



Shire of
Bruce Rock

Where friends become family



Agenda Attachments

Thursday 17 September 2020

SHIRE OF BRUCE ROCK
AGENDA ATTACHMENTS 17 SEPTEMBER 2020

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SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 17 SEPTEMBER 2020

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SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 17 SEPTEMBER 2020

1. Declaration of Opening

The Shire President Cr SA Strange declared the meeting open at 3.42pm.

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

President	Cr SA Strange
Deputy President	Cr R Rajagopalan
Councillors	Cr AR Crooks
	Cr IS Dolton
	Cr KP Foss
	Cr PG Negri
	Cr BJ Waight
Chief Executive Officer	Mr DRS Mollenoyux (Declared interest in item 11.3.3 - left Council Chambers 4.32pm returning 4.49pm)
Deputy Chief Executive Officer	Mr A O'Toole
Community Development Officer	Miss Caris Negri
Manager of Finance	Mrs JL Bow (4.10pm – 4.31pm)
Environmental Health Officer	Mr J Goldacre (4.03pm – 4.11pm)
Apology	Cr RA Waye
Leave of Absence (Previously Approved)	Cr NC Kilminster

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
15.09.20	Mr D Mollenoyux	11.3.3	Secretary of Bruce Rock Football Club
17.09.20	Cr DA Strange	11.3.3	Life Member of Bruce Rock Football Club Son write the letter included in item

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 20 August 2020.

COUNCIL DECISION

Resolution OCM Sep 20 – 9.1

Moved: Cr Crooks

Seconded: Cr Foss

That the minutes of the Ordinary Meeting of Council held Thursday 20 August 2020 be confirmed as a true and correct record.

Carried 7/0

Audit Committee Meeting of Council held on Thursday 20 August 2020.

COUNCIL DECISION

Resolution OCM Sep 20 – 9.2

Moved: Cr Dolton

Seconded: Cr Waight

That the minutes of the Audit Committee Meeting held Thursday 20 August 2020 be confirmed as a true and correct record.

Carried 7/0

Works and Services Committee Meeting of Council held on Tuesday 25 August 2020.

COUNCIL DECISION

Resolution OCM Sep 20 – 9.3

Moved: Cr Foss

Seconded: Cr Waight

That the minutes of Works and Services Meeting of Council held Tuesday 25 August 2020 be received.

Carried 7/0

10. Regional Reports

Agenda Reference and Subject:

10.1.1 WALGA Zone Minutes August 2020

File Reference:

1.6.5.1 WALGA Zone Agendas and Minutes

Reporting Officer:

Mr Darren Mollenoyux, Chief Executive Officer

Author:

Mr Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest:

Nil

Attachments:

Item 10.1.1 Attachment A – WALGA Zone Meeting Minutes

Summary

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

Background

The last Great Eastern Zone Meeting was held on the 27th August 2020 at the Kellerberrin 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.

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

5.5 Local Government Act Review Panel

WALGA carried out an extensive consultation process on Phase 2 of the Local Government Act Review in 2018/19, culminating in sector positions being endorsed by State Council in March 2019. This agenda item considers the Local Government Review Panel's recommendations in the context of the sector's current advocacy positions.

The Minister for Local Government has not considered the Panel's recommendations at this stage and has not requested a consultation process on the report. WALGA is taking the opportunity to obtain a sector opinion on the recommendations to provide to the Minister.

The meeting reviewed the recommendations of WALGA and whilst endorsed in general WALGA's position the Great Eastern Zone did resolve to differ on some of the points as outlined in the attached minutes.

NOTE

The Shire President had reviewed each of the recommendations prior to the meeting and all our views were supported as per the variations of the Great Eastern Zone response.

LG Ag Freight Group - Comment sought on the Movement of Oversize Agricultural Machinery

An email update has been provided on this matter.

A full copy of the minutes it 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

OFFICE RECOMMENDATION AND COUNCIL DECISION	
Resolution OCM Sep 20 – 10.1.1	
Moved:	Cr Rajagopalan
Seconded:	Cr Crooks
<ol style="list-style-type: none"> 1. That Council receives the minutes of the WALGA Great Eastern Zone Meeting held on the 27th August 2020 at the Kellerberrin Recreation Centre. 2. That Council writes to the Minister of Local Government, responding to the independent panel’s report and recommendations into the review of the Local Government Act and provides response to the 65 recommendation responses in line with the WALGA Great Eastern Zone resolution. 	
Carried 7/0	

Mr A O’Toole left Council Chambers at 3.58pm and returned 4.02pm.

Agenda Reference and Subject:	10.1.2 WEROC Inc Meeting August 2020
File Reference:	1.6.9.1 WEROC Inc Agendas and Minutes
Reporting Officer:	Mr Darren Mollenoyux, Chief Executive Officer
Author:	Mr Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest:	Nil
Attachments:	<i>Item 10.1.2 Attachment A – WEROC Board Meeting Minutes</i>

Summary

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

Background

The last WEROC Inc Board Meeting was held on the 27th August 2020 at the Kellerberrin Recreation Centre.

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 following items are highlighted for Councils attention;

7.2 Public Health Plans in Local Government

At the April WEROC In Board Meeting a presentation was given by Mr Llew Withers on the requirements of each Local Government to have a Public Health Plan within the next two years. WEROC Inc sought a quote from Mr Withers and this has been provided with the following comment;

Mr. Withers has advised that each Local Government needs to have a Plan tailored to the residents of that Shire and therefore it is not permissible to develop an overarching Public Health Plan for WEROC Inc. The cost per Shire will be \$10,000 plus up to \$500 in travel and accommodation.

On this information Council agreed at the May 2020 meeting that it would support engaging Mr Withers to undertake the WEROC Health Plans at an individual level. Further clarification was sought by the WEROC Inc Executive Officer to Mr Withers regarding the proposal and following discussions at the WEROC Inc Board Meeting on the 28th May 2020 the following resolution was made;

- 1) WEROC Inc. will progress with the development of an overarching Health Plan that can be used as a proforma for the Member Councils to develop their individual Public Health Plans.*
- 2) The Executive Officer seek quotations for the development of a WEROC Public Health Plan.*

Since the WEROC Inc Board Meeting the Executive officer has provided this further update on the requirement and timing for Public Health Plans.

Please see below some additional information regarding Local Public Health Plans. I made an enquiry as to when the first Plan's need to be submitted as the 2023. It appears that Stage 5 of implementing the Public Health Act 2016 has not yet occurred and there is no firm date for when it

will. Furthermore, WA Health is still reviewing the impact of the repeal of regulations and provisions under the old Act, which might alter the requirements of Local Governments in managing public health risks.

Advice from Department of Health

I can confirm that the provisions of the Public Health Act 2016 related to public health planning will come into effect at stage 5 of implementation and that stage 5 has not occurred yet.

The repeal of the Health (Miscellaneous Provisions Act) 1911 necessitate the repeal of the regulations that sit underneath it. WA Health is currently reviewing all those regulations, as well as a number of provisions within the Act, that will be repealed at stage 5. The aim is to determine whether these public health risks must continue to be regulated under the new regulatory framework provided by the Public Health Act or can be managed in other ways such as a local law, other legislation or a guideline.

In order for stage 5 to occur, all new subsidiary legislation must be ready to be enacted. While this work is underway it is subject to factors beyond the control of the Department of Health, including assessment by the department of Finance's Better Regulation Unit, drafting by the Parliamentary Council's Office and Parliamentary process. As a result, it is not possible to set a date for stage 5 to occur. We are hoping that it will occur during 2021 and will update our website as soon as we know when this will be.

The following resolution was made;

"That based on the advice from the Department of Health concerning the ongoing review of the impact of the repeal of regulations and provisions under the old Health Act, and the potential for this to alter the requirements of Local Government in managing public health risks, the Board's resolution of 28 May 2020, be amended as follows:

That the WEROC Inc. Executive Officer monitor progress toward the implementation of Stage 5 of the Public Health Act 2016 and at the commencement of Stage 5:

- 1) WEROC Inc. will progress with the development of an overarching Health Plan that can be used as a proforma for the Member Councils to develop their individual Public Health Plans; and*
- 2) The Executive Officer will seek quotations for the development of a WEROC Public Health Plan."*

7.4 WEROC Strategic Plan

A Strategic Planning workshop was held in Merredin on Thursday 11 June 2020. All Board Members were present. A workshop summary and agenda for the second workshop was provided to Board Members via email on 16 June 2020. A second workshop was held in Merredin on Thursday 25 June 2020 and all Board Members were present.

The Draft WEROC Inc. Strategic Plan 2020 was sent via email to all Board Members on Monday 29 June with a request that any comments or edits be provided by close of business on Monday 6 July 2020. There were only couple of minor wording changes.

The WEROC Board adopted the strategic plan as presented at the meeting.

7.6 Tourism Product Development

Following the presentation by Marcus Falconer, CEO of Australia's Golden Outback the following comments were noted;

- Mr. Falconer highlighted the importance of “destination readiness” and presenting compelling options for people to stay in the area for longer.
- Members noted that getting visitors to stay rather than just passing through the area on their way to other destinations was a challenge.
- The management of sites (and the lack of funding for tourism product development) was noted as an issue and initiatives such as a volunteer ranger program are being explored by some Member Councils.
- Encouraging visitors to base themselves within townsites rather than at free camping areas was identified as a priority for capturing more visitor spending.

Following discussions, the WEROC Board resolved;

1. *The Executive Officer contact Skyworks WA to enquire about their services and costing.*
2. *WEROC Inc. will await the outcome of its application to the Regional Economic Development grants scheme before progressing with a tourism strategy.*

7.7 Local Business Development Program

Following the presentation by Caroline Robinson from Wheatbelt Business Network the following comments were noted;

- Ms. Robinson presented a proposal for a 6-month business program that would be delivered by the Wheatbelt Business Network in collaboration with “Blow your own Mind”.
- The program would involve a series of workshops and business coaching.
- The program would be applicable to any business with a product or service offering and would suit both business owners and their staff.
- Members expressed their concern over the ability to engage their local businesses in the program.

The meeting resolved as follows;

1. *Board Members take the information as presented into further consideration and discuss the program proposal with local businesses to gauge the potential level of engagement.*
2. *The program proposal be reviewed at the next meeting of the WEROC Inc. Board.*

Other Matters

9.1 – Future Drought Fund

The meeting resolved that the Executive Officer;

1. *Continue to monitor progress toward the implementation of the Regional Drought Resilience Planning program and report back to the Board as additional information is released.*
2. *Extend an invitation to the Hon. Melissa Price MP to attend the next meeting of WEROC Inc. to discuss to the Future Drought Fund and other Australian Government programs and initiatives.*

9.2 – Community Geopark in the Wheatbelt

The meeting resolved that Raymond Griffiths attend the scheduled meeting to find out further information and report back to WEROC Board.

Note: Council’s CDO, Caris Negri is also attending this meeting on behalf of Bruce Rock.

A full copy of the minutes is provided as Attachment A for this agenda item.

Notice of Special General Meeting

There will be a Special General Meeting of WEROC Inc on the 1st October 2020 via zoom to consider;

- 1) An application for membership to WEROC from an interested Council

2) A Special resolution to change the constitution of WEROC Inc

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

OFFICE RECOMMENDATION AND COUNCIL DECISION	
Resolution OCM Sep 20 – 10.1.2	
Moved:	Cr Waight
Seconded:	Cr Foss
That Council receives the minutes of the WEROC Board Meeting held on the 27th August 2020 at the Kellerberrin Recreation Centre.	
Carried 7/0	

Mr J Goldacre entered Council Chambers at 4.03pm.

11. Officers' Reports

11.1 Environmental Health Officer

Agenda Reference and Subject:	11.1.1 Retrospective approval to camp three nights on land under the control of the Shire of Bruce Rock for the 11, 12 & 13 September 2020.
File Reference:	1.3.4.6 Shackleton Progress Association
Reporting Officer:	Mr Julian Goldacre, Environmental Health Officer
Author:	Mr Julian Goldacre, Environmental Health Officer
Disclosure of Interest:	Nil
Attachments:	<i>Item 11.1.1 Attachment A - Shackleton Progress Association Letter requesting retrospective approval to camp on land managed by the Shire of Bruce Rock.</i>

Summary

Council approves the retrospective approval for the camping on Shire managed land being the land comprising the Shackleton Town Hall and the Shackleton Oval for the retrospective dates of the 11, 12 & 13 of September.

Background

The Environmental Health Officer Mr J Goldacre (EHO) was approached by the Chief Executive Officer who was in receipt of the Minutes of the Shackleton Progress Association (Association) where it was stated that a caravan group called WAGs will be camping in Shackleton from the 11 September which was 'news' to the Shire of Bruce Rock. The EHO subsequently met with Mrs Jenny Gmeiner the Secretary of the Association at the Shire Office on the 3 September 2020 to discuss the camping matter and the proposed flea market.

Comment

Discussions with Mrs Gmeiner and the EHO focused on the requirements of the *Caravan Parks and Camping Grounds Act 1995* (Act) and the *Shire of Bruce Rock Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2004* (Local Law). The EHO explained why these Laws were in place in that it is to manage the control of camping for all concerned and that trading in public places was to ensure appropriate trading activities and public safety. In both cases as explained there is also a requirement under many if not all insurance policies that activities undertaken met the requirements of the insurance policy fine print of '...compliance with any written law...' or the like.

Mrs Gmeiner has provided a detailed account contained in Attachment A regarding the caravanning request, the flea market, the activities proposed, and discussions had. Mrs Gmeiner explained that verbal approval had been obtained from the Shire of Bruce Rock although no record of this could be found. The EHO in an act of good faith offered that retrospective approval could on application be considered by Council given that the Act only requires '...a legal right...'. This agenda is to give the substance for the Council recommendation by the EHO to retrospectively permit the 'legal right; to camp on Shire managed land. Recent discussions with Civic Legal stipulated that any decision needs to have 'substance' behind the reason for the decision which is the purpose for this Agenda before Council.

The two parcels of land to be used for up to 20 caravan and motor homes (verbal discussions between Mrs Gmeiner and the EHO) are Lots 4 & 5 Jermyn Street (Town Hall site), and Lots 224 & 368 Mills Street (Shackleton Oval). The WAGs caravan group have previously stayed on Shire land twice before (this was an unknown activity to the Shire of Bruce Rock) and no complaints or concerns had been received regarding this previous camping activity, which implies it was undertaken in a manner to not cause any concern. The use of the Shackleton facilities is a stated benefit for the town (Attachment A) and the proposed flea market is to be well attended by stall holders. The EHO asked Mrs Gmeiner that a usual condition is that the areas used for camping are left in a good condition and this was guaranteed verbally. Of the up to 20 caravan and motor homes visiting Shackleton Mrs Gmeiner stated many are 'self-contained' which will take pressure off the facilities at Shackleton. There are sufficient facilities for health and amenity in Shackleton to meet the requirements to permit a stay of up to three nights being the public toilets and the Clubs' facilities within the townsite.

Supplementary to this Agenda item is that the matter of the flea market (Attachment A). This was resolved by moving the location to the Shackleton and District Club site (Club) which negated a Trading Permit application. The Club site is well suited being a large area of land to accommodate the flea market. The EHO will assist Ms Gmeiner with the required CoVid Safe plan to ensure this matter is properly dealt with.

Consultation

Mr Darren Mollenoyux, Chief Executive Officer; and
Mrs Jenny Gmeiner, Secretary, Shackleton Progress Association.

Statutory Implications

*Caravan Parks and Camping Grounds Act 1995; and
The Shire of Bruce Rock Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2004.*

Policy Implications

Nil

Risk Implications

Risk: Caravan event causes concern to the Shackleton community.		
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 can 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 3 Assist the local economy to grow
Goal 3.7 Leverage economic opportunities and developments from successful local businesses

Voting Requirements

Simple majority

OFFICE RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Sep 20 – 11.1.1

Moved: Cr Rajagopalan

Seconded: Cr Foss

That Council resolves to:

Grant retrospective approval to permit up to 20 caravans and motor homes of the 'WAGS' caravan group to camp for up to three nights on the 11, 12 and 13 September 2020 on land other than a caravan park or camping ground being the Town Hall site on Lots 4 & 5 Jermyn Street, and the Shackleton Oval on Lots 224 & 368 Mills Street.

Carried 7/0

Mrs JL Bow entered Council Chambers at 4.10pm.

Mr J Goldacre left Council Chambers at 4.11pm and did not return.

11.2 Manager of Finance

Agenda Reference and Subject:	11.2.1 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	Nil
Attachment:	<i>Item 11.1.1 Attachment A – Statement of Financial Activity July 2020</i> <i>Item 11.1.1 Attachment B – Statement of Financial Activity August 2020</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 financial statements for the month ending 31 July 2020 and 31 August 2020 are available in the agenda attachment document.

The July Statement of Financial Activity was not able to be presented to the August meeting as this was when the Budget was adopted.

Consultation

Darren Mollenoyux, Chief Executive Officer
Alan O'Toole, Deputy Chief Executive Officer
David Holland, Manager of Works and Services
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 subregulation (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 2020/21 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

<p>OFFICER RECOMMENDATION AND COUNCIL DECISION Resolution OCM Sep 20 – 11.2.1</p> <p>Moved: Cr Rajagopalan Seconded: Cr Dolton</p> <p>That the Statements of Financial Activity for the month ending 31 July 2020 and 31 August 2020 as presented be received.</p> <p style="text-align: right;">Carried 7/0</p>
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Agenda Reference and Subject:	11.2.2 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:	Nil
Attachments:	<i>Item 11.2.2 Attachment A – List of Payments August 2020</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 2020.

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 2020/21 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 AND COUNCIL DECISION

Resolution OCM Sep 20 – 11.2.2

Moved: Cr Waight

Seconded: Cr Dolton

That Council endorse the list of payments from the:

- 1. Municipal Account consisting of:**
 - a. EFT voucher numbers EFT16040 to EFT16187 totalling \$270,211.29**
 - b. Cheque number 24027 to 24030 totalling \$4,713.69**
 - c. Trust Cheques Nil**
 - d. Wages and Superannuation payments totalling \$179,648.91 and**
 - e. Credit Card payments \$4,713.69**

With all payments totalling \$454,573.89 for the month of August 2020.

Carried 7/0

Agenda Reference and Subject:	11.2.3 Interim Audit Management Letter
File Reference:	8.2.6.1 Annual Audit
Reporting Officer:	Jennifer Bow, Manager of Finance Officer
Author:	Jennifer Bow, Manager of Finance Officer
Disclosure of Interest:	Nil
Attachments:	<i>Item 11.2.3 Attachment A – Interim Management Letter</i>

Summary

AMD has completed our interim audit for the year ending 30th June 2020 and have issued a Management Letter containing issues that need to be addressed.

Background

At the completion of the annual audit, the auditor prepares an Audit Report and a Management Letter outlining any areas or issues that Council needs to address.

At the time of completing this agenda, the Interim Management Letter had not been received from the OAG.

Comment

The interim audit management letter is performed as a phase of the audit in accordance with the audit plan. The focus of the interim audit is to evaluate the overall control environment, but not for the purpose of expressing an opinion on the effectiveness of internal control, and to obtain an understanding of the key business processes, risks and internal controls relevant to the audit of the annual financial report.

The Interim Audit Management Letter contained one finding that was identified during the audit that require addressing. The Draft Management Letter has been attached for your information however a summary of the findings is presented.

INDEX OF FINDINGS	RATING		
	Significant	Moderate	Minor
1. Procurement and Purchasing		✓	

As per the Management Letter, the ratings are based on the audit team’s assessment of risks and concerns with respect to the probability and/or consequence of adverse outcomes if action is not taken. The ratings are as follows;

- i. **Significant** – findings where there is potentially a significant risk to the entity should the finding not be addressed by the entity promptly.
- ii. **Moderate** – findings which are of sufficient concern to warrant action being taken by the entity as soon as practicable
- iii. **Minor** – findings that are not of primary concern but still warrant action being taken.

The findings have been listed in a table.

Area	Finding Rating	Auditors Comments	Implication	Recommendation	Managements Comments	Respon Officer	Comp Date
Procurements and Payments	Moderate	<p>During our procurement and payments testing on a sample basis, we noted the following exceptions:</p> <ol style="list-style-type: none"> 1. Five instances out of a sample of 21 whereby purchase orders were dated after the invoice date; 2. One instance out of a sample of 21 whereby there was no evidence to support written quotes obtained as required by the Shire's purchasing policy; 3. Two instances out of a sample of 21 whereby purchase orders did not state the amount of the purchase or the amount stated on the purchase order did not match the invoice with no explanation noted; and 4. Three instances out of a sample of 21 whereby invoices were not stamped in accordance with stated payment approval processes. 	<ul style="list-style-type: none"> • If the required number of quotes are not obtained and retained, management and Council cannot be assured that staff have obtained the necessary quotes, that open competition principles have been applied, and that there was compliance with relevant policies. As a result there is an increased risk of non-compliance with the <i>Local Government (Functions and General) Regulations 1996 Part 4.</i> • Increased risk of non-compliance with Shire's purchasing policies and over payments made to suppliers 	<p>We recommend all goods and services are procured in accordance with the Shire's purchasing policy, with any deviations documented and approved accordingly.</p> <p>Management should also investigate the above exceptions identified during our testing.</p>	<p><i>The CEO and Manager of Finance have reviewed each of the invoices identified during the testing. One of the invoices identified as not having the invoice stamped, which was for the Bruce Rock Community Resource Centre, was stamped in accordance with the purchasing policy, and is attached highlighting the stamp.</i></p> <p><i>All officers who are authorised to issue purchase orders, will undertake an internal training session regarding Council's purchasing policy requirements. This will ensure that all future purchases have the necessary documentation and that;</i></p> <ol style="list-style-type: none"> <i>i. All invoices are stamped and signed as per the purchasing policy,</i> <i>ii. Purchase orders are not dated after the invoice, and in circumstances where this is not possible, an explanation will be included on the purchase order,</i> <i>iii. Quotes will be obtained and documentation included with the invoice as per Council's purchasing policy; and</i> <i>iv. Amounts will be included on the purchase order.</i> <p><i>The staff members responsible for processing of creditors will also be instructed to ensure that all documentation is completed for purchases, as per the purchasing policy.</i></p> <p><i>The staff structure is also currently being revised and a dedicated Creditors Officer position is being created which will oversee purchasing function of the Shire and ensure</i></p>	MOF	1 Nov 20

Area	Finding Rating	Auditors Comments	Implication	Recommendation	Managements Comments	Respon Officer	Comp Date
					<p><i>adherence to the purchasing policy. This position will commence from 1st October 2020.</i></p> <p><i>Council have also allocated funding in the 2020-21 Budget for installation of Altus Procurement module which includes electronic purchase orders and will assist with compliance.</i></p>		

Procurement and purchasing was identified last year as a moderate finding also. Management is taking steps to address the deficiencies in our procurement and payments by appointing a part time Creditors Officer and implementing an electronic purchasing system early next year. The Creditors Officer will oversee this area and ensure all payments adhere to our purchasing policies.

Consultation CEO, MOF and AMD (Council’s external auditors)

Statutory Implications

Local Government (Financial Management) Regulations 1996, r.34(5), Local Government Act 1995, Local Government (Audit) Regulations 1996

Policy Implications

Nil

Risk Implications

Risk: Compliance – Non-compliance with relevant sections and regulations of the Act and recommended best practice in procurement.		
Likelihood	Consequence	Rating
Possible	Moderate	Moderate
Action / Strategy		
This item has been evaluated against the Shire of Bruce Rock’s Risk Management Procedures Risk Matrix. The perceived level of risk is considered to be “Medium” risk and will be managed to mitigate the risks associated with each of the findings in the Interim Audit Management Letter.		

