for community organisations;
- create opportunities for employment; and

- complement existing collection and recycling activities for recyclable waste.

‘Containers for Change’ is run by WA Return Recycle Renew (WARRR) – a not-for-profit company responsible for establishing the collection network and managing its day-to-day operation. More details regarding the scheme can be found here: www.containersforchange.com.au

WARRR has appointed Hastie Waste to operate the Bridgetown Containers for Change Refund Point. Hastie Waste is seeking to locate the Refund Point at the Bridgetown Waste Disposal Site, specifically within the eastern section of the second hand goods shed and attached canopy covered area. This space isn't exclusively for use by Hastie Waste as the Shire of Bridgetown-Greenbushes will continue to house its compactor/baling machine in the space and use it at any time it wishes.

Hastie Waste will be responsible for operating the refund point. All staff operating the facility will be employed by Hastie Waste and all equipment and consumables used for the refund point will be the property of Hastie Waste excepting the regular use of the Shire forklift (at a hourly hire fee) for loading of full storage bins onto a truck for transport to a central receiving depot in Perth.

‘Containers for Change’ is to commence State wide on 1 October 2020.

A Memorandum of Understanding has been prepared setting out the obligations of the Shire of Bridgetown-Greenbushes, either jointly or individually.

Officer Comment

The proposal will provide the community with an additional recycling option. The scheme provides a small financial incentive for those who use it and therefore it is likely to be well utilised. The State Government is clearly keen for this kind of land use to occur as is the community as evidenced in the various strategic documents. The proposal itself is benign and in an ideal location at the waste site which allows it to utilise existing infrastructure. The proposed use is an extension of the current use (waste management/disposal) of the land and is therefore consistent with the purpose of the reserve upon which the waste disposal site is located.

Statutory Environment

The activities of the refund point are consistent with the existing activities at the waste disposal site therefore a specific planning approval isn't required for this use to occur.

The Department of Water and Environmental Regulation (DWER) supports the development of CDS infrastructure within licensed waste sites and is currently progressing an amendment to the Environmental Protection Regulations 1987 to provide an exclusion for CDS refund points and aggregation points from being considered a prescribed premises, as long as the operator is only carrying out the business of a refund point or aggregation point. That is the scenario under the Hastie Waste proposal for the Bridgetown Waste Disposal Site.

Notwithstanding DWER's support of CDS infrastructure within licensed waste sites it has advised the Shire of Bridgetown-Greenbushes that an amendment to its existing licence for the waste site will be required to recognise the use of the refund point. This amendment is deemed to be straight forward and an application will be submitted pending Council's endorsement of the proposal to site the refund point at the waste site.

Section 3.58 of the Local Government Act concerns the disposition of land, including the leasing of Land or part thereof. Under this clause disposition of land can only occur via tender, auction or by other means after local public notice of the proposed disposition is given and any submissions considered.

Notwithstanding the above, Regulation 30(2) of the Local Government (Functions and General) Regulations exempts the proposed rental of shed and canopy space by Hastie Waste from having to comply with Section 3.58 of the Local Government Act as Hastie Waste will not have exclusive use of the land as the Shire will still locate and operate its compactor/bailer within the eastern section of the shed that is to be used by Hastie Waste. The canopy area will also be used for normal waste site activities during periods where the refund point isn't open.

Whilst the draft MOU isn't legally binding, both parties in entering into the MOU are to agree that in the event that laws need to be applied to it, the laws of Western Australia will apply. The MOU clearly sets out the obligations of each party. The MOU can be terminated by either party with 3 months' notice.

Integrated Planning

- Strategic Community Plan
 - Key Goal 2: Our natural environment is valued, conserved and enjoyed
 - Objective 2.5 - Effectively managed waste services
 - Strategy 2.5.1 - Identify long term waste disposal and recycle options for the Shire
 - Strategy 2.5.2 - Implement waste reduction and recycling initiatives
- Corporate Business Plan
 - Strategy 2.5.2 - Implement waste reduction and recycling initiatives
 - Action 2.5.2.1 - Liaise with contractor for delivery of state government container deposit scheme (2020/21)
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications

The MOU proposes a rental of \$440 (GST inclusive) per month for use of the premises at the waste disposal site plus a \$20 per hour hire charge to use the Shire forklift. This income will be included in the 2020/21 budget and will reflect the 1 October 2020 commencement date.

Whole of Life Accounting - Nil

Risk Management

The MOU clearly sets out the obligations of each party including Hastie Waste taking out of insurances, use by its staff of personal protective equipment, compliance to occupational health and safety legislation, adherence by its staff to any directions issued by Shire waste site staff and maintaining a register of authorised employees and contractors engaged for operations of the Containers for Change Refund Point.

Voting Requirements – Simple Majority

Council Decision Moved Cr Boyle, Seconded Cr Quinby

C.03/0720 That Council:

- 1. Determines that the use of a Container Deposit Scheme Refund Point is consistent with the use of the Bridgetown Waste Disposal Site and approves the use accordingly.**
 - 2. Endorses the draft Memorandum of Understanding (Attachment 1) between the Shire of Bridgetown-Greenbushes and Hastie Waste setting out each party's obligations for the operation of the Container Deposit Scheme Refund Point ('Containers for Change') at the Bridgetown Waste Disposal Site.**
 - 3. Notes the income received for the use of the premises and hire of the Shire forklift at the Bridgetown Waste Site will be included in the 2020/21 budget.**
 - 4. Notes that an amendment to its licence for operation of the Bridgetown Waste Disposal Site is required to accommodate the activities of the Container Deposit Scheme Refund Point and directs the CEO to submit an application for this amendment.**
- Carried 9/0**

ITEM NO.	C.04/0720	FILE REF.	752
SUBJECT	Adoption of the 2020/21 Firebreak and Fuel Hazard Reduction Notice		
OFFICER	Community Emergency Services Manager		
DATE OF REPORT	21 July 2020		

Attachment 2 Draft 2020/21 Firebreak and Fuel Hazard Reduction Notice

OFFICER RECOMMENDATION

That Council adopts the 2020/21 Firebreak and Fuel Hazard Reduction Notice as shown in Attachment 2 subject to Part 9 Bush Fire Control Officers being updated to reflect any new appointments made by bush fire brigades, updated names of the Chief Bush Fire Control Officer/Deputy Chief Bush Fire Control Officer and the Community Emergency Services Manager, and correction of the commencement of the restricted burning period.

Summary/Purpose

The draft 2020/21 Firebreak and Fuel Hazard Reduction Notice is presented for Council's consideration and adoption. Significant changes to the format and presentation of the document have been made this year and the Bush Fire Advisory Committee has also proposed the inclusion of new or additional information.

Background

At its meeting held on 3 June 2020 the Bush Fire Advisory Committee endorsed a number of changes to the Firebreak and Fuel Hazard Reduction Notice. These included:

- Change 2019/20 dates to 2020/21 dates.
- End of Autumn Restricted Burning Period to be 10 May. This also extends the property compliance requirements to that date (formerly this was 26 April).
- Adding a clause stating that when burning of a road verge is proposed or sought an application for a permit is to be submitted to the Shire of Bridgetown-Greenbushes.
- For 'Harvested Plantations' inclusion of a statement that any harvest residue heaps (slash piles) are to be a maximum 4 metres wide; maximum 2 metres high; maximum 50 metres length with minimum 5 metre separation between heaps/piles; minimum 50 metres from any boundary or native vegetation islands; minimum 20 metres from powerlines or any areas of remnant vegetation and the first row of trees of any plantation.
- Adding a new clause stating that open wood camp fires, wood fuelled BBQs, solid fuel pizza ovens and spit style rotisseries require a permit in restricted burning periods and are not allowed in prohibited periods. Use of a gas BBQ is permitted subject to a 3 metre radius around the BBQ being cleared of bush and flammable materials

Subsequent to the Bush Fire Advisory Committee meeting it was discovered that when the Fire & Emergency Services Commissioner approved the permanent extension of the Shire's restricted burning period to 10 May he also amended the commencement of the restricted burning period from 1 November to 2 November. This wasn't part of our application and must have been an administrative error that wasn't identified at the time. The members of the Bush Fire Advisory Committee

have been advised of this matter and whilst it's too late to rectify for the 2020/21 Firebreak and Fuel Hazard Reduction Notice the Committee will consider at its next meeting whether to propose an amendment back to 1 November for future years.

Officer Comment

In conjunction with the changes identified by the Bush Fire Advisory Committee administration staff have also reformatted the document to make it easier to understand. This has included listing the different types of land in 5 separate categories

A new definition for 'unmanaged land' has also been inserted so as to clarify what is meant by this term.

Bush Fire Brigades are currently in the process of having annual general meetings that include potential new appointments of Fire Control Officers. Part 9 of the Notice will be updated to reflect any new appointments.

Statutory Environment

Bush Fires Act 1954

Section 33 - Local Government may require occupier of land to plough or clear fire-break.

Section 18 - Restricted burning times may be declared by FES Commissioner.

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

Policy Implications – 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.

Whole of Life Accounting – Not Applicable

Risk Management

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

Voting Requirements - Simple Majority

Council Decision Moved Cr Pratico, Seconded Cr Wilson

C.04/0720 That Council adopts the 2020/21 Firebreak and Fuel Hazard Reduction Notice as shown in Attachment 2 subject to Part 9 Bush Fire Control Officers being updated to reflect any new appointments made by bush fire brigades, updated names of the Chief Bush Fire Control Officer/Deputy Chief Bush Fire Control Officer and the Community Emergency Services Manager and correction of the date for commencement of the restricted burning period to 1 November.

