

# Agenda

## Ordinary Meeting of Council

To be held in Council Chambers  
54 Johnson Street, Bruce Rock  
Thursday 16 September 2021  
Commencing 3.00pm



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## Notice of Ordinary Meeting of Council

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Dear President and Councillors,

The next Ordinary Meeting of Council will be held on **Thursday 16 September 2021 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 16 SEPTEMBER 2021**

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**SHIRE OF BRUCE ROCK**  
**AGENDA – ORDINARY MEETING 16 SEPTEMBER 2021**

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**  
 Laura Gray – Draft Local Heritage Survey
7. **Applications for Leave of Absence**
8. **Announcements by Presiding Member**
9. **Confirmation of Minutes**

Ordinary Meeting of Council held on Thursday 19 August 2021.

**Recommendation:**

**That the minutes of the Ordinary Meeting held Thursday 19 August 2021 be confirmed as a true and correct record.**

Natural Resource Management Committee Meeting held on Thursday 19 August 2021.

**Recommendation:**

**That the minutes of the Natural Resource Management Committee Meeting held Thursday 19 August 2021 be received.**

## 10. Regional Reports

<b>Agenda Reference and Subject:</b>	<b>10.1</b> Great Eastern Country Zone Minutes 23 August 2021
<b>File Reference:</b>	1.6.5.1 Great Eastern Country Zone Minutes and Agendas
<b>Reporting Officer:</b>	Darren Mollenoyux, Chief Executive Officer
<b>Author:</b>	Darren Mollenoyux, Chief Executive Officer
<b>Disclosure of Interest</b>	
<b>Attachments</b>	<i>Item 10.1 Attachment A - Great Eastern Country Zone Minutes 23 August 2021</i>

### 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 23<sup>rd</sup> August 2021 at the Merredin Regional Community and Leisure 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.

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

#### 5.1 Presentation – Hon John Carey MLA – Minister for Housing; Local Government

The Zone extended an invitation to the Minister to speak on his outlook on Government Regional Officer Housing, Local Government Act amendments and Regional Cooperative Groups such as Regional Subsidiaries and Elected Member training.

The Hon John Carey MLA, presented to the Zone, the following being some of the key talking points:

- GROH Housing suitability, transitioning aged GROH Housing into the public housing sector and building new GROH facilities, options for forecasting and managing GROH Housing moving forward.
- Skills shortages are being looked at – encouraging apprentices and retirees back into the system in order to move ahead with new building works.
- Regional cooperation and how we can better share resources.
- Local Government Reform:
  - Red Tape reduction to create better standardisation
  - Better Finance Reporting and a commitment to working with WALGA to establish ratios that better reflect individual Local Governments.
  - Greater Transparency
  - Creating better mechanisms and better oversight to encourage early intervention as opposed to the enquiry culture we have at the moment.

#### 5.2 Grant Robinson, Office of the Auditor General – Financial Audit

Assistant Auditor Grant Robinson addressed concerns previously raised by the Zone, namely;

- Concerns regarding rising audit costs, increased audit responsibilities and reduced audit outcomes.

- Audit costs have increased at some Local Governments by over 200% over the last 3 years and audit costs now represent an approximate 1.5% increase in rates.
- The appointment of each Council's audit service is made without discussion or consultation with Council or its staff, and each Council is advised of how much they can expect to pay. In prior years, Councils were required to tender for audit services thereby ensuring good value for money and a competitive process ensued.
- The Zone acknowledges that improvement was needed with regard to audit quality and management of finances generally across the sector, however the experience of many Local Governments with the Auditor General is significant delays in finalising audit processes and a substantial increase in workload for Council staff.

### **7.1 Regional Telecommunications Review**

A Regional Telecommunications Independent Review Committee (the Committee) is established every three years under Part 9B of the Telecommunications (Consumer Protection and Service Standards) Act 1999 to conduct a review into telecommunications services in regional, rural and remote parts of Australia.

The Committee for the 2021 Regional Telecommunications Review (the Review) was appointed on 1 June 2021.