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 AND COUNCIL DECISION

Resolution OCM Sep 20 – 11.2.3

Moved: Cr Rajagopalan

Seconded: Cr Crooks

That Council receives this item from the Audit Committee regarding the Interim Audit Management Letter and management’s comments for the year ended 30th June 2020.

Carried 7/0

Agenda Reference and Subject:	11.2.4	Approval to apply for extension to complete financial statements for year ending June 2020
File Reference:	8.2.6.1	Annual Audit
Reporting Officer:		Jennifer Bow, Manager of Finance Officer
Author:		Jennifer Bow, Manager of Finance Officer
Disclosure of Interest:		Nil
Attachments:		<i>Nil</i>

Summary

Staff are seeking approval from Council to request for an extension to complete the financial statements for the year ending 30h June 2020. This item was also presented to the Audit Committee meeting.

Background

A copy of the financial statements are to be submitted to the auditor by the 30th September 2020. An extension can be requested if the financial statements are not able to be completed by the 30th September 2020 by submitting a request to the Minister for Local Government.

Comment

Each year, a local government is to complete an annual financial statement as at the 30 June. These statements must then be submitted to the auditor by 30th September.

At this stage, staff have discussed the workload required to finalise the financial statements and feel that it cannot be achieved by the 30th September 2020 deadline.

A number of factors have impeded staff from meeting this requirement including COVID, the duties involved with the supermarket, the late adoption of the budget, two fair value valuations (plant and equipment and other infrastructure) that have to be imported into the asset module and new requirements and introduction of valuations of leases.

The onsite annual audit is scheduled to be held 19th to 21st October 2020 and the extension request would be that the statements would be completed by Monday 19th October 2020.

Council's auditors, AMD, have been contacted and they are happy for an extension to be applied for. They will notify the OAG of our intentions also.

If the financial statements are not submitted by the 30th September or an extension approved, then this will be a breach of *s.6.4 (3) Local Government Act 1995*.

Consultation CEO, MOF and AMD (Council's external auditors)

Statutory Implications

Division 3 — Reporting on activities and finance

6.4. Financial report

(1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.

(2) The financial report is to —
 (a) be prepared and presented in the manner and form prescribed; and
 (b) contain the prescribed information.

(3) By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —
 (a) the accounts of the local government, balanced up to the last day of the preceding financial year; and
 (b) the annual financial report of the local government for the preceding financial year.

Policy Implications

Nil

Risk Implications

Risk: Compliance – Non-compliance with relevant sections and regulations of the Act.		
Likelihood	Consequence	Rating
Possible	Moderate	Moderate
Action / Strategy		
This item has been evaluated against the Shire of Bruce Rock’s Risk Management Procedures Risk Matrix. The perceived level of risk is considered to be “Medium” risk.		

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

<p>OFFICER RECOMMENDATION AND COUNCIL DECISION Resolution OCM Sep 20 – 11.2.4</p> <p>Moved: Cr Dolton Seconded: Cr Foss</p> <p>That Council receives this item from the Audit Committee and authorise the Chief Executive Officer to apply for an extension to submit the completed financial statements to the auditor by 19th October 2020.</p> <p style="text-align: right;">Carried 7/0</p>

Agenda Reference and Subject:	11.2.5 Finalise Process of Sale of Land for Non-Payment of Rates (s6.64 of Local Government Act 1995)
File Reference:	8.1.1.7 Rates Recovery
Reporting Officer:	Jennifer Bow, Manager of Finance Officer
Author:	Jennifer Bow, Manager of Finance Officer
Disclosure of Interest:	Nil
Attachments:	<i>Nil</i>

Summary

12 months have elapsed since the land for non-payment of rates auction was held, on 16th August 2020. 2 blocks were passed in as no bids were received.

Background

Lot 184 Railway Parade, Bruce Rock and Lot 328 Westral Street, Bruce Rock were both passed in at the public auction held on 16th August 2019 as no bids were received.

Comment

Management have discussed the options available to Council regarding these two blocks. As per the legislation, Council can sell the land, transfer it to the Crown or transfer the land to itself.



5 Westral Street, Bruce Rock



Lot 184 Railway Parade, Bruce Rock

To transfer the blocks to Council, it is just a matter of submitting a T5 Land Transfer to Landgate.

To revest the blocks to the Crown, staff will be required to complete several more actions. This will include serving notice to the owner of the land at the last known address for at least 30 days and also advertising in the Government Gazette of Council's intentions to revest the land with the Crown. If it receives any objections, these will need to be considered by Council. The land must also be vacant and free from encumbrance, which both blocks are.

A Form 6 from *Local Government (Financial Management) Regulations 1996 r78(1)*, is then to be submitted to the Minister for Local Government requesting for the land to be revested with the Crown. The Minister must approve the request prior to the land being transferred to the Crown.

The Water Corporation have advised that the outstanding charges have been written off against both properties.

Consultation

CEO, DCEO, MOF & SFO

Statutory Implications

Subdivision 6 — Actions against land where rates or service charges unpaid

6.64. Actions to be taken

(1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —

- (a) from time to time lease the land; or*
- (b) sell the land; or*
- (c) cause the land to be transferred to the Crown; or*
- (d) cause the land to be transferred to itself.*

Policy Implications

Nil

Risk Implications

Risk: That rates remain unpaid resulting in less income for the Shire.		
Likelihood	Consequence	Rating
Possible	Minor	Minor
Action / Strategy To follow the debt recovery policy and legislative requirements to ensure that all outstanding rates are collected where possible.		

Financial Implications

There will be a cost to advertise in the Government Gazette and there will also be some conveyancing fees associated with the transfer of the land to Council and the Crown. This is estimated at approximately \$2,000.

There will also be rates, services and other associated costs to be written off. This totals \$32,785.52

A434 – Lot 184 Railway Parade, Bruce Rock - \$15,296.84

A 463 – Lot 328 Westral Street, Bruce Rock - \$17,488.68

There will be no transfer fees or duties payable on the transfers.

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 Absolute Majority

<p>OFFICER RECOMMENDATION AND COUNCIL DECISION Resolution OCM Sep 20 – 11.2.5</p> <p>Moved: Cr Rajagopalan Seconded: Cr Foss</p> <p>That, in accordance with section 6.64 of the Local Government Act 1995, the Chief Executive Officer; i. be authorised to acquire A 463 Lot 328 Westral Street, Bruce Rock and A434 Lot 184 Railway Parade, Bruce Rock for the non-payment of rates and charges; and ii. be authorised to write off all outstanding rates and charges upon advice of transfer.</p> <p style="text-align: right;">Carried 7/0</p>

Agenda Reference and Subject:	11.2.6 Budget Amendment for Black Spot Projects
File Reference:	8.2.7.1 Annual Budget
Reporting Officer:	Jennifer Bow, Manager of Finance Officer
Author:	Jennifer Bow, Manager of Finance Officer
Disclosure of Interest:	Nil
Attachments:	<i>Nil</i>

Summary

A budget amendment is required after the Chief Executive Officer received notification from Main Roads that two State Black Spot (SBS) Projects for 2020-21 had been approved by the Hon Minister for Transport, Rita Saffioti MLA.

Background

After the previous Manager of Works and Services left in February 2020, staff contacted Main Roads in Narrogin to obtain information about pending grant applications for 2020-21. Information was received about the current SBS Project at intersection of Lawrie Road and Cumminin Road and also about the 2020-21 Regional Road Group Project, continuation of Bruce Rock Naremben Road reconstruction and reseal project.

Main Roads made no comments regarding any SBS Projects applications.

Comment

The 2020-21 Annual Budget was adopted at the August 2020 Council Meeting.

The Chief Executive Officer received an email from Main Roads dated 27th August 2020 that Bruce Rock had been successful in receiving funding for two SBS Projects, which are partly funded by Main Roads and the State Government.

Staff were unaware that these applications had been submitted and as such were not included in the 2020-21 Annual Budget.

Location	RRG Funding (2/3 SBS)	Council's Contribution (1/3)	Project Number
Bruce Rock-Naremben Road/Cumminin Road Reconstruct Y-intersection to a T-intersection, reduce vegetation, install signs and delineation.	\$78,378	\$39,189	21116490
Wogarl West Road/Totadgin Road (Shire of Bruce Rock) Reconstruct Y-intersection to a T-intersection, remove tree in Y-intersection, install signs and delineation.	\$13,500	\$6,750	21116491
TOTALS	\$91,878	\$45,939	

State Black Spot projects are funded on the basis of 2/3 from the Regional Road Group and 1/3 contributed from Council.

The Budget was a balanced budget however \$45,939 is now needed as Council's contribution towards these State Black Spot projects.

It is recommended that this deficit \$45,939 be carried forward until the Budget Review in February 2021.

Consultation

CEO, DCEO and MOF

Statutory Implications

Regulation 33 of Local Government (Financial Management) Regulations 1996

Policy Implications

Nil

Risk Implications

Risk: That the 2020-21 Budget does not reflect the forecast expenditure and revenue for the remaining financial year.		
Likelihood	Consequence	Rating
Almost Certain	Moderate	High
Action / Strategy		
This item has been evaluated against the Shire of Bruce Rock's Risk Management Procedure's Risk Matrix. The perceived level of risk is considered to be "High" risk. As a High Risk, the Manager of Finance will be monitoring the progress regularly.		

Financial Implications

Total Increase to Capital Expenditure of \$137,817

Total Increase to Non-Operating Grants of \$91,878

Council funds required to contribute to the SBS Projects of \$45,939

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

Absolute Majority

<p>OFFICER RECOMMENDATION AND COUNCIL DECISION Resolution OCM Sep 20 – 11.2.6</p> <p>Moved: Cr Waight Seconded: Cr Dolton</p> <p>That Council adopt the following amendments to Budget for 2020-21;</p> <ul style="list-style-type: none"> i. Increase to revenue GL 121310 INCOME – State Black Spot funding (RRG) - \$91,878 ii. Increase to capital expenditure; <ul style="list-style-type: none"> a. RC013 Wogarl West Rd - \$20,250 b. RC045 Cumminin Road - \$117,567 <p style="text-align: right;">CARRIED BY ABSOLUTE MAJORITY 7/0</p>
--

Mrs JL Bow left Council Chambers at 4.31pm and did not return.

11.3 Deputy Chief Executive Officer

Agenda Reference and Subject:

11.3.1 Shire Common Seal

File Reference:**Reporting Officer:**

Alan O'Toole, Deputy Chief Executive Officer

Author:

Melissa Schilling, Executive Assistant

Disclosure of Interest:

Nil

Attachments:

Nil

Summary

Use of Shire Common Seal in August 2020

Background

Nil

Comment

As per Council's policy, the Shire Common Seal has been used during the months of August 2020 as follows:

- Lease Document for DFES/Emergency Services Building
- Notification from Western Power – Multiple Points of Supply at Rec Centre Oval
- Lease Document for St John Ambulance at Emergency Services Building

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 AND COUNCIL DECISION

Resolution OCM Sep 20 – 11.3.1

Moved: Cr Rajagopalan

Seconded: Cr Waight

That Council endorse the use of the Shire Common Seal during August 2020.

Carried 7/0

Agenda Reference and Subject:

11.3.2 Shire President Stamp

File Reference:

Reporting Officer:

Alan O'Toole, Deputy Chief Executive Officer

Author:

Melissa Schilling, Executive Assistant

Disclosure of Interest:

Nil

Attachments:

Nil

Summary

Use of Shire President Stamp August 2020

Background

Nil

Comment

As per Council's policy, the Shire President Stamp has been used during the months of August 2020 as follows:

- Lease Document for St John Ambulance at Emergency Services Building

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 AND COUNCIL DECISION

Resolution OCM Sep 20 – 11.3.2

Moved: Cr Crooks

Seconded: Cr Foss

That Council endorse the use of the Shire President Stamp during August 2020.

Carried 7/0

Mr DRS Mollenoyux left Council Chambers at 4.32pm.

Agenda Reference and Subject:

11.3.3 Community Crop Lease

File Reference:

2.4.1.11 Airstrip Cropping Program

Reporting Officer:

Alan O’Toole, Deputy Chief Executive Officer

Author:

Alan O’Toole, Deputy Chief Executive Officer

Disclosure of Interest:

CEO, Darren Mollenoyux

Attachments:

Item 11.3.3 Attachment A - Letter from Leigh Strange, Bruce Rock Football Club

Item 11.3.3 Attachment B - Paddock records for previous 5 years

Summary

Council are asked to consider the allocation of the cropping right to its “Community Crop” located adjacent to the Bruce Rock airstrip.

Background

The Shire of Bruce Rock leases the cropping rights to the community crop located on the land immediately surrounding the Airstrip. The intention of this is to assist local community groups to raise funds for their activities and thus provide benefit to the wider community.

For the past five years, the lease of the community crop has been held by the Bruce Rock Football Club (the Club), and their Cropping Coordinator, Leigh Strange, has written to the Shire requesting consideration for the lease to be renewed for a five year period. The current lease was awarded in March 2016 and is due to expire on 28th February 2021.

Mr Strange’s letter also details the significant work and investment the Club has undertaken to improve the condition of the land and increase the resulting yield over the past five years.

Comment

Mr Strange’s letter states that over the duration of their tenure, Club members have volunteered their own time and resources to make the land more fertile and weed-free. This has resulted in crops of hay, canola, wheat and barley. Also, the Club has been responsible for adding to the area of land by reclaiming an overgrown strip and also removing scrap metal from one section.

The Bruce Rock Football Club, if successful in continuing the lease, has plans to further improve the paddock and thereby increase yields. It is noted that the Club holds several events a year at which the community is welcomed, and also the importance of group activity in assisting with such areas as maintaining male mental health, which is a priority concern in the Wheatbelt. In addition, the Club has stated that it will make \$500 donations to both the local St John Ambulance service and to the Royal Flying Doctor Service if successful in retaining the lease.

As this lease is of public interest it is suggested that the rights to cropping be advertised for a period of 14 days and at the conclusion of this period, should there be no other suitable public submissions, the DCEO be authorised to proceed with the lease for five years to the Bruce Rock Football Club.

If other suitable submissions are received then an item to be presented to the October 2020 Ordinary Meeting of Council to consider, prior to the execution of the lease of the cropping rights to the community crop after 28th February 2021.

Consultation

Jennifer Bow – Manager of Finance

Statutory Implications

Nil

Policy Implications

Nil

Risk Implications

Risk: That the cropping rights to the Community Crop are not leased and therefore this important asset and the benefits from its revenue are lost to the Bruce Rock Community.		
Likelihood	Consequence	Rating
Rare	Moderate	Moderate
Action / Strategy That a Lease to the community crop be granted to a party able to make best use of the resource.		

Financial Implications

There is no cost associated with the lease.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Infrastructure

Goal 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 approves the advertising of the cropping rights to the Bruce Rock Community Crop located adjacent to the airstrip for 14 days.
2. That if no suitable applications are received at the conclusion of the advertising period, the cropping rights are leased to Bruce Rock Football Club for a period of five years commencing 1 March 2021.

Council decision varied from Officer Recommendations to:

1. *That Council call for Expressions of Interest, to be received from September 21 2020 to 5 October 2020, for the cropping rights to the Bruce Rock Community Crop for up to a maximum of five years.*
2. *That the Expressions of Interest be presented to Council the form of a Report to the October 2020 Ordinary Meeting of Council.*

<p>COUNCIL DECISION Resolution OCM Sep 20 – 11.3.3</p> <p>Moved: Cr Rajagopalan Seconded: Cr Dolton</p> <ol style="list-style-type: none"> 1. That Council call for Expressions of Interest, to be received from September 21 2020 to 5 October 2020, for the cropping rights to the Bruce Rock Community Crop for up to a maximum of five years. 2. That the Expressions of Interest be presented in the form of a Report to the October 2020 Ordinary Meeting of Council. <p style="text-align: right;">Carried 7/0</p>
--

Mr DRS Mollenoyux returned to Council Chambers at 4.49pm.

11.4 Chief Executive Officer

Agenda Reference and Subject:	11.4.1 Factory Unit Lease - Unit 3 Swan Street, Bruce Rock
File Reference:	2.4.1.5 Factory Units - Council Owned Properties
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Author:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest:	Nil
Attachments:	<i>Nil</i>

Summary

Council is asked to endorse the lease for Council owned factory unit located at Unit 3 Swan Street, Bruce Rock and any subsequent variation to fees and charges.

Background

At the August 2020 Ordinary Council meeting Council considered a request from Mr Jarrad Hubbard to lease factory unit 3 Swan Street, Bruce Rock to operate his real estate business from. Council resolved as follows;

Resolution OCM Aug 20 – 11.4.1

Moved: Cr Rajagopalan

Seconded: Cr Foss

That Council:

- 1. That Council lease its factory unit located at Unit 3 Swan Street, Bruce Rock to Jarrad Hubbard.*
- 2. That Council considers the request from Mr Jarrad Hubbard for a reduction of rent for the first 12 months of the lease to assist him in establishing his new real estate business branch within Bruce Rock.*
- 3. The monthly rental fee of \$338.45 (inc. GST) is to be charged from the commencement of the lease and to be reviewed as part of the annual budget review process.*
- 4. Give public notice of 7 days of the intent to vary the fee and charge.*
- 5. In accordance with section 3.58 of the Local Government Act Council authorises the Chief Executive Officer to give local public notice of its intention to lease factory unit 3, Swan Street Bruce Rock to Jarrad Hubbard for the monthly rental fee of \$338.45 (inc. GST);*
- 6. That at the conclusion of the 14 day advertising period should there be no public submissions the CEO be authorised to proceed with the lease or if submissions are received an item be presented to the September 2020 Ordinary Meeting of Council to consider, prior to the execution of the lease of factory unit 3 Swan Street, Bruce Rock.*
- 7. That there is a requirement of the lease for business signage to be erected on the building.*

Comment

Public notice was given seeking submissions to the proposed lease and at the close of the submission period no submissions were received.

As per the resolution the CEO has informed Mr Hubbard of the outcome and staff have commenced preparing the lease agreement in line with Council's decision.

The factory unit located at 3 Swan Street, Bruce Rock has been inspected and is ready for occupancy.

Consultation

Mr Jarrad Hubbard, the applicant

Alan O'Toole, Deputy CEO

Jennifer Bow, Manager of Finance

Neil Hartley, Civic Legal provided guidance around the advertising and disposal of property requirements and section 3.58 of the LG Act, where we agreed that sufficient effort has been previously made to lease the factory unit, therefore providing an open and fair process for leasing.

Statutory Implications

Local Government Act 1995 - Sect 3.58

3.58 - Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include—

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

Local Government Act 1995 s.6.16 & s.6.19

6.16. Imposition of fees and charges

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

** Absolute majority required.*

(3) Fees and charges are to be imposed when adopting the annual budget but may be -

(a) imposed during a financial year; and*

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

** Absolute majority required.*

6.19. Local government to give notice of fees and charges

If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of

- (a) its intention to do so; and*
- (b) the date from which it is proposed the fees or charges will be imposed.*

Policy Implications

Whilst no formal policy exists, precedent exists from previous decisions of Council and as per this resolution in 2008; *“Council may consider a discount of up to 30% for new businesses renting a factory unit for a period of **up to** 12 months”.*

Risk Implications

Risk: That the factory unit located at Unit 3 Swan Street Bruce Rock is not leased, leading to continual loss of rental income for Council and potential loss of economic progress in the Shire.		
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 “Medium” risk and will be managed by specific monitoring and response procedures.		

Financial Implications

The 2020/21 rent on the factory unit located at Unit 3 Swan Street is set at \$483.50 per month inc gst, which equates to a total of \$5,802 inc gst for the 12 month lease.

Council reduced the rental of 30% with the new rental amount at \$338.45 per month inc gst, over the 12 month rental request being a total of \$4,061.40 inc gst.

This factory unit has been vacant for approximately 2 years and thus has not generated income during this period. Budget provision has been made for rental income on this factory unit for part of the 2020/21 financial year.

As per all Council rentals and tenancy agreement the fee and charge will be reviewed annually and further rental increases may occur.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Infrastructure

2.2 – Encourage greater usage of current Council owned facilities

Economy

Goal 3 Assist the local economy to grow

3.3 Encourage the business units to be used in Swan Street

3.7 – Leverage economic opportunities and development from successful local businesses

Goal 4: Workers and their families can work and reside in the Shire

4.3 – Promote existing residential land and plan for future commercial and residential land developments to meet current and future needs

Governance

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

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Sep 20 – 11.4.1

Moved: Cr Crooks

Seconded: Cr Dolton

That Council endorses the CEO's actions in line with resolution OCM Aug 20 – 11.4.1 where the lease be agreed to as at the conclusion of the 14 day advertising period there were no public submissions for the lease of factory unit 3 Swan Street, Bruce Rock to Mr Jarrad Hubbard to operate his real estate business.

CARRIED BY ABSOLUTE MAJORITY 7/0

Agenda Reference and Subject:

11.4.2 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:

Nil

Attachments:

Item 11.4.2 Attachment A – Agenda WALGA Annual General Meeting Friday 25 September 2020

Summary

Council needs to determine its position on the motions put forward for the 2020 WALGA Annual General Meeting.

Background

Council has received the agenda for the WALGA Annual General Meeting to be held on Friday 25th September 2020. 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 Drought in Western Australia

This item is based around seeking that WALGA advocate for improved process and eligibility in drought situations, the recent drought funding announced left several drought affected communities without funding whilst others who are non agricultural based and less affected with significant funding from the federal drought funding program.

Support

3.2 State Owned Unallocated Crown Land (UCL) House Blocks

The current policy and practice restricts Local Government's' rate base.

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 25th September 2020 and provide guidance to the voting delegates.

Council decision varied to Officer Recommendation to that Council supports the motions for the WALGA Annual General Meeting to be held on the 25th September 2020.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Sep 20 – 11.4.2

Moved: Cr Dolton

Seconded: Cr Waight

That Council supports the motions for the WALGA Annual General Meeting to be held on the 25th September 2020.

Carried 7/0

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

13. Confidential Items

14. Closure of Meeting

The Shire President Stephen Strange thanked everyone for their attendance and declared the meeting closed at 4.52pm.

These minutes were confirmed at a meeting on 15 October 2020.

Cr Stephen Strange
Shire President
15 October 2020

SHIRE OF BRUCE ROCK

AUDIT COMMITTEE MINUTES MEETING 17 SEPTEMBER 2020

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SHIRE OF BRUCE ROCK

AUDIT COMMITTEE AGENDA MEETING 17 SEPTEMBER 2020

1. Declaration of Opening

The Shire President Stephen Strange declared the meeting open at 3.35pm.

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

President	Cr SA Strange
Deputy President	Cr R Rajagopalan
Councillors	Cr AR Crooks
	Cr IS Dolton
	Cr KP Foss
	Cr PG Negri
	Cr BJ Waight
Chief Executive Officer	Mr DRS Mollenoyux
Deputy Chief Executive Officer	Mr A O’Toole
Manager of Finance	Mrs JL Bow
Community Development Officer	Miss CE Negri
Apology	Cr NK Kilminster
	Cr RA Waye

3. Response to Previous Public Questions Taken on Notice

4. Public Question Time

5. Petitions / Deputations / Presentations / Submissions

6. Confirmation of Minutes

6.1. Audit Committee Meeting – 20 August 2020

COMMITTEE DECISION

Resolution ACM Aug 20 – 6.1

Moved: Cr Rajagopalan

Seconded: Cr Foss

That the minutes of the Audit Committee held 20 August 2020 be confirmed as a true and correct record.

Carried 7/0

7. Reports of Officers

7.1. Manager of Finance

Agenda Reference and Subject:	7.1.1 Interim Audit Management Letter
File Reference:	8.2.6.1 – Annual Audit
Reporting Officer:	Jennifer Bow, Manager of Finance
Author:	Jennifer Bow, Manager of Finance
Disclosure of Interest	Nil
Attachment	Item 7.1.1 – Interim Audit Management Letter

Summary

AMD has completed our interim audit for the year ending 30th June 2020 and have issued a Management Letter containing issues that need to be addressed.