Carried 9/0

Reason for amending the officer recommendation

The CEO advised Council that information had been received today from the Department of Fire & Emergency Services confirming that its error in gazetting the commencement date of the restricted burning period as 2 November instead of 1 November is in the process of being corrected via a gazettal notice and therefore the Firebreak and Fuel Hazard Reduction Notice should be amended to reflect the date of 1 November.

ITEM NO.	C.05/0720	FILE REF.	
SUBJECT	Trial of Condom Dispensing Machines		
PROPONENT	Blackwood Youth Action		
OFFICER	Chief Executive Officer		
DATE OF REPORT	16 July 2020		

OFFICER RECOMMENDATION

That Council:

- 1. Notes the feedback from the trial of having free condom vending machines in the library toilets.*
- 2. Approves the installation of coin operated condom dispensing machines in the male and female change rooms at the Bridgetown Leisure Centre.*
- 3. Funds the purchase and installation of the vending machines at an approximate cost of \$1,800 with these funds to be included in the 2020/21 budget.*
- 4. Acknowledges that Blackwood Youth Action will be responsible for management of the vending machines, including purchase of stock and receipt of income from sale of the products.*
- 5. Notes that signage (posters) will be displayed in the change rooms explaining the importance of having condom dispensing machines in our community and requesting respect for the initiative.*
- 6. Advises Blackwood Youth Action that in the event of damage occurring to the vending machines it shouldn't be assumed that the Shire will fund replacement machines.*
- 7. Reviews the suitability of the leisure centre as the location for condom vending machines at such time as the proposed Blackwood Youth Action youth facility is developed and operational.*

Summary/Purpose

The trial of having free condom vending machines at the Bridgetown Library has ended. Feedback from library staff and subsequent discussions with representatives of Blackwood Youth Action have led to consensus that the leisure centre would be a better location and new coin operated machines should be installed to avoid the abuse of products that occurred with the machines being free when installed in the library toilets.

Background

At its August 2018 meeting Council resolved:

C.03/0818 That Council approves the installation of condom dispensing machines in the male and female toilets at the Bridgetown Regional Library subject to the following conditions:

- 1. The machines are being installed on a 6 month trial basis after which a review into making the installations permanent will be held.*
- 2. That Blackwood Youth Action is responsible for purchase of the dispensing machines and purchase of stock noting that the CEO has discretion to provide a one-off monetary donation to assist in this initiative.*
- 3. That the Shire will be responsible for installation of the dispensing machines, storage of stock (condoms) and replenishing the stock in the machines using the stock purchased by Blackwood Youth Action.*
- 4. That signage (posters) be displayed in the male and female toilets explaining the importance of having free condom dispensing machines in our community.*
- 5. That Blackwood Youth Action coordinates the making of suitable posters for display in the male and female toilets requesting respect for the initiative and responsible use of stock*

The machines weren't installed until June 2019 as there were delays in Blackwood Youth Action (BYA) securing them. The trial ended at the end of December 2019 but the machines were retained in the library toilets pending the outcomes of the review.

BYA initiated the proposal of free condom vending machines as a response to feedback of the difficulties youth have in purchasing condoms which itself causes significant risk of sexually transmitted diseases to local youth. In addition to the cost of condoms the other barrier is the embarrassment that youth have in purchasing these products from retail outlets, in particular when friends or family are workers in those retail outlets. From this feedback BYA identified a proposal to install condom dispensing machines at no charge in one or more of the public toilets in Bridgetown.

BYA was initially proposing the installation of the machines in the Hampton Street toilets however due to the proximity of retail outlets that sell the same product this location was discouraged. In considering alternative sites the library was identified by BYA as it is a facility that has significant usage by local youth but is also adjacent to the skate park. Unlike the skate park toilet the library is a managed facility therefore the use of the dispensing machines would be less likely to be abused.

Officer Comment

At the conclusion of the trial library staff were asked to provide feedback with the following being a summary of that provided:

- Condoms are quite regularly misused; they are left lying around on the floors in the toilets, teen rooms and behind chairs.
- Condoms have been found inside books throughout the library and staff are continually picking up condoms from the gardens out front of Library.
- Library staff understand there is need for the condoms in the community but question the reach that they have to the community in the Library. The Library in the afternoon could get up to 20 to 30 teens visiting the library.
- The Library staff recommendation is for the condom dispenser being moved and trialed in the Leisure Centre. The Leisure Centre has extended operating hours versus the Library. The Leisure Centre also has over well over 100 teens that visit the Leisure Centre through basketball and netball which includes training and competitions, gymnasium and the swimming pool in the summer months. The library staff believes that moving the dispensers to the Leisure Centre would ensure that there is greater number of teens that could have access to the service.
- The library staff point out that the condoms found in books have been removed from packets and due to the lubricant within damage to books has been caused. It has also been upsetting for library customers to open a book and find a condom within.

This feedback was provided to BYA together with the following additional comments:

- Concerns remain that if the use of the machines has been abused at the library then the same would occur at the Leisure Centre but probably to a greater extent taking into account greater numbers at that facility. Abuse of the supply could cause risks such as condoms being placed on court surfaces and on gym equipment.
- It was asked if there is a long term plan to shift the condom dispensers to the BYA centre on Steere Street once that is developed.
- As with any free provision of product there will always be abuse as some people don't place any value on something they can obtain for free. The reasons for providing free condoms to youth are understood however it was queried whether installing a coin dispenser with minimal charge would eliminate most abuse of the service. It is understood that this potentially would derail the intent of the whole initiative but feedback was sought from BYA on whether there was interest in exploring such an idea. If so the Shire could potentially fund the purchase of coin operated dispensers.

Feedback from BYA was positive about the outcomes from the trial. BYA noted that inappropriate behavior as predicted was an issue in the early months of the trial however based on the number of condoms being ordered it had been assumed that the behavior had improved. BYA believes the proposal to move the dispensers to the Leisure Centre is reasonable and confirms that the dispensers would be relocated to the Youth Space once it is up and running.

At a subsequent meeting held on 10 June 2020 the suggestion of replacing the existing dispensing machines with coin operated vending machines was discussed and representatives of BYA didn't object to the proposal as long as the purchase price for condoms was kept as low as possible. Since that meeting consultations with vending machine suppliers has occurred confirming that a \$1 per packet purchase price is the lowest coin configuration that can be installed in a machine.

Subject to new machines being purchased with a \$1 per packet configured coin slot the location of condom machines in the change rooms at the Leisure Centre is supported as having a purchase price will deter most wastage and potential behavioral issues.

Similar to what was advised for the initial trial at the library it is acknowledged that the installation of the proposed dispensing machines may offend some users of the Leisure Centre however the consequences (i.e. unwanted pregnancy and STI's) of unsafe sexual behaviour, by youth in particular, can be significant and disruptive to youth. This initiative is not about the promotion of teenage sex; it is being proposed for the purpose of giving everyone accessible protection from pregnancy and disease. Suitable posters explaining the initiative would be displayed in each toilet.

The officer recommendation is for Council to fund the purchase of the new vending machines. BYA don't have the funds to fund this acquisition and failing Council funding the revised initiative it would either end or Council could agree to continue the use of free condom dispensing machines.

Statutory Environment - Nil

Integrated Planning

- Strategic Community Plan
Key Goal 4 - A community that is friendly and welcoming.
Objective 4.2 - Programs and facilities that encourage community resilience.
Strategy 4.2.1 - Encourage events, activities, programs and services relevant to, and accessible for local youth.
Strategy 4.2.2 - Increase the awareness and acceptance of diversity and needs in local youth.
Strategy 4.2.10 - Maintain and enhance community services, including education and health.
- Corporate Business Plan – Nil
- Long Term Financial Plan - Nil
- Asset Management Plans
The dispensing machines will be the property of the Shire. In the event of the machines being damaged the purchase of replacement machines wouldn't be an automatic occurrence.
- Workforce Plan – Not Applicable

➤ Other Integrated Planning

Youth Plan 2017-2021 – although not specifically referenced in the Youth Plan a summary of issues raised by local service providers and youth organisations included a concern about a lack of anonymity to encourage access to services by youth.

Policy - Nil

Budget Implications

Council is yet to adopt its 2020/21 budget. The estimated cost of the condom machines is \$1,800 and via Council resolution can be included in the 2020/21 budget.

The cost of supplying condoms for the machines will be the responsibility of Blackwood Youth Action (BYA). Any income from the machines will be directed to BYA to fund its purchase of supplies and youth activities

Whole of Life Accounting

The dispensing machines will be the property of the Shire. In the event of the machines being damaged the purchase of replacement machines wouldn't be an automatic occurrence.

Risk Management

There could a minor to moderate reputational risk to the organisation with criticism directed to Council via social media commentary, correspondence and/or direct approaches to councillors and employees seeking an overturn of the decision. These risks can be mitigated by the proposed affixing of posters or signage explaining the rationale behind the initiative as well as a media release and social media posts announcing the initiative before implementation occurs.

