



Agenda

Ordinary Meeting of Council

To be held in Council Chambers
54 Johnson Street, Bruce Rock
Thursday 17 November 2022
Commencing 3.00pm



Notice of Ordinary Meeting of Council

Dear President and Councillors,

The next Ordinary Meeting of Council will be held on **Thursday 17 November 2022 at 3.00pm** in Council Chambers, at 54 Johnson Street, Bruce Rock.

Please contact the undersigned for any enquiries regarding the Agenda prior to the meeting.

A handwritten signature in blue ink, appearing to read "Darren Mollenoyux".

Darren Mollenoyux
CHIEF EXECUTIVE OFFICER

DISCLAIMER

PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING:

Statements or decisions made at this meeting should not be relied or acted on by an applicant or any other person until they have received written notification from the Shire. Notice of all approvals, including planning and building approvals, will be given to applicants in writing. The Shire of Bruce Rock expressly disclaims liability for any loss or damages suffered by a person who relies or acts on statements or decisions made at a Council or Committee meeting before receiving written notification from the Shire.

The advice and information contained herein is given by and to Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

Our Mission

We will achieve our vision by maintaining and enhancing the Bruce Rock lifestyle, increase business and employment opportunities and achieve population growth in an environmentally sustainable way.

Our Values

Respect, Inclusiveness, Fairness and Equality & Communication

SHIRE OF BRUCE ROCK

AGENDA – ORDINARY MEETING 17 NOVEMBER 2022

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SHIRE OF BRUCE ROCK

AGENDA – ORDINARY MEETING 17 NOVEMBER 2022

1. Declaration of Opening
2. Record of Attendance/Apologies/Leave of Absence (Previously Approved)

Apology Cr R Rajagopalan

3. Declarations of Interest

In accordance with Section 5.65 of the Local Government Act 1995 the following disclosures of **financial** interest were made at the Council meeting.

Date	Name	Item No	Reason

In accordance with Section 5.65 of the Local Government Act 1995 the following disclosures of **Closely Association Person and Impartiality** interest were made at the Council meeting.

Date	Name	Item No	Reason

In accordance with Section 5.60B and 5.65 of the Local Government Act 1995 the following disclosures of **Proximity** interest were made at the Council meeting.

Date	Name	Item No	Reason

4. Response to Previous Public Questions Taken on Notice
5. Public Question Time
6. Petitions/Deputations/Presentations/Submissions
7. Applications for Leave of Absence
8. Announcements by Presiding Member
9. Confirmation of Minutes

Works and Services Committee Meeting held on Thursday 20 October 2022

Recommendation:

That the minutes of the Works and Services Committee Meeting held Thursday 20 October 2022 be received.

Ordinary Meeting of Council held on Thursday 20 October 2022

Recommendation:

That the minutes of the Ordinary Meeting held Thursday 20 October 2022 be confirmed as a true and correct record.

Local Emergency Management Committee Meeting held on Monday 24 October 2022

Recommendation:

That the minutes of the Local Emergency Management Committee Meeting held Monday 24 October 2022 be confirmed as a true and correct record.

10. Officers' Reports

10.1 Manager of Works and Services

See Confidential Items

10.2 Manager of Finance

Agenda Reference and Subject:

10.2.1 Statement of Financial Activity

File Reference:

8.2.6.2 Financial Reporting

Reporting Officer:

Jennifer Bow, Manager of Finance

Author:

Jennifer Bow, Manager of Finance

Disclosure of Interest

Attachment:

Nil

Summary

A statement of financial activity must be produced monthly and presented to Council.

Background

In accordance with the Local Government Act 1995, a Statement of Financial Activity must be presented to each Council meeting, including a comparison of actual year to date to the budget year to date and variances from it. It must also include explanations of any variances and any other associated information that would be useful for readers of the report.

Comment

The Statement of Financial Activity will be made available to Councillors prior to the meeting.

Consultation

Darren Mollenoyux, Chief Executive Officer
Alan O'Toole, Deputy Chief Executive Officer
David Holland, Manager of Works and Services
Julian Goldacre, Environmental Health Officer
Mike Darby, Senior Finance Officer and other staff

Statutory Implications

r. 34 Local Government (Financial Management) Regulations 1996

34. Financial activity statement required each month (Act s. 6.4)

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in 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); and*
- (b) budget estimates to the end of the month to which the statement relates; and*
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
- (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.*

(4) A statement of financial activity, and the accompanying documents referred to in sub regulation (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.*

Policy Implications

Nil

Risk Implications

Risk: Financial performance is not monitored against approved budget		
Likelihood	Consequence	Rating
Possible	Minor	Moderate
Action / Strategy		
The monthly financial report tracks the Shire’s actual financial performance against its budgeted financial performance to ensure that the Council is able to monitor to Shire’s financial performance throughout the year.		