Background

At the completion of the annual audit, the auditor prepares an Audit Report and a Management Letter outlining any areas or issues that Council needs to address.

At the time of completing this agenda, the Interim Management Letter had not been received from the OAG.

Comment

The interim audit management letter is performed as a phase of the audit in accordance with the audit plan. The focus of the interim audit is to evaluate the overall control environment, but not for the purpose of expressing an opinion on the effectiveness of internal control, and to obtain an understanding of the key business processes, risks and internal controls relevant to the audit of the annual financial report.

The Interim Audit Management Letter contained one finding that was identified during the audit that require addressing. The Draft Management Letter has been attached for your information however a summary of the findings is presented.

INDEX OF FINDINGS	RATING		
	Significant	Moderate	Minor
1. Procurement and Purchasing		✓	

As per the Management Letter, the ratings are based on the audit team’s assessment of risks and concerns with respect to the probability and/or consequence of adverse outcomes if action is not taken. The ratings are as follows;

- i. **Significant** – findings where there is potentially a significant risk to the entity should the finding not be addressed by the entity promptly.
- ii. **Moderate** – findings which are of sufficient concern to warrant action being taken by the entity as soon as practicable
- iii. **Minor** – findings that are not of primary concern but still warrant action being taken.

The findings have been listed in a table.

Area	Finding Rating	Auditors Comments	Implication	Recommendation	Managements Comments	Respon Officer	Comp Date
Procurements and Payments	Moderate	<p>During our procurement and payments testing on a sample basis, we noted the following exceptions:</p> <ol style="list-style-type: none"> 1. Five instances out of a sample of 21 whereby purchase orders were dated after the invoice date; 2. One instance out of a sample of 21 whereby there was no evidence to support written quotes obtained as required by the Shire’s purchasing policy; 3. Two instances out of a sample of 21 whereby purchase orders did not state the amount of the purchase or the amount stated on the purchase order did not match the invoice with no explanation noted; and 4. Three instances out of a sample of 21 whereby invoices were not stamped in accordance with stated payment approval processes. 	<ul style="list-style-type: none"> • If the required number of quotes are not obtained and retained, management and Council cannot be assured that staff have obtained the necessary quotes, that open competition principles have been applied, and that there was compliance with relevant policies. As a result there is an increased risk of non-compliance with the <i>Local Government (Functions and General) Regulations 1996 Part 4.</i> • Increased risk of non-compliance with Shire’s purchasing policies and over payments made to suppliers 	<p>We recommend all goods and services are procured in accordance with the Shire’s purchasing policy, with any deviations documented and approved accordingly.</p> <p>Management should also investigate the above exceptions identified during our testing.</p>	<p><i>The CEO and Manager of Finance have reviewed each of the invoices identified during the testing. One of the invoices identified as not having the invoice stamped, which was for the Bruce Rock Community Resource Centre, was stamped in accordance with the purchasing policy, and is attached highlighting the stamp.</i></p> <p><i>All officers who are authorised to issue purchase orders, will undertake an internal training session regarding Council’s purchasing policy requirements. This will ensure that all future purchases have the necessary documentation and that;</i></p> <ol style="list-style-type: none"> <i>i. All invoices are stamped and signed as per the purchasing policy,</i> <i>ii. Purchase orders are not dated after the invoice, and in circumstances where this is not possible, an explanation will be included on the purchase order,</i> <i>iii. Quotes will be obtained and documentation included with the invoice as per Council’s purchasing policy; and</i> <i>iv. Amounts will be included on the purchase order.</i> <p><i>The staff members responsible for processing of creditors will also be instructed to ensure that all documentation is completed for purchases, as per the purchasing policy.</i></p> <p><i>The staff structure is also currently being revised and a dedicated Creditors Officer position is being created which will oversee purchasing function of the Shire and ensure</i></p>	MOF	1 Nov 20

Area	Finding Rating	Auditors Comments	Implication	Recommendation	Managements Comments	Respon Officer	Comp Date
					<p><i>adherence to the purchasing policy. This position will commence from 1st October 2020.</i></p> <p><i>Council have also allocated funding in the 2020-21 Budget for installation of Altus Procurement module which includes electronic purchase orders and will assist with compliance.</i></p>		

Procurement and purchasing was identified last year as a moderate finding also. Management is taking steps to address the deficiencies in our procurement and payments by appointing a part time Creditors Officer and implementing an electronic purchasing system early next year. The Creditors Officer will oversee this area and ensure all payments adhere to our purchasing policies.

Consultation CEO, MOF and AMD (Council’s external auditors)

Statutory Implications

Local Government (Financial Management) Regulations 1996, r.34(5), Local Government Act 1995, Local Government (Audit) Regulations 1996

Policy Implications

Nil

Risk Implications

Risk: Compliance – Non-compliance with relevant sections and regulations of the Act and recommended best practice in procurement.		
Likelihood	Consequence	Rating
Possible	Moderate	Moderate
Action / Strategy		
This item has been evaluated against the Shire of Bruce Rock’s Risk Management Procedures Risk Matrix. The perceived level of risk is considered to be “Medium” risk and will be managed to mitigate the risks associated with each of the findings in the Interim Audit Management Letter.		

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

COMMITTEE DECISION

Resolution ACM Sep 20 – 7.1.1

Moved: Cr Rajagopalan

Seconded: Cr Waight

That the Audit Committee receives the Interim Audit Management Letter and management’s comments for the year ended 30th June 2020.

Carried 7/0

Agenda Reference and Subject:

7.1.2 Approval to apply for extension to complete financial statements

File Reference:

8.2.6.1 – Annual Audit

Reporting Officer:

Jennifer Bow, Manager of Finance

Author:

Jennifer Bow, Manager of Finance

Disclosure of Interest

Nil

Attachment

Summary

Staff are seeking approval from the audit committee to request for an extension to complete the financial statements for the year ending 30h June 2020.

Background

A copy of the financial statements are to be submitted to the auditor by the 30th September 2020. An extension can be requested if the financial statements are not able to be completed by the 30th September 2020 by submitting a request to the Minister for Local Government.

Comment

Each year, a local government is to complete an annual financial statement as at the 30 June. These statements must then be submitted to the auditor by 30th September.

At this stage, staff have discussed the workload required to finalise the financial statements and feel that it cannot be achieved by the 30th September 2020 deadline.

A number of factors have impeded staff from meeting this requirement including COVID, the duties involved with the supermarket, the late adoption of the budget, two fair value valuations (plant and equipment and other infrastructure) that have to be imported into the asset module and new requirements and introduction of valuations of leases.

The onsite annual audit is scheduled to be held 19th to 21st October 2020 and the extension request would be that the statements would be completed by Monday 19th October 2020.

Council's auditors, AMD, have been contacted and they are happy for an extension to be applied for. They will notify the OAG of our intentions also.

If the financial statements are not submitted by the 30th September or an extension approved, then this will be a breach of s.6.4 (3) *Local Government Act 1995*.

Consultation CEO, MOF and AMD (Council's external auditors)

Statutory Implications

Division 3 – Reporting on activities and finance

6.4. Financial report

(1) A local government is to prepare an annual financial report for the preceding financial year and such other financial reports as are prescribed.

(2) *The financial report is to —*

- (a) *be prepared and presented in the manner and form prescribed; and*
- (b) *contain the prescribed information.*

(3) *By 30 September following each financial year or such extended time as the Minister allows, a local government is to submit to its auditor —*

- (a) *the accounts of the local government, balanced up to the last day of the preceding financial year; and*
- (b) *the annual financial report of the local government for the preceding financial year.*

Policy Implications

Nil

Risk Implications

Risk: Compliance – Non-compliance with relevant sections and regulations of the Act.		
Likelihood	Consequence	Rating
Possible	Moderate	Moderate
Action / Strategy		
This item has been evaluated against the Shire of Bruce Rock’s Risk Management Procedures Risk Matrix. The perceived level of risk is considered to be “Medium” risk.		

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

COMMITTEE DECISION
Resolution ACM Sep 20 – 7.1.2

Moved: Cr Negri
Seconded: Cr Dolton

That the Audit Committee recommends to Council to authorise the Chief Executive Officer to apply for an extension to submit the completed financial statements to the auditor by 19th October 2020.

Carried 7/0

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

9. Closure of Meeting.

The Shire President Stephen Strange declared the meeting closed at 3.42 pm.

These minutes were confirmed at a meeting on

Cr Stephen Strange
Shire President



WEROC Inc. Special General Meeting

MINUTES

Thursday 1 October 2020

Zoom Videoconference
Commencing at 8.30am

WEROC Inc. | Incorporating the Shires of Bruce Rock, Kellerberrin, Merredin, Westonia and Yilgarn

A PO Box 5, MECKERING WA 6405 E rebekah@150square.com.au

M 0428 871 202

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WEROC Inc.

Wheatbelt East Regional Organisation of Councils Inc.

Shires of Bruce Rock, Kellerberrin, Merredin, Westonia, Yilgarn

Minutes for the Special General Meeting held via Zoom videoconference on Thursday 1 October 2020 commencing at 8.30am.

MINUTES

1. OPENING AND ANNOUNCEMENTS

Mr. Ram Rajagopalan as Chair of WEROC Inc. welcomed Members of the Board and opened the meeting at 8.30am.

2. RECORD OF ATTENDANCE AND APOLOGIES

2.1 Attendance

Mr. Ram Rajagopalan (Chair)

Mr. Rod Forsyth (Deputy Chair)

Mr. Peter Clarke

Mr. Mark Dacombe

Ms. Karin Day

Mr. Wayne Della Bosca

Ms. Julie Flockart

Mr. Raymond Griffiths

Mr. Darren Mollenoyux

Mr. Wayne Della Bosca

Ms. Rebekah Burges, Executive Officer

2.2 Apologies

Mr. Jamie Criddle

2.3 Guests

NIL

3. DECLARATIONS OF INTEREST

NIL

4. MATTERS FOR DECISION

4.1 Application for Membership to WEROC Inc. by the Shire of Tammin

Author: Rebekah Burges, Executive Officer

Disclosure of Interest: No interest to disclose

Date: 23 September 2020

- Attachments:** Attachment 1: Shire of Tammin Application for Membership
- Financial Implications:** As a condition of Membership the Shire of Tammin will be required to pay a once only joining fee of \$30,000 +GST and the agreed annual financial contribution for 2020-21 of \$12,000 +GST
- Consultation:** Nil
- Voting Requirement:** Simple Majority

Background:

On 12 March 2020, the Executive Officer received email correspondence from Mr. Neville Hale, Chief Executive Officer of the Shire of Tammin, advising that the Shire of Tammin Council were considering taking up membership of either WEROC Inc. or NEWROC in lieu of its existing arrangements with the Quairading and Cunderdin Shires. To assist the Council in its deliberations Mr. Hale requested the following information:

- 1) The current and future projects under consideration by WEROC Inc.
- 2) The applicable joining fee; and
- 3) The organisational structure and operation of WEROC Inc.

At the WEROC Inc. Board Meeting held on 30 April 2020, the Executive Officer advised Members, of the Shire of Tammin's enquiries. Consideration was given to what would be expected of any new Member and the Board resolved as follows:

RESOLUTION: *Moved: Ms. Karin Day* *Seconded: Mr. Rod Forsythe*

That the Shire of Tammin be advised as follows:

- 1) *To match the current equity of the WEROC Inc. Member Councils, for any new member to be admitted to WEROC Inc. the financial contribution will be \$30,000 plus the annual contribution of \$12,000.*
- 2) *It is an expectation that any new members will support the current projects/initiatives of WEROC Inc.*

CARRIED

Executive Officer Comment:

On 23 July 2020, the Executive Officer was invited to present to the Shire of Tammin Council to provide an overview of the current activities and future priorities of WEROC Inc. The Shire of Tammin Council advised at this time that they were still in discussion with other Regional Organisations of Councils and would advise of their decision after all information had been duly considered.

On 31 August 2020, Mr. Hale advised the Executive Officer via email that the Shire of Tammin Council, at its Ordinary Meeting held on Thursday 27 August 2020, had resolved as follows:

“That Council:

1. ***agree to make application for membership of Wheatbelt East Regional Organisation of Councils Inc. (WEROC);***
2. ***Authorise unbudgeted expenditure of a one off entry fee of \$30,000 and an annual membership fee of \$12,000 totalling \$42,000.00; and***
3. ***Authorise the Chief Executive Officer to write to the Executive Officer of WEROC Inc seeking its consideration of the Shire of Tammin's application for membership.”***

A formal application for Membership was received from the Shire of Tammin on 1 September 2020. The application form is provided as an attachment to the agenda.

Recommendation:

That the Shire of Tammin's application to be admitted as a Member of the Wheatbelt East Regional Organisation of Councils Inc. be accepted.

RESOLUTION:

Moved: Ms. Julie Flockart

Seconded: Mr. Rod Forsythe

That the Shire of Tammin's application to be admitted as a Member of the Wheatbelt East Regional Organisation of Councils Inc. be accepted.

CARRIED UNANIMOUSLY

4.2 Adoption of Changes to the WEROC Inc. Constitution

Author: Rebekah Burges, Executive Officer
Disclosure of Interest: No interest to disclose
Date: 23 September 2020
Attachments: Attachment 2. WEROC Inc. Constitution for Adoption
Consultation: Nil
Voting Requirement: 75% of Members Present and Eligible to Vote

Background:

Under the *Associations Incorporation Act 2015*, a special resolution is required if an incorporated association intends to alter its rules. All Members of the association must be given written notice of the meeting at which the special resolution will be proposed and invited to attend.

Under the Act, for a special resolution to be valid, the special resolution must be passed by at least 75% of the members who vote at the meeting (not 75% of the total membership). Amendments to the rules of the association must be lodged with Consumer Protection within one month of passing the special resolution.

On 4 September 2020, the Executive Officer provided all Members of WEROC Inc. with written notice (via email) of the special resolution that would be proposed at the Special General Meeting to be held on Thursday 1 October 2020. With this notice, Members were supplied with the proposed changes to the WEROC Inc. Constitution.

Executive Officer Comment:

The purpose of the proposed amendments to the Constitution are to:

- a. Make a provision within the Membership of WEROC Inc. for the Shire of Tammin (assuming that their application for Membership is accepted);
- b. Detail a process for dealing with any future applications for Membership of WEROC Inc.
- c. Include within the Constitution missing rules, which are relevant to the conduct of WEROC Inc. and which align to the model rules for Associations.

By way of summary the proposed amendments to the WEROC Inc. Constitution are:

1. Amend 2.1 Definitions to read:

(e) Central Eastern Wheatbelt Region means the area covered by the local government areas of the Shires of Bruce Rock, Kellerberrin, Merredin, Tammin, Westonia and Yilgarn together with any adjoining area so determined by a Special Resolution adopted by a general meeting of the Association.

2. Amend *Rule 6. Membership* as follows:

- Clause 6.1 Representation on WEROC Board to include two (2) members of the Shire of Tammin
- Add Clause 6.6 detailing the eligibility and process for dealing with new members.

3. Amend *Rule 15. Procedures of Board Meetings* as follows:

- Add Clause 15.5 detailing the expectations of invited guests.
4. Amend *Rule 19. Meetings* as follows:
- Add Clause 19.8 detailing the use of technology to participate in meetings.

Recommendation (SPECIAL RESOLUTION):

That:

1. The current Constitution of the Wheatbelt East Regional Organisation of Councils (WEROC) Inc. be amended and the proposed changes to the rules outlined in the revised Constitution attached to the notice of the meeting, be adopted.
2. Upon passing resolution 1, the Board of WEROC Inc. adopts, by Special Resolution, the revised Constitution of WEROC Inc.
3. The Members authorise the Executive Officer to lodge a “Notice of Special Resolution to Change the Rules”, with the Department of Mines, Industry Regulation and Safety.

Comments from the Meeting:

- The Executive Officer advised Members that the Department of Mines, Industry Regulation and Safety (DMIRS) had been consulted with regard to the entitlements of financial Members of an Association, if they make a voluntary exit.
- DMIRS advised that because the rules are silent on this matter, we revert to consumer laws which essentially state that if the service that a consumer has paid for can still be provided in the manner described/agreed to, but the consumer decides to no longer accept the service then they are not entitled to any monetary refund. Only if the service can no longer be provided, would they be entitled to a refund of monies paid.
- DMIRS recommended that a by-law be introduced to specify that if any Member of WEROC Inc. decides to leave the Association, they forfeit any right to a refund.
- As per the model rules for Associations, by-laws can be made, amended or revoke by resolution at a general meeting.

RESOLUTION:

Moved: Ms. Karin Day

Seconded: Mr. Darren Mollenoyux

That:

1. The current Constitution of the Wheatbelt East Regional Organisation of Councils (WEROC) Inc. be amended and the proposed changes to the rules outlined in the revised Constitution attached to the notice of the meeting, be adopted.
2. Upon passing resolution 1, the Board of WEROC Inc. adopts, by Special Resolution, the revised Constitution of WEROC Inc.
3. The Members authorise the Executive Officer to lodge a “Notice of Special Resolution to Change the Rules”, with the Department of Mines, Industry Regulation and Safety.
4. That the following by-law, as recommended by the Department of Mines, Industry Regulation and Safety be adopted:

“Should any Member of WEROC Inc. choose to leave the Association of their own accord, then no monies paid to WEROC Inc. will be refunded”.

CARRIED UNANIMOUSLY

5. OTHER MATTERS

NIL

6. FUTURE MEETINGS

The Annual General Meeting and next General Meeting of the WEROC Inc. Board, will take place in Merredin on Thursday 26 November 2020.

7. CLOSURE

There being no further business, the Chair thanked Members for their participation and closed the meeting at 8.48am.

DECLARATION

These minutes were confirmed by the WEROC Inc. Board at the meeting held

Signed _____

Person presiding at the meeting at which these minutes were confirmed



SHIRE OF BRUCE ROCK

MONTHLY FINANCIAL REPORT
(Containing the Statement of Financial Activity)
For the Period Ended 30 September 2020

LOCAL GOVERNMENT ACT 1995
LOCAL GOVERNMENT (FINANCIAL MANAGEMENT) REGULATIONS 1996

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PREPARATION TIMING AND REVIEW

Date prepared: All known transactions up to 7 Oct 2020
Prepared by: Manager of Finance
Reviewed by: Chief Executive Officer

BASIS OF PREPARATION

REPORT PURPOSE

This report is prepared to meet the requirements of Local Government (Financial Management) Regulations 1996, Regulation 34. Note: The Statements and accompanying notes are prepared based on all transactions recorded at the time of preparation and may vary due to transactions being processed for the reporting period after the date of preparation.

BASIS OF ACCOUNTING

This statement comprises a special purpose financial report which has been prepared in accordance with Australian Accounting Standards (as they apply to local governments and not-for-profit entities), Australian Accounting Interpretations, other authoritative pronouncements of the Australian Accounting Standards Board, the Local Government Act 1995 and accompanying regulations. Material accounting policies which have been adopted in the preparation of this statement are presented below and have been consistently applied unless stated otherwise. Except for cash flow and rate setting information, the report has also been prepared on the accrual basis and is based on historical costs, modified, where applicable, by the measurement at fair value of selected non-current assets, financial assets and liabilities.

THE LOCAL GOVERNMENT REPORTING ENTITY

All Funds through which the Council controls resources to carry on its functions have been included in this statement. In the process of reporting on the local government as a single unit, all transactions and balances between those funds (for example, loans and transfers between Funds) have been eliminated. All monies held in the Trust Fund are excluded from the statement.

SIGNIFICANT ACCOUNTING POLICES

GOODS AND SERVICES TAX

Revenues, expenses and assets are recognised net of the amount of GST, except where the amount of GST incurred is not recoverable from the Australian Taxation Office (ATO). Receivables and payables are stated inclusive of GST receivable or payable. The net amount of GST recoverable from, or payable to, the ATO is included with receivables or payables in the statement of financial position. Cash flows are presented on a gross basis. The GST components of cash flows arising from investing or financing activities which are recoverable from, or payable to, the ATO are presented as operating cash flows.

CRITICAL ACCOUNTING ESTIMATES

The preparation of a financial report in conformity with Australian Accounting Standards requires management to make judgements, estimates and assumptions that effect the application of policies and reported amounts of assets and liabilities, income and expenses. The estimates and associated assumptions are based on historical experience and various other factors that are believed to be reasonable under the circumstances; the results of which form the basis of making the judgements about carrying values of assets and liabilities that are not readily apparent from other sources. Actual results may differ from these estimates.

ROUNDING OFF FIGURES

All figures shown in this statement are rounded to the nearest dollar.

**KEY TERMS AND DESCRIPTIONS
FOR THE PERIOD ENDED 30 SEPTEMBER 2020**

STATUTORY REPORTING PROGRAMS

Shire operations as disclosed in these financial statements encompass the following service orientated activities/programs.

PROGRAM NAME	OBJECTIVE	ACTIVITIES
GOVERNANCE	To provide a decision making process for the efficient allocation of scarce resources.	Includes the activities of members of council and the administrative support available to the council for the provision of governance of the district. Other costs relate to the task of assisting elected members and ratepayers on matters which do not concern specific council services.
GENERAL PURPOSE FUNDING	To collect revenue to allow for the provision of services.	Rates, general purpose government grants and interest revenue.
LAW, ORDER, PUBLIC SAFETY	To provide services to help ensure a safer and environmentally conscious community.	Supervision and enforcement of various local laws relating to fire prevention, animal control and other aspects of public safety including emergency services.
HEALTH	To provide an operational framework for environmental and community health.	Inspection of food outlets and their control, provision of meat inspection services, noise control and waste disposal compliance. Management of Medical Centre which includes Dentist Surgery, Counsellor and provision for visiting medical practioners.
EDUCATION AND WELFARE	To provide services to disadvantaged persons, the elderly, children and youth.	Maintenance of daycare centre, playgroup centre, Mens Shed and senior citizen centre.
HOUSING	To provide and maintain elderly residents housing.	Provision and maintenance of elderly residents housing, young singles units, community housing and employee housing.
COMMUNITY AMENITIES	To provide services required by the community.	Rubbish collection services, operation of rubbish disposal site, litter control and cemetery.
RECREATION AND CULTURE	To establish and effectively manage infrastructure and resource which will help the social well being of the community.	Maintenance of public halls, civic centres, aquatic centre, recreation centres and various sporting facilities. Provision and maintenance of parks, gardens and playgrounds. Operation of library, museum and other cultural facilities.
TRANSPORT	To provide safe, effective and efficient transport services to the community.	Construction and maintenance of roads, airstrip, streets, footpaths, depot, cycle ways and traffic control. Cleaning of streets and maintenance of street trees, street lighting etc.
ECONOMIC SERVICES	To help promote the Shire and its economic wellbeing.	Tourism and area promotion including the maintenance and operation of a caravan park. Provision of rural services including weed control, vermin control and standpipes. Building Control.
OTHER PROPERTY AND SERVICES	To monitor and control City overheads operating accounts.	Private works operation, plant repair and operation costs and engineering operation costs.

**STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020**

STATUTORY REPORTING PROGRAMS

	Ref Note	2020-21 Budget	YTD Budget (a)	YTD Actual (b)	Var. \$ (b)-(a)	Var. % (b)- (a)/(a)	Var.
		\$	\$	\$	\$	%	
Opening Funding Surplus(Deficit)	1(b)	1,796,138	1,796,138	1,796,443	305	0%	
Revenue from operating activities							
Governance		82,290	20,573	69,494	48,921	238%	▲
General Purpose Funding - Rates	5	1,535,642	383,911	1,560,310	1,176,399	306%	▲
General Purpose Funding - Other		1,212,118	303,030	291,014	(12,016)	(4%)	▼
Law, Order and Public Safety		30,398	7,600	248	(7,352)	(97%)	▼
Health		53,042	13,261	5,048	(8,213)	(62%)	▼
Education and Welfare		4,142	1,036	779	(257)	(25%)	▼
Housing		203,000	50,750	50,588	(162)	(0%)	▼
Community Amenities		129,776	32,444	132,909	100,465	310%	▲
Recreation and Culture		50,197	12,549	8,916	(3,633)	(29%)	▼
Transport		299,120	74,780	219,029	144,249	193%	▲
Economic Services		1,117,028	279,257	299,840	20,583	7%	▲
Other Property and Services		253,800	63,450	59,696	(3,754)	(6%)	▼
		4,970,553	1,242,638	2,697,868			
Expenditure from operating activities							
Governance		(749,800)	(187,450)	(224,966)	(37,516)	(20%)	▲
General Purpose Funding		(85,083)	(21,271)	(13,597)	7,673	36%	▼
Law, Order and Public Safety		(129,281)	(32,320)	(25,013)	7,307	23%	▼
Health		(568,101)	(142,025)	(105,025)	37,000	26%	▼
Education and Welfare		(117,653)	(29,413)	(11,540)	17,873	61%	▼
Housing		(416,787)	(104,197)	(66,223)	37,973	36%	▼
Community Amenities		(237,903)	(59,476)	(51,044)	8,432	14%	▼
Recreation and Culture		(1,833,372)	(458,343)	(190,460)	267,883	58%	▼
Transport		(5,371,554)	(1,342,889)	(467,154)	875,734	65%	▼
Economic Services		(1,620,202)	(405,051)	(399,823)	5,227	1%	▼
Other Property and Services		(226,059)	(56,515)	3,865	60,379	107%	▼
		(11,355,795)	(2,838,949)	(1,550,982)			
Operating activities excluded from budget							
Add Back Depreciation		5,577,968	1,394,492	0	(1,394,492)	(100%)	▼
Adjust (Profit)/Loss on Asset Disposal	6	75,000	18,750	0	(18,750)	(100%)	▼
Adjust Provisions and Accruals		1,153	288	13,520	13,232	4590%	▲
Operating activities excluded from budget		(731,121)	(182,780)	1,160,406			
Investing Activities							
Non-operating Grants, Subsidies and Contributions		2,225,963	556,491	231,894	(324,597)	(58%)	▼
Proceeds from Disposal of Assets	6	352,500	88,125	0	(88,125)	(100%)	▼
Capital Acquisitions	7	(3,746,591)	(936,648)	(162,727)	773,921	83%	▲
Amount attributable to investing activities		(1,168,128)	(292,032)	69,167			
Financing Activities							
Transfer from Reserves	9	203,346	50,837	0	(50,837)	(100%)	▼
Repayment of Debentures	8	(25,419)	(6,355)	0	6,355	100%	▲
Transfer to Reserves	9	(74,816)	(18,704)	(11,010)	7,694	41%	▲
Amount attributable to financing activities		103,111	25,778	(11,010)			
Closing Funding Surplus(Deficit)	1(b)	0	1,347,104	3,015,006			

KEY INFORMATION

▲ ▼ Indicates a variance between Year to Date (YTD) Budget and YTD Actual data as per the adopted materiality threshold. Refer to Note 2 for an explanation of the reasons for the variance.

The material variance adopted by Council for the 2020/21 year is \$5,000 or 10% whichever is the greater.

This statement is to be read in conjunction with the accompanying Financial Statements and notes.

SIGNIFICANT ACCOUNTING POLICIES

CURRENT AND NON-CURRENT CLASSIFICATION

In the determination of whether an asset or liability is current or non-current, consideration is given to the time when each asset or liability is expected to be settled. The asset or liability is classified as current if it is expected to be settled within the next 12 months, being the Council's operational cycle. In the case of liabilities where Council does not have the unconditional right to defer settlement beyond 12 months, such as vested long service leave, the liability is classified as current even if not expected to be settled within the next 12 months. Inventories held for trading are classified as current even if not expected to be realised in the next 12 months except for land held for resale where it is held as non current based on Council's intentions to release for sale.

EMPLOYEE BENEFITS

The provisions for employee benefits relates to amounts expected to be paid for long service leave, annual leave, wages and salaries and are calculated as follows:

(i) Wages, Salaries, Annual Leave and Long Service Leave (*Short-term Benefits*)

The provision for employees' benefits to wages, salaries, annual leave and long service leave expected to be settled within 12 months represents the amount the Shire has a present obligation to pay resulting from employees services provided to balance date. The provision has been calculated at nominal amounts based on remuneration rates the Shire expects to pay and includes related on-costs.

(ii) Annual Leave and Long Service Leave (*Long-term Benefits*)

The liability for long service leave is recognised in the provision for employee benefits and measured as the present value of expected future payments to be made in respect of services provided by employees up to the reporting date using the project unit credit method. Consideration is given to expected future wage and salary levels, experience of employee departures and periods of service. Expected future payments are discounted using market yields at the reporting date on national government bonds with terms to maturity and currency that match as closely as possible, the estimated future cash outflows. Where the Shire does not have the unconditional right to defer settlement beyond 12 months, the liability is recognised as a current liability.

PROVISIONS

Provisions are recognised when: The council has a present legal or constructive obligation as a result of past events; it is more likely than not that an outflow of resources will be required to settle the obligation; and the amount has been reliably estimated. Provisions are not recognised for future operating losses. Where there are a number of similar obligations, the likelihood that an outflow will be required in settlement is determined by considering the class of obligations as a whole. A provision is recognised even if the likelihood of an outflow with respect to any one of item included in the same class of obligations may be small.

INVENTORIES

Inventories are measured at the lower of cost and net realisable value. Net realisable value is the estimated selling price in the ordinary course of business less the estimated costs of completion and the estimated costs necessary to make the sale.

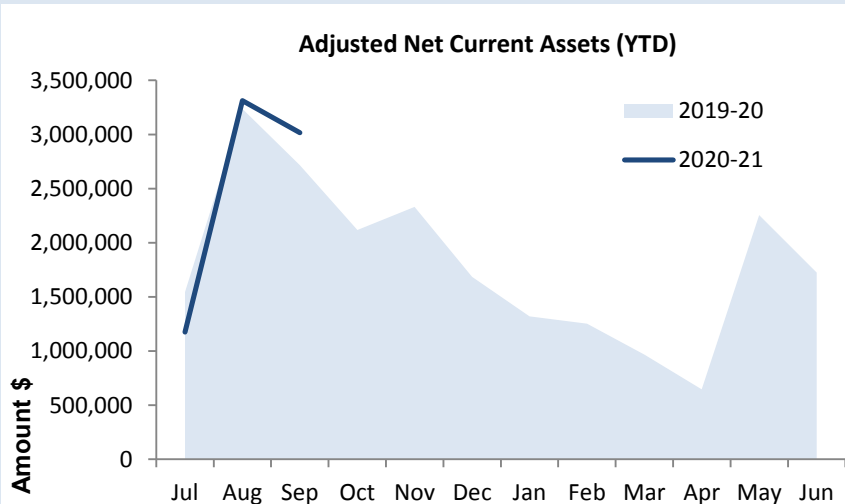
Adjusted Net Current Assets	Ref Note	Last Years Closing 30 June 2020	Year to Date Actual 30 Sep 2020
		\$	\$
Current Assets			
Cash Unrestricted	3	2,069,240	2,183,503
Cash Restricted	3	1,331,661	1,342,671
Receivables - Rates	4	98,988	1,201,124
Receivables - Other	4	170,512	50,813
Interest / ATO Receivable		8,747	0
Inventories		82,107	34,819
		3,761,254	4,812,930
Less: Current Liabilities			
Payables		(343,286)	(166,155)
Provisions - employee		(328,399)	(328,399)
Long term borrowings		(25,419)	(25,419)
Contract Liabilities (Only recognised after 1 July 2019)		0	0
		(697,104)	(519,973)
Unadjusted Net Current Assets		3,064,150	4,292,957
Adjustments and exclusions permitted by FM Reg 32			
Less: Cash reserves & restricted assets	3	(1,331,661)	(1,342,671)
Add: Provisions - employee		115,299	116,373
Add: Long term borrowings		25,419	25,419
Add: Bonds held		4,210	3,904
Movement in Contract Liabilities		(62,176)	(62,176)
Movement in provisions btw current & non-current		(18,799)	(18,799)
Adjusted Net Current Assets		1,796,442	3,015,007

SIGNIFICANT ACCOUNTING POLICIES

Please see Note 1(a) for information on significant accounting policies relating to Net Current Assets.

KEY INFORMATION

The amount of the adjusted net current assets at the end of the period represents the actual surplus (or deficit if the figure is a negative) as presented on the Rate Setting Statement.



This Year YTD
Surplus(Deficit)
\$3.02 M

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020**

**NOTE 2
EXPLANATION OF MATERIAL VARIANCES**

The material variance thresholds are adopted annually by Council as an indicator of whether the actual expenditure or revenue varies from the year to date budget materially.

The material variance adopted by Council for the 2020/21 year is \$5,000 or 10% whichever is the greater.

Reporting Program	Var. \$	Var. %	Var.	Timing/ Permanent	Explanation of Variance
	\$	%			
Revenue from operating activities					
Governance	48,921	238%	▲	Timing	Insurance Bonus was paid in July 2019
General Purpose Funding - Rates	1,176,399	306%	▲	Timing	Rates were raised in August 2020
General Purpose Funding - Other	(12,016)	(4%)		Timing	FAGS paid in August
Law, Order and Public Safety	(7,352)	(97%)	▼	Timing	No DFES Grants received to date
Health	(8,213)	(62%)	▼	Timing	Haven't received any payments from Dr Chow
Community Amenities	100,465	310%	▲	Timing	Rubbish and recycling charges were raised in August
Transport	144,249	193%	▲	Timing	Direct Grant claimed from main Roads This is higher than budgeted due to the sales at the supermarket
Economic Services	20,583	7%		Timing	
Expenditure from operating activities					
Governance	(37,516)	(20%)	▲	Timing	Over budget as many annual payments for IT license fees and insurance paid in July.
General Purpose Funding	7,673	36%	▼	Timing	Discount period hasn't finished yet
Law, Order and Public Safety	7,307	23%	▼	Timing	Deprec not raised yet
Health	37,000	26%	▼	Timing	This is under budget mainly due to STED subsidies There are still maint items to be completed as some properties
Education and Welfare	17,873	61%	▼	Timing	A numebr of STED connections to occur that haven't yet on housing
Housing	37,973	36%	▼	Timing	Deprec not raised yet
Community Amenities	8,432	14%	▼	Timing	Haven't commenced a lot of budgeted works through rec facilities and deprec not raised
Recreation and Culture	267,883	58%	▼	Timing	This is under as roads depreciation has not been accounted for. This is processed at the end of the financial year.
Transport	875,734	65%	▼	Timing	Deprec not raised yet and admin allocations for Sept also not processed.
Other Property and Services	60,379	107%	▼	Timing	
Investing Activities					
Non-operating Grants, Subsidies and Contributions	(324,597)	(58%)	▼	Timing	Claimed Direct Grant from Main Roads. This difference is timing difference
Proceeds from Disposal of Assets	(88,125)	(100%)	▼	Timing	Haven't traded any assets yet.
Capital Acquisitions	773,921	83%	▲	Timing	Completing maintenance works
Financing Activities					
Transfer from Reserves	(50,837)	(100%)		Timing	Recognition of interest on reserves is a timing issue New loan was budgeted to have a repayment this year however only drawn down at the start of May so no repayment this year.
Repayment of Debentures	6,355	100%		Timing	
Transfer to Reserves	7,694	41%	▼	Timing	Recognition of transfers to reserves in done when reserves reinvested. General Reserve was reinvested in Sep and bank processed other transfers in Oct so not in this statement - timing issue.

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020**

**OPERATING ACTIVITIES
NOTE 3
CASH AND INVESTMENTS**

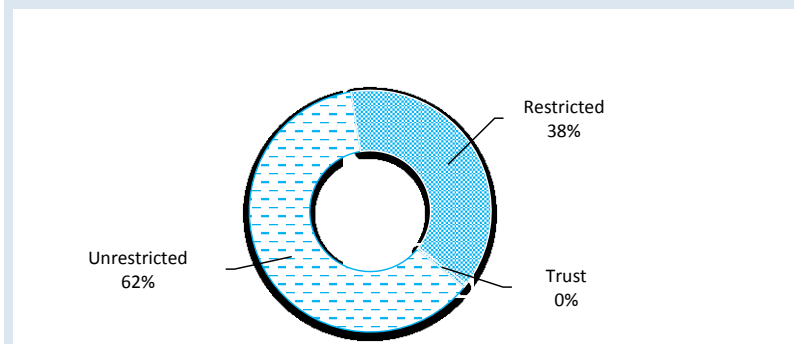
Cash and Investments	Unrestricted	Restricted	Trust	Total YTD Actual	Institution	Interest Rate	Maturity Date
	\$	\$	\$	\$			
Cash on Hand							
Petty Cash and Floats	2,200			2,200			
At Call Deposits							
Municipal Fund	2,181,303			2,181,303	BKCB		
Trust Fund			17,486	17,486	BKCB		
Term Deposits							
General Reserve Fund		445,334		445,334	BKCB	0.95%	28/09/2021
Transport Infrastructure Reserve Fund		747,963		747,963	BKCB	0.65%	13/05/2021
Sporting Clubs Facility Replacement		99,374		99,374	BKCB	1.30%	13/10/2020
Supermarket Guarantee Reserve		50,000		50,000	BKCB	1.00%	3 months
Total	2,183,503	1,342,671	17,486	3,541,460			

SIGNIFICANT ACCOUNTING POLICIES

Cash and cash equivalents include cash on hand, cash at bank, deposits available on demand with banks and other short term highly liquid investments that are readily convertible to known amounts of cash and which are subject to an insignificant risk of changes in value and bank overdrafts.

KEY INFORMATION

All funds are currently held or invested with Bendigo Bank.



Total Cash	Unrestricted
\$3.54 M	\$2.18 M

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020**

**OPERATING ACTIVITIES
NOTE 4
RECEIVABLES**

Rates Receivable	30 Sep 20
	\$
Opening Arrears Previous Years	75,970
Levied this year	1,577,786
Less Collections to date	(581,491)
Equals Current Outstanding	1,072,265
Net Rates Collectable	1,072,265
% Collected	35.16%

Receivables - General	Current	30 Days	60 Days	90+ Days	Total
	\$	\$	\$	\$	\$
Receivables - General	13,714	2,608	4,044	30,300	50,666
Percentage	27%	5%	8%	60%	100%
Balance per Trial Balance					
Sundry debtors					50,666
GST receivable					13,776
Other receivables					(13,630)
Total Receivables General Outstanding					50,813

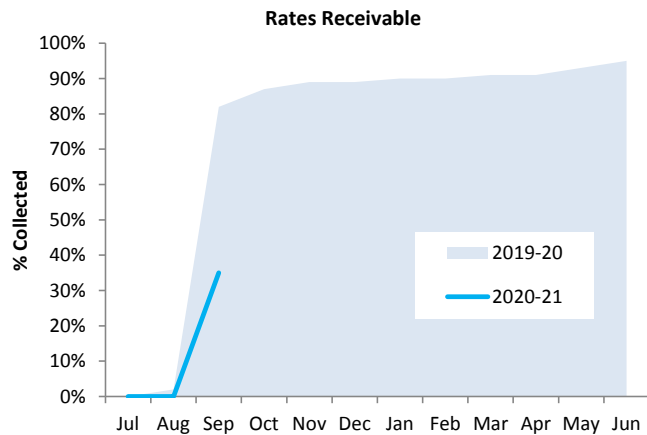
Amounts shown above include GST (where applicable)

KEY INFORMATION

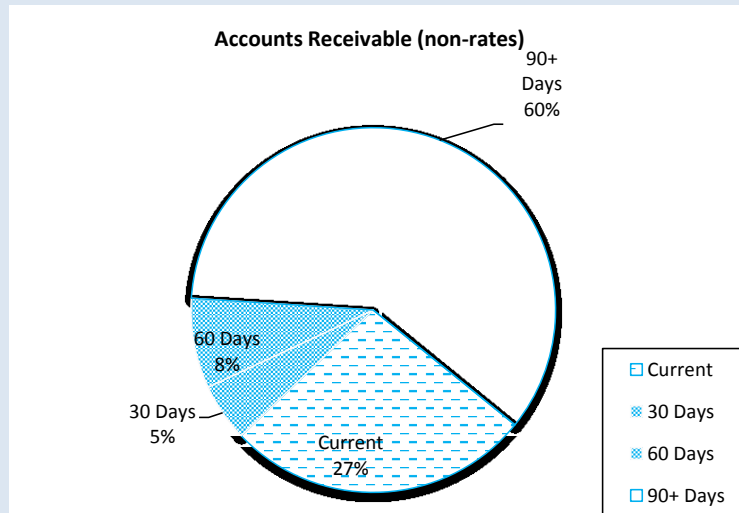
Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business.

SIGNIFICANT ACCOUNTING POLICIES

Trade and other receivables include amounts due from ratepayers for unpaid rates and service charges and other amounts due from third parties for goods sold and services performed in the ordinary course of business. Receivables expected to be collected within 12 months of the end of the reporting period are classified as current assets. All other receivables are classified as non-current assets. Collectability of trade and other receivables is reviewed on an ongoing basis. Debts that are known to be uncollectible are written off when identified.



Collected	Rates Due
35%	\$1,072,265



Debtors Due
\$50,813
Over 30 Days
73%
Over 90 Days
60%

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020**

**OPERATING ACTIVITIES
NOTE 5
RATE REVENUE**

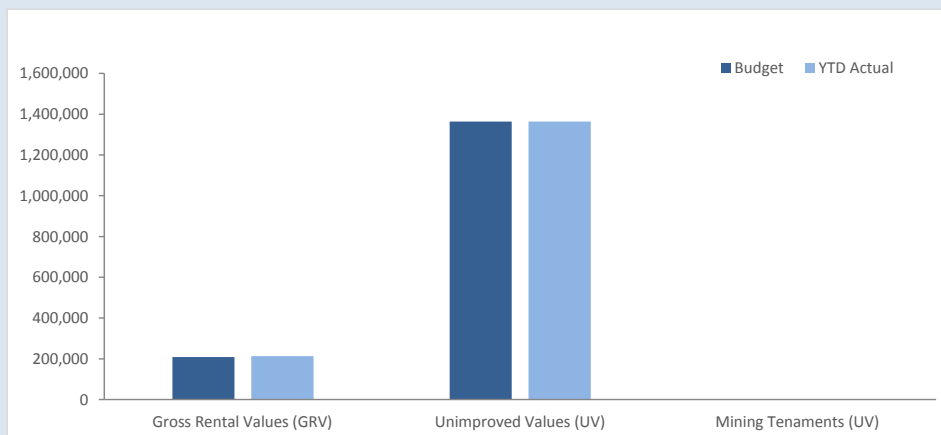
General Rate Revenue	Budget						YTD Actual				
	Rate in	Number of Properties	Rateable Value	Rate Revenue	Interim Rate	Back Rate	Total Revenue	Rate Revenue	Interim Rates	Back Rates	Total Revenue
RATE TYPE	\$			\$	\$	\$	\$	\$	\$	\$	\$
Differential General Rate											
Gross Rental Values (GRV)	0.072150	208	1,819,508	131,278	0	0	131,278	131,278	4,092	0	135,370
Unimproved Values (UV)	0.011973	319	112,763,000	1,350,111	0	0	1,350,111	1,350,111	0	0	1,350,111
Non-Rateable	0.000000	271	114,862	0	0	0	0	0	0	0	0
	Minimum \$										
Gross Rental Values (GRV)	483	160	564,438	77,280	0	0	77,280	77,280	0	0	77,280
Unimproved Values (UV)	483	28	625,800	13,524	0	0	13,524	13,524	0	0	13,524
Mining Tenaments (UV)	483	3	5,514	1,449	0	0	1,449	1,449	52	0	1,501
Sub-Totals		989	115,893,122	1,573,642	0	0	1,573,642	1,573,642	4,144	0	1,577,786
Discount							(38,000)				(17,476)
Amount from General Rates							1,535,642				1,560,310
Ex-Gratia Rates							15,450				-
Total General Rates							1,551,092				1,560,310

SIGNIFICANT ACCOUNTING POLICIES

Rates, grants, donations and other contributions are recognised as revenues when the local government obtains control over the assets comprising the contributions. Control over assets acquired from rates is obtained at the commencement of the rating period or, where earlier, upon receipt of the rates.

KEY INFORMATION

Rates will be raised in August.



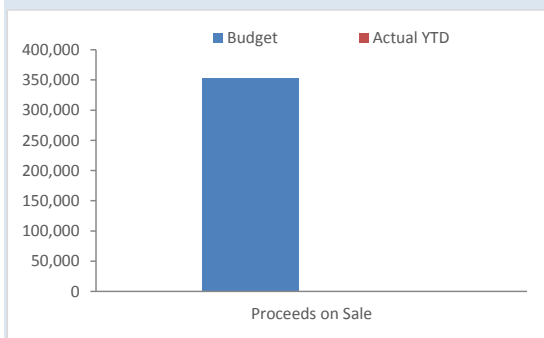
General Rates		
Budget	YTD Actual	%
\$1.54 M	\$1.56 M	102%

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

OPERATING ACTIVITIES
NOTE 6
DISPOSAL OF ASSETS

Asset Ref.	Asset Description	Budget				YTD Actual			
		Net Book Value	Proceeds	Profit	(Loss)	Net Book Value	Proceeds	Profit	(Loss)
		\$	\$	\$	\$	\$	\$	\$	\$
Governance									
BK1	CEO Vehicle	51,000	45,000		(6,000)				
Health									
BK09	Dr's Vehicle	20,000	18,000		(2,000)				
Transport									
BK3	MOWS Vehicle	35,000	25,000		(10,000)				
BK041	WSFN Vehicle	40,000	25,000		(15,000)				
BK010	Workshop Vehicle	17,500	12,500		(5,000)				
BK792	Workshop Vehicle	3,000	7,000	4,000					
BK237	Truck	7,000	2,500		(4,500)				
BK238	Truck	6,000	2,500		(3,500)				
9MT181	Dozer	55,000	30,000		(25,000)				
BK024	Truck	82,000	80,000		(2,000)				
Economic Services									
Lot 341	Land - Factory Unit	12,000	10,000		(2,000)				
Lot 341	Buidling - Factory Unit	75,000	75,000		0				
	Industrial Land	24,000	20,000		(4,000)				
		427,500	352,500	4,000	(79,000)	0	0	0	0

KEY INFORMATION



Proceeds on Sale		
Budget	YTD Actual	%
\$352,500	\$0	0%

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020**

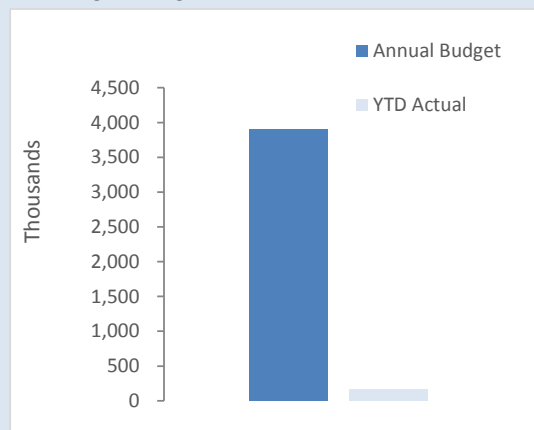
**INVESTING ACTIVITIES
NOTE 7
CAPITAL ACQUISITIONS**

Capital Acquisitions	Annual Budget	YTD Budget	YTD Actual Total	YTD Budget Variance
	\$	\$	\$	\$
Land & Buildings	1,709,749	427,437	145,641	(281,796)
Plant & Equipment	461,550	115,388	0	(115,388)
Furniture & Equipment	116,203	29,051	16,567	(12,484)
Infrastructure - Roads	1,609,129	402,282	519	(401,764)
Capital Expenditure Totals	3,896,631	974,158	162,727	(811,431)
Capital Acquisitions Funded By:				
	\$	\$	\$	\$
Capital grants and contributions	2,225,963	556,491	231,894	(324,597)
Other (Disposals)	352,500	88,125	0	(88,125)
Contribution - operations	1,318,168	329,542	(69,167)	(398,709)
Capital Funding Total	3,896,631	974,158	162,727	(811,431)

SIGNIFICANT ACCOUNTING POLICIES

All assets are initially recognised at cost. Cost is determined as the fair value of the assets given as consideration plus costs incidental to the acquisition. For assets acquired at no cost or for nominal consideration, cost is determined as fair value at the date of acquisition. The cost of non-current assets constructed by the local government includes the cost of all materials used in the construction, direct labour on the project and an appropriate proportion of variable and fixed overhead. Certain asset classes may be revalued on a regular basis such that the carrying values are not materially different from fair value. Assets carried at fair value are to be revalued with sufficient regularity to ensure the carrying amount does not differ materially from that determined using fair value at reporting date.

