



Agenda

Ordinary Meeting of Council

To be held in Council Chambers
54 Johnson Street, Bruce Rock
Thursday 15 September 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 15 September 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 15 SEPTEMBER 2022

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SHIRE OF BRUCE ROCK

AGENDA – ORDINARY MEETING 18 AUGUST 2022

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

Ordinary Meeting of Council held on Thursday 18 August 2022

Recommendation:

That the minutes of the Ordinary Meeting held Thursday 18 August 2022 be confirmed as a true and correct record.

Audit Committee Meeting held on 18 August 2022

That the minutes of the Audit Committee Meeting held Thursday 18 August 2022 be received.

Bush Fire Advisory Committee Meeting held on Friday 2 September 2022.

Recommendation:

That the minutes of the Bushfire Advisory Committee held 2 September 2022 be confirmed as a true and correct record.

10. Officers' Reports

10.1 Manager of Works and Services

Nil

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 2017-2027

Governance

Goal 12 Council leads the organisation in a strategic and flexible manner

Voting Requirements

Simple Majority

Officer Recommendation

That the Statements of Financial Activity for the month ending 31 August 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 August 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 August 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 2017-2027

Governance

Goal 12 Council leads the organisation in a strategic and flexible manner

Voting Requirements

Simple Majority

Officer Recommendation

That Council endorse the list of payments from the:

- 1. Municipal Account consisting of:**
 - a. EFT voucher numbers EFT20053 to EFT20214 totalling \$482,186.97**
 - b. Cheque number 85 to 85 totalling \$738.77**
 - c. Trust EFT Payments**
 - d. Wages and Superannuation payments totalling \$206,774.52 and**
 - e. Credit Card payments \$2,316.85**

With all payments totalling \$689,700.26 for the month of August 2022.

10.3 Environmental Health Officer

Agenda Reference and Subject:

10.3.1 Application for Development Approval – On Lot 251, Kellerberrin – Shackleton Road, Shackleton for a Grain Depot consisting of three 1.8 metre high Open Bulkheads of a capacity of 62,225 tonnes with three Drive Over Grids and associated internal roads and drainage basin works.

File Reference:

Reporting Officer:

Julian Goldacre, Environmental Health Officer

Author:

Julian Goldacre, Environmental Health Officer

Disclosure of Interest

Nil

Attachments

Item 10.3.1 - ATTACHMENT A - Cover Letter & Application of Proposed Grain Depot - Lot 251 Kellerberrin-Shackleton Road Shackleton;
Item 10.3.1 - ATTACHMENT B - Site Plan - CBH Shackleton site & proposed Grain Depot development.
Item 10.3.1 - ATTACHMENT C - Standard Elevation Drawings of Bulk Bins for Grain Depot; Item 10.3.1 - ATTACHMENT D - Schedule of Submissions Public Submissions Shackleton Grain Depot

Summary

That Council approve the development application for a Grain Depot consisting of three Open Bulkheads of a capacity of 62,225 tonnes equipped with three Drive Over Grids and associated internal roads and drainage basin works on Lot 251, Kellerberrin – Shackleton Road, Shackleton. That Council accepts the Schedule of Submission of comments and that Council’s recommendations as required are actioned as applicable. That Council resolves the application for development approval has been assessed against the Shire of Bruce Rock Local Planning Scheme No 3, and the Shire of Bruce Rock Local Planning Strategy, and relevant supporting State policies and guidelines. That Conditions apply to this development approval, also advice notes are provided in good faith to assist the applicant with their development approval moving forward.

Background

An Application for Development Approval (ADA) was received by the Shire of Bruce Rock on the 21 July 2022 from a Mr T Roberts on behalf of Co-operative Bulk Handling Ltd (CBH). The ADA proposes the construction of three addition grain storage bulkheads (Bulkheads) and associated works as presented in Attachments A, B, & C. The proposed site for this ADA is located on Lot 251, Kellerberrin – Shackleton Road and is Rural zoned land east of the Shackleton townsite boundary, and the Kellerberrin – Shackleton Road, and adjoining north of the existing CBH grain storage site (the Site). The CBH administration has estimated that the future demand for harvest storage is possible, and that the harvest of 2021-22 period

is still substantially in storage, consequently extra storage capacity is required to improve storage, as well as reducing truck haulage waiting times.

Comment

The ADA is detailed in Attachment A, and displayed as a site plan with construction drawings in Attachments B, & C. The proposal is for the construction of three 1.8 metres high Bulkheads just north of the Site which is located east of the townsite of Shackleton. Two Bulkheads labelled TBH 02 and TBH 03 will have a footprint around 5,600m², and the Bulkhead TBH 03 will have a footprint around 5,425 (Attachment B). Collectively, the three Bulkheads will have a holding mass of 62,225 tonnes. Furthermore, the ADA proposes internal sealed roads, mobile machinery known as ‘Drive Over Grid Stackers’ to collect the grain from trucks and distribute to the Bulkheads, and drainage works including a basin for stormwater collection. This ADA is an extension of the Site for grain storage, handling, and transport dating back to when the railway line came through from Quairading to Bruce Rock around 1913 and thus has a long standing and required operational history and future as evidenced by this ADA. The Site is synonymous with the Shackleton townsite both as a built environment servicing the agriculture – extensive activities, and associated facilities supporting such.

The proposed location for the ADA is ‘Rural’ zoned land for the purpose of ‘Agriculture – extensive’ pursuant to the Shire of Bruce Rock Local Planning Scheme No 3 (the Scheme). The term ‘Grain Depot’ mentioned in the ADA is a specific listing in the Scheme to mean ‘... the use of premises for the receipt, storage, treatment, and despatch of grain’. The term Grain Depot is not specifically listed in the Scheme ‘Table 1 Zoning Table’ therefore is a use not listed thus advertising is required. Advertising was initiated on the 4th of August 2022, and fully commenced on the 9th of August 2022. The advertising concluded on the 8th September 2022 to meet minimum Statutory advertising requirements which were exceeded. The advertising was accomplished by a mail drop facilitated by the Shackleton Post Office to all known mailboxes in the townsite, the surrounding properties of the development, also all the mailboxes registered in the locality of Shackleton. Furthermore, advertising as a Notice was published in the Rock Review, on the two Notice boards at the Shire office, the Shackleton Store window, as well as the Shackleton District Club.

The ADA for the Bulkhead ‘works’ and change of land ‘use’ as proposed has been assessed, as required, pursuant to the Shire of Bruce Rock Local Planning Scheme No 3 (the Scheme), and the Shire of Bruce Rock Local Planning Strategy (the Strategy) as well as relevant State Planning Policies, and Guidelines for the Environment, and Health. It is important to understand that the previous application (Resolution OCM July 22 – 10.3.1) regarding the Bruce Rock CBH site had conditions in the Scheme imposed by a ‘Special Control Area’, the current Shackleton CBH location does not. Consequently, the conditions for this ADA need to be addressed, and reasonably applied to this specific ADA proposal.

The Scheme contains aims that ‘... promote the sustainable use of rural land for agricultural purposes whilst accommodating other rural activities’. In that regard, a Grain Depot is cognisant to agriculture – extensive, and are the most prominent examples of rural land activity and associated mostly with rural townsites. The Rural zone as described in the Scheme has the objectives to provide for rural pursuits that are compatible with the land and retain rural character and amenity for which Grain Depots certainly achieve.

The Strategy vision seeks to ensure a sustainable community and identifies that agriculture is valuable. Furthermore, the Strategy objectives seek to ensure the Shackleton settlement is sympathetic with adjacent agricultural activity and this will be actioned through conditions to the development approval. The actions listed in the Strategy seek to ensure Special Control Areas through scheme amendments for industrial and urban activity and as this is currently absent in the present Scheme this will be substituted in this instance as conditions on the development approval. Objective 15 of the Strategy is to ensure the continuing operation and expansion of agricultural activity and rural industries within the Rural zone and this ADA is part of that endeavour by facilitating a Grain Depot. Whilst the Strategy seeks to prevent the

fragmentation of viable agricultural land it is important to realise that a Grain Depot as proposed in this instance is congenial to the active rural agricultural industry.

State Planning Policy 2.5 Rural Planning (Policy 2.4) has been reviewed against this ADA and is consistent with the Policy 2.5 objectives. Whilst the ADA proposed will impact viable Rural zoned land agriculture – extensive activities, it is an extension of a regional facility being the Site of the present CBH facility. Furthermore, the land for this ADA is in the ownership of CBH. Policy 2.4 is supportive of regional facilities. The visual dominance of the ADA is considered low given the existing adjacent building bulk of the concrete grain storage facility, and that the bulk heads construction is 1.8 metres high. Whilst the proposed bulk bins will elevate in presence with grain that is then covered in ubiquitous blue tarpaulins, this is seasonal and will be removed over time.

