

Standing Committee Minutes Index – 8 March 2018

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Minutes of a Meeting of the Local Laws, Strategy, Policy & Organisation Development Standing Committee held in the Council Chambers on Thursday, 8 March 2018 commencing at 5.30pm.

The Presiding Member opened the Meeting at 5.33pm

Acknowledgment of Country – Presiding Member

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

Attendance & Apologies

Presiding Member - Cr A Wilson

Councillors - J Bookless
- J A Boyle
- D Mackman
- J Moore
- J Nicholas
- A Pratico
- P Scallan
- C Wallace

In Attendance - T Clynch, Chief Executive Officer
- M Larkworthy, Executive Manager Corporate Services
- E Denniss, Executive Manager Community Services
- S Donaldson, Manager Planning (retired 6.01pm)
- T M Lockley, Executive Assistant (retired 6.01pm)

Gallery

T Linz, M Elgar

Petitions/Deputations/Presentations - Nil

Comment on Agenda Items by Parties With an Interest

M Elgar - SC.03/0318 - Shire of Bridgetown-Greenbushes Municipal Heritage Inventory Review

Mrs Elgar spoke in support of the officer recommendation

Confirmation of Minutes

SC.01/0318 Ordinary Meeting held 8 February

A motion is required to confirm the Minutes of the Ordinary Meeting of the Local Laws, Strategy, Policy & Organisation Development Standing Committee held 8 February 2018 as a true and correct record.

Committee Decision ***Moved Cr Pratico, Seconded Cr Bookless***
SC.01/0318 That the Minutes of the Ordinary Meeting of the Local Laws, Strategy, Policy & Organisation Development Standing Committee held 8 February 2018 be confirmed as a true and correct record.

Carried 9/0

Announcements/Briefings by Elected Members - Nil

Notification of Disclosure of Interests

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 allow a Member to speak, the extent of the interest must also be stated.

Nil

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

Reports of Officers

Reports of Officers have been divided into the following Categories:

- Policy
- Local Laws
- Strategy
- Organisation Development

Policy - Nil

Local Laws

ITEM NO.	SC.02/0318	FILE REF.	LL.14
SUBJECT	Cats Local Law 2018		
PROPONENT	Council		
OFFICER	Senior Admin Officer		
DATE OF REPORT	26 February 2018		

Attachment 1 Draft Cats Local Law 2018

OFFICER RECOMMENDATION: In accordance with Section 3.12 of the Local Government Act 1995, Council gives notice that it proposes to make a Shire of Bridgetown-Greenbushes Cats Local Law 2018, as per Attachment 1. The purpose of the proposed Local Law is to repeal the Shire of Bridgetown-Greenbushes Keeping and Welfare of Cats Local Law and to provide Council under the proposed Cats Local Law 2018 with measures in addition to those under the Cat Act 2011 to control the keeping of cats. The effect of the proposed Local Law is to control the number of cats that can be kept, the places where cats can be kept and to control the activity of cats where a nuisance is caused.

Summary

The current 'Keeping and Welfare of Cats Local Law' is no longer relevant since the introduction of the Cat Act 2011. The purpose of this Item is for Council to adopt a new Cat Local Law to control the number of cats that may be kept on premises within the Shire.

Background

During 2017 Council instigated an amendment to the current Keeping and Welfare of Cats Local Law with the view of amending the document so that it did not conflict with the Cat Act 2011. The Cat Act 2011 was introduced some years after Council had adopted its Keeping and Welfare of Cats Local Law.

In August 2017 Council resolved not to proceed with the proposed Amendment to the principal Local Law with the view of presenting a new document.

"C.14/0817 That Council:

- 1. Notes the contents of the single submission received and resolves not to proceed with the proposed "Keeping and Welfare of Cats Amendment Local Law 2016".*
- 2. Directs the CEO to develop a draft "Keeping and Welfare of Cats Local Law" for presentation to the October 2017 Meeting."*

Officer Comment

Since August 2017 officers have been liaising with other south west local governments who had Cat Local Laws in place prior to the introduction to the Cat Act 2011. This has resulted in demonstrating the need to repeal our existing Local Law and introducing a new Local Law.

The gazettal of the Cat Act in 2011 (the Act) heralded a significant change in the way in which local governments could manage cats. Although the Dog Act has been in place since 1976, there was no equivalent Act to manage cats until 2011. Some, including the Shire of Bridgetown-Greenbushes chose to address this by introducing a cat local law, however there was limited consistency between the laws of different local governments.