Voting Requirements - Simple Majority

Council Decision Moved Cr Pratico, Seconded Cr Johnson

C.05/0720 That Council:

- 1. Notes the feedback from the trial of having free condom vending machines in the library toilets.***
- 2. Approves the installation of coin operated condom dispensing machines in the male and female change rooms at the Bridgetown Leisure Centre.***
- 3. Funds the purchase and installation of the vending machines at an approximate cost of \$1,800 with these funds to be included in the 2020/21 budget.***
- 4. Acknowledges that Blackwood Youth Action will be responsible for management of the vending machines, including purchase of stock and receipt of income from sale of the products.***

- 5. Notes that signage (posters) will be displayed in the change rooms explaining the importance of having condom dispensing machines in our community and requesting respect for the initiative.**
- 6. Advises Blackwood Youth Action that in the event of damage occurring to the vending machines it shouldn't be assumed that the Shire will fund replacement machines.**
- 7. Reviews the suitability of the leisure centre as the location for condom vending machines at such time as the proposed Blackwood Youth Action youth facility is developed and operational.**

Carried 9/0

ITEM NO.	C.06/0720	FILE REF.	531
SUBJECT	Amendment of Policy I.15 – 'Lawn Cemetery – Reservation of Grave Sites'		
OFFICER	Executive Assistant		
DATE OF REPORT	16 July 2020		

Attachment 3 Policy I.15 'Lawn Cemetery – Reservation of Grave Sites' with track changes

Attachment 4 Lawn Section Layout Map and Photographs

OFFICER RECOMMENDATION

That Policy I.15 'Lawn Cemetery – Reservation of Grave Sites' be amended as per Attachment 3.

Summary/Purpose

To amend Policy I.15 'Lawn Cemetery – Reservation of Grave Sites' so that reservations can be made in the Lawn Section of Bridgetown Cemetery, noting that these will be reserved on a 'next plot/s available' basis with consideration given to those wishing to reserve adjoining gravesites to be in the same row.

Background

Policy I.15 'Lawn Cemetery – Reservation of Grave Sites' was first adopted by Council in July 2007 to allow for the orderly reservation of grave sites in the Lawn Section at the Bridgetown Cemetery without causing damage to adjoining graves, the concrete plinth, headstones, reticulation or the grass surface. At this time, reservations of a grave or graves adjoining the deceased of the applicant made at the time of the first burial were permitted. Council amended the Policy in November 2013, stating it would no longer accept reservations in the Lawn Section, but would honour those already reserved and still allow for a second interment in existing grave sites.

Officer Comment

Of the 19 plots already allocated in the Lawn Section, 7 of those are reserved for future use and re-openings of grave sites for a second interment are still permitted. The last single burial in this section was in 2017, with one re-opening in 2019. There have been only two enquiries in regard to reserving plots in this section over the past 2 years.

Six of the reserved plots are already within the confines of existing grave sites (as shown in Attachment 4). Shire staff and contractors always take the utmost care when preparing sites for interment so as to not cause any damage to surrounding graves, plinths, etc. Considering re-openings are permitted and reservations already made are to be honoured, the reason for not allowing future reservations is deemed not applicable.

Statutory Environment - 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 5.2.1 - Councillors provide strong and ethical leadership
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy Implications

The proposal recommends amendment of an existing policy.

Budget Implications

There are no budget implications for the 2020-2021 year.

Whole of Life Accounting

An 18m concrete plinth has already been laid for an additional 12 plots (numbers 23-34), with the site pre-dug and backfilled with sand. It is anticipated that another 15m concrete plinth be laid for an additional 10 plots (numbers 35-44), including site works, most likely within the 2021-2022 to 2022-2023 budget timeframe. Quotations will be sought prior to construction. The Cemetery grounds are already maintained by the Shire.

Risk Management - Nil

Voting Requirements – Simple Majority

Council Decision Moved Cr Pratico, Seconded Cr Bookless

C.06/0720 That Policy I.15 'Lawn Cemetery – Reservation of Grave Sites' be amended as per Attachment 3.

Carried 9/0

ITEM NO.	C.07/0720	FILE REF.	209
SUBJECT	Rolling Action Sheet		
OFFICER	Chief Executive Officer		
DATE OF REPORT	17 July 2020		

Attachment 5 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

Integrated Planning

- Strategic Community Plan – Nil
- Corporate Business Plan – Nil
- Long Term Financial Plan – Not applicable
- Asset Management Plans – Not applicable
- Workforce Plan – Not applicable
- Other Integrated Planning – Nil

Policy Implications – Not Applicable

Budget Implications – Not Applicable

Whole of Life Accounting – Not Applicable

Risk Management – Not Applicable

Voting Requirements – Simple Majority

Council Decision ***Moved Cr Wilson, Seconded Cr Johnson***

C.07/0720 That the information contained in the Rolling Action Sheet be noted.

Carried 9/0

Corporate Services

ITEM NO.	C.08/0720	FILE REF.	160
SUBJECT	Levying Rates in 2020/21 – Proposed Rates in the Dollar and Minimum Payments		
OFFICER	Executive Manager Corporate Services		
DATE OF REPORT	21 July 2020		

OFFICER RECOMMENDATIONS:

1. *That as a consequence of the COVID-19 pandemic, Council resolves that -
 - i. no proposed 2020/21 differential general rate will exceed the corresponding differential general rate that was imposed in the 2019/20 financial year; and
 - ii. no proposed 2020/21 minimum payment will exceed the corresponding minimum payment that was imposed in the 2019/20 financial year.*
2. *Pursuant to sections 6.32, 6.33, 6.35 and 6.36 of the Local Government Act 1995, point 1 above and in accordance with Council's COVID-19 Community Response Plan and 2020/21 Budget Framework document Council endorses for notification on Council's website the proposed 2020/21 differential general rates and minimum payments as set out in the table below:*

Category	Rate in \$	Minimum Payment
<i>Gross Rental Value (GRV) Properties</i>	<i>8.7045 cents</i>	<i>\$942.00</i>
<i>Rural Unimproved Value (UV) Properties</i>	<i>0.6220 cents</i>	<i>\$1,168.00</i>
<i>Mining Unimproved Value (UV) Properties</i>	<i>7.1478 cents</i>	<i>\$523.00</i>

3. *Pursuant to the Local Government (COVID-19 Response) Order 2020, Council authorise the Chief Executive Officer to publish within ten (10) days on the Shire's website, the proposed differential general rates and minimum payments for 2020/21 as adopted in point 2 above.*
4. *Instructs the CEO to incorporate into the 2020/21 Budget a concession of 10% of the rate raised for properties previously rated in the 'UV Urban Farmland' differential rating category. Further, this concession be reduced by 5% in subsequent budgets i.e. 5% concession to apply in 2021/22 and no concession to apply from 2022/23.*
5. *Instructs the CEO to incorporate into the 2020/21 Budget a rate concession to each property who would receive a rate increase as a result of a greater than the average increase in valuation (as included in the annual UV property revaluation roll) to ensure the same level of rating as in 2019/20.*

Summary/Purpose

This matter is brought before Council to consider its proposed 2020/21 differential rates and minimum payments.

Background

The purpose of levying rates is to meet the Shire's budget requirements led by its integrated planning documents, in order to deliver services and community infrastructure each financial year. Rates income is a significant part of the Shire's revenue needed to meet these strategic objectives.

Council's current Long Term Financial Plan includes an annual rate increase of CPI + 2.5% to fund financial commitments as incorporated in its strategic planning documents. Due to the COVID-19 pandemic it has been necessary to refocus the Shire's 2020/21 budget. At its Special Meeting held 6 April 2020 Council endorsed its COVID-19 Community Response Plan and 2020/21 Budget Framework document. Initiative 1 of this plan is a 'zero rate increase for 2020/21' noting this does not factor in changes due to property improvements and development of land.

Officer Comment

As part of a 'zero rate increase' each rate category would deliver the same rate yield as in 2019/20 financial year plus additional income as a result of property improvements and development of land. Accordingly no changes are proposed to Council's existing differential rating categories in the 2020/21 rating year.

Each year a general revaluation is applied to properties in both the Rural Unimproved Value and Mining Unimproved Value rating categories. This does not ordinarily affect the total rate yield as the 'rate in the dollar' is adjusted up or down in line with the average increase or decrease in values. The effect of the revaluation is to redistribute the portion each property contributes to the total rate yield. The percentage change in property values varies from property to property and will result in some ratepayers paying more and some paying less. This year to fully enact a 'zero rate increase' and ensure that no rate payer pays more than what they would have paid last year, it is recommended Council apply a Rates Concession to properties that would ordinarily have been subject to a rate increase because of the revaluation. Based on the proposed differential general rates and minimum payments concessions will apply to 273 properties totaling \$9,434.30.

During the 2018/19 budget process Council reviewed its rating strategy, specifically the 'UV Urban Farmland' category and the application of a 15% reduction in its rate in the dollar compared to the 'UV Rural' rate. It was considered that the Council's objects and reasons did not clearly identify the difference between 'UV Urban Farmland' and 'UV Rural' and as a result Council ceased the 'UV Urban Farmland' differential rating category and in lieu offered a concession to the properties noting the concession was to be phased out over three financial years. The concession that was to be applied in 2020/21 was 5% however it is being recommended that the concession in 2020/21 remain at the 2019/20 level of 10%. This will ensure these properties do not pay more rates than in 2019/20. The value of these concessions totals \$1,368.40.

The proposed differential rates and minimum payments take into account the annual revaluation of both the Rural Unimproved Value and Mining Unimproved Value rating categories. The 'rates in the dollar' and minimum payments being recommended will deliver rate revenue in accordance with initiative one of Council's COVID-19 Community Response Plan and Budget Framework document. All minimum payments and the GRV 'rate in dollar' remain the same while a reduction will apply to

the 'rate in dollar' associated with the Rural Unimproved Value and Mining Unimproved value categories.