KEY INFORMATION



Acquisitions	Annual Budget	YTD Actual	% Spent
	\$3.9 M	\$0.16 M	4%
Capital Grant	Annual Budget	YTD Actual	% Received
	\$2.23 M	\$0.23 M	10%

CAPITAL ACQUISITIONS (CONTINUED)

	Account Number	Budget	YTD Budget	YTD Actual	Variance (Under)/Over	Completed
Capital Expenditure		3,896,631	974,158	162,727		
Buildings		1,709,749	427,437	145,641		
Complete upgrade of electrical compliance at Admin Building	J04204	9,000	2,250		0%	
Electrical compliance upgrade at Medical Centre	J07313	37,000	9,250	1,850	5%	
Replace aircon system at Medical Centre	J07302	10,000	2,500	8,950	90%	✓
Install aircon (split system) in 61 Westral St	J93403	6,000	1,500		0%	
Purchase of Lot 465, 39 Westral St Land	J94407	11,475	2,869	9,233	80%	✓
CBD Revitalisation - Johnson Street	J11241	70,000	17,500	3,180	5%	
Memorial Gardens - Funded by Grant	J11242	175,000	43,750		0%	
New War Memorial	J11243	30,000	7,500		0%	
Pebble Paving in Sculpture Park	J11244	36,000	9,000		0%	
Synthetic Grass in War Memorial	J11245	35,000	8,750		0%	
Upgrade to Power at Rec Centre	J11314	100,611	25,153	101,296	101%	✓
Pony Club Fencing Project (Funded with CSRFF Grant)	J11349	7,663	1,916		0%	
Pool Slide Staircase replacement structure	J11442	30,500	7,625	637	2%	
Repairs to slide - fibreglass	J11450	27,000	6,750	5,455	20%	
Upgrade Depot Office	J12101	22,500	5,625	7,680	34%	
Depot Gate Motors	J12102	6,000	1,500		0%	
Construction of Supermarket Building		1,000,000	250,000		0%	
Additional Rates Contribution to Supermarket Reconstruction		45,000	11,250		0%	
Bruce's Rock Picnic Facilities - Committed with PDAWS	J13801	23,000	5,750	7,361	32%	
Cumminin Rock - Grant Funding Application Submitted	J13941	28,000	7,000		0%	
Plant & Equipment		461,550	115,388	0		
Purchase Plant (BK1) - Changeover	J04202	55,000	13,750		0%	
Purchase Plant (BK09) - Changeover	J07301	40,000	10,000		0%	
BK3 - Changeover MOWS Vehicle	J12111	45,000	11,250		0%	
BK010 - Changeover Workshop Manager Vehicle (to be pooled)	J12105	28,000	7,000		0%	
Replacement Motor for Kubota Ride on Mower	J12108	12,000	3,000		0%	
Retro Fit Side Tipper Door (Interlock) for 3 side tippers	J12119	11,550	2,888		0%	
BK024 - Changeover UD Tip Truck	J12142	270,000	67,500		0%	
Sundry Plant - In PWO (\$15,000)		0				
Furniture & Equipment		116,203	29,051	16,567		
IT Backup Hardware	J04208	7,176	1,794		0%	
Firewall Installation	J04208	3,500	875		0%	
Server UPS	J04208	4,027	1,007		0%	
Altus Payroll	J04215	50,000	12,500	16,567	33%	
Altus Procurement	J04216	16,500	4,125		0%	
Altus Records Management	J04217	35,000	8,750		0%	

CAPITAL ACQUISITIONS (CONTINUED)

	Account Number	Budget	YTD Budget	YTD Actual	Variance (Under)/Over	Completed
Infrastructure - Roads		1,609,129	402,282	519		
Asphalt Carpark at Rec Centre	J11347	97,330	24,333		0%	
Upgrade Drainage at Club/Rec Centre	J11346	150,000	37,500		0%	
Council Funded Road Works						
Kerb Replacement in Townsite	KR	37,091	9,273		0%	
Butcher St Footpath (in front of CEACA units)	FC132	16,000	4,000		0%	
Totadgin Hall Road - construct & seal	RC163	160,000	40,000	109	0%	
Regional Road Group						
Black Spot - Lawrie Rd & Cumminin Road Intersection	RC024	15,359	3,840		0%	
Black Spot - BK-NB Rd & Cumminin Road Intersection **	RC045	117,567	29,392		0%	
Black Spot - Wogarl Rd & Totoadgin Rd Intersection **	RC013	20,250	5,063		0%	
Bruce Rock - Naremben Road	RC176	473,210	118,303	409	0%	
Roads to Recovery						
Belka West Road - reseal 2km	RR005	36,000	9,000		0%	
Kwolyin South Road - gravel resheet 2.6km	RR009	31,200	7,800		0%	
Kwolyin South Road - gravel resheet 0.72km	RR009	12,000	3,000		0%	
Hines Hill Road - construct & reseal 0.45km	RR015	60,000	15,000		0%	
Old Beverley Road - gravel resheet 0.55km	RR050	6,600	1,650		0%	
Old Beverley Road - gravel resheet 0.75km	RR050	12,000	3,000		0%	
Old Beverley Road - gravel resheet 0.85km	RR050	12,500	3,125		0%	
Cook Road - gravel resheet 1.61km	RR083	19,320	4,830		0%	
Carger Road - gravel resheet 2.05km	RR086	24,600	6,150		0%	
Cole Boundary Road - gravel resheet 2.5km	RR107	30,000	7,500		0%	
Bridges - Replace with Culverts						
Bruce Rock South Road (Bridge 5235, 2 barrels @ 1.6m dia HDPE pipes)	BR003	64,090	16,023		0%	
Babakin South East Road (Bridge 5096, 5 barrels @ 900mm dia HDPE pipes) * Council funded	BR007	55,992	13,998		0%	
Naremben Boundary Road (Bridge 5011 12 barrels @ 750mm dia HDPE pipes)	BR026	74,250	18,563		0%	
Old Beverley Road (Bridge 4041, 4 barrels @ 1050mm dia HDPE pipes)	BR050	56,180	14,045		0%	
Council Funded Drainage Works						
Concrete Open Drain - Noonajin Road	DC001	27,590	6,898		0%	

** Budget Amendment

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020**

**FINANCING ACTIVITIES
NOTE 8
BORROWINGS**

Information on Borrowings Particulars	Year End 30/6/20	New Loans		Principal Repayments		Principal Outstanding		Interest Repayments	
		Actual	Budget	Actual	Budget	Actual	Budget	Actual	Budget
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Housing									
Loan 3 - Construct House	272,000	0	0	0	25,419	272,000	246,581 0	0	3,958
Total	272,000	0	0	0	25,419	272,000	246,581	0	3,958

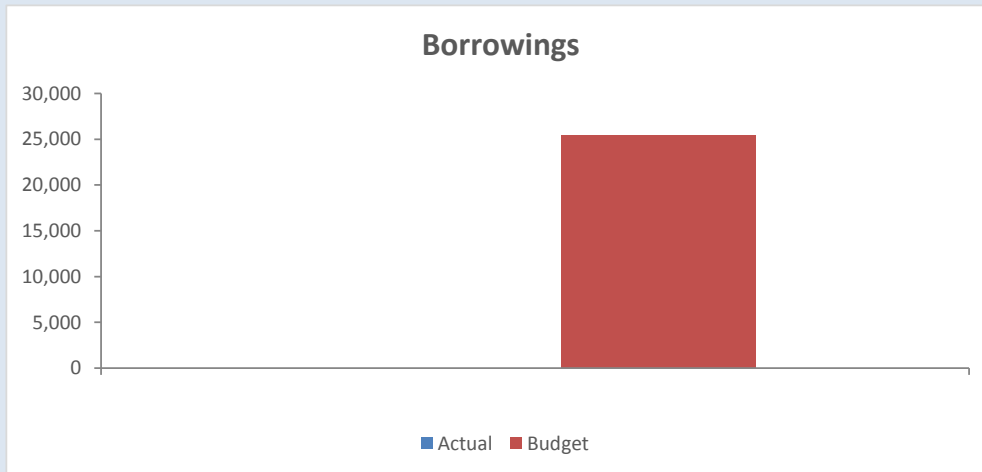
All debenture repayments were financed by general purpose revenue.

SIGNIFICANT ACCOUNTING POLICIES

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.

KEY INFORMATION

All loans and borrowings are initially recognised at the fair value of the consideration received less directly attributable transaction costs. After initial recognition, interest-bearing loans and borrowings are subsequently measured at amortised cost using the effective interest method. Fees paid on the establishment of loan facilities that are yield related are included as part of the carrying amount of the loans and borrowings.



Dates for repayments 2 Nov 2020 & 3 May 2021

Loan application for new loan has been lodged

Principal Repayments	Interest Expense
\$0	\$0
Reserves Bal	Loans Due
\$1.34 M	\$272,000

NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020

OPERATING ACTIVITIES
NOTE 9

Cash Backed Reserve

Reserve Name	Opening Balance	Budget Interest Earned	Actual Interest Earned	Budget Transfers In (+)	Actual Transfers In (+)	Budget Transfers Out (-)	Actual Transfers Out (-)	Budget Closing Balance	Actual YTD Closing Balance
	\$	\$	\$	\$	\$	\$	\$	\$	\$
Reserves cash backed - Leave	115,299	1,153	1,074	0		0		116,452	116,373
Reserves cash backed - Plant Replacement	6,287	63	59	0		0		6,350	6,346
Reserves cash backed - Housing	228,033	2,280	2,123	0		0		230,313	230,156
Reserves cash backed - Council Housing	3,667	37	34	0		0		3,704	3,701
Reserves cash backed - Transport Infrastructure	741,062	7,411	6,902	0		(203,346)		545,127	747,963
Reserves cash backed - Sports Facility Replacement	97,939	979	819	20,000		0		118,918	98,758
Reserves cash backed - Bowls SCF	18,420	184	0	6,000		0		24,604	18,420
Reserves cash backed - Cricket SCF	15,282	153	0	6,000		0		21,435	15,282
Reserves cash backed - Football SCF	4,922	49	0	6,000		0		10,971	4,922
Reserves cash backed - Hockey SCF	18,420	184	0	6,000		0		24,604	18,420
Reserves cash backed - Netball SCF	13,535	135	0	6,000		0		19,670	13,535
Reserves cash backed - Squash SCF	383	4	0	6,000		0		6,387	383
Reserves cash backed - Tennis SCF	18,410	184	0	6,000		0		24,594	18,410
Reserves cash backed - Supermarket Guarantee	50,000	0	0	0		0	0	50,000	50,000
	1,331,661	12,816	11,010	62,000	0	(203,346)	0	1,203,131	1,342,671

KEY INFORMATION

**NOTES TO THE STATEMENT OF FINANCIAL ACTIVITY
FOR THE PERIOD ENDED 30 SEPTEMBER 2020**

**NOTE 10
BUDGET AMENDMENTS**

Amendments to original budget since budget adoption. Surplus/(Deficit)

GL Code	Description	Council Resolution	Classification	Non Cash Adjustment	Increase in Available Cash	Decrease in Available Cash	Amended Budget Running Balance
				\$	\$	\$	\$
121310	INCOME - State Black Spot funding	OCM Sep 20 - 11.2.6	Permanent		91,878		91,878
RC013	Wogarl West Road	OCM Sep 20 - 11.2.6	Permanent			20,250	71,628
RC045	Cumminin Road	OCM Sep 20 - 11.2.6	Permanent			117,567	(45,939)
				0	91,878	137,817	(45,939)

KEY INFORMATION

These budget amendments have been run through the Budget Review.

**SHIRE OF BRUCE ROCK
CROSSCHECKS**

	Amended Annual Budget	Amended YTD Budget (a)
Rate Setting Statement RP to NT		
Opening Funding Surplus(Deficit)	1,796,138.00	1,796,138.00
Revenue from operating activities	4,970,553.00	1,242,638.25
Expenditure from operating activities	-11,355,795.00	-2,838,948.75
Operating activities excluded from budget	-731,121.00	-182,780.25
Amount attributable to investing activities	2,376,003.00	682,125.75
Amount attributable to financing activities	0.00	25,777.75
Closing Funding Surplus(Deficit)	3,441,020.00	2,321,261.25
Rate Setting Statement NT to Net Current Assets		
Opening Funding Surplus (Deficit)		
Closing Funding Surplus (Deficit)		
Rate Setting Statement NT to Notes		
Rates	1,551,092.00	
Specified area rates	0.00	
Operating Grants, Subsidies and Contributions	0.00	0.00
Non-Operating Grants, Subsidies and Contributions	0.00	0.00
Profit on Disposal of Assets	-4,000.00	
Loss on Disposal of Assets	79,000.00	
Proceeds from Disposal of Assets	0.00	
Capital acquisitions	0.00	0.00
Transfer from Reserves	0.00	
Transfer to Reserves	0.00	
Net Current Assets Note		
	Unrestricted	Restricted
Cash	0.00	0.00
Net Current Assets Note		
	Rates PYR	Rates YTD
Receivables	0.00	-128,858.54

List of Accounts for September 2020

Chq/EFT	Date	Name	Description	Amount
Municipal Account EFTs				
EFT16172	04/09/2020	SHIRE OF BRUCE ROCK	PAYROLL DEDUCTIONS	\$1,178.00
EFT16173	04/09/2020	AUSTRALIAN GOVERNMENT CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	\$881.32
EFT16174	04/09/2020	SAMANTHA LEE BOYD	PAYROLL DEDUCTIONS	\$103.22
EFT16175	04/09/2020	CODY EXPRESS TRANSPORT	SUPERMARKET FREIGHT CHARGES	\$855.38
EFT16176	04/09/2020	COUNTRYWIDE FRIDGELINES PTY LTD	SUPERMARKET FREIGHT CHARGES	\$61.57
EFT16177	04/09/2020	EASTWAY FOOD SUPPLIES	SUPERMARKET ORDER	\$1,650.21
EFT16178	04/09/2020	GREAT SOUTHERN FUEL SUPPLIES	FUEL FOR AUGUST 2020	\$1,906.25
EFT16179	04/09/2020	LION - DAIRY & DRINKS FINANCE PTY LTD	SUPERMARKET ORDER	\$3,252.85
EFT16180	04/09/2020	MAROK WA PTY LTD	SUPERMARKET ORDER	\$374.00
EFT16181	04/09/2020	MARTINS PRODUCE	SUPERMARKET ORDER	\$2,475.79
EFT16182	04/09/2020	METCASH TRADING LIMITED	SUPERMARKET ORDER	\$10,552.02
EFT16183	04/09/2020	PETER MICHAEL FUCHSBICHLER	RUBBISH COLLECTION AND REFUSE SITE MAINTENANCE FORTNIGHT ENDING 02/09/2020	\$3,387.02
EFT16184	04/09/2020	SHIRE OF BRUCE ROCK - T/AS BRUCE ROCK SUPERMARKET	PURCHASES FROM SUPERMARKET FOR AUGUST 2020	\$279.90
EFT16188	11/09/2020	2C2U IT PTY LTD	MEDICAL CENTRE IT SUPPORT	\$132.00
EFT16189	11/09/2020	AG IMPLEMENTS	BLADES FOR RIDE ON MOWER	\$372.54
EFT16190	11/09/2020	AUSTRALIA POST	POSTAGE FOR AUGUST 2020	\$13.73
EFT16191	11/09/2020	AVON WASTE	RECYCLING COLLECTIONS FOR AUGUST 2020	\$3,611.94
EFT16192	11/09/2020	BEING THERE SOLUTIONS PTY LTD	SUBSCRIPTION TO PLAN PLUS VIDEO AND TELEPHONE CONFERENCING - SEPTEMBER 2020	\$275.00
EFT16193	11/09/2020	BOC LIMITED	GAS BOTTLE RENTAL AUGUST 2020 & CONSUMABLES	\$203.99
EFT16194	11/09/2020	BP MEDICAL	FLOOR STAND FOR TOUCHLESS SANITISER DISPENSER & MEDICAL SUPPLIES	\$163.90
EFT16195	11/09/2020	BRUCE ROCK CAFE - LOVE THAT FOOD	REFRESHMENTS FOR MEETING AND STAFF FAREWELL MORNING TEA	\$57.50
EFT16196	11/09/2020	BRUCE ROCK COMMUNITY RESOURCE CENTRE (INC)	ROCK REVIEW SALES AUGUST 2020	\$171.00
EFT16197	11/09/2020	BRUCE ROCK DISTRICT CLUB	ROOM HIRE FOR MENTAL HEALTH BREAKFAST	\$160.00
EFT16198	11/09/2020	BRUCE ROCK ENGINEERING	HYD FITTINGS FOR BK6670 AND CYLINDER PROP FOR WORKSHOP (TOOL)	\$729.73
EFT16199	11/09/2020	BRUCE ROCK TYRES	GRADER TYRE AND FITTING BK511	\$800.36
EFT16200	11/09/2020	BUNNINGS WAREHOUSE	BUILDING MAINTENANCE ITEMS FOR VARIOUS SHIRE PROPERTIES	\$1,492.73
EFT16201	11/09/2020	BURGESS RAWSON PTY LTD	WATER USAGE AT LEASED PROPERTY	\$51.26
EFT16202	11/09/2020	C-STORE DISTRIBUTION	SUPERMARKET ORDER	\$3,846.71
EFT16203	11/09/2020	CLINICARE PHARMACY BRUCE ROCK	MEDICAL CENTRE SUPPLIES	\$119.90
EFT16204	11/09/2020	COLESTAN ELECTRICS	ELECTRICAL WORKS AT VARIOUS SHIRE PROPERTIES	\$3,545.31
EFT16205	11/09/2020	E-CONSULTING ENGINEERS	SUPPLY ELECTRICAL PLAN AS BUILT FOR MEDICAL CENTRE	\$2,035.00
EFT16206	11/09/2020	EASTWAY FOOD SUPPLIES	SUPERMARKET ORDER	\$1,544.59
EFT16207	11/09/2020	ELDERS RURAL SERVICES AUSTRALIA LIMITED	VERGE SPRAYING CHEMICALS, PPE AND WASHING POWDER FOR CARAVAN PARK	\$519.00

EFT16208	11/09/2020	GAP SOLUTIONS PTY LTD	QUARTERLY CHARGE FOR SUPPORT - SUPERMARKET POS	\$788.70
EFT16209	11/09/2020	IT VISION	PART - ALTUS PAYROLL PROJECT IMPLEMENTATION	\$18,223.37
EFT16210	11/09/2020	JR & A HERSEY PTY LTD	WORKSHOP SUPPLIES	\$45.65
EFT16211	11/09/2020	LGIS INSURANCE BROKING	MEDICAL MALPRACTICE LIABILITY INSURANCE	\$2,750.00
EFT16212	11/09/2020	LION - DAIRY & DRINKS FINANCE PTY LTD	SUPERMARKET ORDER	\$824.42
EFT16213	11/09/2020	LOCAL GOVERNMENT SUPERVISORS ASSOCIATION	2020 LGSA CONFERENCE AND EXPO REGISTRATION FOR OFFICER	\$929.50
EFT16214	11/09/2020	LONDONBERRY NOMINEES PTY LTD T/AS EDGECOMBES JEWELLERS	SUPPLY AND CUT KEYS FOR BK053	\$80.00
EFT16215	11/09/2020	MARKETFORCE	RECRUITMENT ADVERTISING	\$564.20
EFT16216	11/09/2020	MAROK WA PTY LTD	SUPERMARKET ORDER	\$365.85
EFT16217	11/09/2020	MARTINS PRODUCE	SUPERMARKET ORDER	\$2,896.46
EFT16218	11/09/2020	MCCALL MOTORS PTY LTD	PURCHASES FOR AUGUST 2020 (BUILDING MAINTENANCE, TOWN CREW, GARDENERS, CONSTRUCTION, DAMS AND WORKSHOP)	\$958.12
EFT16219	11/09/2020	MERREDIN TELEPHONE SERVICES	SECURITY MONITORING OF OFFICE AND TOWN HALL FOR AUGUST 2020	\$70.40
EFT16220	11/09/2020	METCASH TRADING LIMITED	SUPERMARKET ORDER	\$8,640.22
EFT16221	11/09/2020	OFFICEWORKS BUSINESS DIRECT	STATIONERY AND CLEANING SUPPLIES	\$506.88
EFT16222	11/09/2020	OLYMPIC FINE FOODS	SUPERMARKET ORDER	\$919.86
EFT16223	11/09/2020	SANDS FRIDGE LINES	SUPERMARKET FREIGHT CHARGES	\$351.55
EFT16224	11/09/2020	STAR TRACK EXPRESS PTY LTD	FREIGHT FROM VARIOUS LOCATIONS TO BRUCE ROCK	\$302.87
EFT16225	11/09/2020	SYNERGY	ELECTRICITY USAGE	\$20,754.54
EFT16226	11/09/2020	THERAPEUTIC GUIDELINES	ETG SUBSCRIPTION RENEWAL FOR MED CENTRE	\$283.00
EFT16227	11/09/2020	TOMPKIN ENGINEERING	FABRICATION OF SHELTERS FOR BRUCE'S ROCK	\$7,500.00
EFT16228	11/09/2020	TWO DOGS HOME HARDWARE	PARTS FOR SMALL PLANT	\$315.44
EFT16229	11/09/2020	TOLL TRANSPORT PTY LTD	FREIGHT CHARGES	\$134.07
EFT16230	11/09/2020	TOLL TRANSPORT PTY LTD	FREIGHT CHARGES	\$12.71
EFT16231	11/09/2020	WA DISTRIBUTORS PTY LTD T/AS ALLWAYS FOODS	CLEANING SUPPLIES	\$296.00
EFT16232	11/09/2020	WALLIS COMPUTER SOLUTIONS	SUPPLY AND INSTALL NEW FIRE WALL, SUPPLY VARIOUS CABLES	\$3,917.99
EFT16233	11/09/2020	WESFARMERS KLEENHEAT GAS PTY LTD	BOTTLE RENTAL FEES	\$42.90
EFT16234	11/09/2020	WEST-NET IMAGING	LARGE FORMAT SCANNING - ORIGINAL REC CENTRE DRAWINGS	\$49.50
EFT16235	11/09/2020	WHEATBELT UNIFORMS, SIGNS & SAFETY	LOGO EMBROIDERY TO CONVERSATION STARTER SHIRTS	\$267.30
EFT16236	14/09/2020	CALEB CHOW	REIMBURSE DOCTOR FOR TYRO TAKINGS AUGUST 2020	\$770.00
EFT16237	14/09/2020	DEPARTMENT OF MINES AND PETROLEUM	BSL FOR AUGUST 2020	\$56.65
EFT16238	14/09/2020	SHIRE OF BRUCE ROCK - CREDIT CARD	CREDIT CARD FOR SEPTEMBER 2020, HEALTHENGINE, INTERNET & CARD FEE	\$335.54
EFT16239	17/09/2020	AUSTRALIAN GOVERNMENT CHILD SUPPORT AGENCY	PAYROLL DEDUCTIONS	\$166.66