The introduction of the Cat Act meant that the State, for the first time, had a mandate to require that unless exempt, all cats over the age of 6 months be registered, microchipped and sterilised. In addition, section 79(3) of the Act provides that local government can make local laws to address topics such as cats creating a nuisance, specify places where cats are prohibited absolutely and limit the number of cats that may be kept at a premises.

One of the more problematic limitations of the *Cat Act 2011* is that, unlike the *Dog Act 1976*, it does not make it an offence for an animal to be at large in a public place. Many cat owners choose not to confine their pets to their property, and this is a common cause of community disharmony.

Although it is not possible under the Act to make it an offence for a cat to roam in a public place, local governments may however to make it an offence for a cat to cause a nuisance, including in a public place. Using a nuisance clause appears to be the only way it is possible to manage the behaviour of cats that are permitted to roam freely away from their keeper's premises.

The new proposed Cats Local Law basically covers:

- a) Keeping of more than the prescribed number of cats – being 4 at any one premises.
- b) The process associated with owners applying for a permit and the process for determining such applications for the keeping of more than the prescribed number of cats at any one premises.

The proposed Local Law does not duplicate any clause that is contained in the Cat Act 2011.

Section 3.12 of the Local Government Act sets out the procedure for the making of a Local Law, requiring a local government to give Statewide public notice stating that it proposes to make a Local Law, giving details of where the proposed Local Law may be inspected or obtained, and stating the date by which submissions can be made.

Statutory Environment

Section 3.5 of the Local Government Act allows for the making of local laws:

3.5 Legislative power of local governments

- (1) A local government may make local laws under this Act prescribing all matters that are required or permitted to be prescribed by a local law, or are necessary or convenient to be so prescribed, for it to perform any of its functions under this Act.

To amend a local law the process as outlines in the Local Government Act 1995, section 3.12 which reads:

3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
 - (a) give Statewide public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;and
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (3a) A notice under subsection (3) is also to be published and exhibited as if it were a local public notice.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.

** Absolute majority required.*
- (5) After making the local law, the local government is to publish it in the *Gazette* and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the *Gazette* the local government is to give local public notice —
 - (a) stating the title of the local law; and
 - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that copies of the local law may be inspected or obtained from the local government’s office.

- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —
making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

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 5.2.7 – Council’s policies and local laws are responsive to community needs
- Strategy 5.2.8 – ensure all legislative responsibilities and requirements are met

- Corporate Business Plan

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

- Action 5.2.7.2 – Periodically review Local Laws to ensure compliance to Local Government Act

- Long Term Financial Plan - Nil

- Asset Management Plans - Nil

- Workforce Plan – Nil

- Other Integrated Planning – Nil

Policy/Strategic Implications - Nil

Budget Implications

Sufficient funding is provided in the 2017/18 budget to cover advertising and gazettal costs for amending Local Laws.

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management – Not Applicable

Voting Requirements – Absolute Majority

Moved Cr Scallan, Seconded Cr Boyle

In accordance with Section 3.12 of the Local Government Act 1995, Council gives notice that it proposes to make a Shire of Bridgetown-Greenbushes Cats Local Law 2018, as per Attachment 1. The purpose of the proposed Local Law is to repeal the Shire of Bridgetown-Greenbushes Keeping and Welfare of Cats Local Law and to provide Council under the proposed Cats Local Law 2018 with measures in addition to those under the Cat Act 2011 to control the keeping of cats. The effect of the proposed Local Law is to control the number of cats that can be kept, the places where cats can be kept and to control the activity of cats where a nuisance is caused.

Amendment Moved Cr Mackman, Seconded Cr Nicholas

Clause 3.2(1)(a) – change ‘4’ to ‘3’.

Carried 9/0

The Amended Motion becomes the Substantive Motion – The Motion was Put
Committee Recommendation Moved Cr Scallan, Seconded Cr Boyle

SC.02/0318 In accordance with Section 3.12 of the Local Government Act 1995, Council gives notice that it proposes to make a Shire of Bridgetown-Greenbushes Cats Local Law 2018, as per Attachment 1 with the following minor amendment:

- ***Clause 3.2(1)(a) – change ‘4’ to ‘3’.***

The purpose of the proposed Local Law is to repeal the Shire of Bridgetown-Greenbushes Keeping and Welfare of Cats Local Law and to provide Council under the proposed Cats Local Law 2018 with measures in addition to those under the Cat Act 2011 to control the keeping of cats. The effect of the proposed Local Law is to control the number of cats that can be kept, the places where cats can be kept and to control the activity of cats where a nuisance is caused.