Environmental protection concerns are not addressed in this item given the land for the proposed ADA is clear of any significant vegetation, especially trees, as the land, other than the road side tree-line, is fully cleared and for agriculture – extensive activity. Furthermore, the Data WA Locate SLIP mapping was scrutinised and there are no listed areas of registration of protected flora, fauna, heritage, or Aboriginal Lands identified given the land is freehold.

The proposed grain Depot is located below the recommended guidelines for distances for setbacks for Environment (500 metres from grain elevators), and Health (300 metres). The proponent has therefore requested in Attachment A that a 240-metre setback from the nearest bulkhead to the Kellerberrin-Shackleton Road front lot boundary is allowed. The nearest dwelling is located approximately 280 metres from the closest bulk bin, and approximately 300 metres from the discharge point of the closest grain elevator. This being the case then arrangements need to be specified and to the satisfaction of the local government to mitigate the effects, if any, for the requested reduced setbacks.

To accommodate the request for the reduced set back, development approval conditions are required to mitigate the noted concerns as listed in the Scheme for the Bruce Rock CBH site Special Control Area to mitigate off-site emissions risk. The Scheme ‘Schedule 3 – Restricted Uses’ imposes a condition on the Bruce Rock CBH site being “*Noise, vibration, light, and emissions to the atmosphere, are to be managed in accordance with statutory requirements so that the amenity of nearby sensitive uses, including residential development is not adversely affected*”. The letter in Attachment A mentions noise and dust, and the ADA applicant invites a condition on the development approval for these matters. For clarity the term ‘dust’ for the purpose of this ADA is to mean “*Airborne particles (aerosols)*” as per the now Dept. of Water, Environment Regulation (formally DEC) guideline published in 2011 (DWER). Consequently, based on the Scheme existing condition requirements that there will be a requirement for individual, or collective Management Plan(s) required for ‘noise’, ‘vibration’, ‘light’, and ‘emissions’ (dust and debris) to the satisfaction of the local government of Bruce Rock. Furthermore, a condition for a clear and present complaint procedure is to be established to directly deal with the population of the Shackleton townsite should concerns and/or complaints arise in the first instance.

The DWER guideline, and the ‘Dust and light emissions - the Western Australian Planning Commission (WAPC) Position Statement: Dark sky and astrotourism [January 2022]’ (Position Statement) are reasonably considered good guidance documents for managing light and dust emissions. A condition for a Management Plan(s) addressing light and dust emissions is required. The Position Statement is a modern document for the consideration of, and activities to mitigate dust and light emissions as well as preserve, the growing Dark Sky and astrotourism interests. Notwithstanding this, a management plan(s) that is considered suitable using other guidelines, best practice, and relevant Codes to identify and deal with dust and light emissions is invited.

Noise and vibration are detailed in the *Environmental Protection Act 1986* (the Act) as “*noise includes vibration of any frequency, whether transmitted through air or any other physical medium.*”. Consequently, a condition for the Management Plan(s) to deal with noise and vibration at the proposed location in the ADA will be in keeping with ensuring compliance with the Act, and *Environmental Protection (Noise) Regulations 1997*, as well as any referenced Codes and/or Standards, and proven best

practice to the satisfaction of the local government of Bruce Rock for meeting the condition of development approval. It is not the intent to impose a condition that is already in a Statutory Instrument of the State of Western Australia. The intent is to make the required compliance tailored specifically to the proposed operation of the proposed CBH facility to ensure the reduced setback requested is accommodated by the applicant to ensure integrity with the townsite of Shackleton, and other sensitive premises.

It will be required as a development condition that a Complaints Procedure is prepared in a manner to be conducive for the townsite (and surrounding areas) people who could be affected and require a user-friendly process to make a complaint. That is to say, in the event of CBH activities causing complaint(s) a method to ensure the complaint procedure is made clear (understandable) and present (accessible) to potentially affected persons in the first instance, and to ensure, as much as reasonably possible, that the complaint procedure will be effective to de-escalate complaints raised to avoid escalation to local government and/or government department level.

The ADA mentions that storm water at the proposed development area will be managed at a 5-year Average Recurrence Interval (ARI). The ARI is *'the average or expected value of the periods between exceedances of a given rainfall total accumulated over a given duration. It is implicit in this definition that the periods between exceedances are generally random'*. This is to say that the average rainfall for a period will be exceeded at 5-year intervals. The drainage basin is shown in Attachment B is 'size and location TBC' (To Be Confirmed), therefore, as the development area is in a region of higher salinity, there will be a requirement that diligent and professional design, location, depths, volume, and overflow management is undertaken. Furthermore, any proposal to direct overflow and/or direct stormwater discharge off the Lot boundary then this will need to be presented to the Works Manager for input into the design to ensure no detriment to lands under management or control of the local government of Bruce Rock.

The matter of the advertising period and submissions received are scheduled in Attachment D and that three submissions were submitted to the Chief Executive Officer:

1. Two residents and workers in Shackleton townsite "Welcome" the CBH proposal as a benefit to farming and employment. Agrees the possible noise & traffic increase will be offset by the benefit to the town of Shackleton longevity,
2. Western Power stated they no longer provide comment on development applications. Advises invites to conduct a 'clearance assessment' for building restrictions for clearance & danger zones, and to submit a 'pre-application enquiry'. The email was forwarded to the ADA applicant at CBH to investigate, and;
3. Main Roads WA has no objection to the proposal and have no conditions to apply to any approval granted by the Shire. They have requested a copy of the Shire decision to be emailed referencing 19/8643, D22#868104.

With regards to Main Roads WA, they have an interest only in the Bruce Rock-Quairading Road. The Shackleton-Kellerberrin Road is the responsibility of the Shire of Bruce Rock and has a RAV rating of 'four' (RAV 4) therefore can carry a load of two trailers and/or a maximum combined weight of 80 tonnes, and a concessional level three (3) for up to 100 tonnes. Attachment A mentions that truck movements into and out of the Shackleton site is dependent on harvest volumes although it is reasonably implied on their estimates that volumes, thus truck movement will increase. Discussions with the Works Manager, and the Chief Executive Officer has determined that the entry and access areas at the existing CBH site onto the Shackleton-Kellerberrin Road is surfaced to a high standard, assisted by Main Roads WA, and is considered durable for CBH truck activity.

Consultation

Mr D Mollenoyux, Chief Executive Officer, Bruce Rock Shire,
Mr D Holland, Works Manager, Shire of Bruce Rock,

Mr T Roberts, Co-operative Bulk Handling Ltd, Specialist Regulatory Approvals – Government & Industry Relations, and

Mr T Reed, Principal Planning Officer, Land Use Planning, Dept of Planning, Lands, & Heritage.

Statutory Implications

Planning and Development (Local Planning Schemes) Regulations 2015, & Shire of Bruce Rock Local Planning Scheme No 3.

Policy Implications

State Planning Policy 2.5 Rural Planning, Shire of Bruce Rock Local Planning Strategy.

Risk Implications

Risk: The proposed development occurs outside the endorsed plans approved by Council with no consultation, and/or formal amendment. And conditions not honoured.

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 “Medium” risk and will be managed by specific monitoring and response procedures.

Financial Implications

Development Application Fee of \$2,843.65.