EFT16240	17/09/2020	C-STORE DISTRIBUTION	SUPERMARKET ORDER	\$1,138.19
EFT16241	17/09/2020	CODY EXPRESS TRANSPORT	SUPERMARKET FREIGHT CHARGES	\$877.69
EFT16242	17/09/2020	COUNTRYWIDE FRIDGELINES PTY LTD	SUPERMARKET FREIGHT CHARGES	\$63.10
EFT16243	17/09/2020	EASTWAY FOOD SUPPLIES	SUPERMARKET ORDER	\$1,448.67
EFT16244	17/09/2020	JANINE MICHELLE COSGROVE	RE-IMBURSEMENT FOR PURCHASE OF SHOP DISPLAY ITEMS AND MANUAL HANDLING TROLLEY	\$877.96
EFT16245	17/09/2020	LION - DAIRY & DRINKS FINANCE PTY LTD	SUPERMARKET ORDER	\$793.84
EFT16246	17/09/2020	LUKERATIVE PLUMBING, GAS & MAINTENANCE	2 STED SUBSIDIES	\$2,500.00
EFT16247	17/09/2020	MARTINS PRODUCE	SUPERMARKET ORDER	\$2,707.48
EFT16248	17/09/2020	METCASH TRADING LIMITED	SUPERMARKET ORDER	\$9,380.94
EFT16249	17/09/2020	PETER MICHAEL FUCHSBICHLER	RUBBISH COLLECTION AND REFUSE SITE MAINTENANCE FORTNIGHT ENDING 16/09/2020	\$3,387.02
EFT16250	17/09/2020	SAMANTHA LEE BOYD	PAYROLL DEDUCTIONS	\$103.22
EFT16251	18/09/2020	SHIRE OF BRUCE ROCK	PAYROLL DEDUCTIONS	\$1,683.71
EFT16252	22/09/2020	AUSTRALIAN TAXATION OFFICE	BAS FOR AUGUST 2020	\$43,249.00
EFT16253	24/09/2020	BROWNLEY'S PLUMBING & GAS	REPLACE GAS HOT WATER SYSTEM AT COMMERCIAL PROPERTY AND 1 STED SUBSIDY	\$2,393.70
EFT16254	24/09/2020	BRUCE ROCK DISTRICT CLUB	LUNCH AND REFRESHMENTS FOR SEPTEMBER COUNCIL MEETING AND SHIRE CLUB MEMBERSHIP	\$574.10
EFT16255	24/09/2020	BRUCE ROCK LPO	POSTAGE AND STAFF LEAVING GRATUITY	\$76.55
EFT16256	24/09/2020	BRUCE ROCK MEATS	ROLLS, HAM AND SAUSAGES FOR MENTAL HEALTH BREAKFAST	\$101.67
EFT16257	24/09/2020	BURGESS RAWSON PTY LTD	INDUSTRIAL RENT AND MANAGEMENT FEES	\$657.37
EFT16258	24/09/2020	BUSSELTON SHIPWRIGHT SERVICES PTY LTD	PREPAYMENT FOR MATERIALS AND SUNDRIES AS PER DOCUMENT OF WORKS FOR POOL SLIDE RESURFACING	\$6,000.00
EFT16259	24/09/2020	CENTRAL REGIONAL TAFE	STAFF APPRENTICESHIP COSTS	\$194.95
EFT16260	24/09/2020	COCA-COLA AMATIL	SUPERMARKET ORDER	\$474.05
EFT16261	24/09/2020	COLESTAN ELECTRICS	DEPOT OFFICE AIR CONDITIONING & ELECTRICAL WORKS AND TESTING OF RENTAL PROPERTIES	\$4,131.33
EFT16262	24/09/2020	COONAWARRA FARMS	CONTRACT SPRAYING FOR SKELETON WEED LAG	\$2,464.00
EFT16263	24/09/2020	CORSIGN WA PTY LTD	SIGNS FOR VARIOUS ROADS AND WORKS	\$3,573.90
EFT16264	24/09/2020	DITCHWITCH AUSTRALIA T/A ELB EQUIPMENT	PARTS FOR BK089	\$821.21
EFT16265	24/09/2020	ELDERS RURAL SERVICES AUSTRALIA LIMITED	UNIFORMS AND POOL CHEMICALS	\$3,506.10
EFT16266	24/09/2020	ELEC TECH DIESEL SERVICES PTY LTD	SERVICE AND SAFETY CHECK - FIRE TRUCK BK6674	\$1,308.19
EFT16267	24/09/2020	LANDGATE- VALUATION	INTERIM VALUATIONS	\$69.20
EFT16268	24/09/2020	LGIS WA	PROPERTY INSURANCE ADJUSTMENT	\$630.95
EFT16269	24/09/2020	LION - DAIRY & DRINKS FINANCE PTY LTD	SUPERMARKET ORDER	\$805.11
EFT16270	24/09/2020	MARTINS PRODUCE	SUPERMARKET ORDER	\$3,952.48

EFT16271	24/09/2020	MCINTOSH & SON MERREDIN	12V ULTRA GUARD REMOTE MOUNTED UNIT PLUS FREIGHT FOR LAG UTE BK613	\$1,769.35
EFT16272	24/09/2020	MERREDIN PANEL AND PAINT	INSURANCE EXCESS BK010	\$300.00
EFT16273	24/09/2020	METCASH TRADING LIMITED	SUPERMARKET ORDER	\$10,369.55
EFT16274	24/09/2020	MATT GILBERT CARPENTRY & MAINTENANCE	DEPOT OFFICE ALTERATIONS	\$3,344.00
EFT16275	24/09/2020	NB HARDWARE & AG SUPPLIES	FERTILISER AND CHEMICALS FOR GARDENERS	\$341.17
EFT16276	24/09/2020	QC ULTIMATE CLEAN	CARPET CLEANING - RENTAL PROPERTY, TO BE REIMBURSED	\$181.50
EFT16277	24/09/2020	R2K CONTRACTING	REPAIR HYD FITTINGS BK6670	\$112.00
EFT16278	24/09/2020	RODGER EDWIN GEORGE	MINI EXCAVATOR HIRE	\$660.00
EFT16279	24/09/2020	SANDS FRIDGE LINES	SUPERMARKET FREIGHT CHARGES	\$205.25
EFT16280	24/09/2020	SEEK LIMITED	RECRUITMENT ADVERTISING	\$654.50
EFT16281	24/09/2020	STAR TRACK EXPRESS PTY LTD	FREIGHT FROM VARIOUS LOCATIONS TO BRUCE ROCK	\$1,094.28
EFT16282	24/09/2020	SYNERGY	ELECTRICITY USAGE	\$330.52
EFT16283	24/09/2020	TERESA COUSINS	REIMBURSEMENT FOR VACUUM CLEANER PURCHASE	\$488.95
EFT16284	24/09/2020	THIS IS A CONVERSATION STARTER PTY LTD TRADEMUTT""	STAFF UNIFORMS	\$402.00
EFT16285	24/09/2020	TRANSTRUCT	BRAKE DRUMS FOR BK9375	\$1,004.37
EFT16286	24/09/2020	TOLL TRANSPORT PTY LTD	FREIGHT CHARGES	\$213.18
EFT16287	24/09/2020	WA CONTRACT RANGER SERVICES	RANGER SERVICES	\$701.25
EFT16288	24/09/2020	WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION (WALGA)	REGISTRATION FOR WALGA BREAKFAST SESSION	\$90.00
EFT16289	24/09/2020	WHEATBELT EAST REGIONAL ORGANISATION OF COUNCILS (WE-ROC)	ANNUAL FINANCIAL CONTRIBUTION TO WHEATBELT EAST REGIONAL ORGANISATION OF COUNCILS INC	\$13,200.00
EFT16290	24/09/2020	WHEATBELT REFRIGERATION AND AIR CONDITIONING	SUPPLY AND INSTALL REVERSE CYCLE AIR CONDITIONERS TO SHIRE PROPERTY	\$5,639.70
EFT16291	24/09/2020	WHEATBELT UNIFORMS, SIGNS & SAFETY	SIGN - KWOLYIN CAMP - CAMPING INSTRUCTIONS	\$544.50
EFT16292	24/09/2020	WURTH	CONSUMABLES, PPE, TOOLS	\$404.16
EFT16307	30/09/2020	DEPARTMENT OF TRANSPORT (DOT CLEARING)	DOT CLEARING 29/09/2020 (EOM TRANSACTION)	\$1,532.65
EFT16308	30/09/2020	BENDIGO BANK (FUNDS TRANSFER FEES)	FUNDS TRANSFER FEES SEPTEMBER GST (EOM TRANSACTION)	\$3.30
EFT16309	30/09/2020	DEPARTMENT OF TRANSPORT (DOT CLEARING)	DOT CLEARING 30/09/2020 (EOM TRANSACTION)	\$571.00
Total EFTs				\$265,026.93

Municipal Account Cheques				
24031	11/09/2020	WATER CORPORATION	WATER USAGE	\$185.05
24032	14/09/2020	SHIRE OF BRUCE ROCK	PETTY CASH RECOUP FOR AUGUST 2020, CAKE-COUNCIL A/NOON TEA, HACK SAW BLADES	\$19.00
24033	24/09/2020	WATER CORPORATION	WATER USAGE	\$6,979.11
Total Cheques				\$7,183.16
Wages and Salaries				
	02/09/2020	PAYROLL DIRECT DEBIT OF NET PAYS	WAGES FOR THE FORTNIGHT ENDING 02/09/2020	\$74,357.45
	16/09/2020	PAYROLL DIRECT DEBIT OF NET PAYS	WAGES FOR THE FORTNIGHT ENDING 16/09/2020	\$68,203.13
Total Wages and Salaries				\$142,560.58
Municipal Account Direct Debits				
DD6732.1	02/09/2020	WALGS PLAN	PAYROLL DEDUCTIONS	\$10,460.21
DD6732.2	02/09/2020	REST INDUSTRY SUPER	SUPERANNUATION CONTRIBUTIONS	\$209.33
DD6732.3	02/09/2020	HOST PLUS SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$412.88
DD6732.4	02/09/2020	WEALTH PERSONAL SUPERANNUATION AND PENSION FUND	PAYROLL DEDUCTIONS	\$1,048.17
DD6732.5	02/09/2020	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	\$181.13
DD6732.6	02/09/2020	VIRGIN MONEY SUPER	SUPERANNUATION CONTRIBUTIONS	\$193.23
DD6732.7	02/09/2020	BENDIGO SMART SAVER SUPER	SUPERANNUATION CONTRIBUTIONS	\$108.06
DD6732.8	02/09/2020	AMP RETIREMENT SAVINGS ACCOUNT	SUPERANNUATION CONTRIBUTIONS	\$51.10
DD6732.9	02/09/2020	MACQUARIE SUPER ACCUMULATOR	SUPERANNUATION CONTRIBUTIONS	\$107.36
DD6732.10	02/09/2020	SUPERWRAP PERSONAL SUPER PLAN	SUPERANNUATION CONTRIBUTIONS	\$376.50
DD6732.11	02/09/2020	MACQUARIE SUPER ACCUMULATOR	SUPERANNUATION CONTRIBUTIONS	\$103.07
DD6732.12	02/09/2020	PRIME SUPER	SUPERANNUATION CONTRIBUTIONS	\$330.66
DD6732.13	02/09/2020	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	\$1,120.18
DD6732.14	02/09/2020	AMP LIFE LIMITED	SUPERANNUATION CONTRIBUTIONS	\$68.07
DD6732.15	02/09/2020	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	\$323.97
DD6732.16	02/09/2020	BENDIGO SUPER EASY	SUPERANNUATION CONTRIBUTIONS	\$213.04
DD6797.1	16/09/2020	WALGS PLAN	PAYROLL DEDUCTIONS	\$9,373.71
DD6797.2	16/09/2020	REST INDUSTRY SUPER	SUPERANNUATION CONTRIBUTIONS	\$210.00
DD6797.3	16/09/2020	HOST PLUS SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$367.71
DD6797.4	16/09/2020	WEALTH PERSONAL SUPERANNUATION AND PENSION FUND	PAYROLL DEDUCTIONS	\$1,033.97
DD6797.5	16/09/2020	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	\$181.13
DD6797.6	16/09/2020	VIRGIN MONEY SUPER	SUPERANNUATION CONTRIBUTIONS	\$193.23
DD6797.7	16/09/2020	BENDIGO SMART SAVER SUPER	SUPERANNUATION CONTRIBUTIONS	\$87.72
DD6797.8	16/09/2020	AMP RETIREMENT SAVINGS ACCOUNT	SUPERANNUATION CONTRIBUTIONS	\$60.77
DD6797.9	16/09/2020	MACQUARIE SUPER ACCUMULATOR	SUPERANNUATION CONTRIBUTIONS	\$129.61
DD6797.10	16/09/2020	SUPERWRAP PERSONAL SUPER PLAN	SUPERANNUATION CONTRIBUTIONS	\$376.50
DD6797.11	16/09/2020	MACQUARIE SUPER ACCUMULATOR	SUPERANNUATION CONTRIBUTIONS	\$79.49
DD6797.12	16/09/2020	PRIME SUPER	SUPERANNUATION CONTRIBUTIONS	\$353.77
DD6797.13	16/09/2020	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	\$1,116.52
DD6797.14	16/09/2020	AMP LIFE LIMITED	SUPERANNUATION CONTRIBUTIONS	\$110.66
DD6797.15	16/09/2020	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	\$322.83
DD6797.16	16/09/2020	BENDIGO SUPER EASY	SUPERANNUATION CONTRIBUTIONS	\$213.04
DD6830.1	30/09/2020	WALGS PLAN	PAYROLL DEDUCTIONS	\$9,269.38
DD6830.2	30/09/2020	REST INDUSTRY SUPER	SUPERANNUATION CONTRIBUTIONS	\$209.33
DD6830.3	30/09/2020	HOST PLUS SUPERANNUATION	SUPERANNUATION CONTRIBUTIONS	\$367.71

DD6830.4	30/09/2020	WEALTH PERSONAL SUPERANNUATION AND PENSION FUND	PAYROLL DEDUCTIONS	\$800.96
DD6830.5	30/09/2020	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	\$181.13
DD6830.6	30/09/2020	VIRGIN MONEY SUPER	SUPERANNUATION CONTRIBUTIONS	\$193.23
DD6830.7	30/09/2020	BENDIGO SMART SAVER SUPER	SUPERANNUATION CONTRIBUTIONS	\$109.33
DD6830.8	30/09/2020	AMP RETIREMENT SAVINGS ACCOUNT	SUPERANNUATION CONTRIBUTIONS	\$61.53
DD6830.9	30/09/2020	MACQUARIE SUPER ACCUMULATOR	SUPERANNUATION CONTRIBUTIONS	\$145.41
DD6830.10	30/09/2020	SUPERWRAP PERSONAL SUPER PLAN	SUPERANNUATION CONTRIBUTIONS	\$376.50
DD6830.11	30/09/2020	MACQUARIE SUPER ACCUMULATOR	SUPERANNUATION CONTRIBUTIONS	\$61.30
DD6830.12	30/09/2020	PRIME SUPER	SUPERANNUATION CONTRIBUTIONS	\$351.84
DD6830.13	30/09/2020	AUSTRALIAN SUPER	SUPERANNUATION CONTRIBUTIONS	\$1,106.72
DD6830.14	30/09/2020	AMP LIFE LIMITED	SUPERANNUATION CONTRIBUTIONS	\$118.40
DD6830.15	30/09/2020	BT SUPER FOR LIFE	SUPERANNUATION CONTRIBUTIONS	\$322.97
DD6830.16	30/09/2020	BENDIGO SUPER EASY	SUPERANNUATION CONTRIBUTIONS	\$212.33
			Total Direct Debits	\$43,405.69
Credit Card Payments				
EFT16238	14/09/2020	HEALTHENGINE	HEALTHENGINE APP, SMS RECALLS & NEW PATIENTS	112.20
		ACTIV8ME	INTERNET FOR AUGUST/SEPTEMBER 2020	45.40
		BENDIGO BANK	CARD FEE	4.00
		WESTNET	INTERNET FOR SEPTEMBER 2020	109.95
		WESTNET	INTERNET FOR SEPTEMBER 2020	89.95
		WESTNET	INTERNET FOR SEPTEMBER 2020	69.99
		WESTNET	INTERNET FOR SEPTEMBER 2020	89.95
		WESTNET	REFUND OF SERVICES NO LONGER REQUIRED, DUE TO SWITCHING TO CRISP WIRELESS	-185.90
			Total Credit Card Payments	\$335.54
			Total Municipal Account EFT Payments	\$265,026.93
			Total Municipal Account Cheque Payments	\$7,183.16
			Total Trust Cheque Payments	\$0.00
			Total Wages	\$185,966.27
			TOTAL	\$458,176.36

Policy Name:	9.1 Vehicle and Fuel Usage Policy
Department:	Works and Services
Date Adopted:	15 December 2016
Last Reviewed:	6 October 2020

Preamble Policy in relation to approved usage of Shire vehicles and fuel facilities.

Objective To stipulate conditions for the usage of Shire Vehicles and fuel facilities.

Policy **Use of Vehicles**
 All employees who drive Shire vehicles must have a valid license for the class of vehicle they are operating, and must be under the legal limit for alcohol or drugs.
 This includes ensuring their license is current, the address on the license is correct and they abide by any conditions on their license (e.g. P plates/ wearing glasses).
 In addition, employees must also ensure the following when in possession of a Shire vehicle:

- They make all reasonable endeavours not to overload a vehicle
- They do not drive the vehicle if it appears unsafe/unroadworthy
- They do not drive the vehicle if they are medically unfit to do so

If a vehicle is involved in an accident/incident or near miss while in the employee's possession, it is the employee's duty to notify their immediate Supervisor as soon as practicable.

If an employee notices that a vehicle requires maintenance, it is their responsibility to notify their Supervisor and/or Workshop Mechanic as soon as possible.

Private Use of Vehicles

The Shire provides some employees with the private use of a vehicle outside of work hours as part of their employment conditions. Staff who are provided with private use of their vehicles will have been given authorisation in a letter from the CEO or DCEO.

A Shire employee who has been granted private use of the vehicle must be present in the vehicle at all times it is being driven unless:

- another qualified Shire employee is using the vehicle during work hours;
- express written permission has been provided for another person to drive it by the CEO or Deputy CEO; or verbally if it is considered an emergency.

Use of Vehicles while on Leave

For those staff members, (excluding the CEO), who have been granted Private Use of vehicles as part of their employment conditions, when on leave this right only extends to periods of Annual or Personal (Sick) leave. It does not extend to **any** other types of leave, including Long Service Leave, Parental (e.g. Maternity/Paternity) Leave, or Unpaid Leave (e.g. Leave Without Pay).

(The CEO may, upon application, be granted use of the allocated vehicle while on Long Service Leave, following approval by Council).

Fuel

The Shire of Bruce Rock provides a fuel facility for the employees during the course of their work. The Shire provides fuel for the usage of these vehicles for work purposes. Some employees provided with a vehicle may use the vehicle outside of work hours. This permission must be given in writing in the employee's engagement letter or contract. Fuel may be provided for private use or limited private use, permission must be made in writing or be included in the employee's engagement letter or contract.

There are three ways the Shire provides fuel:

1. Diesel fuel facility at the Shire Depot on Noonajin Street
2. Great Southern fuel card for use only at the Great Southern fuel facility in Bruce Rock (unleaded vehicles).
3. Great Southern fuel card for use of employees travelling to and from Perth on Shire business.

Diesel Facility

The diesel facility is located at the Shire Depot on Noonajin Street, Bruce Rock. Each vehicle is allocated a fuel card. When the vehicle is filled the vehicle's, card must be swiped and the employee number of the person filling the vehicle entered. This allows the diesel to be tracked by both vehicle and employee.

Employees who have been allocated Shire vehicles may fill their vehicles at the depot fuel facility at any time. If they are using their vehicles for private purposes and need to purchase fuel while outside of the Shire they are responsible for paying for their own fuel.

Great Southern Fuel Card (allocated)

Currently there are five Great Southern Fuel Cards that the Shire utilises. These are currently allocated to:

- Card One - Town Doctor
- Card Two - Community Bus
- Card Three - Skeleton Weed Coordinator
- Card Four - Depot (for filling Gerry Cans etc.)
- Card Five - DCEO

Note: Cards Two and Six are for Diesel only, and Cards One and Five are for Unleaded Petrol.

These cards are specific to purpose and will not be used for other vehicles. They are only to be used at the Great Southern Fuel Facility in Bruce Rock. Receipts for fuel usage must be provided to the Finance Officer on a weekly basis.

Great Southern Fuel Card (general use)

It is recognised that on occasion, employees will have to travel outside of the Shire for work purposes (for example travelling to Perth or Northam to pick

up a vehicle). For these purposes the Shire will allow the employee the use of the Shire Fuel Card.

In these instances, the card must be signed out of the safe by the user and an authorised manager. The date, vehicle and purpose of the trip must be recorded. When the card is returned it must be signed back in by the employee and another staff member and the receipt provided to the Finance Officer.

Head of Power

Nil



A GUIDE TO THE EXEMPTIONS AND REGULATIONS FOR CLEARING NATIVE VEGETATION

UNDER PART V OF THE ENVIRONMENTAL PROTECTION ACT 1986



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April 2014

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Cover photos
by Department of Environment Regulation

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Overview

In 2004, amendments to the Environmental Protection Act 1986 (EP Act) introduced provisions for regulating the clearing of native vegetation.

If you intend to clear native vegetation, you will need to apply for a permit from either the Department of Environment Regulation (DER) or the Department of Mines and Petroleum, or otherwise an exemption must apply. It is an offence to clear native vegetation without the authority of a permit or an exemption.

Exempt clearing does not require a permit. There are two types of exemptions.

The first type is found in Schedule 6 of the EP Act. These exemptions may be referred to as the Schedule 6 exemptions.

The second type is found in the Environmental Protection (Clearing of Native Vegetation) Regulations 2004 (Regulations). These may be referred to as exemptions under Regulations.

The exemptions under Regulations do not apply in environmentally sensitive areas (ESAs) declared under section 51B of the EP Act.

This guide explains what the exemptions are, the circumstances in which they apply and what is defined as intentionally planted vegetation.

Please note that while your clearing might be exempt from the requirement for a clearing permit under the EP Act, requirements contained in other legislation could apply.

How to use this guide

The first section of this guide explains how the Schedule 6 exemptions work. The second section of the guide explains how the exemptions under the Regulations work.

If you are looking for a particular clearing activity or topic that might be exempt, you can refer to the Index on pages five and six, which lists items by their topic (e.g. clearing for roads, clearing for fence lines etc.).

Further information

If you have any questions about this guide or are not sure if you can clear under an exemption, you should phone DER on 6467 5020. For exemptions relating to mineral and petroleum activities contact Department of Mines and Petroleum's Native Vegetation Assessment Branch on 9222 3333.

More general information about clearing native vegetation can be found at www.der.wa.gov.au/nvp.

Please note...