A comparison of the proposed rates and minimum payments compared to 2019/20 are detailed below:

Rate in Dollar	2019/20	2020/21
GRV	8.7045 cents	8.7045 cents
Rural UV	0.6317 cents	0.6220 cents
Mining UV	7.5684 cents	7.1478 cents

Minimum Payment	2019/20	2020/21
GRV	\$942	\$942
Rural UV	\$1,168	\$1,168
Mining UV	\$523	\$523

The Minister for Local Government; Heritage; Culture & the Arts modified provisions of the Local Government Act via the Local Government (COVID-19 Response) Order 2020 gazetted on 8 May 2020. The order included changes to Sections 6.33 and 6.36 of the Local Government Act 1995. These sections set out the processes required by local governments that are intending to impose differential rates. Ordinarily Section 6.33 requires a local government to seek the Minister's approval to impose a differential general rate which is more than twice the lowest differential general rate imposed by it. Section 6.36 ordinarily requires a local government to give local public notice and seek submissions for a minimum of 21 days before considering any submission received and then applying to the Minister for approval to impose such rates.

The Minister has advised that as many local governments have decided to freeze their rates in the dollar at or below the levels imposed in 2019/20, the processes set out in sections 6.33 and 6.36 are unnecessary while local governments and the community deal with the pandemic.

Local governments that resolve to set differential general rates and minimum payments at or below those applied in 2019/20 will not have to apply for Ministerial approval in accordance with section 6.33 or comply with requirements of section 6.36(1) to (4) of the Act. However local governments will be required to publish the proposed differential general rates and minimum payments on their website within ten days of the resolution.

Statutory Environment

Section 6.32(1) of the Act – Rates and service charges

Section 6.33(1) to (3) of the Act – Differential general rates

Section 6.35(4) of the Act – Minimum payment

Section 6.36 of the Act – Local government to give notice of certain rates

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 - Nil

Budget Implications

The proposed rates and minimum payments will inform development of the 2020/21 budget. The impacts of a 'zero rate increase' will require reprioritization and rationalization of 2020/21 budget allocations.

Whole of Life Accounting – Not Applicable

Risk Management

Ensuring all statutory provisions in relation to raising of differential rates are followed will ensure Council's rates are levied in accordance with legislation and are not at risk of being ruled improperly raised or imposed.

Continuous Improvement – Not Applicable

Voting Requirements – Absolute Majority

Council Decision Moved Cr Pratico, Seconded Cr Wilson C.08/0720

- 1. That as a consequence of the COVID-19 pandemic, Council resolves that -**
 - i. no proposed 2020/21 differential general rate will exceed the corresponding differential general rate that was imposed in the 2019/20 financial year; and**
 - ii. no proposed 2020/21 minimum payment will exceed the corresponding minimum payment that was imposed in the 2019/20 financial year.**
- 2. Pursuant to sections 6.32, 6.33, 6.35 and 6.36 of the Local Government Act 1995, point 1 above and in accordance with Council's COVID-19 Community Response Plan and 2020/21 Budget Framework document Council endorses for notification on Council's website the proposed 2020/21 differential general rates and minimum payments as set out in the table below:**

Category	Rate in \$	Minimum Payment
Gross Rental Value (GRV) Properties	8.7045 cents	\$942.00
Rural Unimproved Value (UV) Properties	0.6220 cents	\$1,168.00
Mining Unimproved Value (UV) Properties	7.1478 cents	\$523.00

3. **Pursuant to the Local Government (COVID-19 Response) Order 2020, Council authorise the Chief Executive Officer to publish within ten (10) days on the Shire's website, the proposed differential general rates and minimum payments for 2020/21 as adopted in point 2 above.**
4. **Instructs the CEO to incorporate into the 2020/21 Budget a concession of 10% of the rate raised for properties previously rated in the 'UV Urban Farmland' differential rating category. Further, this concession be reduced by 5% in subsequent budgets i.e. 5% concession to apply in 2021/22 and no concession to apply from 2022/23.**
5. **Instructs the CEO to incorporate into the 2020/21 Budget a rate concession to each property who would receive a rate increase as a result of a greater than the average increase in valuation (as included in the annual UV property revaluation roll) to ensure the same level of rating as in 2019/20.**

Absolute Majority 9/0

ITEM NO.	C.09/0720	FILE REF.	131
SUBJECT	June 2020 Financial Activity Statements and List of Accounts Paid in June 2020		
OFFICER	Senior Finance Officer		
DATE OF REPORT	21 July 2020		

Attachment 6 June 2020 Financial Activity Statements
Attachment 7 List of Accounts Paid in June 2020

OFFICER RECOMMENDATIONS

1. *That Council receives the June 2020 Financial Activity Statements as presented in Attachment 6.*
2. *That Council receives the List of Accounts Paid in June 2020 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.

This is a preliminary report to 30 June 2020 and is subject to change as end-of-year figures are finalised including transfers to and from reserves, final calculation of depreciation and asset revaluations. Council will receive a final report following completion of the annual audit due to commence 5th October 2020.

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 Implications

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 June 2020 and presented in the list of accounts paid, was allocated in the 2019/20 Budget as amended.

Whole of Life Accounting – Not applicable

Risk Management – Not Applicable

Voting Requirements – Simple Majority

Council Decision *Moved Cr Moore, Seconded Cr Pratico*
C.09/0720

- 1. That Council receives the June 2020 Financial Activity Statements as presented in Attachment 6.***
- 2. That Council receives the List of Accounts Paid in June 2020 as presented in Attachment 7.***

Carried 9/0

Development & Infrastructure

ITEM NO.	C.10/0720	FILE REF.	A4161
SUBJECT	Development Application - Additional Classroom		
PROPONENT	Principal Carlo Pardini, St Brigid's School		
LANDOWNERS	The Roman Catholic Bishop of Bunbury		
LOCATION	Lot 95 (130) Roe Street, Bridgetown		
OFFICER	Manager Planning		
DATE OF REPORT	13 July 2020		

Attachment 8	Locality Plan
Attachment 9	Department of Fire and Emergency Services Comments
Attachment 10	Bushfire Prone Planning Response to DFES Comments
Attachment 11	Proposed Plans
Attachment 12	Final Bushfire Management Plan

OFFICER RECOMMENDATION

That Council, noting the comments provided by the Department of Fire and Emergency Services as per Attachment 9, grants development approval for the proposed additional classroom St Brigid's School at Lot 95 (130) Roe Street, Bridgetown, as per Attachments 11 and 12, subject to the following conditions:

- 1. The external materials and colours of the proposed additional classroom to complement the existing buildings.*
- 2. The development is to be constructed in accordance with BAL-12.5 standards pursuant to Australian Standard AS3959 Construction of Buildings in Bush-Fire Prone Areas.*
- 3. The findings and recommendations of the Bushfire Management Plan dated 6 July 2020 must be implemented to maintain the BAL-12.5 rating for the life of the development, including the provision of the asset protection zone, internal vehicular access and firebreaks.*

Summary/Purpose

To consider a development application for an additional classroom at St Brigid's School at Lot 95 (130) Roe Street, Bridgetown. Noting the comments from the Department of Fire and Emergency Services not to support the original proposal, and the content of the revised Bushfire Management Plan dated 6 July 2020, it is recommended that approval be granted for the additional classroom subject to conditions.

Background

In June 2009 approval was granted for the school library in the north-western corner of the site, adjacent to Somme Creek, however the bushfire regulations were not applicable at that time of development. Development approvals have also been granted in September 2012 and January 2017 for minor additions to the school, and approval granted in January 2018 for conservation re-roofing of the school hall, all under delegated authority.

The grounds of St Brigid's School and Convent of Mercy consist of subject Lot 95 (130) Roe Street plus Lot 123 (33), Lot 94 (43) and Lot 93 (49) Steere Street, Bridgetown. The whole site zoned Public Purpose – Private School under Town Planning Scheme No. 3 (TPS3) and has a total area of 2.7342 hectares. The proposed development is only located on Lot 95, having an area of 6356m².

Shire staff have been liaising with St Brigid's School for approximately two years regarding these projects, with the current development application received in October 2019. The original development proposal consisted of a new freestanding classroom to the eastern rear of the school hall; a small northern extension to the staff room; and modifications to the main pedestrian entry, reception area and deletion of one staff car parking bay.

A number of site meetings have been held since, including one on 26 February 2020 with representatives from St Brigid's School; the Department of Fire and Emergency Services (DFES); and the Shire of Bridgetown-Greenbushes, including the (former) Community Emergency Services Manager and Fire Mitigation Coordinator.

Issues discussed included the recent and ongoing vegetation management works undertaken onsite (by St Brigid's) and offsite (by the Shire); the indicative high BAL rating for the proposed administration extension and existing school buildings; and the likely development assessment process. It was agreed that the school was best classified as a Vulnerable Land Use under State Planning Policy 3.7 Planning in Bushfire Prone Areas, and that a Bushfire Management Plan and referral to the DFES would be required. The most significant concern was the proposed office addition within an expected high bushfire risk area.

A Bushfire Management Plan (BMP) dated 22 April 2020 was prepared by consultants Bushfire Prone Planning and referred by the Shire to DFES Land Use Planning branch on 4 May 2020. A response from DFES was received on 11 June 2020 (see Attachment 9) however the findings of the BMP and the proposed development was not supported for a number of reasons including vegetation classification and mapping and non-compliance with relevant bushfire protection criteria.

Bushfire Prone Planning provided a response table demonstrating that the BMP was generally correct for the proposed development, and that the broader issues raised by DFES regarding bushfire safety for schools are not strictly relevant in this case.