Carried 9/0

Strategy

ITEM NO.	SC.03/0318	FILE REF.	023
SUBJECT	Shire of Bridgetown-Greenbushes Municipal Heritage Inventory Review		
OFFICER	Manager Planning		
DATE OF REPORT	28 February 2018		

Attachment 2 Submissions
Attachment 3 Schedule of submissions
Attachment 4 New Images

OFFICER RECOMMENDATION: That Council:

1. Notes the submissions received, as per Attachment 2, and the staff responses in the Schedule of Submissions, as per Attachment 3.
2. Pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015 and the Heritage of Western Australia Act 1990, adopts the

Shire of Bridgetown-Greenbushes Municipal Heritage Inventory Review 2018, subject to the modifications highlighted in the Schedule of Submissions plus the following:

- a) *For Place Record B30 St Brigid's Roman Catholic Church, Convent of Mercy and School (Hall), Bridgetown, the Physical Description and Historical Notes be updated referencing the recent re-roofing of the Parish school hall and a new photo in Attachment 3 be added.*
 - b) *For Place Record B40 Old Cider Factory the Gordon Holdsworth sketch in Attachment 3 be added.*
 - c) *For Place Record R19 Brooklyn School the new photograph in Attachment 3 be added.*
 - d) *For Place Record R22 Pensinsula House the Historical Notes be corrected to confirm that the current owners bought the property in 2004, and not 2007.*
3. *Grants delegated authority to the Chief Executive Officer to make minor corrections or updates to approved place records when appropriate in light of new information, however any significant changes such as changes to management categories or deletion of places will require Council approval.*
4. *Directs the Chief Executive Officer to commence assessment of new nominations as part of the ongoing review of the Municipal Heritage Inventory, with new place records to be presented to future meetings of Council for preliminary consideration.*

Summary/Purpose

To note the submissions received and adoption of the Shire of Bridgetown-Greenbushes Municipal Heritage Inventory Review 2018 and to authorise the Chief Executive Officer to make minor updates or corrections to place records as required.

Background

The original Shire of Bridgetown-Greenbushes Municipal (Heritage) Inventory was adopted in 1995 and reviewed in 2001. A subsequent review was commenced in 2009, however due to a lack of available staff, was not completed. In accordance with the *Planning and Development (Local Planning Schemes) Regulations 2015*, and the *Heritage of Western Australia Act 1990*, the draft Municipal Heritage Inventory Review was presented to Council in November 2017 for adoption for the purpose of public consultation whereby Council resolved:

"C.20/1117 That Council adopt the draft Shire of Bridgetown-Greenbushes Municipal Heritage Inventory Review, as per Attachment 12, and directs the Chief Executive Officer to undertake public advertising including direct consultation with landowners of recognised places, with a report to be presented to a future meeting of Council."

Public Consultation

Pursuant to the resolution of Council, the draft MHI Review has been formally advertised with correspondence and draft place records sent directly to landowners and managers of all current sites (excluding those under the care and control of the Shire). Correspondence and full copies of the MHI were sent to the Department of Planning, Lands and Heritage and the Bridgetown Historical Society. Notices were posted on the Shire noticeboards and website, at the Bridgetown Public Library and at the Greenbushes Community Resource Centre, with hard copy and digital copies

made available at those locations for inspection. An advertisement was also published in the Manjimup Bridgetown Times on 10 January 2018.

Written submissions were requested by 8 February 2018, during which time ten submissions were received, albeit two submissions from Talison Lithium have been treated as a single submission (see Attachment 2).

The submissions all generally support the content of the MHI Review, with some submitters providing additional information and/or requesting changes or corrections, with the submissions and staff responses included in the Schedule of Submissions (see Attachment 3). Importantly, no objections were raised to the ongoing inclusion of any current places in the MHI and only one submitter (being Main Roads WA) referred to concerns regarding the Management category of one place, discussed below.