Strategic Implications

Governance

- Goal 3 Assist the local economy to grow
- 3.7 Leverage economic opportunities and developments from successful local businesses

Voting Requirements

Simple majority

Officer Recommendation

That Council

1. Determine that the proposed Development Application for the Grain Depot on Lot 251, Kellerberrin – Shackleton Road, Shackleton is consistent with the Shire of Bruce Rock Local Planning Scheme No 3 Aims and Objectives, and the Shire of Bruce Rock Local Planning Strategy Vision, Objectives, and Actions for the present Rural zoning use of the land.
2. Accept the Schedule of Submissions Received provided in Attachment D as ‘Noted’, and to have actioned the Council Recommendations as required.
3. Approve the Development Application for the Grain Depot of three Bulkheads, the Drive Over Grid Stacker equipment, and the associated internal sealed roads, and drainage works including a basin for stormwater collection, also the reduced setback to 240 metres on Lot 251, Kellerberrin – Shackleton Road, Shackleton as presented to this Council in Attachments A and B and are authorised to be endorsed by the signature of the Chief Executive Officer for the applicants records. Furthermore, to support this resolution that the following development approval Conditions will apply:

a) That the following Management Plans will be prepared specifically to this development approval and submitted to the local government of Bruce Rock for comment and feedback to achieve a mutually agreeable outcome before the Grain Depot becomes operational:

i) A Management Plan for dealing effectively to minimise and mitigate any clear and present airborne husks, chaff, and particles (aerosols) inclusive of dust resulting from the Grain Depot grain storage, handling, and transport activities at a best practice level to prevent as practicably as possible any potential detrimental effects to sensitive premises inclusive of the townsite of Shackleton.

ii) A Management Plan for dealing effectively to minimise and mitigate light emissions resulting from the night periods of the Grain Depot grain storage, handling, and transport activities to manage at best practice level any detrimental effects to sensitive premises inclusive of the townsite of Shackleton.

iii) A Management Plan for dealing effectively with the minimisation and mitigation of noise emissions resulting from the Grain Depot grain storage, handling, and transport activities at a best practice level to prevent in a reasonable manner as practicably as possible any potential detrimental effects to sensitive premises inclusive of the townsite of Shackleton.

iv) A Management Plan for dealing effectively with the minimisation and mitigation of vibration emissions should they be detected resulting from the Grain Depot grain storage, handling, and transport activities at a best practice level to prevent in a reasonable manner as practicably as possible any potential detrimental effects to sensitive premises inclusive of the townsite of Shackleton.

b) That a complaint procedure is to be established to directly deal with the population of the Shackleton townsite, and surrounds should concerns and/or complaints arise and is such that in the first instance the complainant, and CBH can resolve the issue to achieve non-escalation to local government and/or government department level. That this complaint procedure is submitted to the local government of Bruce Rock for comment and feedback to a mutually agreeable outcome.

c) That the final design drawings for the drainage basin and any proposed offsite stormwater disposal either directly, or because of overflow management from the proposed Grain Depot on any land of interest to the Shire of Bruce Rock will require that a CBH representative consults first with the Shire of Bruce Rock Works Manager for any such consideration of allowing such disposal and this disposal will be to the agreement and specifications, as required, of the local government of Bruce Rock. Furthermore, that the effect of the drainage basin is considerate of the location's salinity risk.

4. That this Planning Approval is valid for 24 months from the date of this Council resolution development approval.

That Council further, in good faith, draws attention by the following Advice Notes:

1. For the considerations of dust and light emissions the *'Western Australian Planning Commission Position Statement: Dark sky and astrotourism (January 2022)* could be a useful document for consideration of dust and light Management Plans. Furthermore, the document by the then Dept of Environment and Conservation titled *A guideline for managing the impacts of dust and associated contaminants from land development sites, contaminated sites remediation and other related activities (2011)* could also be useful. Both documents are referred to regularly by local governments.

2. This development approval does not remove and/or abrogate existing requirements on the land of the development such as but not limited to easements, restrictive covenants, and the like and due diligence by CBH is required to ensure the land for the development is free of any restrictions on the Certificate of Title.

3. Permits, Approvals, Notices and the like required for building works, demolition works, sewerage works, accommodation, asbestos clearances and the like are still required as this development approval does not annul any other Statutory Instrument related to this development.

4. Should the applicant and/or CBH be aggrieved and/or concerned on any of the Conditions listed it is respectfully requested in the first instance that the matter(s) of concern or needing clarification are discussed with the local government of Bruce Rock to reach a mutually agreeable outcome and that due process to deal with such can be undertaken.

Should the discussions not result in the desired outcome for the applicant and/or CBH then the option pursuant to the Planning and Development Act 2005 under Part 14 of said Act to refer the matter(s) to the State Administrative Tribunal (SAT) can be applied for within 28 days, or any further days as determined by SAT.

Agenda Reference and Subject:

10.3.2 Demolition of No 21 (Lot 175) Railway Parade Bruce Rock due to a building in poor condition, unliveable, and no owner or occupier.

File Reference:

A555 21 Railway Pde Bruce Rock

Reporting Officer:

Julian Goldacre, Environmental Health Officer

Author:

Julian Goldacre, Environmental Health Officer

Disclosure of Interest

Nil

Attachments

Item 10.3.2 Attachment A - Mens Shed of Bruce Rock letter and Resolution declining gift of the estate of 21 Railway Parade.

Summary

That Council resolves to authorise the EHO to place a Demolition Notice onto the Estate dwelling house and buildings at 21 Railway Parade. That Council resolves to release funds of \$6,000 to undertake the demolition and clean-up works. Resolves to Instruct the relevant staff to undertake all practicable measures to recoup the costs incurred by the Shire of Bruce Rock, and – or place a debt on the land as required for the purpose of cost recovery.

Background

With the passing away of Mr W Taylor who was the owner of property and buildings at 21 Railway Parade (Estate), the Estate were left to Mr B Turner as the Executor to handle the Estate affairs. The Estate comprising the land and dwelling, and all associated structures and contents was 'Gifted' to the Mens Shed of Bruce Rock. The dwelling house and structures of the Estate were deemed to be in such a poor state that Council resolved in June 2022 (Resolution OCM June 22 – 10.3.2) to declare the dwelling and building unfit for habitation, as well as to not accept the Estate if offered due to the building's poor condition. The Environmental Health Officer (EHO) issued a House Unfit for habitation Notice on the 24 June 2022 and served to Mr B Turner on the 19 July 2022. Mr B Turner was kept fully informed of Council's intentions.

Comment

Mr B Turner stated that the estate was given to the Mens Shed of Bruce Rock. As the building condition deteriorated further due to Mr B Turner's efforts to remove damaged sections, a complaint was received. The EHO investigated the situation and Mr B Turner was found to have exceeded expectations on the dwelling dismantling prior to a demolition permit being issued. Furthermore, there was now reasonable knowledge that asbestos cladding inside the dwelling and remnant pieces outside the dwelling is clear and present, and that Mr B Turner was no longer capable of conducting a demolition should a permit be issued. Whilst a person can undertake demolition of a dwelling they owned, the ability to do so given the nature of the Last Will and Testament (the Will) of the late Mr W Taylor warranted further investigation. Mr B Turner contacted a demolition contractor who quoted the cost for the full demolition and clean-up of the dwelling, outbuildings, and site area at 21 Railway Parade. This cost was exceeded the available funds in the estate and the EHO invited that the Mens Shed assist as they were an interested party to the Will by Mr B Turner's accounts.

A meeting was arranged with the EHO and the President Mr K Butler, and the Secretary Mr N Noack of the Bruce Rock Mens Shed to determine the Mens Shed involvement in the Estate. A copy of the Will was furnished to the EHO which showed that Mr B Turner was the Executor of the Will, and that the Estate

and contents were ‘Gifted’ to the Mens Shed. Mr Butler made it very clear that the Mens Shed did not want the Gift as recorded in the Will and would resolve at the next Mens Shed meeting to formally resolve this. On the 8 September 2022 Mr B Turner handed the EHO a covering letter and the Resolution of the Mens Shed dated 6 September (Attachment A) declaring “... *that the Bruce Rock Mens Shed wishes to thank the Estate of the late William Alan Taylor of 21 Railway Parade Bruce Rock for the bequeath of the property but wishes to decline the offer*”. This Motion was carried.

Therefore the situation now is rather dire. The property needs demolition and a professional clean-up. When the demolition contractor investigated the site it was revealed that asbestos containing material legacy was present, as well as is within the house. The house condition is frail and beyond the ability to be demolished outside of a demolition contractor’s expertise. The matter is further complicated by the fact the Estate is in extinct ownership, with not even an Occupier present to issue and serve a Notice to demolish. In these situations, as was the case with a situation the EHO was involved in at the Shire of Trayning, the *Health (Miscellaneous Provisions) Act 1911* provides that the local government the responsible agency to deal with the matter. As the building is in a precarious state and with an asbestos liability the matter cannot be shelved for future resolution. To address this matter in the most direct way possible will require funds to be provided by the local government of Bruce Rock to undertake the demolition and clean-up works.

The demolition and clean-up quotation is reasonable and is from a regional contractor who has done work for the Shire of Bruce Rock before and carries the required paperwork to accomplish the task at hand. The ability to re-coup the costs expended by the Shire of Bruce Rock has been discussed with Mr B Turner who revealed there are some limited funds available as well as the land asset which the Mens Shed have formally declined to accept verbally and by resolution. As the debt for works will be on the land, the Executor being Mr B Turner will manage this situation and Mr B Turner offered some possible outcomes such as a transfer of land to the Shire of Bruce Rock to offset the cost of the demolition and clean-up. Mr B Turner stated to the EHO on the 8 September 2022 meeting he was keen to resolve the matter of costs for the required works as required in a mutually agreeable manner to all concerned using the Estate.