The 2021 Committee is comprised of the Hon Luke Hartsuyker (Chair); Ms Kristy Sparrow; Professor Hugh Bradlow; Mr Michael Cosgrave; and Ms Sue Middleton.

The Committee is also conducting consultation sessions and as the dates for these are announced via their website, Local Governments within the area being consulted are being advised via email of the upcoming process and encouraged to participate.

As part of the Review, the Committee will consider:

- the impact of Government policies and programs to improve regional connectivity and digital inclusion;
- insights from COVID-19 on the changing digital needs of regional, rural and remote areas;
- service reliability issues which impact regional communities and options for mitigating them;
- the role of emerging technologies in delivering telecommunications services in regional Australia;
- ways of encouraging further investment in regional telecommunications;
- the role of telecommunications in supporting broader regional development goals;
- ways to improve co-ordination between government and industry in telecommunications investment; and
- consumer awareness and education regarding telecommunications options in regional areas.

The following resolution was made;

***That the Great Eastern Country Zone:***

***1. Note the Regional Telecommunication Review 2021; and***

***2. Provides the following input to the WALGA submission:***

- ***the Zone would like to establish a better policy with the providers on the use of backup generators for better service reliability and delivery.***
- ***More engagement with Local Governments for input, particularly in regards to local blackspots and optimum tower locations.***

### **7.2 2021 Local Government Elections – Zone Office Bearer Elections**

With the bi-annual Local Government elections being held Saturday, 16 October 2021, Zones will also be required to hold an election process for State Council representatives.

A chronological overview of the process is detailed below:

- Local Government elections occur on Saturday, 16 October 2021.
- Member Councils to elect/appoint their Zone Delegates and to advise the Zone Executive Officer, as soon as possible but preferably by 5 November 2021.

- For the purpose of electing their representatives and deputy representatives to the WALGA State Council, the Zones are required to hold these elections at their November 2021 meeting.
- Zones to advise WALGA, in writing, of their elected State Council representative and deputy representative immediately following the 2021 November Zone meeting.
- State Councillor Induction Session – morning of 1 December 2021.
- New State Council will take office at the Ordinary Meeting of State Council on 1 December 2021.
- The position of President and Deputy President of WALGA, will be elected at the March 2022 State Council Meeting.

### 7.3 Social Housing Economic Recovery Package

The \$319 million Social Housing Economic Recovery Package (SHERP) is part of the State Government’s COVID-19 Recovery Plan announced in June 2021.

The Program aims to provide safe and secure housing outcomes for vulnerable Western Australians by supporting the construction of new community housing properties and the refurbishment of existing properties to extend their useful life or increase their capacity. Grants are also available to fund maintenance works within remote Aboriginal communities.

Local Governments are eligible to apply for SHERP grants and partner with existing social housing providers and community groups within their communities. The next round of SHERP funding opens on Monday 1 September 2021.

The following resolution was made;

***That the Great Eastern Country Zone:***

***That the Zone notes:***

- ***Local Governments are eligible for grants to support the construction, refurbishment and maintenance of community housing properties as part of the State Government’s Social Housing Economic Recovery Package (SHERP) Program.***
- ***The next round of SHERP grants open on Wednesday 1 September 2021.***
- ***The Department of Communities will provide further information on the SHERP grants at a WALGA webinar to be held at 1:30pm on Wednesday 1 September.***

A full copy of the minutes is provided as Attachment A.

**Consultation** Nil

**Statutory Implications** Nil

**Policy Implications** Nil

#### Risk Implications

<b>Risk:</b> That Council does not receive the minutes or object to decisions of the WALGA Great Eastern Zone meeting.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Rare	Insignificant	Low
<b>Action / Strategy</b>		
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 23<sup>rd</sup> August 2021 at the Merredin Regional Community and Leisure Centre.**



<b>Agenda Reference and Subject:</b>	<b>10.2</b> CEACA Meeting Minutes 23 August 2021
<b>File Reference:</b>	4.1.10 CEACA Agendas and Minutes
<b>Reporting Officer:</b>	Darren Mollenoyux, Chief Executive Officer
<b>Author:</b>	Darren Mollenoyux, Chief Executive Officer
<b>Disclosure of Interest</b>	
<b>Attachments</b>	<i>Item 10.2 Attachment A – CEACA Minutes 23 August 2021</i>

### Summary

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

### Background

The 10 member Councils of the Central Eastern Aged Care Alliance (CEACA Inc.) held a meeting on 23<sup>rd</sup> August 2021 at the Merredin Regional Community and Leisure 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 following items are highlighted for Councillors' attention;

#### Annual Membership Levy

Each member Council gave an overview of their Council's position on the proposed membership levy of \$20,000 for 2021/2022.