Recommended changes are highlighted in the Schedule of Submissions, affecting place records for the following:

- B13 Bridgedale
- B17 Commercial Bank of Australia (Fmr)
- B18 Bridgetown Police Station and Quarters (Fmr)
- B26 Bridgetown Memorial Park and War Memorial
- B40 Old Bridgetown Cider Factory
- B43 Bridgetown Road Bridge
- G11 Lindsay's Store
- G12 Greenbushes War Memorial
- G24 Cornwall Pit

Changes are also recommended to update the place name of the Bridgetown Police Station and Quarters (Fmr) in Section 4.4.7 Places, and add Dr Noel Williams, Chair of the Bridgetown Advancement Policy Pool Committee to Section 4.6.6 People.

Main Roads WA highlighted that the recommended Management Category B for place B43 Blackwood River Bridge may not be necessary, given that the Shire has no development control over maintenance and changes to the structure. Noting that Main Roads have shown sensitivity to the aesthetics of the Bridge in regards to heritage, particularly when carrying out maintenance involving change of materials, Shire staff agree with this rationale and recommend changing the management category from B to C for the B43 Blackwood River Bridge.

The public consultation process led to two more site visits, one to place B40 Old Bridgetown Cider Factory and another to place R19 Brooklyn School. For B40, the landowner provided a copy of a sketch drawn by Gordon Holdsworth (see Attachment 4) which is recommended for inclusion in the MHI. A new photo of place R19 has also been taken (see Attachment 3) showing recent maintenance improvements, also recommended for inclusion in the MHI.

Informal contact was also made by the landowners of B8 Greystones and R22 Peninsula House, with further research still required regarding physical description of each place or property. It is recommended however that for R22 the Historical Notes be corrected to confirm that the current owners bought the property in 2004 and not 2007.

During the advertising period the Shire received a development application for the re-roofing of the St Brigid's Parish School Hall and Sisters of Mercy Convent. Approval was granted to use long sheet Gull Grey Colorbond sheeting and complimentary plumbing, in place of the existing short sheet red painted galvanised iron sheeting and galvanised iron plumbing. The hall re-roofing has now been completed, with the convent re-roofing to be potentially undertaken in 2018 or possibly 2019. Given the change to the Parish school hall roof, it is recommended that the Physical Description and Historical Notes for place record B30 be updated and a new photograph included referencing the recent re-roofing.

Ongoing Review

Much of the initial preparation of the MHI Review was based on information provided by landowners through site visits, plus online research of historic newspapers and local publications in relation to events in the Warren-Blackwood district. Where considered appropriate, new information can be used to correct, update and/or add to respective place records. Maintenance and renovation of buildings is always ongoing, and as such information will be updated periodically when verifiable information is received or discovered.

It is recommended that Council grant delegated authority to the Chief Executive Officer to make minor corrections or updates to approved place records when appropriate in light of new information, however any significant changes such as changes to management categories or deletion of places will require Council approval.

The Shire already has a number of new nominations, some of those received in the 2009 review. Significant work is still required to further assess these nominations plus others as resolved by Council or identified by Shire staff, as part of the ongoing review of the Municipal Heritage Inventory, with new place records to be presented to future meetings of Council for preliminary consideration.

Heritage Policies

The Shire's current Policy O.3 'Procedures for Adopting New Sites/Properties for Inclusion in the Municipal Inventory' is currently being reviewed, and is to be presented to Council in April or May 2018, with the procedure and nomination form to be updated to improve the nomination and assessment process.

A new Heritage Management Policy and Development Guidelines are currently being prepared and will be presented to Council in April or May 2018 for adoption and public consultation. The purpose of the policy will be to guide the restoration of existing buildings, additions to buildings, or construction of new buildings that may impact on the streetscape of a heritage place. The purpose of the guidelines will be to ensure any alterations or additions to buildings which have been recognised in the MHI are compatible with and complementary to the historical built environment, while maintaining the diversity and character of the streetscape.

Conclusion

A comprehensive review of the original Municipal Heritage Inventory has now been undertaken by Shire staff, with oversight by heritage consultant Annette Green from Greenward Consulting, having regard to the Heritage Council's Guidelines for the Assessment of Local Heritage Places and the Shire's Assessment of Cultural Heritage Significance Policy. Noting the content of the ten submissions received plus additional site visits and discussion with some stakeholders, some corrections and updates to various place records are considered necessary. It is therefore recommended that Council adopt the Shire of Bridgetown-Greenbushes Municipal Heritage Inventory Review subject to modifications outlined in the report and to authorise the Chief Executive Officer to make minor corrections or updates to approved place records.