Financial Implications

Comparison of actual year to date to the 2022-23 Budget

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Governance

4.1 Our organisation is well positioned and has capacity for the future

Voting Requirements

Simple Majority

Officer Recommendation

That the Statements of Financial Activity for the month ending 31 October 2022 are received.

Agenda Reference and Subject:	10.2.2 List of Payments
File Reference:	8.2.3.3 Accounts Payable (Creditors)
Reporting Officer:	Jennifer Bow, Manager of Finance Officer
Author:	Mike Darby, Senior Finance Officer
Disclosure of Interest:	
Attachments:	<i>Item 10.2.2 Attachment A – List of Payments October 2022</i>

Summary

List of payments made since the last Ordinary Council Meeting.

Background

As the Chief Executive Officer has been delegated the authority to make payments from the municipal and trust funds, a list of payments made is to be presented to Council each month. Also, in accordance with Finance Policy Number 2.3, included is a list of payments made with the CEO’s credit card.

Comment

Following is a list of payments made from Council’s Municipal and Trust Accounts and payments made with the CEO’s credit card for the month of October 2022.

If you have any queries regarding the list of payments, please advise prior to the meeting to enable staff to seek relevant information.

Consultation

Nil

Statutory Implications

s.6.10 Local Government Act 1995

r.13(1) Local Government (Financial Management) Regulations 1996

Policy Implications

Nil

Risk Implications

Risk: Payments are not monitored against approved budget and delegation.		
Likelihood	Consequence	Rating
Possible	Minor	Moderate
Action / Strategy		
The monthly list of payments provides an open and transparent record of payments made under the appropriate approved delegations.		

Financial Implications

Payments must be made in accordance with 2022/23 Budget.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Governance

4.1 Our organisation is well positioned and has capacity for the future

Voting Requirements

Simple Majority

Officer Recommendation

That Council endorse the list of payments from the:

- 1. Municipal Account consisting of:**
 - a. EFT voucher numbers EFT20358 to EFT20499 totalling \$769,516.35**
 - b. Cheque number 93 to 97 totalling \$4,676.41**
 - c. Trust EFT Payments**
 - d. Wages and Superannuation payments totalling \$199,364.01 and**
 - e. Credit Card payments \$806.00**

With all payments totalling \$973,556.77 for the month of October 2022.

Agenda Reference and Subject:	10.2.3 Write off Various Sundry Debtors
File Reference:	
Reporting Officer:	Jennifer Bow, Manager of Finance Officer
Author:	Jennifer Bow, Manager of Finance Officer and Mike Darby
Disclosure of Interest:	
Attachments:	<i>Nil</i>

Summary

Council is asked to consider writing off several sundry debtors as they are deemed as uneconomical to recover or the debt was raised and is now uncollectable.

Background

Several sundry debtors have been deemed uneconomical to refer to our debt collectors due to the small debts outstanding.

Staff have tried various efforts in which to try to recover the amounts outstanding, prior to appointing a debt collector.

Comment

As to not identify each sundry debtor, the following table outlines the debtor number with a description of the debt and the amount outstanding and the number of days outstanding to the end of October 2022.

Debtor Number	Nature of Debt	Amount	Number of Days Outstanding
80172	Equestrian Lease for 2021-22 raised and lease passed away within 2 months of lease being renewed.	\$897.60	426
84175	Cost of cleaning rental and reimbursement for kitchen equipment removed from property at time of vacating the property.	\$280.00	732
84239	Private works to tow bogged vehicle. Debtor has been unable to be located.	\$200.00	465
Total to Write Off		\$2,896.08	

Consultation

Darren Mollenoyux, Chief Executive Officer,
Mike Darby, Senior Finance Officer

Statutory Implications

Local Government Act 1995

Local Government Act, section 6.12 (c) gives the Council the authority to write off any amount of money.

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

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

(c) write off any amount of money,

which is owed to the local government.

* Absolute majority required.