It has now been confirmed that all but one Council has renewed membership with CEACA.

#### Presentation by Helen Morton – Pingelly Somerset Alliance

Helen Morton gave a presentation as the Shire of Pingelly's approach to Aged Care including;

- Shire's involvement and their approach to caring for the aged within their community
- Funding
- Grants obtained
- Explanation of Virtual Village

#### Management of Retirement Units

The President and CEO met with the CEACA Chair to have a brief discussion about our current review of the management of our own independent living units.

**A full 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

Council has a budget provision of \$20,000 for its CEACA Inc. Membership in the 2021/2022 financial year.

**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**

Simple majority

**Officer Recommendation:**

**That Council receives the minutes of the CEACA Inc General Meeting held on the 23<sup>rd</sup> August 2021 at the Merredin Recreation and Leisure Centre.**

**11. Officers' Reports**

**11.1 Environmental Health Officer**

No Report

**11.2 Manager of Works and Services**

No Report

### 11.3 Manager of Finance

<b>Agenda Reference and Subject:</b>	<b>11.3.1</b> Statement of Financial Activity
<b>File Reference:</b>	8.2.6.2 Financial Reporting
<b>Reporting Officer:</b>	Jennifer Bow, Manager of Finance
<b>Author:</b>	Jennifer Bow, Manager of Finance
<b>Disclosure of Interest</b>	
<b>Attachment:</b>	<i>Nil</i>

#### 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 for July and August 2021 will be presented to the Council 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**

<b>Risk:</b> Financial performance is not monitored against approved budget		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Possible	Minor	Moderate
<b>Action / Strategy</b>		
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 2021-22 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 months ending 31 July 2021 and 31 August 2021 as presented be received.**

<b>Agenda Reference and Subject:</b>	<b>11.3.2</b> List of Payments
<b>File Reference:</b>	8.2.3.3 Accounts Payable (Creditors)
<b>Reporting Officer:</b>	Jennifer Bow, Manager of Finance Officer
<b>Author:</b>	Mike Darby, Senior Finance Officer
<b>Disclosure of Interest:</b>	
<b>Attachments:</b>	<i>Item 11.3.2 Attachment A – List of Payments August 2021</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 2021.

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**

<b>Risk:</b> Payments are not monitored against approved budget and delegation.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Possible	Minor	Moderate
<b>Action / Strategy</b>		
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 2021/22 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 EFT17934 to EFT18136 totalling \$691,803.49**
  - b. Cheque number 32 to 37 totalling \$16,801.59**
  - c. Trust Cheques**
  - d. Wages and Superannuation payments totalling \$187,978.58, and**
  - e. Credit Card payments \$3,393.57**

**With all payments totalling \$896,583.66 for the month of August 2021.**



#### 11.4 Deputy Chief Executive Officer

**Agenda Reference and Subject:**

**11.4.1** 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 2021.

**Background**

Nil

**Comment**

As per Council’s policy, the Shire President Stamp has been used during the months of August 2021 as follows:

- Caravan Park Contracts
- Transfer of Lot 121 Dampier Street (Water Corp)
- Modular WA Contract Variation
- CRC MOU and Tourism Services

**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 2021.**

**Agenda Reference and Subject:**

**11.4.2** Shire Common Seal

**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 Common Seal in August 2021.

**Background**

Nil

**Comment**

As per Council’s policy, the Shire Common Seal has been used during the months of August 2021 as follows:

- Transfer of Lot 121 Dampier Street (Water Corp)