Statutory Environment

- Planning and Development (Local Planning Scheme) Regulations 2015

The Deemed Provisions under Schedule 2, Part 3 of the Planning and Development (Local Planning Schemes) Regulations 2015, provide statutory power under local planning schemes to reference a Local Heritage List and to designate Heritage Areas (or precincts), discussed further below.

- Shire of Bridgetown-Greenbushes Town Planning Scheme No. 3 and Town Planning Scheme No. 4

The Municipal Heritage Inventory sits outside of the Shire's operative local planning schemes and is adopted by Council directly as a statutory policy document. Part VII under Town Planning Scheme No. 3 (applicable to the Bridgetown townsite) already includes provisions for recognition and protection of places with cultural heritage significance, with Schedule 4 forming the statutory Local Heritage List.

Deemed Provisions from the Local Planning Scheme Regulations 2015 automatically apply to both Town Planning Scheme No. 3 (where any inconsistency applies) and to Town Planning Scheme No. 4 (applicable to the balance of the Shire district outside of the Bridgetown townsite).

As outlined in the MHI document, the intent is for places with a Management Category A or B to form the Local Heritage List, with a separate report to be tabled to Council in the coming months. Given that Schedule 4 already sits under TPS3 any changes to the list may require a scheme amendment to potentially remove the list and/or modify the scheme provisions. Shire staff are currently seeking advice from the Department of Planning, Lands and Heritage regarding the best process to be undertaken for the statutory recognition and protection of important heritage places.

- Heritage of Western Australia Act 1990

The Shire is required under the Act to compile an inventory of local heritage places then review the inventory every four years.

Policy Implications

- Assessment of Cultural Heritage Significance Policy

The Assessment Cultural Heritage Significance Policy, adopted by Council in August 2016, has been used to assess the level of significance of heritage places and heritage areas, according to assessment criteria and allocation of recommended management categories.

- Shire of Bridgetown-Greenbushes Municipal Heritage Inventory

This report relates to the review of the Shire's Municipal Inventory, originally adopted in 1995 and reviewed in 2001. It is recommended that Council adopt the MHI Review including the recommended changes as detailed above and in the Schedule of Submissions.

- State Planning Policy 3.5 Historic Heritage Conservation

SPP 3.5 sets out the principles and sound responsible planning for the conservation and protection of Western Australia's historic heritage. Due regard has been given to the content of SPP3.5 in undertaking the MHI Review.

Strategic Plan Implications

- Strategic Community Plan

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 3: Our built environment is maintained, protected and enhanced

- *Objective 3.1 Maintained townscape heritage and character*
- *Strategy 3.1.1 Ensure relevant policies and plans offer appropriate protection to existing heritage character whilst still allowing appropriate development opportunities*
- *Strategy 3.1.3 Work with community to identify and implement projects that promote the unique heritage and history of each town*

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

- *Objective 5.2 We maintain high standards of governance, accountability and transparency*
- *Strategy 5.2.7 Council's policies and local laws are responsive to community needs*
- *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

Budget Implications

If Council decides to adopt the MHI review costs of approximately \$400 will be incurred for advertising, plus officer time, with funds currently available.

Fiscal Equity – Not applicable

Whole of Life Accounting – Not applicable

Social Equity – Not applicable

Ecological Equity – Not applicable

Cultural Equity

Adoption of the MHI review will improve identification, protection and conservation of cultural heritage places.

Risk Management - Not applicable

Continuous Improvement

Public consultation has assisted Shire staff with accurate and current information regarding places included in the MHI.

Delegated Authority

Nil. The report is presented to Council to seek adoption of the MHI review.

Voting Requirements – Simple Majority

**Committee Recommendation Moved Cr Boyle, Seconded Cr Pratico
SC.03/0318 That Council:**

- 1. Notes the submissions received, as per Attachment 2, and the staff responses in the Schedule of Submissions, as per Attachment 3.**
- 2. Pursuant to the Planning and Development (Local Planning Schemes) Regulations 2015 and the Heritage of Western Australia Act 1990, adopts the Shire of Bridgetown-Greenbushes Municipal Heritage Inventory Review 2018, subject to the modifications highlighted in the Schedule of Submissions plus the following:**
 - a) For Place Record B30 St Brigid's Roman Catholic Church, Convent of Mercy and School (Hall), Bridgetown, the Physical Description and Historical Notes be updated referencing the recent re-roofing of the Parish school hall and a new photo in Attachment 3 be added.**
 - b) For Place Record B40 Old Cider Factory the Gordon Holdsworth sketch in Attachment 3 be added.**
 - c) For Place Record R19 Brooklyn School the new photograph in Attachment 3 be added.**

d) For Place Record R22 Pensinsula House the Historical Notes be corrected to confirm that the current owners bought the property in 2004, and not 2007.