(2) Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

Policy Implications

2.4 Procedures for Outstanding Debtors

Risk Implications

Risk: That sundry debtors remain unpaid resulting in less revenue for the Shire.		
Likelihood	Consequence	Rating
Unlikely	Moderate	Moderate
Action / Strategy		
This item has been evaluated against the Shire of Bruce Rock’s Risk Management Procedure’s Risk Matrix. The perceived level of risk is considered to be a “Moderate” risk and will be managed by specific monitoring and response procedures.		

Financial Implications

Reduction in collectable sundry debtors of \$1,378.10

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

4. Governance

4.1 Our organisation is well positioned and has capacity for the future

Voting Requirements Absolute Majority

Officer Recommendation

That Council instructs the CEO to write off the following debts by sundry debtors;

1. Debtor 80172 = \$897.60;
2. Debtor 84175 = \$280.50; and
3. Debtor 84239 = \$200.00.

Agenda Reference and Subject:

10.2.4 Amendment of Fees and Charges – Lease for Café
(48 Johnson Street, Bruce Rock)

File Reference:

Reporting Officer:

Jennifer Bow, Manager of Finance Officer

Author:

Jennifer Bow, Manager of Finance Officer and Mike Darby,
Senior Finance Officer

Disclosure of Interest:

Attachments:

Nil

Summary

A reduction in the monthly lease for the Café located at 48 Johnson Street, Bruce Rock, as the variation to pay for improvements finishes in December 2022.

Background

The Café's monthly lease payment was varied in October 2019 so that improvements could be made on the property. This higher lease payment was payable for a period of three years and will finish in December 2022.

When the Fees and Charges were adopted with the 2022-23 Annual Budget, the monthly lease payment was not reduced.

Comment

The current monthly lease payment for the Café is \$759.00 (inc GST) and needs to be reduced to \$583.75 effective from the 1 January 2023, as per the lease agreement for the Café building and Council's resolution OCM Oct 19 – 12.5.

OFFICER RECOMMENDATION COUNCIL DECISION

Resolution OCM Oct 19 – 12.5

Moved: Cr Dolton

Seconded: Cr Rajagopalan

- 1. That Council approve the additional expenditure of \$6309 in the 2019/20 budget to adapt the internal arrangement of utilities supply (gas, electricity, water) and some plumbing fittings, and install a sliding rear door at 48 Johnson St, Bruce Rock.*
- 2. That Council adopt a new monthly rental fee (inclusive of recoup costs associated with utility supply and improvement works) of \$736.25 (inc.GST) for the Café building located at 48 Johnson Street, Bruce Rock for 36 months;*
- 3. The new monthly rental fee of \$736.25 (inc. GST) is to be charged from 1st November 2019;*
- 4. Give public notice of 7 days of the intent to vary the fee and charge.*

CARRIED BY ABSOLUTE MAJORITY 8/0

The reduced monthly lease fee will be applicable from 1 January 2023 as Council waived rental payments for the Café (and other businesses) due to the compulsory shut down mandated by the State Government during 2020 for Covid-19.

As Council is amending an already existing Fee and Charge that was adopted with the annual budget, it does not need to comply with the advertising requirements of introducing a new fee or charge.

Consultation

Kim and Merredith McKenzie-Thornton, Bruce Rock Café – Love That Food
 Darren Mollenoyux, Chief Executive Officer
 Jennifer Bow, Manager of Finance
 Mike Darby, Senior Finance Officer

Statutory Implications

Local Government Act 1995 s.6.16 & s.6.19

6.16. Imposition of fees and charges

(1) *A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

** Absolute majority required.*

(3) *Fees and charges are to be imposed when adopting the annual budget but may be —(a) imposed* during a financial year; and*

(b) amended from time to time during a financial year.*

** Absolute majority required.*

Policy Implications

Nil

Risk Implications

Risk: That the fees and charges do not recover the cost of providing a facility or service to the community.		
Likelihood	Consequence	Rating
Almost Certain	Minor	High
Action / Strategy		
This item has been evaluated against the Shire of Bruce Rock’s Risk Management Procedure’s Risk Matrix. The perceived level of risk is considered to be “High” risk. As a High Risk, the Manager of Finance will be monitoring the progress regularly.		

Financial Implications

A small decrease to the budgeted amount of fees and charges collected.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

4. Governance

4.1 Our organisation is well positioned and has capacity for the future

Voting Requirements Absolute Majority

Officer Recommendation

That Council amends the monthly lease fee for the Café building, located at 48 Johnson Street, Bruce Rock to \$583.75, effective from 1 January 2023.