**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 Common Seal during August 2021.**

<b>Agenda Reference and Subject:</b>	<b>11.4.3</b> Donation Request – Bruce Rock Senior Citizens Organisation
<b>File Reference:</b>	1.3.4.1 Bruce Rock Seniors Citizens
<b>Reporting Officer:</b>	Alan O’Toole, Deputy Chief Executive Officer
<b>Author:</b>	Alan O’Toole, Deputy Chief Executive Officer
<b>Disclosure of Interest:</b>	
<b>Attachments:</b>	<i>Item 11.4.3 Attachment A – Letter from Bruce Rock Senior Citizens</i>

**Summary**

Council is asked to consider a request from the Bruce Rock Senior Citizens Organisation to subsidise their Luncheon on Friday 12<sup>th</sup> November 2021.

**Background**

In previous years, Council has provided a \$10 per head subsidy to the Bruce Rock Seniors Organisation (BRSO) for their Christmas Lunch, and additionally has provided a limited supply of alcohol for the same event.

**Comment**

This year the “Christmas” Seniors’ Lunch is being held earlier to coincide with Seniors’ Week and will be part of the activities of this nationwide event. The Lunch will therefore be held at the Seniors Citizens Building on Friday 12<sup>th</sup> November. The Seniors’ Committee has organised catering from a local business and is requesting a donation from Council of \$10 per head towards the cost of this, and they will pay the rest from their own funds and individual contributions. In addition, they have requested that the Shire supply a limited amount of alcohol. However, it is proposed that rather than a direct supply of alcohol, Council could instead make an additional donation of \$100 for “refreshments” that the organisers can then decide to use on a variety of drinks (both with alcohol and alcohol-free) to be made available to the Seniors. The DCEO has liaised with Mrs Branch-Smith, Secretary of the BRSO, and she has indicated that there will be approximately 50 attendees to the Lunch.

**Consultation**

Darren Mollenoyux, Chief Executive Officer  
 Jennifer Bow, Manager of Finance

**Statutory Implications** Nil

**Policy Implications** Nil

**Risk Implications**

<b>Risk:</b> That Council does not endorse the donation to the Bruce Rock Seniors Organisation for their “Christmas” (November) Lunch.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Unlikely	Minor	Low
<b>Action / Strategy</b>		
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**

Council has a Budget Allocation of \$2000 available for requests for Donations.

**Strategic Implications**

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Infrastructure

Goal 2.2: Encourage greater usage of current Shire owned facilities

Community

Goal 7: Our community are engaged and have a healthy lifestyle

**Voting Requirements**

Simple Majority

**Officer Recommendation**

**That Council considers the request to support the Bruce Rock Seniors Organisation with a donation of \$600 towards their annual Seniors Lunch.**

**Agenda Reference and Subject:**

**11.4.4** Request for Fee Waiver by the Cultivators Committee for usage of Bruce Rock Recreation Centre Indoor Court for a Community Basketball Event

**File Reference:** 1.3.6.1 Bruce Rock Recreation Centre

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

**Author:** Alan O’Toole, Deputy Chief Executive Officer

**Disclosure of Interest:**

**Attachments:** *Item 11.4.4 Attachment A – Letter from Cultivators Committee*

**Summary**

Council has received a request from Susan Hodgkiss, Secretary/Treasurer of the Cultivators Committee requesting a fee waiver for use of the Bruce Rock Recreation Centre Indoor Court to host a community Basketball Event.

**Background**

The Cultivators Committee would like to plan and implement a free 6 week basketball program for the community of Bruce Rock. To do this they will utilise the indoor court at the Recreation Centre between the dates of Friday 12<sup>th</sup> November and Friday 17<sup>th</sup> December.

This event is intended as an inclusive activity for the whole community and therefore will be undertaken in a mixed environment for all ages and genders. The goal is to provide a healthy and fun activity and to assist in community-building. This program has run successfully in the past, most recently in 2019.

**Comment**

The activity will run from 6-7pm on the six Friday evenings, and therefore the Court will be booked from 5.30-7.30pm to allow set up and clear away after the evening’s competition has finished.