Consultation

Mr D Mollenoyux, Chief Executive Officer, Shire of Bruce Rock,
 Mr D Turner, Executor of the Estate of the late Mr W Taylor,
 Mr K Butler, President of the Bruce Rock Mens Shed,
 Mr Noack, Secretary of the Bruce Rock Mens Shed, and
 Mr A Swann, ASKA Demolition and Salvage

Statutory Implications

Health (Miscellaneous Provisions) Act 1911, and
 Local Government Act 1995.

Policy Implications Nil

Risk Implications

Risk: The dwelling autonomously collapses and risks asbestos spreading onto the site area requiring further works.		
Likelihood	Consequence	Rating
Almost Certain	Major	Extreme
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”. As a high risk matter, the Deputy Chief Executive Officer will be monitoring progress.		

Financial Implications

Demolition and removal costs verbally quoted at \$5,500 and to be confirmed in writing (awaiting written quote). Cost to erect safety fence already in place \$440.

Strategic Implications

Governance

Goal 9 Community safety is a valued feature of our lifestyle
10 YEAR OUTCOME - Our community feels safe

Voting Requirements

Simple majority

Officer Recommendation

That Council

- 1. Resolves to authorise the Environmental Health Officer to issue and serve a Demolition Notice onto the Estate dwelling and buildings of the late Mr William Taylor located at 21 (Lot 175) Railway Parade, Bruce Rock with immediate effect.**
- 2. Resolves to authorise a release of funds to the amount of \$6,000 to enable the demolition and clean-up works at 21 (Lot 175) Railway Parade, Bruce Rock.**
- 3. Instructs the relevant staff to undertake all practicable measures to recoup the costs incurred by the Shire of Bruce Rock, and – or place a debt on the land as required for the purpose of cost recovery.**

10.4 Deputy Chief Executive Officer

Agenda Reference and Subject:

10.4.1 Amendments to Policies 8.2 “Harvest and Vehicle Movement Bans” and 8.3 “Burning Periods and Permits”

File Reference: 1.2.4.4 Policy Manual

Reporting Officer: Alan O’Toole, Deputy Chief Executive Officer

Author: Alan O’Toole, Deputy Chief Executive Officer

Disclosure of Interest:

Attachments: *Item 10.4.1 Attachment A – Draft Policy 8.2 “Harvest and Vehicle Movement Bans*

Item 10.4.1 Attachment B – Draft Policy 8.3 Burning Periods and Permits

Summary

Council is asked to endorse amendments to two Policies relating to the management and control Bushfires, namely 8.2. “Harvest and Vehicle Movement Bans”, and 8.3 “Burning Periods and Permits”. Both have presented to the Bushfire Advisory Committee (BFAC) and have been recommended for endorsement by Council.

Background

Following changes to the Fire Weather Districts by the WA Department of Fire and Emergency Services (DFES), and to the implementation of a nationwide Australian Fire Danger Rating System (AFDRS), both of which came into effect on 1st September 2022, Shire Officers have taken the opportunity to review Council’s Bushfire Policies, to identify which are in need of amendment in advance of the next Fire Season.

The two policies under consideration were identified as being in need of particular attention, and Officers have been working on these amendments, as the new information has become available both prior to and post 1st September.

Comment

The changes to both Policies reflect those required by the two new systems (above) and also as part of a general review to ensure that Bushfire Policies fully reflect and provide appropriate guidance to Shire Officers in the changing environment.

The AFDRS states that Harvest and Vehicle Movement Bans (HVMB) must be called at the new Fire Behavior Index (FBI) level of 40, (which equates to 35 on the “old” scale). As Council’s previous Harvest Ban Policy had an “old” level of 32 at which Harvest Bans are called, this now equates to an FBI of 37, and this is the figure reflected in the amended Policy.

The amended “Burning Periods and Permits Policy” proposes changes to the Restricted and Prohibited Burning Periods to recognise the changing environment, and also the changes to the Fire Weather District of which Bruce Rock is a part. This is now called “Lockwood” and also encompasses the Shires of Narembeen, Merredin, Kellerberrin, Trayning and Nungarin.

The Shire is also implementing a new process by which applications for Burning Permits can be submitted online via the Shire’s website. This is similar to the system used by many other Shires (e.g. Merredin) and

will both streamline and improve the process, and lead to more relevant information being collected to aid the decision-making process. If the amendments are adopted, then Burning Permits will also now only be valid for four days which aligns with the four-day forecasts which are now available and will be provided by DFES.

The changes above were discussed at the recent BFAC Meeting, and were accepted without any suggested amendments.

If adopted by Council then the changes to the Burning Periods would have to be agreed to in writing by the Commissioner for Fire and Emergency Services, Mr Darren Klemm, and thereafter gazetted in the Local Government Gazette before they can be enforced.

Consultation

Darren Mollenoyux, Chief Executive Officer
 Bushfire Advisory Committee
 Department of Fire and Emergency Services

Statutory Implications

Nil

Policy Implications

Amended Policies 8.2 and 8.3

Risk Implications

Risk: Council does not adopt the amendments to Policies 8.2 and 8.3.		
Likelihood	Consequence	Rating
Unlikely	Major	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 “Moderate” risk and will be managed by specific monitoring and response procedures.		

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Governance

- Goal 10 Our organisation is well positioned and has capacity for the future.
- Goal 12 Council leads the organisation in a strategic and flexible manner.

Voting Requirements

Absolute Majority

Officer Recommendation

Council adopts the suggested amendments to Policy 8.2 “Harvest and Vehicle Movement Bans” and 8.3 “Burning Periods and Permits”.

Agenda Reference and Subject:

10.4.2 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 August 2022.

Background

Nil

Comment

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

- Regional Economic Development Grant Agreement

Consultation

Nil

Statutory Implications

Council Policy

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2017-2027

Governance

Goal 12 Council leads the organisation in a strategic and flexible manner

Voting Requirements

Simple Majority

Officer Recommendation

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

10.5 Chief Executive Officer

Agenda Reference and Subject:

10.5.1 CEO Annual Leave and Appointment of Acting CEO

File Reference:

Personnel

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Author:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest:

Darren Mollenoyux, Chief Executive Officer

Alan O’Toole, Deputy Chief Executive Officer

Attachments:

Nil

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:

(b) the personal affairs of any person;

Summary

Council is asked to consider approval of Annual Leave for the Chief Executive Officer and appoint an Acting CEO during his absence.

Background

The Chief Executive Officer is seeking Annual Leave for two periods during the upcoming school holidays.

Annual Leave - Monday 26 September 2022 (Public Holiday) to Friday 30 September 2022

Work attend WALGA Conference - Sunday 2nd October 2022 to Tuesday 4th October 2022

Annual Leave – Wednesday 5th October to Monday 10th October 2022

The total annual leave days requested is 8. The CEO has adequate annual leave accrual for this request.

In accordance with the Local Government Act and as per Council Policy there will be a requirement to appoint an Acting CEO during this period.

Comment

I have held discussions with the Deputy CEO, Alan O’Toole and I am confident that Alan is capable and suitable to be appointed as Acting CEO during this period. Other managers will also be able to assist Alan in various areas.

The CEO will ensure that several current key projects are able to continue in his absence.

Consultation

Alan O’Toole, Deputy Chief Executive Officer

David Holland, Manager of Works & Services

Melissa Schilling, Executive Assistant

Statutory Implications

Local Government Act 1995

In particular:

5.36 . *Local government employees*

(1) *A local government is to employ –*

(a) *a person to be the CEO of the local government; and*

- (b) *such other persons as the council believes are necessary to enable the functions of the local government and the functions of the council to be performed.*

5.39. *Contracts for CEO and senior employees*

- (a) *an employee may act in the position of a CEO or a senior employee for a term not exceeding one year without a written contract for the position in which he or she is acting*

Policy Implications

Policy 3.10 – Appointment of Acting Chief Executive Officer

PREAMBLE

Policy regarding the process to be followed to appoint an Acting Chief Executive Officer.