10.3 Environmental Health Officer

Nil

10.4 Deputy Chief Executive Officer

Agenda Reference and Subject:

10.4.1 Use of Shire President Stamp

File Reference:

Reporting Officer:

Alan O’Toole, Deputy Chief Executive Officer

Author:

Melissa Schilling, Executive Assistant

Disclosure of Interest:

Attachments:

Nil

Summary

Use of Shire President Stamp October 2022.

Background

Nil

Comment

As per Council’s policy, the Shire President Stamp has been used during the months of October 2022 as follows:

- Term Deposit Shackleton Bowling Club
- CBH Declaration of Interest
- CEO Performance Criteria and Performance Review Letter

Consultation

Nil

Statutory Implications

Council Policy

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2022-2032

Governance

4. Governance

4.1 Our organisation is well positioned and has capacity for the future

Voting Requirements

Simple Majority

Officer Recommendation

That Council endorse the use of the Shire President Stamp during October 2022.

10.5 Chief Executive Officer

Agenda Reference and Subject:

10.5.1 Offer to Purchase 39 Railway Parade, Bruce Rock

File Reference:

A434 39 Railway Parade Bruce Rock

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Author:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest:

Attachments:

Item 10.5.1 Attachment A – Proposed Shed Plan

Summary

Council is asked to consider an offer from Barry Smart to purchase a vacant Council lot at 39 (lot 184) Railway Parade, Bruce Rock.

Background

Council considered a request from Mary Schick at the October 2022 Ordinary Council meeting to purchase a vacant Council lot at 39 (lot 184) Railway Parade, Bruce Rock to fence and retain as vacant land and plant trees. Council resolved as follows:

COUNCIL DECISION

Resolution OCM Oct 22 – 10.5.1

Moved: Cr Verhoogt

Seconded: Cr Waye

That Council decline the offer to purchase 39 Railway Pde due to Council's preference be that blocks be sold for development.

The CEO wrote to Mary Schick and informed her of Council's decision and the reasons for declining the offer. Mary Schick replied expressing her disappointment in Council's decision.

On the 25th October 2022 Council received a written offer of \$10,500 inc gst from Mr Barry Smart of York to purchase Council's vacant land located at 39 (lot 184) Railway Parade, Bruce Rock.

The applicant has advised that they will be building a shed on the site which is located next to Mary Schick's property and a copy of the proposed shed plans are provided as an attachment.

Mr Smart stated as follows:

"I would like to offer \$10,500.00 incl gst for the purchase of the above land. The land will be used to build a shed to house my cars and collectables.

At present I live in York. When this house is sold, I shall live at 41 Railway Parade Bruce Rock and be part of the community.

Ms Schick, who was trying to purchase the above land, was doing so for me, so that I could start the build of the shed before I sold my house in York. The plan was that I would purchase the land from Ms Schick. Also, this would have given me more time to find a builder to help with the construction of the shed. We have had enormous problems securing a builder for the shed. Transtruct for

instance, would not quote until the land was purchased. For another local builder it was too big a job.

As you can see from the attached plan, I have found a kit that I believe is within your outlines for construction. I would need to have a sewerage system in place as well as water. Ms Schick has been in communication with Mike Darby and Julian Goldacre and believes that the slab and sewerage can be organized through Council. This kit will be constructed by myself, Ms Schick and a labourer.

If there are any time restrictions for the shed to be constructed after the purchase of the land, please advise.

I would appreciate if this offer could be considered and finalized at next council meeting as we would like to progress with our planning or change course.”

Comment

The applicant Mr Barry Smart has made the offer following discussions with Mary Schick after her offer was declined due to not intending to develop the land.

Comments regarding Council staff advising that the sewerage and slab can be organised by staff is not the correct interpretation of the staff members’ conversations. In addition, if the property is only to be used for a shed then no sewerage would be required.

Comment from EHO

With regards to Policy 5.2 Outbuildings, Shipping Containers and Lean-Tos (the Policy), the proposed shed design of 180m2 with a ridge height below 4.5m is a permitted building that does not require Planning Approval. Furthermore, the Policy permits a shed only to be built on land where an outbuilding is normally allowed along with a Dwelling such as on a Residential Zoned Lot, given some land is only suitable for a shed construction.