To enable as many people as possible to participate, the Cultivator’s Committee has requested that Council waive the fee for the hire of the indoor court for the duration of this 6 week event. This means that they will be able to offer it to community members as a free activity, which may encourage more participants. This is a positive event for the Bruce Rock community, which is in keeping with Council’s goals of promoting a healthy lifestyle and also facilitating community engagement.

In recognition of Council’s support in the form a Fee Waiver, the Cultivators Committee has offered to name the Shire as a partner in the presentation of the event.

It should be noted that as it will be taking place on Friday evenings then the District Club and Kitchen will be open, and also because the event will be open to all ages etc., then there is the possibility of snacks (food and drink) making their way into the Indoor Court. The organisers have been made aware of this and the options open to them are either not to have any food being allowed in the stadium, or that they are to ensure that any debris etc. is removed by them at the conclusion of the event. In this way Shire cleaning costs can be kept to a minimum. Otherwise, the Cultivators Committee could be charged the full cost of any cleaning which needs to happen above the reasonable amount which could be expected.

**Consultation**

Darren Mollenoyux, Chief Executive Officer  
Jennifer Bow, Manager of Finance

**Statutory Implications**

Covid-19 safety requirements

**Policy Implications**

Nil

**Risk Implications**

<b>Risk:</b> Council does not support the request for a fee waiver for the Bruce Rock Recreation Centre Indoor Court to host a community Basketball Event.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Unlikely	Minor	Low
<b>Action / Strategy</b>		
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 can be managed by routine procedure, and is unlikely to need specific application of resources.		

**Financial Implications**

The Fee for hiring the Indoor Court is \$29.00 for two hours. Therefore, for the 6 nights of the event the total cost of hiring will be \$174. There will also be some cleaning costs after each occasion, but this amount will depend upon what measures are put in place to address this in consultation with the Cultivators Committee. As noted, if this is considered excessive, then the organisers have been made aware that they will be responsible for additional cleaning costs.

**Strategic Implications**

*Shire of Bruce Rock – Strategic Community Plan 2017-2027*

**Governance**

Goal 2.2: Encourage greater usage of current Shire owned facilities

**Community**

Goal 7 Our community is engaged and have a healthy lifestyle

**Voting Requirements** Absolute Majority

**Officer Recommendation**

**That Council approve the request from Susan Hodgkiss, Secretary/Treasurer of the Cultivators Committee requesting a fee waiver for use of the Bruce Rock Recreation Centre Indoor Court to host a community Basketball Event for six Friday evenings between 12<sup>th</sup> November and 17<sup>th</sup> December 2021.**

<b>Agenda Reference and Subject:</b>	<b>11.4.5</b> Amendment to Elected Member Professional Development Policy
<b>File Reference:</b>	2.3.1.1 Policy Manual
<b>Reporting Officer:</b>	Alan O’Toole, Deputy Chief Executive Officer
<b>Author:</b>	Alan O’Toole, Deputy Chief Executive Officer
<b>Disclosure of Interest:</b>	
<b>Attachments:</b>	<i>Item 11.4.5 Attachment A – Policy 3.7 Elected Member Professional Development</i>

**Summary**

Council is asked to endorse amendments to the Policy 3.7 to clarify requirements and procedures to be applied when considering Elected Member’s Professional Development.

**Background**

To ensure that there is clear guidance and direction for both Elected Members and the Chief Executive Officer, Council Policy 3.7. has been amended to specify the types of Conference, Event or Training which are eligible for consideration, and also how the requests and authorisation for attendance should be processed.

**Comment**

Elected Members have expressed the desire for more clarity around the eligibility criteria and also the process by which they can access training, and also for attendance at Conferences and Events in an official capacity.

To address this, Policy 3.7. – Elected Member Professional Development has been amended to provide additional clarity and guidance, and also to recommend a process by which consideration of request for attendance at the above can take place.

This is contained specifically in the section of the Policy entitled “Approval for attending Conferences, Training and Events”.

**Consultation**

Darren Mollenoyux, Chief Executive Officer

**Statutory Implications**

Nil

**Policy Implications**

Amendment to Policy 3.7 – Elected Members Professional Development

**Risk Implications**

<b>Risk:</b> That Council does not support the amendment to Policy 3.7 - Elected Members Professional Development.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Unlikely	Minor	Low
<b>Action / Strategy</b>		
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” and can be managed by routine procedure and is unlikely to need specific application of resources.