OBJECTIVE

- 1. To ensure compliance with the Local Government Act 1195 s5.39c that requires Local Governments to have a policy regarding the employment of an Acting Chief Executive Officer (CEO).*
- 2. To advise Council of the process which needs to be followed in these circumstances.*

POLICY

In its guidance on this subject, the Department of Local Government, Sport and Cultural Industries (DLGSC) notes:

“Where the role of CEO is not fulfilled for a significant period, this leads to increased risk to the operations and governance of the local government. Therefore, local governments are required to develop and implement a policy that outlines the arrangements to temporarily replace a CEO for any period less than twelve months, for example, when a CEO is on planned or unplanned leave. The policy must include the decision-maker(s) for appointing an acting CEO.

As an example, the policy may include employee position titles, specifying that the Council considers a person holding these positions to be suitably qualified and experienced for the position of CEO. In addition, the policy should also include a methodology for the CEO to appoint an Acting CEO from the listed positions for a period of absence of up to four weeks; however any decision regarding the appointment of an Acting CEO for any period exceeding four weeks must be made by the council.

The process currently followed is that while the CEO is taking leave the Deputy Chief Executive Officer is recommended to Council to be approved to fulfil the CEO’s role during this period. However, if the CEO’s absence is known or thought to be liable to extend beyond that expected to encompass the CEO’s usual leave entitlement and up to one year in other circumstances, then the following process should be followed:

- 1. The Deputy Chief Executive Officer, the Manager of Works and Services and the Manager of Finance are all recognised as Senior Employees, and as being capable of fulfilling the role of CEO on an Acting basis for up to one year.*
- 2. This being the case, in the first instance the Deputy CEO is nominated to Council as being the Acting CEO for up to a period of one year.*
- 3. If for any reason this is not possible or not deemed appropriate in the circumstances, then either the Manager of Works and Services or the Manager of Finance can appointed to be Acting CEO for a period of up to one year.*
- 4. If this is not possible or not deemed appropriate in the circumstances then Council will initiate a recruitment process to fill the role of Temporary Chief Executive Officer for up to one year. While this process is taking place, an Acting Chief Executive Officer may be appointed from among the Senior Officers until the Temporary Chief Executive Officer is recruited.*

In all of the above examples, Council is the decision making body.

Risk Implications

Risk: That adequate staffing resources are not available to cover the CEO’s period of absence.		
Likelihood	Consequence	Rating
Unlikely	Minor	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

It is general practice that the Acting Chief Executive Officer is paid higher duties during this time. This is budgeted for in the annual salaries and wages provision.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

- Goal 10 Our organisation is well positioned and has capacity for the future
- Goal 12 Council leads the organisation in a strategic and flexible manner

Voting Requirements

Simple Majority

Officer Recommendation

That Council:

1. Approves the annual leave request of the Chief Executive Officer, Darren Mollenoyux for the period commencing on 26th September 2022 up to and including Monday 10th October 2022, excluding the 3rd & 4th October 2022 (to attend the WALGA Conference).
2. Appoint the Deputy Chief Executive Officer, Alan O’Toole as the Acting Chief Executive Officer for the period commencing on 26th September 2022 up to and including Monday 10th October 2022, excluding the 3rd & 4th October 2022
3. That Alan O’Toole is paid at higher duties, equivalent to the current CEO, during the period of higher duties.

Agenda Reference and Subject:

10.5.2 WALGA 2022 Annual General Meeting Motions

File Reference:

1.3.11.3 WALGA General Correspondence

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Author:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest:

Attachments:

Nil

Summary

Council needs to determine its position on the motions put forward for the 2022 WALGA Annual General Meeting.

Background

Council has received the agenda for the WALGA Annual General Meeting to be held on Monday 3rd October 2022. Council has already appointed Cr Strange and Cr Crooks as voting delegates and this item will assist in providing them with direction whilst voting at the meeting.

Comment

Council direction is sought on the following items, the CEO has provided a brief comment and proposed response on each item:

3.1 Road Traffic Issues

This item from the Shire of Dardanup advising that they have experienced a number of instances where preventative action was only taken after fatalities occurred on roads and intersections, despite pleas and requests from the local government, community and stakeholders.

The Motion is;

That WALGA Advocate on behalf of the local government sector to the State Government and in particular, Main Roads, to increase importance and weight given to local knowledge and input regarding road traffic issues including requests for speed reduction, intersection treatments and overall preventative and traffic safety measures.

The Shire of Bruce Rock has also previously had difficulty in seeking changes in speed limits.

Support

3.2 Car Parking and Traffic Congestion Around Schools

The City of Wanneroo has raised this item regarding their concerns around car parking and congestion around Schools.

The motion;

That WALGA engages with the State Government on behalf of Local Government to review issues associated with car parking and traffic congestion around school sites including but not limited to:

- 1. Reviewing car parking standards for schools;*
- 2. Ensuring sufficient land is set aside for the provision of parking on school sites;*
- 3. Reviewing the co-location of schools to avoid issues being exacerbated;*
- 4. Restricting school access from major roads;*
- 5. Developing plans to enable schools to manage school traffic;*
- 6. Develop programs to educate drivers; and*
- 7. Develop options and implement initiatives to encourage alternative modes of transport to school.*

This item does not impact the Shire Bruce Rock however the concerns of metropolitan Council's has merit and recommendation should be supported by Council.

Support

3.3 Proposal for Regional Road Maintenance Contracts with Main Roads WA

On 1 April 2022, the McGowan Labour Government announced it was returning up to 660 maintenance road workers back in-house to Main Roads.

An interactive Q-Trip Funding Tool (here) provided by the Queensland Government, details the next four years of State Government and Local Government Partnership providing safer roads and sustainability to regional and remote Shires.

To enable the Shire of Dundas to be involved in the direction of WALGA to assist with issues impacting us directly, and other regional resource communities impacted by the related Acts and Regulations.

Given the recent State Government announcement, there is an opportunity for all Local Governments to look at this proposal from WA State Government on how this proposal to keep jobs in house within Main Roads WA and the possibility to work with local governments when contracting the required road maintenance to Local Governments.

It is suggested that the Queensland Government model, which can be viewed here, works well and allows Councils to recover costs for usage of plant and equipment and recoup plant costs as hire charges against activities to cover all maintenance, depreciation and operating costs for Local Governments as agreed when undertaking joint routine maintenance on State controlled roads.

It is important that when developing this type of model and contract terms to get the document standards and the WHS and the Main Roads Preferred Suppliers correct. In Queensland, Main Roads assisted with these requirements in a partnership arrangement.

If Local Governments across WA are allowed into this space and work for the State Government on a contractual basis, it could be an opportunity to increase revenue significantly, especially in remote rural areas across WA. This would help Council cover cost relating to new imposed WHS Reforms, Local Government Reforms, Auditing Requirements, and associated costs.

The proposed motion is;

That WALGA assist Local Governments and work with the Hon Minister Rita Saffioti to introduce a similar program that is currently in play in Queensland and introduce a sole invitee Program for Local Governments to engage in a Road Maintenance Performance Contract with Main Roads WA.

Support

3.4 Northern Australia Beef Roads Program

The extension to the south of the country of Roads and Beef Road Funding will be vital to get cattle to the saleyards and be competitive with their counterparts from the North who receive Federal Funding to assist them in their efforts to transport cattle.

Reliable access has always been the most significant issue facing the community and businesses operating in the remote Northern Nullarbor region and is a serious concern for those emergency service personnel who are called upon in times of crisis. The 2019-2020 bushfires which closed the Eyre Highway (effectively the gateway into WA) is an example of inaccessibility. The Trans Access Road is the only road servicing this area and has in the past been impassable for months due to flooding. This project would deliver transport efficiencies, stimulate and support economic activity,

and provide a safer access road for regular users, tourists, and emergency service personnel. The Eyre highway is the number one strategic link into Western Australia. The Trans-Access Road is the only road East linking the Aboriginal Communities, remote roadhouses, and pastoral stations. Linking the two roads increases accessibility, safety, and improves the social service access between the communities on both roads. Cattle and sheep movements can be hampered when the Trans Access Road is closed, and WA freight movements (in and out) are hampered when the Eyre highway is closed, as per the bushfire season of 2020.

This road improvement will shorten the distance from 1,041 to 91.7km (within our Shire), making traffic movements more efficient, as well as safer with a better-quality formed road. The Commodities can get to market with increased certainty, safety, and more efficiently.

This is only the situation with one road and their numerous pastoral leaseholders having the same issues in Western Australia and all the southern pastoral leaseholders across Southern Australia.

The proposed motion is;

That That WALGA work with the Hon Madeleine King MP Minister for Resources and Minister for Northern Australia to make Beef Road Funding available to all Australian Local Governments north and south, or establish a Southern Australia Beef Road Funding Program to allow for equitable support across Australia's beef and agriculture industries.