It is noted that a toilet is proposed to be constructed in the shed as it mentions the construction of an apparatus for the treatment of sewage; it is important to understand that a shed is not a dwelling and cannot be used as a Dwelling House under any circumstances although use as a toilet only being a Class 10A construction is permitted, yet is not a Dwelling House for habitation purposes.

Furthermore, the orientation of the shed on the land if it is proposed to be across the rear of the property will cut the rear of the Lot off from access which for fire fighting could be problematic and needs consideration given side setbacks of One meter each side is required.

This lot has been available for purchase on Council’s vacant land list and website for the past three years, with Mary Schick previously making lower offers for the same lot. There are 8 vacant lots within the Townsite of Bruce Rock owned by Council and available for purchase.

In considering the offer Council needs to consider the length of time the land has been available with little interest and potential benefits from selling the lot, such as no longer requiring maintenance of the lot.

As per section 3.58 of the Local Government Act a valuation of the land is required for Council’s consideration and assessment against the offer from the applicant.

A market valuation has been undertaken and the market valuation is assessed as below:

Vacant Land 39 Railway Parade, Bruce Rock

Market Valuation Extract

There is little consistency between market evidence indicating a broader value range. The above information and the evidence attached herein indicates a Market Valuation Range of \$10,000 to \$20,000. We have adopted the midpoint of \$15,000 in this instance, reflecting a land rate of \$15/m2.

Consultation

Jennifer Bow, Manager of Finance
Mike Darby, Senior Finance Officer

Statutory Implications

Local Government Act 1995 - Sect 3.58

3.58 - Disposing of property

- (1) In this section —
dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;
property includes the whole or any part of the interest of a local government in property, but does not include money.
- (2) Except as stated in this section, a local government can only dispose of property to —
 - (a) the highest bidder at public auction; or
 - (b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.
- (3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —
 - (a) it gives local public notice of the proposed disposition —
 - (i) describing the property concerned; and
 - (ii) giving details of the proposed disposition; and
 - (iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;
 and
 - (b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.
- (4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —
 - (a) the names of all other parties concerned; and
 - (b) the consideration to be received by the local government for the disposition; and
 - (c) the market value of the disposition —
 - (i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

Policy Implications Nil

Risk Implications

Risk: If Council does not approve the disposal of land it may remain unsold for an unknown period of time.		
Likelihood	Consequence	Rating
Possible	Moderate	Moderate
Action / Strategy		
That Council seek an amicable arrangement to assist in the development of the lot and increasing		

investment into Bruce Rock.

Financial Implications

Council has a budget provision of \$15,000 in 2022/23 for the income for sale of vacant land.

Council needs to consider the offer of \$10,500 inc gst against the market valuation of \$15,000

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Economic

2.1: Assist the local economy to grow

Voting Requirements Absolute Majority

Officer Recommendation

That Council:

1. **Considers the offer of \$10,500 inc gst from Barry Smart to purchase Council's vacant lot located at 39 Railway Pde, Bruce Rock. and;**
2. **Determines any requirements or provision included in the sale.**
3. **If Council agrees then;**
 - a) **In accordance with section 3.58 of the Local Government Act Council authorises the Chief Executive Officer to give local public notice of its intention to dispose of the following lot to Mary Schick for the amounts stated below;
39 (Lot 184) Butcher St, Bruce Rock \$10,500 inc GST**
 - b) **That at the conclusion of the advertising period should there be no public submissions the CEO be authorised to proceed with the sale of the land or if submissions are received an item be presented to the December 2022 Ordinary Meeting of Council to consider, prior to the execution of the disposal/sale of 39 (Lot 184) Railway Parade, Bruce Rock.**

Agenda Reference and Subject:

10.5.2 Ordinary Council Meeting Schedule 2023

File Reference:

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Author:

Melissa Schilling Executive Assistant

Disclosure of Interest:

Attachments:

Item 10.5.2 Attachment A – 2023 Calendar

Summary

Council is asked to consider the schedule of Ordinary Council Meeting dates for 2023.

Background

It is a requirement for Council to advertise at least once each year the dates set for Ordinary Council Meetings. The Shire of Bruce Rock holds its Ordinary Council meetings on the 3rd Thursday of each month except January.