**Financial Implications**

There is allowance in the Annual Budget for consideration of Elected Members’ Professional Development Requirements, and also reference in the Policy that considerations are subject to capacity within the Budget.

**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 endorse the amendments to Policy 3.7 – Elected Members Professional Development to acknowledge the additional guidance and procedural clarity to assist decision-making and approval.**



**Agenda Reference and Subject:**

**11.4.6** Draft Policy – Lease of Community Crop

**File Reference:**

2.3.1.1 Policy Manual

**Reporting Officer:**

Alan O’Toole, Deputy Chief Executive Officer

**Author:**

Alan O’Toole, Deputy Chief Executive Officer

**Disclosure of Interest:**

**Attachments:**

*Item 11.4.6 Attachment A – Draft Policy 6.5 Lease of  
Community Crop*

**Summary**

Council is asked to consider the Draft Policy regarding the leasing of the Community Crop, and offer suggestions or improvements as necessary, and thereafter adopt it for inclusion in the Policy Manual.

**Background**

The Community Crop refers to Council-owned land located immediately surrounding the Bruce Rock Airstrip. This land is leased for no charge to Sporting Clubs and Community Groups, usually for a duration of three years. The intention of this is for the Group or Club to put in a crop which will raise funds for their activities, and thus provide a benefit to the wider community. At the October 2020 Council Meeting, Council resolved to award the cropping rights to the Community Crop to the Bruce Rock Football Club for three years, commencing following the expiration of their existing Lease on 28 February 2021, which means that the current Lease is now due to expire on 28 February 2024.

At the October Council Meeting it was also decided that to assist decision-making around this issue in future years, there should be a Council policy to offer guidance, set parameters and also confirm a process by which this matter can be addressed in future.

**Comment**

Draft Policy 6.5 – Lease of Community Crop has been written following discussions and suggestions from Councillors and Officers, and is proposed for adoption by Council, or for further improvements and amendments.

**Consultation**

Cr Ian Dolton

Cr Phillip Negri

Darren Mollenoyux, Chief Executive Officer

Melissa Schilling, Executive Assistant

**Statutory Implications**

Nil

**Policy Implications**

Nil

**Risk Implications**

<b>Risk:</b> That the Draft Policy 6.5 – Lease of Community Crop is not adopted.		
<b>Likelihood</b>	<b>Consequence</b>	<b>Rating</b>
Rare	Moderate	Moderate
<b>Action / Strategy</b> 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” and can be managed by routine procedure and is unlikely to need specific application of resources.		

**Financial Implications**

There is no cost associated with the lease.

**Strategic Implications**

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Infrastructure

2.2 Encourage greater usage of current Council owned facilities

Governance

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

**Voting Requirements**

Simple Majority

**Officer Recommendations**

1. That Council considers the Draft Policy 6.5 – Lease of Community Crop and makes suggestions or improvements as necessary.
2. That once amended, Policy 6.5 Lease of Community Crop be adopted into Council’s Policy Manual.

## 11.5 Chief Executive Officer

<b>Agenda Reference and Subject:</b>	<b>11.5.1</b> CEO Annual Leave and Appointment of Acting CEO
<b>File Reference:</b>	Personnel
<b>Reporting Officer:</b>	Darren Mollenoyux, Chief Executive Officer
<b>Author:</b>	Darren Mollenoyux, Chief Executive Officer
<b>Disclosure of Interest:</b>	
<b>Attachments:</b>	<i>Nil</i>

*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 from the 28<sup>th</sup> September 2021 to the 8<sup>th</sup> October 2021. This equates to 9 days of annual leave. 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 with close liaison with the EA and CDO.

### 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. Approve the annual leave of the Chief Executive Officer, Darren Mollenoyux for the period commencing on 28<sup>th</sup> September 2021 up to 8<sup>th</sup> October 2021, inclusive.
2. Appoint the Deputy Chief Executive Officer, Alan O’Toole as the Acting Chief Executive Officer for the period from 28<sup>th</sup> September 2021 up to 8<sup>th</sup> October 2021 inclusive.
3. That Alan O’Toole is paid at higher duties, equivalent to the current CEO, during this period.