Whilst Shire staff indicated a willingness to potentially support all three original components of the project, the application was modified with approval now only sought for the additional classroom (see Attachment 11). A revised BMP dated 6 July 2020 has also been received demonstrating compliance with the Acceptable Solutions for the proposed classroom, with an acceptable Bushfire Attack Level rating of BAL-12.5 (see Attachment 12).

Officer Comment

Lot 95 contains the Roman Catholic Church and School hall, with the Convent of Mercy located on adjoining Lot 123. The hall which was originally used a school was built in 1925. The church and convent were constructed of local handmade bricks in 1903 and 1904 respectively (with a second storey added to the convent in 1940). The overall place as a High level of significance and Management Category B

allocated, with various major and minor additions to the school undertaken since the 1950s. All three places are included in the Local Heritage List under TPS3 and included as Place B30 in the Shire's Local Heritage Survey.

The proposed freestanding classroom will not be attached to the school hall and also located at the rear when seen from the street. It will use contemporary yet complementary materials and colours, and is therefore consistent with State Planning Policy No. 3.5. No detrimental impact on cultural heritage significance is expected and a formal heritage assessment is not considered necessary in this case.

Significant portions of the school grounds are within the bushfire prone area, including the location of the original three components of the proposed developments. A school is best classed as a Vulnerable Land Use under State Planning Policy No. 3.7 and the proposal was referred to DFES for feedback. Noting DFES response not to support the original proposal and findings of the original BMP, a revised Bushfire Management Plan dated 6 July 2020 has been provided with the findings supported by Shire staff.

It is important to note that DFES is not the 'decision maker' and their advice only requires due regard by the Shire. The proponents' bushfire practitioner has either addressed or dismissed the issues raised by DFES in the response table and/or revised BMP. The revised proposal and BMP has not been referred back to DFES for further comment. Shire staff are satisfied that modified proposal and revised BMP meets the Acceptable Solutions from the bushfire guidelines and despite the lack of support from DFES, approval is recommended for the proposed development.

The land is reserved for Public Purpose - Private School under TPS3 and the proposed additional classroom will improve the function of the school, therefore consistent with the ultimate purpose of the reserve.

Statutory Environment

- Shire of Bridgetown-Greenbushes Town Planning Scheme No. 3

Pursuant to Clause 2.1 (b) and (c) under Town Planning Scheme No. 3 (TPS3) development approval is required prior to undertaking any development (other than erection of a boundary fence) on reserved land, and in giving any approval Council shall have regard to the ultimate purpose of the reserve and consult with any relevant public authorities.

Under Clause 7.2 development approval is required for the proposed additions as the site is on the Local Heritage List under TPS3. The proposed development is considered complementary to the existing buildings and will not have any detrimental impacts upon the heritage values of the school hall, church or nearby convent.

- Schedule 2, Part 3 of Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions)

“Clause 11 Heritage Assessment

(1) Despite any existing assessment on record, the local government may require a heritage assessment to be carried out prior to the approval of any development in a heritage area or in respect of a place entered in the heritage list.

(2) A heritage assessment must be in a form approved by the Heritage Council of Western Australia.

- Schedule 2 Part 10A of Planning and Development (Local Planning Schemes) Regulations 2015 (Deemed Provisions)

Part 10A Local Planning Scheme Regulations 2015 relates to bushfire risk assessment, with the issues discussed above in the Officer Comments.

The following table addresses those applicable ‘Matters to be considered’ under Clause 67 of the Local Planning Scheme Regulations 2015.

CLAUSE 67, SCHEDULE 2 OF LPS REGULATIONS 2015	
Requirement	Comment
(a) the aims and provisions of this scheme and any other local planning scheme operating within the Scheme area;	The proposed additional classroom is consistent with the ultimate purpose of the Public Purpose reserve under Town Planning Scheme No. 3, noting the local heritage significance of the site.
(b) the requirements of orderly and proper planning including any proposed local planning scheme or amendment to this scheme that has been advertised under the <i>Planning and Development (Local Planning Scheme) Regulations 2015</i> or any other proposed planning instrument that the local government is seriously considering adopting or approving;	The proposed additional classroom is consistent with the orderly and proper planning under Town Planning Scheme No. 3, noting the local heritage significance of the site. The draft Local Planning Strategy and Local Planning Scheme No. 6 are currently being prepared.
(c) any approved State planning policy;	SPP 3.5 Historic Heritage Conservation. See Policy Implications below. SPP 3.7 Planning in Bushfire Prone Areas. See Policy Implications below.
(e) any policy of the Commission;	Guidelines for Planning in Bushfire Prone Areas. See Policy Implications below.
(j) in the case of land reserved under this scheme, the objectives for the reserve and the additional permitted uses identified in this Scheme for the reserve;	The proposed additional classroom and administration building additions will improve the function of the school, consistent with the ultimate purpose of the reserve being Private School.
(k) the built heritage conservation of any place that is of cultural significance.	Shire of Bridgetown-Greenbushes Local Heritage Survey. See Policy Implications below.
(l) the effect of the proposal on the cultural heritage significance of the area in which the development is located;	Acceptable. See above.
(m) the compatibility of the development with its setting including the relationship of the development to development on adjoining land or on other land in the locality including, but not limited to, the likely effect of the height, bulk, scale, orientation and appearance of the development;	The proposed classroom is to be located at the rear of the school hall. No detrimental impacts upon the local built environment are anticipated.

(n) the amenity of the locality including the following: (i) environmental impacts of the development; (ii) the character of the locality; (iii) social impacts of the development;	No detrimental impacts upon the local environment, character of the locality or adjoining land are anticipated, noting ongoing bushfire mitigation works required on the site.
(p) whether adequate provision has been made for the landscaping of the land to which the application relates and whether any trees or other vegetation on the land should be preserved;	No additional landscaping is considered necessary.
(q) the suitability of the land for the development taking into account the possible risk of flooding, tidal inundation, subsidence, landslip, bush fire, soil erosion, land degradation or any other risk;	See bushfire risk above. No additional risk of flooding from Somme Creek is expected. No evidence of soil erosion, etc.
(r) the suitability of the land for the development taking into account the possible risk to human health or safety.	See bushfire risk above.
(t) the amount of traffic likely to be generated by the development, particularly in relation to the capacity of the road system in the locality and the probable effect on traffic flow and safety;	No additional parking is expected as a result of the proposed additions.
(u) the availability and adequacy for the development of the following: (i) public transport services; (ii) public utility services; (iii) storage, management and collection of waste; (iv) access for pedestrians and cyclists (including end of trip storage, toilet and shower facilities); (v) access by older people and people with a disability;	School bus services are available to the site, existing utilities are available, waste management should not be affected, access for pedestrians and cyclists will remain, and the single universal parking bay will be relocated with access through the new main entry to the building.
(x) the history of the site where the development is to be located;	See cultural heritage above.
(za) the comments or submissions received from any authority consulted under clause 66.	DFES feedback dated 11 June 2020 noted. See Officer Comments above and Policy Implications below.

Integrated Planning

➤ Strategic Community Plan 2019

Key Goal 2 - Our natural environment is valued, conserved and enjoyed

Objective 2.6 - Development is sympathetic to the landscape

Strategy 2.6.1 - Planning processes allow for a diverse range of land and development opportunities

Key Goal 5 - Our leadership will be visionary, collaborative and accountable

Objective 5.1 - Our community actively participates in civic life

Strategy 5.1.1 - The community is involved in local decision making

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 2019-2023
 - Strategy 2.6.1 - Planning processes allow for a diverse range of land and development opportunities
 - Action 2.6.1.2 - Development application process allows a balance between sensitively developed places and progressive development
 - Action 5.2.8.2 - Provide effective regulatory services
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications

- State Planning Policy No. 3.5 – Historic Heritage Conservation

The policy sets out the principles of sound and responsible planning for the conservation and protection of Western Australia's historic heritage, setting out considerations and control principles for development assessment.

Under Clause 6.6 Development Control Principles "*Alterations, extensions or change of use affecting a heritage place*

- *Development should conserve and protect the cultural significance of a heritage place based on respect for the existing building or structure, and should involve the least possible change to the significant fabric.*
- *Alterations and additions to a heritage place should not detract from its significant and should be compatible with the siting, scale, architectural style and form, materials and external finishes of the place. Compatibility requires additions or alterations to sit well with the original fabric rather than simply copying or mimicking it."*
- State Planning Policy 3.7 Planning in Bushfire Prone Areas and Guidelines for Planning in Bushfire Prone Areas

SPP 3.7 guides how development should address bushfire risk management in Western Australia. It applies to all land that has been designated as 'bushfire prone' by the Fire and Emergency Services Commissioner as highlighted on the Map of Bush Fire Prone Areas. The accompanying Guidelines provide supporting information to assist in the interpretation of the objectives and policy measures outlined in SPP3.7, providing advice on how bushfire risk is to be addressed when planning, designing or assessing a planning proposal within a designated bushfire prone area.

- Shire of Bridgetown-Greenbushes Local Heritage Survey

St Brigid's Roman Catholic Church, Convent of Mercy and School (Hall) included as Place B30 in the Local Heritage Survey (LHS). See SPP 3.5 above.

Budget Implications

The required development application fee has been paid to consider the application. Should Council approve the application subject to conditions opposed by the applicant or should Council refuse the application, the applicant may exercise a right

of review (ie. appeal) with the State Administrative Tribunal, additional staff time and potential legal costs are likely to be incurred.

Whole of Life Accounting – Not applicable

Risk Management

Council has the options to approve the development subject to conditions (as recommended), to refuse to grant development approval setting out reasons based on bushfire risk, or to defer a decision pending further feedback from DFES. Should Council approve the application subject to conditions opposed by the applicant or should Council refuse the application, the applicant may exercise a right of review (ie. appeal) with the State Administrative Tribunal.