In line with the above the 2023 schedule of Ordinary Council Meetings would be as follows:

- Thursday 16 February 2023
- Thursday 16 March 2023
- Thursday 20 April 2023
- Thursday 18 May 2023
- Thursday 15 June 2023
- Thursday 20 July 2023
- Thursday 17 August 2023
- Thursday 21 September 2023
- Thursday 19 October 2023
- Thursday 16 November 2023
- Thursday 21 December 2023

Comment

There are no foreseeable clashes with Public Holidays or other events that would require Council to vary any of the proposed meeting dates, however Council may want to consider bringing the December Council Meeting forward to allow Officers time in which to action items before the Christmas break.

The current meeting day schedule is as follows:

11.00am	Councillor Information Session
1.15pm	Lunch Served
2.00pm	Bus Tour
2.30pm	Finish Councillor information Session
3.00pm	Council Meeting commences

Consultation

Darren Mollenoyux, Chief Executive Officer
Alan O'Toole, Deputy Chief Executive Officer

Statutory Implications

Local Government (Administration) Regulations 1996 - REG 12

12. Meetings, public notice of (Act s. 5.25(1)(g))

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub regulation (1).
- (3) Subject to sub regulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.
- (4) If a special meeting of a council is to be open to members of the public but, in the CEO’s opinion, it is not practicable to give local public notice of the matters referred to in sub regulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO’s opinion, is practicable.

Policy Implications Nil

Financial Implications Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Governance

4.3 – Proactive and well governed Shire

Voting Requirements

Simple Majority

Officer Recommendation

That Council endorses the schedule of Ordinary Council Meeting dates for 2023, pending any variation to the scheduled April 2023 meeting.

And

Give public notice of the meeting schedule for the Ordinary Meetings of Council for 2023.

11. Regional Reports

Agenda Reference and Subject:	11.1.1 WEROC Inc CEO Meeting Minutes October 2022
File Reference:	1.6.9.1 WEROC Inc Agendas and Minutes
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Author:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest:	
Attachments:	<i>Item 11.1.1 Attachment A - WEROC Inc. CEO Committee Meeting Minutes 13102022</i> <i>Item 11.1.1 Attachment B - Job Person Specification - Regional Waste Coordinator</i> <i>Item 11.1.1 Attachment C - WEROC Preferred Supplier Panel Overview</i>

Summary

Council is asked to receive the minutes from the previous WEROC Inc CEO's Meeting.

Background

The last WEROC Inc CEO's Meeting was held on the 13th October 2022 at the Shire of Kellerberrin Council Chambers.

Comment

To encourage the WEROC Inc partnership and promote a better understanding by all Councillors it is recommended that WEROC Inc minutes be read and received by Council.

The CEO and EHO attended the meeting.

The following items are highlighted for Council's attention:

7.3 WEROC – Strategic Waste Management Plan

Discussions was held regarding the progression of this strategic approach and how to move forward in a way that all Shires could work together with the resources and funding that we have. The CEOs and EHOs discussed various options to progress the strategic direction of waste management throughout the WEROC Shires, and agreed that a joint approach with an experienced waste coordinator would be most advantageous in addressing the matters raised in the Waste Plan, reducing waste and collaboration in waste management.

The meeting resolved:

That WEROC Inc. progress in engaging a regional waste coordinator to implement the recommendations of the Strategic Waste Management Report and to facilitate improved waste data collection, subject to a position description and funding model being approved by the WEROC Inc. Board.

Following the meeting the WEROC Executive Officer has prepared a PD and funding model and sought feedback.

In terms of a funding model, in the example provided by Sam Green from ASK Waste Management the Local Government contributions were determined on a per capita basis. If this was applied to the WEROC position the breakdown would be as follows:

Population (ABS Census 2021)

<i>Merredin</i>	<i>3,119</i>	<i>44%</i>
<i>Yilgarn</i>	<i>1,173</i>	<i>17%</i>
<i>Kellerberrin</i>	<i>1,138</i>	<i>16%</i>
<i>Bruce Rock</i>	<i>979</i>	<i>14%</i>
<i>Tammin</i>	<i>386</i>	<i>5%</i>
<i>Westonia</i>	<i>248</i>	<i>4%</i>
<i>TOTAL</i>	<i>7,043</i>	

The PD and funding model have been reviewed by the CEO and EHO and feedback provided.

7.2 Presentation by WBN Regarding WEROC Preferred Supplier Panel

At the WEROC Inc. Board Meeting held on 5 September 2022, Mr. Rik Soderlund, CEO of the Wheatbelt Business Network presented a proposal for the creation of a WEROC preferred supplier panel. Mr. Soderlund advised that WEROC would be able to determine the parameters for the preferred supplier panel and WBN will assist in discussions around thresholds and key industries to be included.