**Agenda Reference and Subject:**

**11.5.2** WALGA AGM Motions

**File Reference:**

1.6.5.5 WALGA General Correspondence

**Reporting Officer:**

Darren Mollenoyux, Chief Executive Officer

**Author:**

Darren Mollenoyux, Chief Executive Officer

**Disclosure of Interest:**

**Attachments:**

*Item 12.5.2 Attachment A - WALGA AGM Agenda 20 Sep 2021*

**Summary**

Council needs to determine its position on the motions put forward for the 2021 WALGA Annual General Meeting.

**Background**

Council has received the agenda for the WALGA Annual General Meeting to be held on Monday 20<sup>th</sup> September 2021. Council has already appointed Cr Strange and Cr Rajagopalan 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 Amendments to WALGA's Constitution

*This item is seeking endorsement of a number of amendments to the WALGA constitution and the proposed amendments were previously endorsed by a special majority of State Council at the meeting on the 7<sup>th</sup> July 2021. Some of the changes are necessary, whilst others are proposed.*

**Support**

3.2 Cost of Regional Development

*There is a shortage of long term and short term accommodation for workers in regional areas, combined with the high cost of development which has become an urgent issue. Government Intervention is needed.*

*There is a motion;*

*That WALGA makes urgent representation to the State Government to address the high cost of development in regional areas for both residential and industrial land, including the prohibitive cost of utilities headworks, which has led to market failure in many towns in the Wheatbelt and Great Southern.*

The cost of development and shortage of accommodation has certainly impacted Bruce Rock and this item and proposed recommendation should be supported by Council.

**Support**

3.3 CSRFF Funding Pool and Contribution Ratios

Clubs are not able to contribute their one third required contribution towards facilities and major projects as required under CSRFF framework. This results in Local Governments having to fund two thirds of new infrastructure at significant cost to ratepayers.

Support is sought for WALGA to lobby State Government to increase funding towards this program and to allow a 50:50 split between State and the local communities.

*The proposed motion is;*

*That WALGA lobby the State Government to increase the CSRFF funding pool to \$25 Million per annum and revert the contribution ratio to 50% split to enable more community programs and infrastructure to be delivered.*

There is certainly a need to have the total funding pool of CSRFF increased and the recommendation for a 50% split certainly has merit and make projects more attainable by some community groups and local governments. **The question would be is the 50% requirement by LG's made up of a 50/50 split between Council and the Sporting Club, or would that be at an individual Council level to determine.**

**Support**

#### 3.4 Regional Telecommunications Project

State funding has decreased to only \$5 million for the entire state and the installation of towers has decreased significantly. The Federal Government has allocated its largest allocation of funding in Round 6 of \$80 million. Matching funds from the State are critical to securing funds from the Federal Mobile Black Spot Program, which is in threat of being secured by other States with matching funding.

*The proposed motion is;*

*That WALGA strongly advocates to the State Government to increase funding for the Regional Telecommunications Project to leverage the Federal Mobile Black Spot Program and provide adequate mobile phone coverage to regional areas that currently have limited or no access to the service.*

There is a priority that Council has previously identified and has been involved in lobbying for improved telecommunications in our area.

**Support**

#### 3.5 Review of Environmental Regulations for Mining

This item is requesting that the Minister for Mines and Energy to investigate a review of the 43 year old Mining Act to require mining companies to abide by environmental regulations and to support research and development into sustainable mining practices that would allow mining without detriment to diversification and community sustainability through other industries and development.

Council has not previously dealt with the Mining Act and has no previous position on Mining practices and the impacts on the environment.

**To be guided by Council**

<b>Consultation</b>	Nil
<b>Statutory Implications</b>	Nil
<b>Policy Implications</b>	Nil
<b>Financial Implications</b>	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 20<sup>th</sup> September 2021 and provide guidance to the voting delegates.**



- 12. New Business of an urgent nature introduced by discussion of the meeting**
- 13. Confidential Items**
- 14. Closure of Meeting**