To be guided by Council

3.5 3D House Printing Building Compliance

The Shire of Dundas have put forward the following resolution;

That WALGA requests:

- 1. Assistance from Minister for Industry and Science The Hon Ed Husic MP, Minister for Housing and Homelessness, Small Business The Hon Julie Collins MP, Minister for Infrastructure, Transport, Regional Development and Local Government The Hon Catherine King MP to work with Ministers from all State and Territory Governments who have Building and Construction in their portfolios, to collaborate and to consider removing impediments within the National Construction Code Series and associated Australian Standards, that dissuade industry from adopting 3D printing as a building method.*
- 2. That the Government provide instruments to incentivise private industry to develop 3D printing and include this as an acceptable building practice.*

To be guided by Council

3.6 South West Native Title Settlement

The Shire of Gingin and many other Local Governments are being requested to consider parcels of land to be allocated for transfer as part of the South West Native Title Settlement.

The Shire of Gingin has received its third request, totalling approximately 45 parcels of land, for consultation as part of this process and in each instance is provided only 40 days to provide feedback to the Department.

For each land parcel in question, which can be numerous, Council is requested to consider the following:

- 1. Is the Shire supportive of the transfer of this land to the Noongar People under the Settlement?*
- 2. Does the Shire have any interest in the land?*

3. *Does the Shire have existing or planned infrastructure within the land parcel that requires protection? If yes, please provide details and advise if access to this infrastructure will need to be maintained.*
4. *Is the land parcel subject to any mandatory connection to services?*
5. *Are any future proposals for the land identified? Please provide detail of what is proposed and in what timeframe?*
6. *Are there any future proposals for adjoining land that may affect the land identified in the spreadsheet? If so, in what timeframe?*
7. *Please advise of any proposed planning scheme amendments that may affect the zoning of this land at a State or Local Government level. If a scheme amendment is to occur, what is the change proposed and when will it come into effect?*
8. *Please advise of any known land management issues such as site contamination, hazards, debris or rubbish dumping, unauthorised land use and environmental considerations (such as inundation or similar site constraints).*
9. *Please provide any additional comments on the proposed transfer of this land as part of the Settlement.*

The 40-day consultation does not provide any ability for Local Government to consult with the community regarding Council's support for the land transfer and as such is ignorant as to the changes in land management.

The motion reads;

That WALGA advocate to the State Government that Local Governments be provided with the full list of potential land to be requested for transfer as part of the South West Native Title Settlement and that a minimum of three months be provided for Council to provide feedback.

The Shire of Bruce Rock has faced similar issues with the short time frames provided for the consultation period.

Support

3.7 Land Offset Compensation to Local Governments

It is proposed that Councils similar to the Shire of Gingin who are having large sections of rateable land locked away due to Developer Land Offsets need to be compensated for the loss of revenue.

The Shire of Gingin recently met with the Department of Biodiversity, Conservation and Attractions (DBCA) representatives regarding this matter, and they agreed that the Shire of Gingin is being targeted due to the type of Banksia bush that is within the Shire. The Shire of Gingin is not and will not be the only Local Government targeted through this type of scheme into the future.

There is a motion;

That WALGA advocate to the State Government that the Developer requiring land offsets within another Local Government be required to pay a fee to the Local Government for the loss of rates and ongoing maintenance of infrastructure to the Land.

To be guided by Council

3.8 Review of Rating Methodology used by Valuer General

The Valuer-General is an entity created under the Valuation of Land Act 1978. The Valuer-General forms part of Landgate's functions.

Landgate valuers conduct independent valuations of property based on the Gross Rental Values (GRVs) or and Unimproved Values (UVs) of a property.

These valuations are used by local governments, government agencies and emergency services as a basis to determine property rates, service charges and levies as well as land tax.

In Victoria, valuations are conducted using the capital improved value of a property. Capital improved value is based on the value of the land plus the buildings on it and any other capital improvements. This method may provide a more fair and equitable assessment of the value of land across various land uses in Western Australia including agriculture, residential, commercial and mining. This in turn would provide a more fair and equitable basis for local government rating.

A review of rating methodologies set in the Valuation of Land Act 1978 would ensure that valuation methods relied upon by local government represent the most appropriate method.

There is a motion;

Advocate for a full review of the rating methodology used by the Valuer-General to value all land in the State of Western Australia.

The comments that the Shire of Serpentine-Jarrahdale have made regarding the basis of valuation used by the Valuer General do have some merit. The basis of valuation used by the Valuer General are determined by the Act, which commenced in 1978. We are not aware if a review has been conducted in this time, however would suspect not. We would expect that land use has varied significantly since 1978, particularly in areas where there is mixed agriculture/commercial ventures.

It would be worth supporting this as there are some examples where the Shire was only able to rate properties at a minimum rate for UV. Homestead blocks in UV rated areas are also only rated at the minimum rate but are not used for agriculture, and so a GRV or different valuation would be a better valuation.

Areas like Serpentine-Jarrahdale, Gingin, and down south would have lots more properties where the UV doesn't adequately reflect the nature of the business being undertaken, like wineries, accommodation, restaurants etc. Shires do ask for spot GRV valuations and it is assumed that this would happen in a lot of cases.

Support

3.9 WA Local Government Rating Model

The Shire of Gingin and many other Local Governments struggle to have appropriate rates raised that are adequate for the correct use of the land within the Shire that addresses the impacts that these ratepayers have on the Shire's Assets.

For example, within the Shire of Gingin, there are large numbers of Unimproved Value (UV) rated properties that have large scale infrastructure servicing significant commercial operations but are captured within the definition as a Rural Pursuit. Some of these properties have tens of millions of dollars of infrastructure but only contribute a UV valuation and an additional differential rate.

If all properties were rated Gross Rental Value (GRV) or the rates based on Capital Value (value that the land would likely sell for on the open market), all rural land would still hold an appropriate GRV/Capital Value that would not be too dissimilar to their current rates, however those that intensify their land would achieve a naturally higher GRV/Capital Value making the rating across a Shire far more equitable, easier to manage and would simplify and reduce the cost of the valuation process.

Whilst not every Council may wish to take this step, it is proposed that the Local Government has the ability to review and decide if it wishes to remove the UV rate. With the Valuer Generals' Office

conducting routine valuations for both UV and GRV it would not be out of the question for the valuation to be changed to meet this process.

It is noted that within South Australia and Victoria 89% of the Local Governments use Capital Value, Tasmania is progressing to Capital Value whilst New South Wales is based on Land Value only, Northern Territory is based only on Unimproved Capital Value, Queensland is Site Value and Unimproved Value and the ACT is Unimproved Value only. It is clear that whilst there is a range of valuations across Australia there is a bias growing towards utilising Capital Value of Land.

For example, we have a location within the Shire that has a water license and two bore holes. Whilst this is the extent of the infrastructure, they pump water out 24/7 for bottling in Perth, a GRV/Capital Value would be much higher in value to Council than the minimum rates currently being received. This company has significant heavy vehicles utilising Council roads every day of the week to keep up with the demand and creates significant road maintenance issues for Council.

The impacts of water licenses within the Shire have been dramatic as they are now a strong trading commodity and have doubled the value of land with a water license, yet it is not being considered by the Valuer Generals' Office as part of the overall valuation assessment of the land. Water licenses are incredibly valuable to producers as it increases their productivity and profits from smaller properties and as water licenses are very difficult to access, as allocations are full in most areas, many are trading or selling off portions of licenses clearly showing that water licenses have an inherent value that is increasing rapidly.

There motion is;

That WALGA advocate to the State Government and the Valuer Generals' Office that a different rating model be trialled across several Councils whereby the Unimproved Value rate is abolished, and all properties are rated for Gross Rental Value or Capital Value.

The comments made by Shire of Gingin are very similar to above. The comment about increased traffic is very valid also.

It would be worth supporting both these motions. A fairer rating model going forward would be a positive result. However, there might be some pain in transitioning to a different valuation basis.

Support

3.10 Reform of Cat Act 2011

The Western Australian State Government through the (then) Department of Local Government released a Discussion Paper (January 2011) titled Proposal for Domestic Cat Control Legislation.

This consultation and proposed reform process ultimately led to the Cat Act 2011 (Cat Act) receiving Royal Assent on 1 November 2012. The Cat Act fully commenced in 2013 and was introduced to:

- *provide for the control and management of cats; and*
- *promote and encourage the responsible ownership of cats, and for related matters.*

The Department of Local Government, Sport and Cultural Industries (DLGSC) commenced a statutory review of the Cat Act 2011 and the Dog Amendment Act 2013 in May 2019. The review undertaken by DLGSC was tabled in the WA Parliament by the Minister for Local Government on 27 November 2019.