An assessment of the potential implications of implementing the Officer Recommendation has been undertaken, with the key risks considered to be reputational and potential professional indemnity (financial) risk to the Shire, principally related to the bushfire planning considerations. Shire staff are satisfied that a robust assessment of the proposed development has been undertaken and that should an approval be issued, and a bushfire later affect the lot, impacting either built form or life, the decision would be deemed reasonable limiting any reputational and professional indemnity risk to an acceptable level.

Voting Requirements – Simple Majority

Council Decision Moved Cr Bookless, Seconded Cr Pratico

C.10/0720 That Council, noting the comments provided by the Department of Fire and Emergency Services as per Attachment 9, grants development approval for the proposed additional classroom St Brigid's School at Lot 95 (130) Roe Street, Bridgetown, as per Attachments 11 and 12, subject to the following conditions:

- 1. The external materials and colours of the proposed additional classroom to complement the existing buildings.***
- 2. The development is to be constructed in accordance with BAL-12.5 standards pursuant to Australian Standard AS3959 Construction of Buildings in Bush-Fire Prone Areas.***
- 3. The findings and recommendations of the Bushfire Management Plan dated 6 July 2020 must be implemented to maintain the BAL-12.5 rating for the life of the development, including the provision of the asset protection zone, internal vehicular access and firebreaks.***

Carried 9/0

Community Services

Cr Pratico declared an Impartiality Interest in Item C.11/0720 as he is Patron of the Agricultural Society, sponsor of Tennis Tournament, member of Catterick Progress Assoc. Cr Pratico stated as a consequence, there may be a perception that his impartiality on the matter may be affected, and declared he would consider the matter on its merits and vote accordingly.

Cr Boyle declared an Impartiality Interest in Item C.11/0720 as she is Member of Committee of Blackwood Environment Society. Cr Boyle stated as a consequence, there may be a perception that her impartiality on the matter may be affected, and declared she would consider the matter on its merits and vote accordingly.

ITEM NO.	C.11/0720	FILE REF.	281
SUBJECT	Community Grants, Service Agreements & Other Donations		
PROPONENT	Council		
OFFICER	Executive Manager Community Services		
DATE OF REPORT	15 July 2020		

Attachment 13 Community Group Grants, Service Agreements, CEO and other Donations Spreadsheet

Attachment 14 Memorandum of Understanding Bridgetown Environmental Society – Landcare Officer

OFFICER RECOMMENDATION

That Council determines to allocate \$160,000 in the 2019-2020 budget for community donations as follows:

- \$7,500 New service agreements
- \$13,747 Existing service agreements to be carried forward
- \$14,400 New community group grants
- \$30,000 New non-contestable annual community contributions
- \$2,385 Chief Executive Officer donations
- \$3,500 Chief Executive Officer hall hire donations
- \$680 Rubbish and recycling collection for community events
- \$200 Rubbish and recycling collection for Shire leased facilities
- \$43,054 Landcare Officer
- \$500 South West Academy of Sport Sponsorship
- \$250 Agricultural Society School Art Prize Sponsorship
- \$1,000 Manjimup Airfield Contribution
- \$1000 Greenbushes' Australia Day Breakfast Event
- \$365 School Awards
- \$2,000 Busselton Airport Contribution
- \$600 Catterick Progress Association – One Off Insurance Assistance
- \$13,239 Post COVID-19 Economic Development Funding Activities

OFFICER RECOMMENDATION

That Council delegate the allocation of the \$10,927 Post Covid-19 Economic Development Funding to the Chief Executive Officer.

OFFICER RECOMMENDATION

That Council advise the Bridgetown Child Health Clinic that they have been funded \$6,000 for one more year of full rental subsidy only and that future applications for rental assistance will not be fully funded.

OFFICER RECOMMENDATION

That Council endorse the revised Memorandum of Understanding regarding the \$42,366 funding provided to employ the Landcare Officer.

Summary/Purpose

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

Background

The members of the Community Grants and Service Agreements Working Party were Councillors Boyle, Mountford Nicholas, Pratico and Quinby. The meeting was held on 18 June 2020. The Executive Manager Corporate Services and the Executive Manager Community Services also attended the meeting.

At the commencement of the meeting participating councillors and staff were asked to declare any potential impartiality interests.

- Cr Boyle advised she was a member of the Biosecurity Group, Blackwood Youth Action, Bridgetown Agricultural Society and the Bridgetown Environment Society
- Cr Mountford advised she was a member of Blackwood Creatives
- Cr Nicholas advised that he was a member of Blackwood Youth Action
- Cr Pratico advised he was Patron of the Agricultural Society and a sponsor of the Tennis Tournament as well as a member of the Catterick Progress Association
- Michelle Larkworthy advised she was an office bearer with the Bridgetown-Greenbushes Business & Tourism Association

All Councillors determined to assess the individual applications on their merits.

Officer Comment

The summary of community grant and service agreement applications at Attachment 14 demonstrates the highly competitive nature of the funding round with \$47,500 new service agreement applications, \$37,572 new community grant applications and 3 requests for financial assistance which were received after the application closing date (related to COVID-19 and other external factors). These additional requests totalled \$3,116. Council's existing financial commitments include \$13,747 in service agreements, \$25,580 in Non Contestable Allocations and \$52,246 in CEO and Other Donations.

The existing service agreements are funding arrangements of a predetermined annual figure, over a 3 year period. Therefore the existing service agreements totalling \$13,747 are already fixed and subsequently are not reviewed or altered.

The Working Group, in alignment with Policy F.1 Shire Community Grants, Service Agreements, Donations and Contributions reviewed the existing Non-Contestable Funding allocations and determined these should be recommended for continued funding in the 2020-2021 financial year. These are listed below and if endorsed by Council will be identified as separate line items within the annual budget. The Working Group determined that Geegeelup Village Inc funding of \$30,000 per annum to assist with approximately 50% of their rates should also be allocated under the Non-Contestable Funding allocations.

The 3 additional requests for financial assistance were received from:

- Greenbushes Golf Club sought assistance due to COVID-19 related loss of income, seeking \$1,737 for building insurance
- Bridgetown Historical Society sought assistance due to COVID-19 related loss of income support seeking venue hire valued at \$770 (historical talks once a month in Lesser Hall for 10 months)
- Catterick Progress Association requested assistance with insurance and electricity costs following taking ownership of the Catterick Hall during the 2019-20 financial year. However on receipt of the Western Power COVID-19 assistance package (\$2,500) they amended their request seeking assistance with building insurance costs of \$550 - \$600

The Working Group noted that Lotterywest funding was available to community groups and sporting groups who experienced loss of income due to COVID-19 and subsequently did not support the two requests for loss of income support. The Working Group recommended the Catterick Progress Association request be supported as a one off payment noting their ownership of Catterick Hall had been formalized during the current calendar year and timelines had not aligned for them to submit a formal application to Council in the annual application process. The Working Group determined that \$600 to assist Catterick Progress Association should be included in the CEO and All Other Donations category.

In the annual review of the Corporate Business Plan, the Executive Leadership Team identified an anomaly regarding the 5 year commitment to fund \$2,000 per annum towards the Busselton airport (4 years remaining). The anomaly being that this allocation was identified in the Plan but not allocated within the \$160,000 funding provided by Council annually. The Working Group determined that this \$2,000 should be included in the CEO and All Other Donations category.

In considering the provision of funding via grants, service agreements, non-contestable allocations and other donations, the Working Group identified that \$13,239 could be quarantined during the assessment process to allow for the provision of financial assistance to stimulate the economy post COVID-19. The officer recommendation seeks delegation in allocating this funding to the Chief Executive Officer to allow for swift responses to opportunities which might be missed if individual requests were required to be presented to Council through the monthly reporting process. The intent of this recommendation is that the Chief Executive Officer would have freedom and flexibility to allocate these funds and would seek,

wherever possible, to advise Council informally of opportunities that presented (prior to allocation) if timelines permitted utilising either the CEO Informal Meeting with Councillors or the Concept Forum to do so. The Working Group determined that this \$13,239 should be included in the CEO and All Other Donations category.

In reviewing the applications the Working Group noted, on advice from Cr Nicholas, that the Bridgetown Child Health rental request had potential to be co-funded by WA Country Health. Subsequently the Working Group determined to recommend one more year of full rental assistance to this applicant, but that the applicant be advised that future requests to fully fund the rental expenditure will not be considered.

In preparing this item for Council's deliberation, it was identified that the existing Memorandum of Understanding with Bridgetown Environmental Society regarding funding of the Landcare Officer required renewal. Subsequently it is attached to this report and the officer seeks Council's endorsement of a further 3 year service agreement regarding funding of the Landcare Officer. The term of the service agreement is 3 years with an expiry date of 30 June 2023, noting that there is a 1.6% (\$688) increase in the funding provision from the 2019/20 financial year to 2020/21 as an annual December CPI adjustment is made to the funding amount.

A copy of the updated Memorandum of Understanding is attached. The only change from the previous Memorandum of Understanding is a change of dates.