The information provided in this document is current as at November 2013 and outlines some of the laws for regulating clearing native vegetation introduced under the Environmental Protection Act 1986. Persons who intend to undertake activities that may involve clearing are advised to consult the actual legislation and seek advice, including legal advice, where necessary.

Index of themes

Theme	Clause / Regulation no.	Page no.
Accidents or to reduce danger (Clearing resulting from)	Regulation 5, Item 2	16
Bush Fires Act 1954 (Clearing under the)	Schedule 6, Clause 10	11
Clearing that is required under other laws	Schedule 6, Clause 1	7
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Firewood (Clearing for)	Regulation 5, Item 5	18
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Forest Products Act 2000 (Clearing under the)	Schedule 6, Clause 8	11
Forest Products Commission (Clearing by)	Schedule 6, Clauses 7 and 8	10 and 11
Formal assessment by the Environmental Protection Authority	Schedule 6, Clause 2	8
Infrastructure maintenance activities (Clearing resulting from) – NOW EXPIRED	Regulation 5, Item 23	29

Isolated trees (Clearing of)	Regulation 5, Item 19	27
Land Administration Act 1997 (Clearing under the)	Schedule 6, Clause 13	12
Licensed surveyors (Clearing by)	Regulation 5, Item 9	21
Low impact or other mineral or petroleum activities (Clearing resulting from)	Regulation 5, Item 20	27
Maintain existing cleared areas around infrastructure (Clearing to)	Regulation 5, Item 15	25
Maintain existing cleared areas for pasture, cultivation or forestry (Clearing to)	Regulation 5, Item 14	24
Mining Act 1978 (Clearing under the)	Regulation 5, Item 25	30
Notice of Intention under the Soil and Land Conservation Regulations 1992 – NOW EXPIRED	Regulation 5, Item 26	30
Petroleum and Geothermal Energy Resources Act 1967, Petroleum Pipelines Act 1969 or the Petroleum (Submerged Lands) Act 1982 (Clearing under the)	Regulation 5, Item 24	29
Planning and Development Act 2005 (Clearing under the)	Schedule 6, Clause 9	11
Rights in Water and Irrigation Act 1914 (Clearing under the)	Regulation 5, Item 16	26
Sandalwood Act 1929 (Clearing under the)	Schedule 6, Clause 4	10
Swan River Trust Act 1988 (Clearing under the)	Regulation 5, Item 18	26
Temporary bypass road (Clearing for)	Regulation 5, Item 21	28
Vehicular tracks (Clearing for)	Regulation 5, Item 12	23
Walking tracks (Clearing for)	Regulation 5, Item 13	24
Wildlife Conservation Act 1950, section 23C (Taking flora under)	Schedule 6, Clause 5	10
Wildlife Conservation Act 1950, section 23D (Taking flora under)	Schedule 6, Clause 6	10
Wildlife Conservation Act 1950, section 23F (Taking rare flora under)	Schedule 6, Clause 5	10
Woodwork (Clearing for)	Regulation 5, Item 7	20

Section 1 – Schedule 6 exemptions

This table lists the exemptions that can be found in Schedule 6 of the EP Act. These exemptions mainly refer to clearing that is required under other laws.

- The first column refers to the clause in the Act.
- The second column shows the legal wording of the exemption.
- The third column uses simpler language to explain how the exemption works.

Clause no.	Wording of exemption	Comment / explanation
1. Clearing that is required under other laws	<p>Clearing that is done in order to give effect to a requirement to clear under a written law.</p>	<p>This exemption allows clearing that is a duty or obligation under another law. This exemption does not allow clearing that is merely permitted or approved but refers to clearing that is actually required by a written law. It is necessary that the requirement under the written law can be characterised as a 'requirement to clear', not just a requirement for which clearing may be incidentally connected.</p> <p>Example 1 Section 54 of the Energy Operators (Powers) Act 1979</p> <p>It is the duty of the occupier of any land over which vegetation is growing to clear as much of the vegetation as is necessary to prevent it interfering or obstructing the construction, maintenance or safe use of any supply system. Where this is not carried out, the energy operator may enter upon the land without notice to clear the vegetation.</p> <p>Example 2 Section 33 of the Bush Fires Act 1954</p> <p>A local government at any time may require an owner or occupier of land in its boundaries to clear fire-breaks in such a manner... as the local government may determine and to maintain the fire-breaks clear of inflammable matter.</p> <p>Example 3 Land Administration Act 1997</p> <p>Clearing to maintain or reconstruct existing fences (and other pastoral improvements) is a requirement of section 107(3). (cont'd)</p>

Clause no.	Wording of exemption	Comment / explanation
		<p>Other clearing to "manage and work the land under the lease to its best advantage as a pastoral property" as required under section 108(1) would similarly be a requirement.</p> <p>Under section 108(1), the management and work would generally need to be completed to the satisfaction of the Pastoral Lands Board and so the Board's policies and directives may be decisive in determining what constitutes exempt activity.</p> <p>In addition, lessees are required under section 108(2) to adopt best pastoral and environmental management practices and are required under section 108(4) to maintain indigenous pasture and vegetation to the satisfaction of the Board.</p> <p>The Pastoral Lands Board is the judge of satisfactory compliance with section 108. This is subject to a requirement to adopt best pastoral and environmental management practices and to the maintenance of indigenous pasture and vegetation.</p> <p>For more information, contact the Pastoral Lands Board.</p> <p>Under section 107 (1) and (2), where the Pastoral Lands Board believes that an improvement is necessary, it may require a pastoral lessee to prepare a development plan detailing the achievement of the improvement to a specified timetable. Compliance with the development plan is a requirement and is therefore also exempt.</p>
2. Assessment by the Environmental Protection Authority	<p>Clearing that is done –</p> <p>(a) in the implementation of a proposal in accordance with an implementation agreement or decision;</p> <p>(b) in the case of a proposal that –</p> <p>(i) was made under an assessed scheme; and</p> <p>(ii) because of section 48(2), was not referred to the Authority,</p> <p>in the implementation of the proposal in accordance with a subdivision approval, a development approval or a planning approval given by the responsible authority; (cont'd)</p>	<p>(a) This exemption applies to clearing assessed under section 40 as part of a proposal referred under section 38 of Part IV of the EP Act. The clearing must be in accordance with the implementation agreement or decision. Implementation agreement or decision is defined in section 3 of the EP Act.</p> <p>This exemption does not apply to proposals which the Environmental Protection Authority has decided not to formally assess, whether or not the Environmental Protection Authority provides advice to the proponent or decision making authorities. It also does not apply to expansions or works not covered by the conditions of the original proposal unless done in accordance with the implementation agreement or decision.</p> <p>(b) This exemption applies to assessed schemes implemented in accordance with a subdivision approval, development approval or planning approval where the clearing of native vegetation was assessed. Assessed scheme is defined in section 3 of the EP Act.</p> <p>If a decision-making authority is uncertain whether clearing of native vegetation has been considered as part of an assessed scheme, the Environmental Protection Authority should be contacted for advice. (cont'd)</p>

Clause no.	Wording of exemption	Comment / explanation
	<p>(c) in accordance with –</p> <p>(i) a prescribed standard;</p> <p>(ii) a works approval;</p> <p>(iii) a licence;</p> <p>(iv) a requirement contained in a closure notice, an environmental protection notice or a prevention notice;</p> <p>(v) an approved policy;</p> <p>(vi) a declaration under section 6;</p> <p>(vii) an exemption under section 75; or</p> <p>(viii) a licence, permit, approval or exemption granted, issued or given under the regulations; or</p> <p>(d) in the exercise of any power conferred under this Act.</p>	<p>(c) This exemption allows clearing in accordance with the items listed. “In accordance with” means as dictated by the works approval, licence or other instrument. Clearing native vegetation is not usually assessed as part of an application for a works approval or licence. This means a clearing permit is still required unless a works approval or licence is issued with specific approvals relating to clearing native vegetation.</p> <p>(d) This exemption allows clearing that is done in the exercise of any power given under the EP Act.</p>
<p>3. Clearing carried out by the Department of Parks and Wildlife</p>	<p>Clearing by the Department, within the meaning of the Conservation and Land Management Act 1984, in the performance of its function under section 33(1)(a) of that Act of managing land, but, in the case of land referred to in section 33(1)(a)(i), only if the management is carried out in accordance with section 33(3).</p>	<p>This exemption refers to clearing done by the Department of Parks and Wildlife as part of its role as the manager of lands.</p> <p>Lands include State forest; timber reserves; national parks; conservation parks; nature reserves; marine nature reserves; marine parks; marine management areas and other lands and waters vested or managed by the Conservation Commission or the Marine Parks and Reserves Authority.</p> <p>The clearing must:</p> <ol style="list-style-type: none"> 1) be in accordance with a management plan where there is a management plan; 2) where there is no such plan – <ol style="list-style-type: none"> (i) in the case of nature reserves and marine nature reserves, only operations necessary for the preservation or protection of persons, property, land, waters, flora or fauna, or for the preparation of a management plan; or (ii) in the case of national parks, conservation parks, marine parks and marine management areas, either necessary operations as for (i) or compatible operations approved by the Minister as being compatible with the purposes of the park or management area; (iii) in the case of other land to achieve the purpose for which the land was vested or managed (as described in section 56 of the Conservation and Land Management Act 1984).

Clause no.	Wording of exemption	Comment / explanation
4. Clearing under the Sandalwood Act 1929	Clearing authorised under a licence – (a) referred to in paragraph (a); or (b) granted under paragraph (b), of section 3(1) of the Sandalwood Act 1929.	This exemption allows a person licensed under the Sandalwood Act 1929 to take sandalwood in accordance with the terms and conditions of the licence.
5. Taking flora under the Wildlife Conservation Act 1950	Clearing consisting of the taking of flora – (a) as authorised under a licence under section 23C of the Wildlife Conservation Act 1950; or (b) as consented to under section 23F of the Wildlife Conservation Act 1950 by the Minister administering that Act.	This exemption allows a person holding a commercial purposes licence under section 23C of the Wildlife Conservation Act 1950 to take protected flora for sale in accordance with the terms and conditions of the licence. This exemption also allows a person who has obtained the consent of the Minister under section 23F of the Wildlife Conservation Act 1950 to take flora declared as rare.
6. Taking flora under the Wildlife Conservation Act 1950	Clearing consisting of the taking of flora by a person authorised – (a) by subsection (1)(a); or (b) under subsection (1)(b), of section 23D of the Wildlife Conservation Act 1950 for the purposes of sale under a licence issued under that section.	This exemption allows a person holding a Commercial Producer's licence under section 23D of the Wildlife Conservation Act 1950 to take protected flora for sale in accordance with the terms and conditions of the licence. Note that section 23D of the Wildlife Conservation Act 1950, requires the Minister to consider the clearing principles set out in Schedule 5 of the EP. Act. The Minister shall not issue a licence under the Wildlife Conservation Act 1950 if the taking of protected flora would be seriously at variance with those principles.
7. Clearing by the Forest Products Commission	Clearing under the Forest Products Act 2000, of vegetation maintained, or established and maintained, under section 10(1)(g) of that Act.	This exemption allows clearing by the Forest Products Commission of forest products in plantations, plant nurseries, or seed or propagation orchards which are maintained, or established and maintained, by the Forest Products Commission. Forest products means trees or parts of trees: timber, sawdust or chips, charcoal, gum, kino, resin or sap, and firewood located on public land or share-farmed land.

Clause no.	Wording of exemption	Comment / explanation
<p>8. Specific clearing under the Forest Products Act 2000</p>	<p>Clearing under a production contract or road contract entered into and having effect under the Forest Products Act 2000.</p>	<p>This exemption allows clearing of forest products by the Forest Products Commission or its contractors in accordance with a production contract provided that:</p> <ul style="list-style-type: none"> • the quantities and kinds of forest products and the location of the forest products to be managed, harvested, or sold are in accordance with the relevant management plan. <p>A production contract has no effect after the relevant management plan has expired.</p> <p>This exemption allows for clearing in accordance with a road contract for the construction or maintenance of roads for the purposes of managing or harvesting forest products.</p> <p>Production and road contracts may only be made in relation to land managed by the Department of Parks and Wildlife if the management plan allows for the management or harvesting of forest products.</p>
<p>9. Clearing under the Planning and Development Act 2005</p>	<p>Clearing in accordance with a subdivision approval given by the responsible authority under the Planning and Development Act 2005, including –</p> <ol style="list-style-type: none"> (a) clearing for the purposes of any development that is deemed by section 157 of that Act to have been approved by the responsible authority; and (b) clearing in any building envelope described in the approved plan or diagram 	<p>This exemption allows clearing in accordance with a subdivision deemed approved by the responsible authority under the Planning and Development Act 2005.</p> <p>This may include clearing native vegetation for the purposes of:</p> <ul style="list-style-type: none"> • constructing roads to provide access to or within the subdivision; • providing water services to the satisfaction of the Water Corporation; • filling or draining the land in accordance with the specifications of the approval; and • clearing within any building envelope described in the approved plan or diagram. <p>Most subdivision approvals do not explicitly authorise the clearing of native vegetation other than for the purposes outlined above.</p>
<p>10. Clearing under the Bush Fires Act 1954</p>	<p>Clearing that is done –</p> <ol style="list-style-type: none"> (a) as permitted under section 17(5); or (b) in accordance with a permit obtained under section 18; or (c) in accordance with permission granted under section 22(c); or (d) under section 22(2), 23, 26A, 39(1)(d) or 44(1)(c); or (e) as authorised by a proclamation under section 26, <p>of the Bush Fires Act 1954.</p>	<p>This exemption allows clearing under the Bush Fires Act 1954 for:</p> <ul style="list-style-type: none"> • burning during a restricted time if a permit is obtained from a bush fire control officer; • burning if the Minister for Fire and Emergency Services or a person acting on the Minister's authority grants permission during a declared bush fire emergency period; • burning during prohibited times if a burning permit is obtained from a bush fire control officer to burn bush on land to protect a dwelling, building, haystack or crop, or to control certain weeds; or • clearing by a bush fire control officer to construct fire breaks or clear land to control or prevent the spreading of a fire. <p>Bush fire control officers are appointed under section 38 of the Bush Fires Act 1954.</p>

Clause no.	Wording of exemption	Comment / explanation
11. Clearing under the Fire Brigades Act 1942	Clearing that is done under section 34(a), (c) or (h) of the Fire Brigades Act 1942.	Under the Fire Brigades Act 1942 the Director of Operations or the officer or member of the brigade in charge at a fire may take and direct any clearing which appears necessary to protect life and property, or to control and extinguish the fire.
12. Clearing for fire prevention or control on Crown land	Clearing that is done for fire prevention or control purposes or other fire management works on Crown land, within the meaning of the Land Administration Act 1997, by the Fire and Emergency Services Authority of Western Australia established under the Fire and Emergency Services Authority of Western Australia Act 1998.	This exemption allows clearing by the Department of Fire and Emergency Services for fire prevention or control purposes or for other fire management works on Crown land.
13. Clearing under the Land Administration Act 1997	Clearing caused by the grazing of stock on land under a pastoral lease within the meaning of the Land Administration Act 1997 as long as that grazing is not in breach of – (a) that Act; (b) the pastoral lease; or (c) any relevant condition set or determination made by the Pastoral Board under Part 7 of that Act.	This exemption allows a pastoral lessee to graze stock on a pastoral lease in accordance with the Land Administration Act 1997, the terms and conditions of the pastoral lease and any relevant condition or determination by the Pastoral Lands Board.
14. Clearing under the Fish Resources Management Act 1994	Clearing of aquatic vegetation that occurs under the authority of a licence or permit within the meaning of the Fish Resources Management Act 1994.	This exemption allows the clearing of aquatic vegetation that is authorised by a licence or permit issued under the Fish Resources Management Act 1994. For example, this may include the incidental clearing caused by the ordinary and otherwise lawful use of rock lobster pots in accordance with a licence to take rock lobster.

Section 2 – Regulations

The Environmental Protection (Clearing of Native Vegetation) Regulations 2004 address a number of matters related to clearing of native vegetation, such as:

- When intentionally planted vegetation is defined as native vegetation and therefore the rules for clearing of native vegetation will apply.
- Fees to lodge an application to clear native vegetation.
- The information that DER must keep about applications to clear.
- The information that DER must publish about applications to clear and decisions on clearing of native vegetation.
- Clearing activities that do not require a permit if carried out outside of an environmentally sensitive area declared under section 51B of the EP Act.

Please note that the following section is not the official version of the Regulations, but a guide that explains to you how the exemptions under the Regulations work. The explanations do not address Regulations 7 (fees) and 8 (records to be kept by the CEO). For information on these exemptions, refer to the official version of the Regulations.

The official version can be obtained by contacting the State Law Publisher (08) 6552 6000 or visit www.slp.wa.gov.au.

Regulations 1, 2 and 3

Regulation 1 states the official name of these Regulations, which is the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.

Regulation 2 states the day the Regulations came into operation. This was 8 July 2004.

Regulation 3 lists some definitions of particular terms used in the Regulations. In this guide, these definitions have been included with the exemption to which they relate.

Regulation 4 — Intentionally sown, planted or propagated vegetation

Plantations

The clearing laws only apply to “native vegetation”. The definition of “native vegetation” in the EP Act does not include native species in a plantation. A plantation is defined in section 3 of the EP Act as “one or more groups of trees, shrubs or plants intentionally sown, planted or propagated with a view to commercial exploitation”.

Other intentionally planted vegetation

Under section 51A of the EP Act “native vegetation” does not include vegetation that is intentionally sown, planted or propagated unless:

- the vegetation was sown, planted or propagated as required under the EP Act or another written law; or
- it is declared to be native vegetation under the regulations.

Vegetation that is required to be sown, planted or propagated under a written law will often be as a result of conditions of an authorisation or lease.

Intentionally planted vegetation that is declared to be native vegetation

Regulation 4 prescribes the kinds of intentionally planted indigenous vegetation that are “native vegetation” and which therefore require a clearing permit or exemption to clear and includes:

- (a) Planting that was funded (wholly or partly):
 - (i) by a person who was not the owner of the land; and
 - (ii) for the purpose of biodiversity conservation or land conservation.

OR

- (b) Intentionally planted vegetation that has one of the following:
 - (i) a conservation covenant or agreement to

reserve under section 30B of the Soil and Land Conservation Act 1945;

(ii) a covenant to conserve under section 21A of the National Trust of Australia (WA) Act 1964;

(iii) a restrictive covenant to conserve under section 129B of the Transfer of Land Act 1983;

(iv) some other form of binding undertaking to establish and maintain, or maintain, the vegetation.

For the purposes of Regulation 4, biodiversity conservation includes conservation of species diversity, genetic diversity or ecosystem diversity and land conservation includes management of salinity, erosion, soil acidity or waterlogging. Planting includes to sow and to propagate.

Regulation 5 — Prescribed clearing

This Regulation includes a table of exemptions, referred to as “items”. Each exemption listed in the table only applies if the clearing is either done by the person specified in the table, or with that person’s prior authority.

If you clear using one of the exemptions in the table below, you must make sure you clear in a way that limits damage to neighbouring vegetation.

Clearing under exemptions set out in Regulation 5 must also fit within the description set out in the Table to Regulation 5.

Five-hectare limit

Certain items under the Regulations only exempt clearing to the extent that the total combined clearing under any of these exemptions does not exceed five hectares in any financial year.

This means that if you clear under one or more of the following items, the total area cleared for all of these purposes may not add up to more than five hectares in a financial year.

- Clearing to construct a building (Regulation 5, Item 1)
- Clearing to collect firewood (Regulation 5,

Item 5)

- Clearing to obtain fencing or farming materials (Regulation 5, Item 6)
- Clearing for woodwork (Regulation 5, Item 7)
- Clearing for fence lines (Regulation 5, Item 10)
- Clearing for vehicular tracks (Regulation 5, Item 12)
- Clearing for walking tracks (Regulation 5, Item 13)
- Clearing isolated trees (Regulation 5, Item 19)

Environmentally sensitive areas

There are a number of areas where the exemptions under the Regulations do not apply. These areas are environmentally sensitive areas (ESAs) declared by the Minister under section 51B of the EP Act. If you want to clear native vegetation in an environmentally sensitive area for one of the purposes in the Table, you will need to apply for a clearing permit.

The current ESAs are contained in the Environmental Protection (Environmentally Sensitive Areas) Notice 2005 published in the Western Australian Government Gazette, Friday 8 April 2005, No. 55. For a copy of the Gazette, contact the State Law Publisher on (08) 6552 6000 or visit www.slp.wa.gov.au.

A web viewer can assist you in locating some of the environmentally sensitive areas. Users are advised that the map is not the legal list. To use the viewer visit the DER website at www.der.wa.gov.au/nvp.

This table lists the exemptions that can be found in Regulation 5 of the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.

- The first column refers to the Item number in Regulation 5.
- The second column shows the legal wording of the exemption.
- The third column uses simpler language to explain how the exemption works.