3. Grants delegated authority to the Chief Executive Officer to make minor corrections or updates to approved place records when appropriate in light of new information, however any significant changes such as changes to management categories or deletion of places will require Council approval.

4. Directs the Chief Executive Officer to commence assessment of new nominations as part of the ongoing review of the Municipal Heritage Inventory, with new place records to be presented to future meetings of Council for preliminary consideration.

Carried 9/0

ITEM NO.	SC.04/0318	FILE REF.	
SUBJECT	Strategic Projects Reserve Expenditure		
PROPONENT	Council		
OFFICER	Executive Manager Community Services		
DATE OF REPORT	1 March 2018		

Attachment 5 Preliminary Solar Investigation Report
Attachment 6 H2 Energy Solutions Quote for Solar Assessment Review and Energy Audit

OFFICER RECOMMENDATION that Council:

1. *Endorse the proposal to reallocate existing funds in the 2017/18 budget to conduct a Solar Assessment Review and Energy Audit for all Shire owned facilities.*
2. *Amends the 2017/18 budget by:*
 - *Capital Account 1790140 Energy & Water Efficiency Fittings – reduce from \$10,000 to \$0.*
 - *New Operating Account (number to be determined) - Energy & Water Efficiency Investigations - \$14,980.*
 - *Transferring an amount of \$4,980 from the Strategic Projects Reserve to fund the shortfall in the existing budget allocations.*

Summary/Purpose

Prior to commencing a long term project for retro-fitting of energy efficient systems on Shire facilities it is proposed to engage an independent consultant to provide advice and preferred options on what systems would best suit the needs and demands of the respective facilities. It is therefore recommended to reallocate existing funds in the budget (currently set aside for actual purchase or energy efficient systems) plus an additional transfer of funds from the Strategic Projects Reserve in order to progress the proposal.

Background

The 2017/18 budget contains an allocation of \$10,000 in relation to progressing Council's Corporate Business Plan Action 2.3.2.2, being "budget on an annual basis the retro-fitting of energy efficient or water efficient fittings or infrastructure on existing Shire buildings"..

Due to the increasing costs of electricity impacting the operations of the Shire, it was considered prudent to investigate energy efficiency options as a priority. Staff don't have expertise in assessing the range of energy efficient systems on the market therefore staff initially liaised with 4 different service providers who sell energy efficient systems, to seek advice and to determine priority options based on the expertise of suppliers. The Preliminary Solar Investigation Report was compiled as a result of that investigation. The report demonstrates significant variations in relation to options, recommendations and subsequently provided little direction regarding the purchase of infrastructure or equipment. The research did, however, highlight the need to seek higher level professional assistance, in the form of an energy consultant, to inform the decision making process.

The Preliminary Solar Investigation Report identifies key elements for the following Shire facilities:

- Leisure Centre
- Aquatic Centre
- Library
- Visitor Centre
- Civic Centre
- Depot & Sports Ground
- Fire Control Centre

The key elements identified in the Report included:

- Provider estimated average daily and annual consumption of electricity (partly informed by provision of actual expenditure for each facility, for an identified time frame being 26 April 2014 to 26 September 2016).
- Current Synergy tariff
- Proposed energy efficient system and appropriate system size for each facility
- Proposed gross price per system for each facility
- Proposed government rebate per system for each facility
- Net cost (ex GST) payable by the Shire to purchase the proposed systems
- Estimated daily production of electricity for each proposed system
- Estimated annual savings for each proposed system
- Finance options to purchase each of the proposed systems
- Total purchase price and consumption figures for all systems and facilities

In researching and compiling the data provided by each provider the variances in price, estimated usage and potential savings were considered significant. The following table shows the variances in 3 of the key elements as an indicator of the identified variances.