The Working Group endorsed recommendation to Council of:

SERVICE AGREEMENTS:

Blackwood Country Gardens	\$2,500	Guest Speaker Fee
Bridgetown Historical Society	\$3,000	Promotions, Electricity
Grow Greenbushes	\$2,000	Sunup Banquet Buses
Sub Total	\$7,500	

COMMUNITY GRANTS:

Bridgetown Child Health	\$6,000	Rent
Blackwood Basketball Association	\$1,500	Youth Basketball Clinics
Bridgetown Historical Society	\$3,900	Audio System (Fixed)
Grow Greenbushes	\$3,000	Artist (Mural)
Sub Total	\$14,400	

NEW NON CONTESTABLE ALLOCATIONS:

Geegelup Village	\$30,000	Rates
Sub Total	\$30,000	

NON CONTESTABLE ALLOCATIONS:

Bridgetown Family & Community Centre	\$8,000	Rates & Insurance
Greenbushes Playgroup	\$580	Rent
Henri Nouwen House	\$10,000	Administration & Wages
Bridgetown Lawn Tennis Club	\$2,000	Easter Tournament
Rotary Club of Bridgetown Inc	\$5,000	Marathon Event
Sub Total	\$25,580	

OTHER CONTRIBUTIONS & ALLOCATIONS

CEO Donations	\$6,765
Landcare Officer	\$43,054
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
School Awards	\$365
Busselton Airport Contribution (4 years remaining)	\$2,000
Catterick Progress Association (Insurance)	\$600
Post COVID-19 Economic Stimulus Activities	\$13,239
Sub Total	\$68,773
Total	\$143,253

Statutory Environment – Not Applicable

Integrated Planning

➤ Strategic Community Plan 2017

- Key Goal 4 A community that is friendly and welcoming
- 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 2018

- Strategy 4.1.1 Deliver and support a wide range of community activities, events and associated infrastructure.
- Action 4.1.1.2 Fund community grants, service agreements and donations to a maximum value of \$160,000 per annum Agreements up to \$160,000.

- 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 as it 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 2020-2021 financial year.

Risk Management

The recommendations seek to achieve risk management by ensuring all funding allocations, donations and contributions are identified by Council prior to the finalization of the annual budget.

Voting Requirements - Simple Majority for Recommendations 1,3 and 4; Absolute Majority for Recommendation 2 (delegation)

Moved Cr Pratico, Seconded Cr Bookless

1. That Council determines to allocate \$160,000 in the 2020-2021 budget for community donations as follows:
 - \$7,500 New service agreements
 - \$13,747 Existing service agreements to be carried forward
 - \$14,400 New community group grants
 - \$30,000 New non-contestable annual community contributions
 - \$2,385 Chief Executive Officer donations
 - \$3,500 Chief Executive Officer hall hire donations
 - \$680 Rubbish and recycling collection for community events
 - \$200 Rubbish and recycling collection for Shire leased facilities
 - \$43,054 Landcare Officer
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 - \$1,000 Manjimup Airfield Contribution
 - \$1000 Greenbushes' Australia Day Breakfast Event
 - \$365 School Awards
 - \$2,000 Busselton Airport Contribution
 - \$600 Catterick Progress Association – One Off Insurance Assistance
 - \$13,239 Post COVID-19 Economic Development Funding Activities
2. That Council delegate the allocation of the \$10,927 Post Covid-19 Economic Development Funding to the Chief Executive Officer.
3. That Council advise the Bridgetown Child Health Clinic that they have been funded \$6,000 for one more year of full rental subsidy only and that future applications for rental assistance will not be fully funded.
4. That Council endorse the revised Memorandum of Understanding regarding the \$42,366 funding provided to employ the Landcare Officer.

Amendment Moved Cr Pratico, Seconded Cr Boyle
Correct amount at dot point 2 to read \$13,239.

Carried 9/0

The Amended Motion becomes the Substantive Motion – The Motion was Put
Council Decision Moved Cr Pratico, Seconded Cr Bookless

1. ***That Council determines to allocate \$160,000 in the 2020-2021 budget for community donations as follows:***
 - ***\$7,500 New service agreements***
 - ***\$13,747 Existing service agreements to be carried forward***
 - ***\$14,400 New community group grants***
 - ***\$30,000 New non-contestable annual community contributions***
 - ***\$2,385 Chief Executive Officer donations***
 - ***\$3,500 Chief Executive Officer hall hire donations***
 - ***\$680 Rubbish and recycling collection for community events***
 - ***\$200 Rubbish and recycling collection for Shire leased facilities***
 - ***\$43,054 Landcare Officer***
 - ***\$500 South West Academy of Sport Sponsorship***
 - ***\$250 Agricultural Society School Art Prize Sponsorship***
 - ***\$1,000 Manjimup Airfield Contribution***
 - ***\$1000 Greenbushes' Australia Day Breakfast Event***
 - ***\$365 School Awards***
 - ***\$2,000 Busselton Airport Contribution***
 - ***\$600 Catterick Progress Association – One Off Insurance Assistance***
 - ***\$13,239 Post COVID-19 Economic Development Funding Activities***
2. ***That Council delegate the allocation of the \$13,239 Post Covid-19 Economic Development Funding to the Chief Executive Officer.***
3. ***That Council advise the Bridgetown Child Health Clinic that they have been funded \$6,000 for one more year of full rental subsidy only and that future applications for rental assistance will not be fully funded.***
4. ***That Council endorse the revised Memorandum of Understanding regarding the \$42,366 funding provided to employ the Landcare Officer.***

Absolute Majority 9/0

Reason for amending the officer recommendation

To correct error in amount allocated to Post COVID-19 Economic Development Funding.

ITEM NO.	C.12/0720	FILE REF.	
SUBJECT	Disney Jigsaw & Display Table		
PROPONENT	Bridgetown Greenbushes Business & Tourism Association		
OFFICER	Executive Manager Community Services		
DATE OF REPORT	17 July 2020		

OFFICER RECOMMENDATION

That Council:

- 1. Accept the proposed bequest by the Bridgetown Greenbushes Business and Tourism Association of the Disney Jigsaw Puzzle and purpose built display table.*
- 2. Direct the Chief Executive Officer prepare a Letter of Agreement acknowledging the bequest and acknowledging that Council will gift the Disney Jigsaw Puzzle and purpose built display table back to the Bridgetown Greenbushes Business and Tourism Association should there be any reason, in the future, for Council to dispose of these items.*

Summary/Purpose

The purpose of the item is to determine Council's support for accepting the proposed bequest of items currently on display in the Brierley Jigsaw Gallery at the Visitor Centre.

Background

The Disney Jigsaw Puzzle and purpose built display table were purchased by Mrs Pamela Brown (Mrs Brierley's descendent) and gifted to the Bridgetown Greenbushes Tourism Association approximately two years ago. These items were utilised during the Bridgetown Greenbushes Business and Tourism Association's (BGBTA) Puzzletown event, which sits within the Bridgetown Winter Festival suite of events. The items are quite large, and cannot easily be moved or stored/displayed elsewhere. In the intervening time period it was identified that these items are not insured and cannot be covered by the Shire's insurance due to the fact the items are owned by another party. Representatives from the Local Government Insurance Scheme (LGIS) advised the items could pose a public liability risk to the Shire, being in the Brierley Jigsaw Gallery uninsured. Whilst the risk is low, the advice from LGIS was to request an indemnity waiver acknowledging if the items were damaged or caused damage to another party that the Shire would not be legally responsible. The BGBTA was advised by its lawyers not to sign the waiver. Subsequently, in order to mitigate the potential exposure to risk to both parties the BGBTA has requested Council take ownership of the items with the caveat that should Council at any point, for any reason, need to dispose of the items they be gifted back to the Association.

Officer Comment

The Disney Jigsaw Puzzle and display table do add value to the Brierly Jigsaw Gallery and the proposal for Council to take ownership of these items does achieve the principles of risk mitigation to both the Shire and the BGBTA. Should Council determine to accept the officer recommendation the items could then be insured by the Shire, along with other items in the Brierly Jigsaw Gallery. The BGBTA has advised that the value of the items is:

- Disney Jigsaw \$1,500
- Display Table \$2,000

Statutory Environment - Nil

Integrated Planning

- Strategic Community Plan - Nil
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans – Should Council endorse the officer recommendation the items will be reflected in relevant Asset Management Plans.
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications

Should the officer recommendations be endorsed by Council, it is likely a minor budget implication of approximately \$100 would be incurred to cover additional insurance costs (public liability and contents).

Whole of Life Accounting - Nil

Risk Management

The officer recommendation seeks to mitigate Council's potential exposure to risk associated with having uninsured items in their facility.

Voting Requirements – Simple Majority

Council Decision *Moved Cr Bookless, Seconded Cr Pratico*

C.12/0720 *That Council:*

- 1. Accept the proposed bequest by the Bridgetown Greenbushes Business and Tourism Association of the Disney Jigsaw Puzzle and purpose built display table.***
- 2. Direct the Chief Executive Officer prepare a Letter of Agreement acknowledging the bequest and acknowledging that Council will gift the Disney Jigsaw Puzzle and purpose built display table back to the Bridgetown Greenbushes Business and Tourism Association should there be any reason, in the future, for Council to dispose of these items.***

Carried 9/0

Receival of Minutes from Management Committees – Nil

Urgent Business Approved by Decision

ITEM NO.	C.14/0720	FILE REF.	
SUBJECT	Unbudgeted Grant Income – Department of Local Government, Sport & Cultural Industries		
PROPONENT	Council		
OFFICER	Executive Manager Community Services		
DATE OF REPORT	28 July 2020		

Attachment 18 Correspondence from the Minister for Sport & Recreation

Reason for Urgent Business: Council approval is required to accept over \$10,000 unbudgeted grant income. Expenditure of the grant funds is proposed prior to budget adoption.

OFFICER RECOMMENDATION

That Council accept Item C.14/0720 as urgent business.