Findings of the Review in relation to Cat Act included:

2. Registration of cats is strongly supported. The current three options for periods of registration should remain.

3. *Registration periods for cats and dogs should be the same.*
4. *A central registration database for cats should be explored.*
5. *Feedback indicated that the wearing of collars and tags achieves the purpose of enabling a cat to be identified by rangers — including making it obvious that it is a domestic cat that has an owner. There is strong support for this to continue with no change.*
6. *Strong support from the public, local governments and industry exists for the practice of microchipping cats to continue.*
7. *Improvements could be made to the way microchip details are stored — this could be in either a national or State-based database.*
8. *Feedback indicated that education on the current requirements of microchipping, focusing on obligations of owners/breeders/rescues when a cat is transferred to a new owner and the need to keep information up-to-date, is necessary to achieve the desired outcomes of reuniting pets with their owners and the obligations of being a responsible cat owner.*
9. *There is strong support for cat numbers and confinement/curfews of cats to be implemented State-wide (in legislation) rather than through individual local laws — to provide consistency among local governments.*
10. *As a means of controlling cat numbers, there were multiple requests in the feedback received for the Cat Act to be brought into alignment with the Dog Act by placing greater restrictions on cat owners in relation to the number of cats that people can own.*
11. *The provisions in the Cat Act for cats to be sterilised should remain.*
12. *Feedback indicated that the age of cat sterilisation should be lowered, although further expert consultation on this will be needed.*

There is a motion;

That the WA Local Government sector requests the WA State Government prioritise reforms to the Cat Act 2011, in accordance with the Statutory Review undertaken and tabled in the State Parliament on 27 November 2019.

It is acknowledged that there needs to be work undertaken to review the Cat Act, however there are more pressing Act Reviews already reviewed that need to be prioritised such as the Local Government Act Reform and the Puppy Farming (Dog Act) need to be implemented which are already in the working process.

Council direction sought

3.11 WALGA Best Practice Governance Review Principles

State Council commissioned the WALGA Best Practice Governance Review in March 2022 to ensure that WALGA's governance model is contemporary and agile and maximises engagement with members.

Governance Reviews allow organisations to re-examine their membership structure, constitution, board role, board composition, governance approach and policies.

There is a motion;

That:

1. *The update on the Best Practice Governance Review project be noted, and*
2. *The principles to inform WALGA's future governance model, as follows and as per the attached Principles document, be endorsed:*
 - a. *Representative – WALGA unites and represents the entire Local Government sector in WA and understands the diverse nature and needs of members, regional communities and economies.*
 - b. *Responsive – WALGA is an agile association which acts quickly to respond to the needs of members and stakeholders.*
 - c. *Results Oriented–WALGA dedicates*

resources and efforts to secure the best outcomes for Local Government and supports the delivery of high-quality projects, programs and services.

Support

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Financial Implications Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

Goal 10 – Our organisation is well positioned and has capacity for the future

Goal 12 – Council leads the organisation in a strategic and flexible manner

Voting Requirements Simple Majority

Officer Recommendation

That Council consider the motions for the WALGA Annual General Meeting to be held on the 3rd October 2022 and provide guidance to the voting delegates.

Agenda Reference and Subject:

10.5.3 Request to Keep Additional Dogs in Townsite

File Reference:

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Author:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest:

Attachments:

Nil

Summary

Council is asked to consider an application from Kerry Fullbrook to keep more than two dogs at a property within the Bruce Rock Townsite, under Council’s Local Laws relating to the Keeping of Dogs.

Background

Council has received an application from Kerry Fullbrook to keep four dogs at 24 Osborne Street, Bruce Rock which she will be renting privately. The four dogs details are as follows;

	Breed	Name	Age	Sex	M/chip	Sterilised
1	Kelpie	Ruby	3	F	Y	Y
2	Kelpie	Skipper	10	M	Y	Y
3	Kelpie		20	F	Y	Y
4	Irish Wolfhound x Bull Arab x Mastiff Cross	Jazzy	4	F	Y	Y

Kerry Fullbrook made the following comments in her letter:

Dog 1

Is used for stock work and competitions
Well trained
Well-mannered and socially behaved

Dog 2

Ex working dog as of last year
Extremely well-mannered and socially behaved
Has heath condition which will reduce its life expectancy

Dog 3

Very old (20 years) looking after until its time comes
Very quiet and socially behaved and well mannered

Dog 4

This request dog is being relocated in 5 months
Well natured and socially mannered

The request is to keep dogs 1, 2 & 3 long term at 24 Osborne Street, Bruce Rock and dog 4 for a short-term period of 5 months.

The request is for the period starting at the end of September 2022 by which time the applicant has advised in the letter that a 5-foot dog mesh fence, secured at the bottom will be installed.

Comment

After liaising with the Wheatbelt Ranger Service, who assist in Council dog controls, and in accordance with Council's Dogs Local Laws it is recommended that Council accepts the application with the following conditions;

- As per the applicants letter a 5-foot fence must be installed prior to approval and the fence and gates around the property must be maintained and remain secured condition to contain the dogs at all times.
- Yards to be maintained in a clean well-kept condition
- All dogs to be microchipped and registered with the local government.
- That the keeping of additional dogs (beyond 2) will not be considered, if any of the above animals is deceased.
- That the applicant be advised that the Shire of Bruce Rock reserves the right to revoke this approval in accordance with section 26(3)(c) of the Dog Act should any of the above conditions not be met, or any complaints or nuisance resulting from the keeping of four dogs on the property.

Consultation

Wheatbelt Ranger Services

Statutory Implications

Shire of Bruce Rock Dogs Local Law Reviewed 2019

PART 3—REQUIREMENTS AND LIMITATIONS ON THE KEEPING OF DOGS

3.1 Dogs to be confined

- (1) *An occupier of premises on which a dog is kept must—*
 - (a) cause a portion of the premises on which the dog is kept to be fenced in a manner capable of confining the dog;*
 - (b) ensure the fence used to confine the dog and every gate or door in the fence is of a type, height and construction which having regard to the breed, age, size and physical condition of the dog is capable of preventing the dog at all times from passing over, under or through it;*
 - (c) ensure that every gate or door in the fence is kept closed at all times when the dog is on the premises and is fitted with a proper latch or other means of fastening it;*
 - (d) maintain the fence and all gates and doors in the fence in good order and condition; and*
 - (e) where no part of the premises consists of open space, yard or garden or there is no open space or garden or yard of which the occupier has exclusive use or occupation, ensure that other means exist on the premises (other than the tethering of the dog) for effectively confining the dog within the premises.*
- (2) *Where an occupier fails to comply with subclause (1), he or she commits an offence.*
 - (3) *Notwithstanding subclauses (1) and (2), the confinement of dangerous dogs is dealt with in the Act and Regulations.*

3.2 Limitation on the number of dogs

- (1) *This clause does not apply to premises which have been—*
 - (a) licensed under Part 4 as an approved kennel establishment; or*
 - (b) granted an exemption under section 26(3) of the Act.*
- (2) *The limit on the number of dogs which may be kept on any premises is, for the purpose of Dogs Local Law 2005*
 - (a) 2 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated within a townsite; or*
 - (b) 4 dogs over the age of 3 months and the young of those dogs under that age if the premises are situated outside a townsite.*

Dog Act 1976 – Section 26 Limitations as to Numbers

(3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption –

- (a) may be made subject to conditions, including a condition that it applies only to the dogs specified in the exemption; and
- (b) cannot authorise the keeping in or at those premises of –
 - (i) more than 6 dogs that have reached 3 months of age; or
 - (ii) a dog under that age unless it is a pup of a dog whose keeping is authorised by the exemption; and
- (c) may be revoked or varied at any time.

Policy Implications Nil

Risk Implications

Risk: That the number of dogs could create excessive noise and be subject to complaints from neighbours		
Likelihood	Consequence	Rating
Possible	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 “High”. As a high-risk matter, the Chief Executive Officer will be monitoring progress.		