Key Element	Provider 1	Provider 2	Provider 3	Provider 4
Total net cost to Shire	\$152,638	\$134,670	\$236,783	\$190,976
Total savings pa	\$62,831	\$54,169	\$91,658	\$81,083
Est. annual consumption (KWh)	330,690	502,605	393,105	305,140

In addition, there were significant variances in the sizes of the proposed system for each facility which are identified in pages 3 – 6 of the Preliminary Solar Investigation Report.

The officer was cognizant of the fact that the providers were in part commercially affiliated with some retailers of solar equipment and that the data provided was therefore not necessarily relevant to the best system available for each facility to meet the overall needs of the Shire. The providers were in fact assessing which specific product they had to offer which would align with current usage. Subsequently, the officer utilized the data contained in the Preliminary Solar Investigation Report to inform a scope of works to seek quotes from firms specialising in the provision of energy solutions. Five companies were identified and subsequently provided with the scope of works, only one response was received (H2 Energy Solutions).

Officer Comment

The officer notes that with the provision of only 1 quote value for money is difficult to determine. However, having spent a considerable period of time researching and liaising with energy efficiency service providers, sellers, consultants and other Shires facing the same challenges (rising costs of utilities) it would seem prudent to invest \$14,980 in specialised assessment and advice, especially when assessed against the significant costs of potential energy efficient infrastructure.

The officer notes the quote provided by H2 Energy Solutions contains 4 options. The officer is recommending the 4th option due to the quality of information that will be obtained which will inform future reports to Council regarding the purchase of energy efficient infrastructure.

In researching energy efficiency systems the officer has explored what other local government authorities within Western Australia and other States are progressing in this area. One case study is the Shire of Toodyay where 20KW and 10KW solar photovoltaic systems were installed (respectively) at the Works Depot and Library. To address the budget constraints of infrastructure costs, the Toodyay Shire Council financed the purchase in such a way that the savings cover the cost of installation over a 5 year period. The estimate average pay back period for the systems is below 3.5 years for both sites. The estimated electricity cost savings, over the 5 year period is expected to be approximately \$47,000. The systems are also estimated to contribute towards an overall emissions reduction of 39.62 tonnes Co2-e (carbon dioxide equivalent) per year.

Statutory Environment

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

Integrated Planning

Strategic Community Plan

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

Objective 2.3 – Effectively utilised natural resources

Strategy 2.3.2 New Shire buildings to incorporate environmentally sustainable design principles

Objective 2.4 – An informed community on land management and sustainable living

Strategy 2.4.2 Encourage the community to have sustainable lifestyles and inform the community on ways to use our environment sustainably

Corporate Business Plan

Strategy 2.3.2 New Shire buildings to incorporate environmentally sustainable design principles

Action 2.3.2.2 – Budget on an annual basis the retrofitting of energy efficient or water efficient fittings or infrastructure on existing Shire buildings

Strategy 2.4.2 Encourage the community to have sustainable lifestyles and inform the community on ways to use our environment sustainably

Action 2.4.2.3 – Promote the reduction of water and energy use to the community

Long Term Financial Plan

The long term financial plan reflects an annual commitment of \$10,000 per annum to progress Council's Corporate Business Plan Action 2.3.2.2 Item "Budget on an annual basis the retro fitting of energy efficient or water efficient fittings or infrastructure existing Shire buildings. It is anticipated that the outcome of the Solar Assessment Review and Energy Audit will enable Council to more accurately determine the long term financial implications of implementing a program to retro fit existing Shire buildings with energy efficiency systems.

Asset Management Plans

This recommendation does not impact on asset management plans; however it is noted that the outcome of the Solar Assessment Review and Energy Audit will enable Council to more accurately identify any future energy efficiency system infrastructure requirements, which will then become an identified asset of the Shire and be reflected in the appropriate asset management plan.

Workforce Plan – Not Applicable

Other Integrated Planning – Not Applicable

Budget Implications

The 2017/18 budget contains a \$10,000 allocation for the identified purchase of energy or water efficiency systems. The recommendation seeks to utilise these monies, and an additional \$4,980 from the strategic projects reserve. The budgeted balance of the Strategic Projects Reserve is \$66,163. Note the purpose of the

Strategic Projects Reserve is “to be used to fund strategic planning actions and other strategic initiatives as determined by the Council”.

Fiscal Equity –Not Applicable

Whole of Life Accounting

The recommendation seeks to achieve whole of life accounting principles by ensuring an appropriate level of advice and expertise is sought regarding the capital and ongoing operational costs (and projected savings on energy consumption) prior to committing to invest in equipment and infrastructure.