OFFICER RECOMMENDATION

That Council accepts unbudgeted income of \$25,900 from the Department of Local Government, Sport & Cultural Industries and associated expenditure to deliver fitness program for identified target groups.

Summary/Purpose

This recommendation seeks formal receipt of unbudgeted income from the Department of Local Government, Sport and Cultural Industries related expenditure to cover costs associated with implementation of targeted programs to deliver fitness to identified low participation groups within the Shire of Bridgetown-Greenbushes.

Background

Earlier this year, the Shire of Bridgetown-Greenbushes was successful in securing grant funding for the purpose of increasing participation in fitness program for identified target groups including:

- People with socio-economic challenges
- People with disabilities
- People over 70 years of age
- Disengaged youth
- Adolescent females

BLC staff have prepared a range of programs that will deliver fitness, health and wellbeing opportunities to these targets.

Officer Comment

Objectives of the grant funded program are:

- Target investment into specific community sport and active recreation outcomes developed through community consultation and partnerships;
- Programs that create sustainable, affordable and quality sport and active recreation opportunities and pathways to engage targeted populations;
- Activities that increase the engagement and physical activity of low participation groups;
- Programs that support healthy behaviors;
- Programs that increase participants wellbeing, resilience and self-esteem through connection to community;
- Programs that improve the understanding of benefits of physical activity and healthy lifestyles; and

It is a requirement of the grant funding for the program's implementation to be guided by a working group of representatives. The working group has not yet been established, but will be should Council endorse the officer recommendation.

Key groups to be invited to participate in the working group include:

- Blackwood Youth Action
- Ashbill Community Garden
- Greenbushes Community Garden
- Bridgetown Mountain Bike and Cycling Club
- Ruddell Forrest (Skate Park)
- Terry Hollington (BLC)

The implementation of this program has been delayed due to the impacts of the COVID-19 pandemic. It is anticipated that the program will commence in August 2020 with staff training and program delivery in September 2020.

The key activities that the program will provide include:

- personal training for young people with disability
- group fitness program for youth
- adult swimming lessons
- Yoga for Teens
- Chair Yoga for 70's Plus
- Hip Hop Dancing
- Futsal Soccer
- Aqua Aerobics for 70's Plus
- Mountain Biking Programs
- Skate Park Activities
- Supervised Community Gardening

Integrated Planning

➤ Strategic Community Plan

Key Goal 4: Our natural environment is valued, conserved and enjoyed.

Objective 4.2: Value, protect and enhance our natural environment.

Strategy 4.2.1: Encourage events, activities, programs and services relevant to, and accessible to local youth.

Strategy 4.2.5: Support initiatives that develop confidence, self-esteem and resilience.

Strategy 4.2.9: Support services and facilities for seniors and people with a disability.

➤ Long Term Financial Plan - Nil

➤ Other Integrated Planning - Nil

Policy Implications

Policy F.13 – ‘Grant Acceptance Policy. The principles of this policy are to ensure that Council maximises service delivery and income through the procurement of grant funding.

Budget Implications

Should Council endorse the officer recommendation, the 2021-2022 budget will reflect income of \$25,900 and expenditure of \$25,900 associated for the delivery of the identified activities.

Risk Management

There is low risk associated with the proposed program as the majority of the materials and contracts costs associated with the program delivery are externally funded. The Shire’s contribution to deliver the program is predominantly through existing wages and advertising budget allocations.

Voting Requirements – Absolute Majority

Council Decision Moved Cr Moore, Seconded Cr Wilson

C.14/0720 That Council accept Item C.14/0720 as urgent business.

Carried 9/0

Council Decision Moved Cr Quinby, Seconded Cr Boyle

C.14/0720a That Council accepts unbudgeted income of \$25,900 from the Department of Local Government, Sport & Cultural Industries and associated expenditure to deliver fitness program for identified target groups.

Absolute Majority 9/0

Responses to Elected Member Questions Taken on Notice - Nil

Elected Members Questions With Notice

Cr Pratico

1. Is it possible for a Council to pass a local law not allowing persons to self-isolate for COVID-19 within their boundaries?

Response – this type of enforcement is outside the authority of a local government. Local Laws can only be made when authorised by the Local Government Act 1995 (the Act) or other written laws, but cannot be inconsistent with any State or Federal law. Such an attempt to make a local law would be inconsistent with the Emergency Management Act 2005 (WA), under which

on 15 March 2020 the WA Government declared a State of Emergency in response to COVID-19. This allowed it to use emergency powers to create legally enforceable directions (rules) which aim to limit the spread of COVID-19. This includes the requirement for persons entering the State to quarantine or isolate

2. Is Lefroy Road maintained by the Shire?

Response – yes it is subject to grading and other maintenance works. The road was gravel sheeted in 2018/19.

3. Is the drainage on the road adequate?

Response – Since the bus accident the works crew have opened up the drain which has now improved water flow off the carriageway. One tree was also removed.

4. On Lefroy Road is there ability for 2 vehicles to pass on the road?

Response – the road is narrow due to the number of trees within the road reserve. Where the trees are less dense there is ability for 2 cars to pass but where there are large trees either side oncoming traffic needs to slow down and manoeuvre to pass. Where a bus or truck is using the road there it is more difficult to pass and requires cooperation between drivers.

5. Would the erection of temporary signage assist in identifying the narrow width of the road?

Response – no but the erection of permanent “narrow road” signage is proposed and will be funded from normal road maintenance accounts.

Notice of Motions for Consideration at the Next Meeting - Nil

Matters Behind Closed Doors (Confidential Items)

In accordance with Section 5.23(2) of the Local Government Act the CEO has recommended this Item be considered behind closed doors as the subject matter relates to the following matters prescribed by Section 5.23(2):

- A matter affecting an employee or employees;

In accordance with Clause 4.2 of the Standing Orders Local Law the contents of this item are to remain confidential and must not be disclosed by a member to any person other than a member of Council or an employee of the Council to the extent necessary for the purpose of carrying out his or her duties.

The CEO, being a co-author of the agenda item declares a financial interest in the item due to the report concerning his employment and remuneration.

ITEM NO.	C.13/0720	FILE REF.	
SUBJECT	CEO Annual Performance Review		
PROPONENT	CEO Performance Review Committee		
OFFICER	Chief Executive Officer and Shire President		
DATE OF REPORT	20 July 2020		

- Attachment 15 Annual Appraisal Council Report Prepared by Consultant (Confidential Attachment)
- Attachment 16 Review Report Prepared by Consultant and CEO Performance Review Committee (Confidential Attachment)
- Attachment 17 Minutes CEO Performance Review Committee 16 July 2020 (Confidential Attachment)

Council Decision Moved Cr Johnson, Seconded Cr Moore
C.13/0720 That Council goes behind closed doors at 6.18pm.

Carried 9/0

6.19pm - Mrs Larkworthy, Ms Denniss, Mr Arlandoo and Mrs Lockley retired from the Meeting
6.19pm – Mr Clynych vacated the Meeting
6.40pm – Mr Clynych returned to the Meeting

Council Decision Moved Cr Pratico, Seconded Cr Mountford
C.13/0720a That Council come out from behind closed doors at 6.42pm.

Carried 9/0

Council Decision Moved Cr Johnson, Seconded Cr Bookless
C.13/0720b That Council:

- 1. Notes that Mr Tim Clynych's annual performance review as Chief Executive Officer for the Shire of Bridgetown-Greenbushes for 2019/2020 has been undertaken;**
- 2. Endorses Mr Clynych's overall rating of 'Meets Performance Requirements';**
- 3. Schedules the next review of the CEO's performance to be conducted by 31 July 2021, including inviting senior management team members to contribute to the process;**
- 4. Endorses the Key Result Areas for the 2020/21 review period; and**
- 5. Notes that Mr. Clynych has elected not to seek an increase in his Total Reward Package.**

Carried 9/0

It is noted that no members of the gallery returned to the Meeting

Closure

The Presiding Member closed the Meeting at 6.43pm.

List of Attachments

Attachment	Item No.	Details
1	C.03/0720	Draft MOU with Hastie Waste
2	C.04/0720	Draft 2020/21 Firebreak and Fuel Hazard Reduction Notice
3	C.06/0720	Policy I.15 'Lawn Cemetery – Reservation of Grave Sites' with track changes
4	C.06/0720	Lawn Section Layout Map and Photographs
5	C.07/0720	Rolling Action Sheet
6	C.09/0720	June 2020 Financial Activity Statements
7	C.09/0720	List of Accounts Paid in June 2020
8	C.10/0720	Locality Plan
9	C.10/0720	Department of Fire and Emergency Services Comments
10	C.10/0720	Bushfire Prone Planning Response to DFES Comments
11	C.10/0702	Proposed Plans
12	C.10/0720	Final Bushfire Management Plan
13	C.11/0720	Community Group Grants, Service Agreements, CEO and other Donations Spreadsheet
14	C.11/0720	Memorandum of Understanding Bridgetown Environmental Society – Landcare Officer
15	C.13/0720	Annual Appraisal Council Report Prepared by Consultant (Confidential Attachment)
16	C.13/0720	Review Report Prepared by Consultant and CEO Performance Review Committee (Confidential Attachment)
17	C.13/0720	Minutes CEO Performance Review Committee 16 July 2020 (Confidential Attachment)

Minutes checked and authorised by T Clynch, CEO		5.8.20
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As Presiding Member, I certify that the Minutes of the Council Meeting held 30 July 2020 were confirmed as a true and correct record of the proceedings of that meeting at the Ordinary Meeting of Council held on 27 August 2020.

..... 27 August 2020