As a reminder of the requirements to establish a panel of pre-qualified suppliers, the Local Government (Functions and General) Regulations 1996 states that:

1) A written policy must be adopted before establishing a preferred supplier panel. The policy should outline how the Local Government will:

- a) Procure goods or services including any process for obtaining quotations.*
- b) Ensure that each pre-qualified supplier on the panel will be invited to quote for the goods and services that they will be expected to supply*
- c) Ensure clear, consistent and regular communication between the Local Government and suppliers*
- d) Detail any factors that will be taken into account when distributing work among suppliers*
- e) Record and retain written information in respect of quotations received and purchases made from suppliers*

2) If a preferred supplier panel is to be established, it is a requirement that public notice of the invitation to apply be given. Before the public notice is issued, the criteria for deciding which applications will be accepted, must be established, and documented.

3) The process to accept or reject an application must follow a similar process to a tender evaluation and all applicants must be notified of the outcome.

4) A contract entered into with a preferred supplier who is part of the preferred supplier panel must not be for a term exceeding 12 months.

The meeting resolved:

That WEROC Councils engage with local trades to gauge interest in being part of a regional preferred supplier panel before making any further determinations on this proposal.

A copy of the information is attached.

7.3 Wheatbelt Medical Student Immersion Program

On Thursday 29 September 2022, the Executive Officer received an email from Rural Health West with a request that WEROC Inc. consider supporting the University of Notre Dame's 2023 Wheatbelt Medical Student Immersion Program.

It is proposed that for the 2023 program, Notre Dame students will visit WEROC Shires and Narrogin from **Tuesday 14 to Friday 17 March**. The program will revert to the previous format of students staying with local families for a period of three nights.

Rural Health West and the University of Notre Dame are requesting confirmation that WEROC Shires are once again happy to provide in-kind support including:

- Complimentary use of a daily meeting venue for the group
- Complimentary use of a function venue for the community “thank you” dinner
- Local transport
- Assistance in recruiting host families
- Assistance in developing activities for the students during their visit.

The next WEROC Meeting will be held at 9.30am, 21st November 2022 at the Shire of Bruce Rock, obviously this is a busy time for farmers, however it is a great opportunity to attend a regional meeting that will be held here if any Councillors are available.

Consultation

Julian Goldacre, Environmental Health Officer

Statutory Implications Nil

Policy Implications Nil

Risk Implications

Risk: That Council does not receive the minutes or object to decisions of the WEROC Inc Board meeting.		
Likelihood	Consequence	Rating
Rare	Insignificant	Low
Action / Strategy		
This item has been evaluated against the Shire of Bruce Rock’s Risk Management Procedure’s Risk Matrix. The perceived level of risk is considered to be “Low” risk and will be managed by routine procedure and is unlikely to need specific application of resources.		

Financial Implications Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Governance

4.1– Our organisation is well positioned and has capacity for the future

Voting Requirements Simple Majority

Officer Recommendation

That Council receives the minutes of the WEROC Inc Board Meeting held on the 13th October 2022 at the Shire of Kellerberrin Council Chambers.

12. New Business of an urgent nature introduced by discussion of the meeting

13. Confidential Items

Agenda Reference and Subject:	13.1.1 2022/23 Sealing Tender
File Reference:	8.2.8.1 Tenders
Reporting Officer:	David Holland, Manager of Works and Services
Author:	David Holland, Manager of Works and Services
Disclosure of Interest:	
Attachments:	<i>Item 13.1.1 Attachment A – Confidential Sealing Tender Evaluation Summary</i>

Officer Recommendation

That in accordance with Section 5.23(2) of the Local Government Act 1995, the meeting is closed to the members of the public for this item as the following sub-section applied:

- (c) a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting; and
- (e) a matter that if disclosed, would reveal —
 - (i) a trade secret; or
 - (ii) information that has a commercial value to a person; or
 - (iii) information about the business, professional, commercial or financial affairs of a person,

Officer Recommendation

That in accordance with Section 5.23(2) of the Local Government Act 1995, Council reopens the meeting to the members of the public.

Officer Recommendation

That Council award the WALGA eQuote VP329540, RFQ0122 to Bitutek for the supply and delivery of the sealing program for the 2022/23 financial year as per quoted pricing.

14. Closure of Meeting