Social Equity – Not Applicable

Ecological Equity

In researching energy efficiency systems the officer has explored what other local government authorities within Western Australia and other States are progressing in this area. One case study is the Shire of Toodyay where a 20KW and 10KW solar photovoltaic system was installed (respectively) at the Works Depot and Library. To address the budget constraints of infrastructure costs, the Toodyay Shire Council financed the purchase in such a way that the savings cover the cost of installation over a 5 year period. The estimate average pay back period for the systems is below 3.5 years for both sites. The estimated electricity cost savings, over the 5 year period is expected to be approximately \$47,000. The systems are also estimate to contribute towards an overall emissions reduction of 39.62 tonnes Co2-e (carbon dioxide equivalent) per year.

Cultural Equity – Not applicable

Risk Management

The recommendation seeks to mitigate Council’s exposure to risk from potential investment in significant energy efficiency infrastructure in an ad hoc or misinformed fashion by accessing the expertise of an energy consultant who is not involved in the sale of any specific energy efficiency system.

Continuous Improvement

The recommendation seeks to achieve continuous improvement through thorough research and assessment of all options of energy efficiency in order to invest wisely in infrastructure, minimize expenditure on electricity costs and reduce the carbon foot print of Shire facilities.

Voting Requirements – Absolute Majority

Committee Recommendation Moved Cr Moore, Seconded Cr Boyle

SC.04/0318 That Council:

- 1. Endorse the proposal to reallocate existing funds in the 2017/18 budget to conduct a Solar Assessment Review and Energy Audit for all Shire owned facilities.**

2. Amends the 2017/18 budget by:

- **Capital Account 1790140 Energy & Water Efficiency Fittings – reduce from \$10,000 to \$0.**
- **New Operating Account (number to be determined) - Energy & Water Efficiency Investigations - \$14,980.**
- **Transferring an amount of \$4,980 from the Strategic Projects Reserve to fund the shortfall in the existing budget allocations.**

Carried 9/0

Organisation Development

ITEM NO.	SC.05/0318	FILE REF.	209
SUBJECT	Rolling Action Sheet		
OFFICER	Chief Executive Officer		
DATE OF REPORT	1 March 2018		

Attachment 7 Rolling Action Sheet

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

Summary/Purpose

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

Background

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

Statutory Environment – Nil

Policy/Strategic Plan Implications – Nil

Budget Implications – Nil

Fiscal Equity – Not Applicable

Whole of Life Accounting – Not Applicable

Social Equity – Not Applicable

Ecological Equity – Not Applicable

Cultural Equity – Not Applicable

Risk Management – Not Applicable

Continuous Improvement – Not Applicable

Voting Requirements – Simple Majority

Committee Recommendation *Moved Cr Pratico, Seconded Cr Bookless
SC.05/0318 That the information contained in the Rolling Action Sheet be noted.*

Carried 9/0

Urgent Business Approved by Decision - Nil

Responses to Elected Members Questions Taken on Notice - Nil

Elected Members Questions With Notice – Nil

6.01pm – Mr Donaldson and Mrs Lockley retired from the Meeting

Briefings by Officers

Local Tourism Organisation

The CEO presented a briefing on the Local Tourism Organisation

Notice of Motions for Consideration at Next Meeting


Matters Behind Closed Doors

Closure

The Presiding Member closed the Meeting at 7.42pm

List of Attachments

Attachment	Item No.	Details
1	SC.02/0318	Draft Cats Local Law 2018
2	SC.03/0318	Submissions
3	SC.03/0318	Schedule of Submissions
4	SC.03/0318	New Images
5	SC.04/0318	Preliminary Solar Investigation Report
6	SC.04/0318	H2 Energy Solutions Quote for Solar Assessment Review and Energy Audit
7	SC.05/0318	Rolling Action Sheet

Minutes checked and authorised by CEO, Mr T Clynch		9.3.18
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CERTIFICATION OF MINUTES

As Presiding Member, I certify that the Minutes of the Local Laws, Strategy, Policy & Organisation Development Standing Committee Meeting held 8 March 2018 were confirmed as a true and correct record of the proceedings of that meeting at the Standing Committee meeting held on 8 March 2018.

.....12 April 2018

unconfirmed minutes