Financial Implications

Each Dog will require registration and the appropriated legislated fees will apply.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

Goal 12 Council leads the organisation in a strategic and flexible manner

Voting Requirements

Simple Majority

Officer Recommendation

- 1) That the application to home three dogs (being 1, 2 & 3) at 24 Osborne Street, Bruce Rock be approved and a short term approval to the 28th February 2023 for dog number 4, with the following conditions: -
 - a) The dogs housed are –

	Breed	Name	Age	Sex	M/chip	Sterilised
1	Kelpie	Ruby	3	F	Y	Y
2	Kelpie	Skipper	10	M	Y	Y
3	Kelpie		20	F	Y	Y
4	Irish Wolfhound x Bull Arab x Mastiff Cross	Jazzy	4	F	Y	Y

- b) As per the applicants letter a 5 foot fence must be installed prior to occupancy and the fence and gates around the property must be maintained and remain secured condition to contain the dogs at all times.
 - c) Yards to be maintained in a clean well-kept condition
 - d) All dogs to be microchipped and registered with the local government.
- 2) That the keeping of additional dogs (above 2) will not be considered, if any of the above animals is deceased.
- 3) That the applicant be advised that the Shire of Bruce Rock reserves the right to revoke this approval in accordance with section 26(3)(c) of the Dog Act should any of the above conditions not be met, or any complaints or nuisance resulting from the keeping of four dogs on the property.

11. Regional Reports

Agenda Reference and Subject:

11.1.1 WALGA Zone Minutes August 2022

File Reference:

1.6.5.1 WALGA Zone Minutes and Agendas

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Author:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest:

Attachments:

Item 11.1.1 Attachment A – WALGA Zone Meeting Minutes

Summary

Council is asked to receive the minutes from the previous WALGA Great Eastern Zone Meeting.

Background

The recent WALGA Great Eastern Zone Meeting was held on the 29th August 2022 at the Merredin Recreation Centre.

Comment

To encourage the improved awareness and promote a better understanding by all Councillors it is recommended that WALGA Zone minutes be read and received by Council. Cr Strange (via Microsoft Teams), Cr Crooks and the CEO attended the meeting.

The following items from the minutes are drawn to Councillors' attention;

Executive Officer

The Zone was informed that James McGovern will be taking over as the WALGA Great Eastern Zone Executive Officer due to some restructuring of roles and responsibilities at WALGA and changes to Tony Brown's position.

Presentations

- WALGA President Karen Chappell attended the meeting and gave an update and provided comments on her recent meeting with the Minister for Local Government around the LG Reforms and timeframes.
- Regional Manager of WA Primary Health Alliance – Proposed Wheatbelt Health & Wellbeing Plan
- DFES Regional Telecommunications Resilience Improvements
- National Recovery & Resilience Agency – Overview of Agencies Role following natural disasters

7.3.1 WALGA Great Eastern Zone Conference

The Zone has resolved to hold a one day conference in Merredin in March or April 2023.

8.1 Review of the Biosecurity and Agriculture Management Act 2007

The first 10-year statutory review of the Biosecurity and Agriculture Management Act 2007 (BAM Act) is currently underway; this is a key opportunity for Local Government to influence the how post-border biosecurity is managed in Western Australia.

WALGA is seeking Zones' consideration of the recommendations included in the Discussion Paper to inform its submission to the Review on behalf of the sector and the development of an updated

Biosecurity Advocacy Position. WALGA intends to put an updated Policy Position to the December State Council meeting.

The full resolution of the Zones response is included in the attachment.

A full copy of the minutes and supporting documentation is provided as Attachment A.

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Risk Implications

Risk: That Council does not receive the minutes or object to decisions of the WALGA Great Eastern Zone 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 2017-2027

Governance

Goal 12 – Council leads the organisation in a strategic and flexible manner

12.2 Continue to build our voice and strategic projects within our regional groupings

Voting Requirements Simple Majority

Officer Recommendation

That Council receives the minutes of the WALGA Great Eastern Zone Meeting held on the 29th August 2022 at the Kellerberrin Recreation Centre.

Agenda Reference and Subject:

11.1.2 CEACA Meeting August 2022 Minutes

File Reference:

4.10.10.1 CEAA Minutes and Agendas

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Author:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest:

Attachments:

Item 11.1.2 Attachment A – CEACA General Committee Minutes

Summary

Council is asked to receive the minutes from the previous CEACA Inc. Meeting.

Background

The 9 member Councils of the Central Eastern Aged Care Alliance (CEACA Inc.) held its General Meeting on the 31st August 2022 at the Merredin Recreation Centre.

Comment

To assist with the Councillors' continued understanding and updates on CEACA Inc., and its associated projects, the minutes will be presented for receiving after each CEACA Inc. meeting.

The CEO and Cr Waight attended the meeting.

A copy of the minutes has been provided to Council for their reference.

Consultation

Discussions were held at the CEACA Inc. Committee Meeting

Statutory Implications Nil

Policy Implications Nil

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Community

Goal 7 – Community are engaged and have a healthy lifestyle

7.1 Encourage and help facilitate the administration of the planned CEACA units

7.3 Continue to work towards achieving the strategies of the Age Friendly Community Plan

Governance

Goal 12 – Council leads the organisation in a strategic and flexible manner

12.2 Continue to build our voice and strategic projects within our regional groupings

Voting Requirements

Absolute Majority

Officer Recommendation:

That Council receives the minutes of the CEACA Inc General Meeting held on the 31st August 2022 at the Kellerberrin Recreation Centre.

Agenda Reference and Subject:

11.1.3 WEROC Inc Meeting Minutes September 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:

Item 11.1.3 Attachment A – WEROC Inc Board Meeting Minutes

Summary

Council is asked to receive the minutes from the previous WEROC Inc Board Meeting.

Background

The last WEROC Inc Board Meeting and Annual General Meeting were held on the 5th September 2022 at the Shire of Tammin 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 Cr Waight attended the meeting.

The following items are highlighted for Councils attention;

7.2 Designated Area Migration Agreement

The meeting considered the information from the presentation on Designated Area Migration Agreement (DAMA).

The WEROC survey conducted in April/May 2022 yielded 24 responses. A summary of the output from this survey is provided as an attachment. On 17 May 2022, RDA Wheatbelt and other members of the DAMA working group distributed a revised version of the WEROC survey across the whole of the Wheatbelt. The data obtained through the earlier WEROC survey will be provided to RDA Wheatbelt to include within their analysis.

As outlined from the minutes it was agreed not to pursue the DAMA at this stage due to reasons outlined, however continue to prepare a position paper on the current worker shortage and focus on other areas such as worker accommodation shortages etc.

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 meeting resolved;

That the CEO's and EHO would meet to work towards progressing the plan and to investigate options for Waste Grants.

7.5 Presentation by Dr Karl O'Callaghan – Wheatbelt NRM

Dr O'Callaghan made a presentation to the meeting on the damage and control of corellas in the Wheatbelt, looking at a unified approach.

7.6 Presentation - Kellerberrin Men’s Shed Event

Kylie Whitehead and a representative of the Kellerberrin Men’s Shed gave a presentation on behalf of the Kellerberrin Men’s Shed on their proposed “Inaugural Western Australian Festival of Men’s Sheds 21st April to 19th May, 2023”, were they were seeking a donation/sponsorship of \$15,000 from WEROC.

The WEROC Board agreed to only provide a letter of support and that the Kellerberrin Men’s Shed should seek funding from alternative sources and grant bodies.

7.7 Presentation by Rik Soderland – Wheatbelt Business Network

Rik Soderland, CEO of Wheatbelt Business Network (WBN) gave a presentation procurement and support for local businesses.

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 Nil

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 2017-2027

Governance

Goal 12 – Council leads the organisation in a strategic and flexible manner

12.2 Continue to build our voice and strategic projects within our regional groupings

Voting Requirements

Simple Majority

Officer Recommendation

That Council receives the minutes of the WEROC Inc Board Meeting held on the 5th September 2022 at the Shire of Tammin 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 Senior Employee – Contract Extension
File Reference:	Personnel
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Author:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest:	
Attachments:	<i>Nil</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:

(b) the personal affairs of any 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.

Report Recommendation

That Council endorses the contract extension and variation of days of Mr David Holland as the Manager of Works and Services for a further three (3) year period ending on the 4th May 2026. and;
The contract be varied to amend days of work, whilst maintain the same hours.

Agenda Reference and Subject:

13.1.2 Expressions of Interest for Leasing of Industrial
Unit 2, 9-11 Swan Street

File Reference:

Reporting Officer:

Alan O’Toole, Deputy Chief Executive Officer

Author:

Alan O’Toole, Deputy Chief Executive Officer

Disclosure of Interest:

Attachments:

Item 13.1.2 Attachment A – CONFIDENTIAL Submissions

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:

(e) a matter that if disclosed would reveal -

(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 awards the Lease of Unit 2, 9-11 Swan Street, Bruce Rock to _____ for an initial three-year period, with the option of a further three years on the agreement of both parties.

14. Closure of Meeting