Item no.	Wording of exemption	Comment / explanation
<p>Regulation 5, Item 1</p> <p>Clearing to construct a building</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The owner of the property on which the clearing is to take place.</p>	<p>Clearing of a site for the lawful construction of a building or other structure on a property, being clearing which does not, together with all other limited clearing on the property in the financial year in which the clearing takes place, exceed five hectares, if –</p> <p>(a) the clearing is to the extent necessary; and</p> <p>(b) the vegetation is not riparian vegetation.</p>	<p>Clearing of native vegetation for the lawful construction of a building or other structure is exempt as long as other relevant approvals have been obtained, including any planning approvals and building licence.</p> <p>“Building” means a roofed building or other roofed structure that is permanently fixed to the ground, and includes a transportable building that is:</p> <p>(a) connected to a sewerage system or septic tank; or</p> <p>(b) intended to be used as a permanent building.</p> <p>Clearing may also be carried out for the construction of other structures.</p> <p>Clearing must only be to the extent necessary for the building or other structure. For example, this exemption does not allow you to clear a large area to simply install a 2m x 3m garden shed.</p> <p>This exemption does not allow clearing of riparian vegetation.</p> <p>“Riparian vegetation” means the distinctive vegetation associated with a wetland or watercourse.</p> <p>“Property” means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles.</p> <p>Under this item you should note that clearing for a building, combined with other exempt clearing activities on the property, must not exceed five hectares in a financial year.</p> <p>This means that if you clear for any of the following purposes, the clearing may not add up to more than five hectares in a financial year.</p> <p>(cont'd)</p>

Item no.	Wording of exemption	Comment / explanation
<p>Regulation 5, Item 2</p> <p>Clearing resulting from accidents or to reduce danger</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The owner of the land on which the clearing is to take place; or</p> <p>A person responsible for the safety or welfare of the persons who are likely to be in danger or for the portion of the environment.</p>	<p>Clearing –</p> <p>(a) for the purposes of preventing imminent danger to human life or health or irreversible damage to a significant portion of the environment; or</p> <p>(b) as a result of an accident caused otherwise than by the negligence of the person clearing or the person who authorised the clearing.</p>	<ul style="list-style-type: none"> • Clearing to construct a building (Item 1) • Clearing to collect firewood (Item 5) • Clearing to obtain fencing or farming materials (Item 6) • Clearing for woodwork (Item 7) • Clearing for fence lines (Item 10) • Clearing for vehicular tracks (Item 12) • Clearing for walking tracks (Item 13) • Clearing isolated trees (Item 19) <p>This exemption does not apply in an environmentally sensitive area.</p>
<p>Regulation 5, Item 2</p> <p>Clearing resulting from accidents or to reduce danger</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The owner of the land on which the clearing is to take place; or</p> <p>A person responsible for the safety or welfare of the persons who are likely to be in danger or for the portion of the environment.</p>	<p>Clearing –</p> <p>(a) for the purposes of preventing imminent danger to human life or health or irreversible damage to a significant portion of the environment; or</p> <p>(b) as a result of an accident caused otherwise than by the negligence of the person clearing or the person who authorised the clearing.</p>	<p>In regard to clearing under this exemption:</p> <p>(a) The danger or risk to the environment must be present, immediate or imminent, and not remote either as to likelihood or as to time of occurrence.</p> <p>(b) An accident is an event that is neither intended nor foreseen and where a person can demonstrate that the event did not result from any conduct of the person which was careless, negligent or reckless.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>

Item no.	Wording of exemption	Comment / explanation
<p>Regulation 5, Item 3</p> <p>Clearing for fire hazard reduction</p> <p>Clearing must be done by or with the authority of:</p> <p>The owner of the land on which the clearing is to take place.</p>	<p>Clearing that is fire hazard reduction burning if the clearing is –</p> <p>(a) to occur outside the prohibited or restricted burning times declared under the Bush Fires Act 1954 for the zone in which the clearing is to take place; and</p> <p>(b) done in such a way as to minimise long term damage to the environmental values of the vegetation.</p>	<p>This exemption allows for fire hazard reduction burning outside of the prohibited or restricted periods.</p> <p>“Fire hazard reduction burning” means burning or partial burning of vegetation to reduce the risk of injury or damage to persons and property from an uncontrolled fire in vegetation.</p> <p>The clearing must be done in a way that minimises long-term damage to the environmental values of the vegetation. Environmental value is defined in section 3 of the EP Act and means a beneficial use; or an ecosystem health condition. Both beneficial use and ecosystem health condition are also defined in section 3.</p> <p>Whilst having regard to safety issues, care should be taken not to carry out fire hazard reduction burning so frequently that it will reduce or prevent the ability of the vegetation to recover. Care should also be taken, for example, to prevent burning from spreading to a neighbouring property. DER has prepared a guideline to assist in understanding requirements to prevent long term damage to vegetation which is available at DER’s website (http://www.der.wa.gov.au).</p> <p>This exemption does not apply in an environmentally sensitive area.</p>
<p>Regulation 5, Item 4</p> <p>Clearing in accordance with a code of practice</p> <p>Clearing must be done by or with the prior authority of:</p> <p>A person to whom the code applies.</p>	<p>Clearing in accordance with a code of practice issued by the CEO under section 122A of the Act.</p>	<p>In its current form, this item does not provide for any exemptions as it does not adopt a code of practice made under section 122A. That is because Item 4 refers to all codes of practice made under section 122A, rather than a specific code or codes. The power of the Governor to make regulations under section 123 to “adopt...either specifically or by reference, any...codes” is confined to codes that are capable of being specifically identified in the regulation.</p>

Item no.	Wording of exemption	Comment / explanation
<p>Regulation 5, Item 5</p> <p>Clearing for firewood</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The owner or occupier.</p>	<p>Clearing to provide firewood use by the owner or occupier of the property on which the vegetation is located for domestic heating or cooking, being clearing which –</p> <p>(a) does not kill any live vegetation and does not prevent regrowth of the vegetation;</p> <p>(b) is carried out to provide firewood to the extent to which firewood could not be obtained from vegetation already cleared for another purpose; and</p> <p>(c) does not, together with all other limited clearing on the property in the financial year in which the clearing takes place, exceed five hectares.</p>	<p>This exemption allows the owner or occupier of the land to clear native vegetation for firewood for domestic use only.</p> <p>Vegetation cleared under this exemption cannot be sold but may be given away. Advice should be obtained from the Department of Parks and Wildlife (Manager, Species and Communities Branch) on what “sell” means, as it may include such things as raffling or bartering.</p> <p>Firewood must first be collected from clearing undertaken for another purpose. If no such cleared vegetation exists, it may either be of dead vegetation, or if from live trees such that it does not kill the tree or prevent its regrowth. This would allow taking of branches, or of resprouting species such as mallees.</p> <p>This exemption therefore allows a landholder to continue with traditional practices of gathering firewood from vegetation on the property, while placing some reasonable limits on those practices.</p> <p>“Property” means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles.</p> <p>Under this item you should note that clearing for firewood, combined with other exempt clearing activities on the property, may not exceed five hectares in a financial year.</p> <p>This means that if you clear for any of the following purposes, the clearing must not add up to more than five hectares in a financial year.</p> <ul style="list-style-type: none"> • Clearing to construct a building (Item 1) • Clearing to collect firewood (Item 5) • Clearing to obtain fencing or farming materials (Item 6) • Clearing for woodwork (Item 7) • Clearing for fence lines (Item 10) • Clearing for vehicular tracks (Item 12) • Clearing for walking tracks (Item 13) • Clearing isolated trees (Item 19) <p>This exemption does not apply in an environmentally sensitive area.</p>

Item no.	Wording of exemption	Comment / explanation
<p>Regulation 5, Item 6</p> <p>Clearing to provide fencing and farm materials</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The owner or occupier.</p>	<p>Clearing to provide material for use by the owner or occupier of the property on which the vegetation is located for constructing and maintaining fences, buildings and other structures on land in the possession of the owner or occupier, being clearing which –</p> <ul style="list-style-type: none"> (a) does not kill any live vegetation and does not prevent regrowth of the vegetation; (b) is carried out to provide material to the extent to which the material could not be obtained from vegetation already cleared for another purpose; and (c) does not, together with all other limited clearing on the property in the financial year in which the clearing takes place, exceed five hectares. 	<p>Both parts of this exemption must be satisfied before it applies. It allows the owner or occupier of the land to clear native vegetation for fence posts and other materials for the owner or occupier's personal use on the land in question. Vegetation cleared under this exemption cannot be sold, given away or used off site.</p> <p>Fencing and farm materials must first be collected from clearing undertaken for another purpose. If no such cleared vegetation exists, it may either be of dead vegetation, or if of live trees such that it does not kill the tree or prevent its regrowth. This would allow taking of branches, or of resprouting species such as mallees.</p> <p>This exemption therefore allows a landholder to continue with traditional practices of gathering fencing and farm materials from vegetation on the property, while placing some reasonable limits on those practices.</p> <p>"Property" means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles.</p> <p>Under this item you should note that clearing for fences and farm materials, combined with other exempt clearing activities on the property, must not exceed five hectares in a financial year.</p> <p>This means that if you clear for any of the following purposes, the clearing must not add up to more than five hectares in a financial year.</p> <ul style="list-style-type: none"> Clearing to construct a building (Item 1) Clearing to collect firewood (Item 5) Clearing to obtain fencing or farming materials (Item 6) Clearing for woodwork (Item 7) Clearing for fence lines (Item 10) Clearing for vehicular tracks (Item 12) Clearing for walking tracks (Item 13) Clearing isolated trees (Item 19) <p>This exemption does not apply in an environmentally sensitive area.</p>

Item no.	Wording of exemption	Comment / explanation
<p>Regulation 5, Item 7</p> <p>Clearing for woodwork</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The owner or occupier.</p>	<p>Clearing to provide timber for use by the owner or occupier of the property on which the vegetation is located for non-commercial woodwork (in the nature of furniture-making, wood turning or carving), being clearing which –</p> <p>(a) does not kill any live vegetation and does not prevent regrowth of the vegetation;</p> <p>(b) is carried out to provide timber to the extent to which the timber could not be obtained from vegetation already cleared for another purpose; and</p> <p>(c) does not, together with all other limited clearing on the property in the financial year in which the clearing takes place, exceed five hectares.</p>	<p>This exemption allows the owner or occupier of the land to clear native vegetation for woodwork for domestic use.</p> <p>Under the Wildlife Conservation Act 1950, vegetation cleared under this exemption cannot be sold but may be given away. Advice should be obtained from the Department of Parks and Wildlife (Manager, Species and Communities Branch) on what “sell” means, as it may include such things as raffling or bartering.</p> <p>Timber for woodwork must first be sourced from clearing for another purpose. If no such cleared vegetation exists, it may either be of dead vegetation or if of live trees such that it does not kill the tree or prevent its regrowth. This would allow taking of branches, or of resprouting species such as mallees.</p> <p>This exemption therefore allows a landholder to continue with traditional practices of gathering woodwork from vegetation on the property, while placing some reasonable limits on those practices.</p> <p>“Property” means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles.</p> <p>Under this item you should note that clearing for woodwork, combined with other exempt clearing activities on the property, must not exceed five hectares in a financial year.</p> <p>This means that if you clear for any of the following purposes, the clearing must not add up to more than five hectares in a financial year.</p> <ul style="list-style-type: none"> • Clearing to construct a building (Item 1) • Clearing to collect firewood (Item 5) • Clearing to obtain fencing or farming materials (Item 6) • Clearing for woodwork (Item 7) • Clearing for fence lines (Item 10) • Clearing for vehicular tracks (Item 12) • Clearing for walking tracks (Item 13) • Clearing isolated trees (Item 19) <p>This exemption does not apply in an environmentally sensitive area.</p>

Item no.	Wording of exemption	Comment / explanation
<p>Regulation 5, Item 8</p> <p>Clearing for cultural purposes of an Aboriginal person</p> <p>Clearing must be done by:</p> <p>The Aboriginal person.</p>	<p>Clearing for the cultural or spiritual, but not commercial, purposes of an Aboriginal person on land to which the person has a cultural or spiritual connection and a right of access.</p>	<p>This exemption allows clearing of native vegetation for traditional purposes by an Aboriginal person, provided that the Aboriginal person has a spiritual or cultural connection and has a right to access the land in question.</p> <p>An Aboriginal person's cultural or spiritual connection to particular land is determined in accordance with the body of traditions, observances and customs of the particular community or communities to which the Aboriginal person belongs or with which the person identifies.</p> <p>An "Aboriginal person" means a person who is a descendant of one or more of the Aboriginal peoples of Australia, who claims to be an Aboriginal person and who is accepted as such in the community in which he or she lives.</p> <p>This exemption does not allow for commercial use of the native vegetation.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>
<p>Regulation 5, Item 9</p> <p>Clearing by licensed surveyors</p> <p>Clearing must be done by:</p> <p>The authorised land officer or licensed surveyor.</p>	<p>Clearing by –</p> <p>(a) an authorised land officer or surveyor (as defined in the Standard Survey Marks Act 1924) in the exercise of powers under that Act; or</p> <p>(b) a licensed surveyor (as defined in the Licensed Surveyors Act 1909) in the course of making an authorised survey.</p>	<p>This exemption allows clearing by licensed surveyors and authorised land officers who in the course of their professional duties exercise any power under the Standard Survey Marks Act 1924 or Licensed Surveyors Act 1909. This ensures that licensed surveyors and authorised land officers are able to continue to exercise their powers under these Acts.</p> <p>Standard survey marks are geodetic stations which establish a framework from which other surveying can be done.</p> <p>Authorised surveys relate to the creation of lots.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>

Item no.	Wording of exemption	Comment / explanation
<p>Regulation 5, Item 10</p> <p>Clearing along a fence line - alienated land</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The owner of the property on which the clearing is to take place.</p>	<p>Clearing of alienated land along a fence line of, or within, a property to the width necessary to provide access to construct or maintain a fence, being clearing which does not, together with all other limited clearing carried out on the property in the financial year in which the clearing takes place, exceed five hectares.</p>	<p>This exemption allows an owner to clear a strip of native vegetation on either side of a fence line on private property to provide access for fence maintenance or construction.</p> <p>“Fence” means a structure that is permanently fixed to the ground for controlling movement of persons and/or animals.</p> <p>“Property” means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles.</p> <p>Under this item you should note that clearing along a fence line, combined with other exempt clearing activities on the property, must not exceed five hectares in a financial year.</p> <p>This means that if you clear for any of the following purposes, the clearing must not add up to more than five hectares in a financial year.</p> <ul style="list-style-type: none"> • Clearing to construct a building (Item 1) • Clearing to collect firewood (Item 5) • Clearing to obtain fencing or farming materials (Item 6) • Clearing for woodwork (Item 7) • Clearing for fence lines (Item 10) • Clearing for vehicular tracks (Item 12) • Clearing for walking tracks (Item 13) • Clearing isolated trees (Item 19) <p>This exemption does not apply in an environmentally sensitive area.</p>
<p>Regulation 5, Item 11</p> <p>Clearing along a fence line - Crown land</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The owner of the land on which the clearing is to take place.</p>	<p>Clearing of Crown land along a fence line to provide access to construct or maintain a fence –</p> <ol style="list-style-type: none"> (a) between alienated land and Crown land - if the clearing is no more than 1.5 metres from the fence line; or (b) between Crown land and Crown land - if the clearing is no more than 5 metres from the fence line on one side and no more than 1.5 metres from the fence line on the other side. 	<p>This exemption allows the government agency which has the care, control or management of the land, or a lessee under a lease lawfully granted by the Crown (such as a pastoral lease), to clear to provide access for fence maintenance or construction:</p> <ol style="list-style-type: none"> (a) between alienated land and Crown land, a strip of native vegetation up to 1.5 metres wide on the Crown land along the fence line (this item does not deal with clearing for a fence line on alienated land – see Item 10); or (b) between Crown land and Crown land a strip of native vegetation up to 5 metres on one side and 1.5 metres on the other side. <p>“Fence” means a structure that is permanently fixed to the ground for controlling movement of persons and/or animals.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>

Item no.	Wording of exemption	Comment / explanation
<p>Regulation 5, Item 12 Clearing for vehicular tracks Clearing must be done by or with the prior authority of: The owner of the property on which the clearing is to take place.</p>	<p>Clearing to construct a vehicular track on a property, being clearing which does not, together with all other limited clearing carried out on the property in the financial year in which the clearing takes place, exceed five hectares, if –</p> <p>(a) the clearing for the track is no wider than necessary;</p> <p>(b) there is at least 100 metres between that track and any other cleared land that can be used for the purpose for which the particular track is intended;</p> <p>(c) the vegetation is not in a road reserve; and</p> <p>(d) the vegetation is not riparian vegetation (unless there is no reasonable alternative route and the track is necessary for the commercial activities carried out on the property).</p>	<p>This exemption allows for clearing of a strip of native vegetation to the extent necessary for an access track. For example, this may be for general access to a property or to farm infrastructure such as a hay shed.</p> <p>There must be at least 100 metres between the track and any other cleared land that can be used for the purpose intended for that track. This may include other cleared areas.</p> <p>Construction of vehicle tracks within riparian vegetation is generally not allowed, but where there is no reasonable alternative route, and the track is necessary for the commercial activities of the property, it may pass through riparian vegetation.</p> <p>“Riparian vegetation” means the distinctive vegetation associated with a wetland or watercourse.</p> <p>“Property” means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles.</p> <p>Under this item you should note that clearing for a vehicle track, combined with other exempt clearing activities on the property, must not exceed five hectares in a financial year.</p> <p>This means that if you clear for any of the following purposes, the clearing must not add up to more than five hectares in a financial year.</p> <ul style="list-style-type: none"> • Clearing to construct a building (Item 1) • Clearing to collect firewood (Item 5) • Clearing to obtain fencing or farming materials (Item 6) • Clearing for woodwork (Item 7) • Clearing for fence lines (Item 10) • Clearing for vehicular tracks (Item 12) • Clearing for walking tracks (Item 13) • Clearing isolated trees (Item 19) <p>This exemption does not apply in an environmentally sensitive area.</p>

Item no.	Wording of exemption	Comment / explanation
<p>Regulation 5, Item 13</p> <p>Clearing for walking tracks</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The owner of the property on which the clearing is to take place.</p>	<p>Clearing to construct a walking track on a property, being clearing which does not, together with all other limited clearing carried out on the property in the financial year in which the clearing takes place, exceed five hectares, if –</p> <p>(a) the clearing for the track is no wider than necessary;</p> <p>(b) the track is used by pedestrians or there is a reasonable expectation that it will be used by pedestrians.</p>	<p>This exemption allows clearing for the installation of walking tracks for use by pedestrians.</p> <p>“Property” means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles.</p> <p>Under this item you should note that clearing for a walking track, combined with other exempt clearing activities on the property, must not exceed five hectares in a financial year.</p> <p>This means that if you clear for any of the following purposes, the clearing must not add up to more than five hectares in a financial year.</p> <ul style="list-style-type: none"> • Clearing to construct a building (Item 1) • Clearing to collect firewood (Item 5) • Clearing to obtain fencing or farming materials (Item 6) • Clearing for woodwork (Item 7) • Clearing for fence lines (Item 10) • Clearing for vehicular tracks (Item 12) • Clearing for walking tracks (Item 13) • Clearing isolated trees (Item 19) <p>This exemption does not apply in an environmentally sensitive area.</p>
<p>Regulation 5, Item 14</p> <p>Clearing to maintain existing cleared areas for pasture, cultivation or forestry</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The owner or occupier of the land on which the clearing is to take place.</p>	<p>Clearing of land that was lawfully cleared within the 20 years prior to the clearing if –</p> <p>(a) the land has been used as pasture or for cultivation or forestry within those 20 years; and</p> <p>(b) the clearing is only to the extent necessary to enable the land to be used to the maximum extent to which it was used in those 20 years.</p>	<p>This exemption is largely about allowing clearing of native vegetation that has regrown on land that has been used for cultivation, pasture or forestry over the previous 20 years. For the exemption to apply, the following requirements must all be met:</p> <ol style="list-style-type: none"> 1. The land must have been lawfully cleared within the 20 years prior to clearing. 2. The land must have been used as pasture or for cultivation or forestry within those 20 years. 3. The clearing is only to the extent necessary to enable the land to be used to the maximum extent to which it was used in those 20 years. It does not allow for a greater area of clearing, or for more intensive clearing. <p>This exemption does not apply in an environmentally sensitive area.</p>

Item no.	Wording of exemption	Comment / explanation
<p>Regulation 5, Item 15</p> <p>Clearing to maintain existing cleared areas around infrastructure etc.</p> <p>Clearing must be done by or with the authority of:</p> <p>The owner or occupier of the land on which the clearing is to take place.</p>	<p>Clearing of land that was lawfully cleared within the 10 years prior to the clearing, for one of the following purposes –</p> <ul style="list-style-type: none"> (a) around a building or structure for the use of the building or structure; (b) for a fire risk reduction area for a building; (c) to maintain an area along a fence line to provide access to construct or maintain the fence; or (d) to maintain a vehicular or walking track, <p>to the extent of the prior clearing.</p> <p>Clearing of land that was previously lawfully cleared for one of the following purposes if the clearing does not exceed the extent specified for the purpose –</p> <ul style="list-style-type: none"> (a) around a building or structure for the use of the building or structure – 20 metres from the building or structure; (b) for a fire risk reduction area for a building – 20 metres from the building; (c) to maintain an area along a fence line to provide access to construct or maintain the fence – 5 metres from the fence line; (d) to maintain a vehicular or walking track – 5 metres wide. 	<p>This exemption allows for clearing for maintenance of areas previously cleared for buildings or structures, for fence lines, for fire risk reduction or for vehicular or walking tracks within 10 years to the maximum extent of the previous clearing.</p> <p>The second clause provides for situations where clearing for the above purposes may have taken place more than 10 years previously, or where it is unclear how much vegetation was cleared previously. This clause allows clearing up to the amount specified for each activity.</p> <p>“Building” means a roofed building or other roofed structure that is permanently fixed to the ground, and includes a transportable building that is:</p> <ul style="list-style-type: none"> (a) connected to a sewerage system or septic tank; or (b) intended to be used as a permanent building. <p>“Fence” means a structure that is permanently fixed to the ground for controlling movement of persons and/or animals.</p> <p>“Fire risk reduction area”, in relation to a building, means a low fuel area (building protection zone) designed to minimise the likelihood of flames contacting the building.</p> <p><i>Note: this exemption only applies if the original clearing was lawful – in other words it will not authorise the maintenance of areas that were cleared unlawfully.</i></p> <p>This exemption does not apply in an environmentally sensitive area.</p>

Item no.	Wording of exemption	Comment / explanation
<p>Regulation 5, Item 16</p> <p>Clearing under the Rights in Water and Irrigation Act 1914</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The person to whom the permit is granted or other approval is given.</p>	<p>Clearing that is the result of carrying out works under a permit or other approval under, or referred to in, section 11, 16, 17 or 21A of the Rights in Water and Irrigation Act 1914.</p>	<p>A clearing permit is not required where approvals have been granted under the Rights in Water and Irrigation Act 1914 to carry out works to take water or to interfere with the bed and banks of a watercourse and clearing is conducted in accordance with the approval.</p> <p>This item does not exempt clearing relating to a section 5C licence to take surface water or groundwater.</p> <p>Impacts on native vegetation as a result of these approvals are considered as part of the permit application under the Rights in Water and Irrigation Act 1914.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>
<p>Regulation 5, Item 17</p>		<p>This exemption has now expired.</p>
<p>Regulation 5, Item 18</p> <p>Clearing under the Swan River Trust Act 1988</p> <p>Clearing must be done by or with the prior authority of:</p> <p>In the case of paragraph (a), the person to whom the approval is granted, in the case of paragraph (b), a person.</p>	<p>Clearing –</p> <p>(a) in accordance with an approval under Part 5 of the Swan River Trust Act 1988; or</p> <p>(b) as described in regulation 6(2) of the Swan River Trust Regulations 1989.</p>	<p>This exemption applies to:</p> <ul style="list-style-type: none"> • the person to whom the approval is granted under Part 5 of the Swan River Trust Act 1988; or • the person carrying out the clearing described in regulation 6(2) of the Swan River Trust Regulations 1989. <p>This exemption ensures that multiple approvals are not required from the Department of Environment Regulation in respect to approvals issued under the Swan River Trust Act 1988.</p> <p>Impacts on native vegetation are considered as part of the application assessment under the Swan River Trust Act 1988.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>

Item no.	Wording of exemption	Comment / explanation
<p>Regulation 5, Item 19</p> <p>Clearing of isolated trees</p> <p>Clearing must be done with the prior authority of:</p> <p>The owner of the property on which the tree is located.</p>	<p>Clearing of a tree on a property that is in an otherwise cleared area on the property and is more than 50 metres from any other native vegetation, being vegetation which does not, together with all other limited clearing carried out on the property in the financial year in which the clearing takes place, exceed five hectares.</p>	<p>This exemption allows for the removal of single trees that are more than 50 metres from any other native vegetation.</p> <p>“Property” means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles.</p> <p>Under this item you should note that clearing an isolated tree, combined with other exempt clearing activities on the property, must not exceed five hectares in a financial year. The area of a tree is calculated by the using the drip line of the tree. For the purposes of this exemption, this is taken to include all trees that are more than 50 metres away from any other native vegetation.</p> <p>This means that if you clear for any of the following purposes, the clearing must not add up to more than five hectares in a financial year.</p> <ul style="list-style-type: none"> • Clearing to construct a building (Item 1) • Clearing to collect firewood (Item 5) • Clearing to obtain fencing or farming materials (Item 6) • Clearing for woodwork (Item 7) • Clearing for fence lines (Item 10) • Clearing for vehicular tracks (Item 12) • Clearing for walking tracks (Item 13) • Clearing isolated trees (Item 19) <p>This exemption does not apply in an environmentally sensitive area.</p>
<p>Regulation 5, Item 20</p> <p>Clearing resulting from low impact or other mineral or petroleum activities</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The person granted the authority to carry out the activity.</p>	<p>Clearing that is, or is the result of carrying out, a low impact or other mineral or petroleum activity described in Schedule 1 if the activity is carried out –</p> <ol style="list-style-type: none"> (a) in accordance with Schedule 1; and (b) in an area of the State other than a non-permitted area specified in Schedule 1. 	<p>This exemption allows clearing for low impact or other mineral or petroleum activities provided they occur outside of those non-permitted areas specified in Schedule 1 of the Regulations.</p> <p>Clearing activities that have been identified as “low impact” are those that have a minimal or low impact on native vegetation and may be regulated under processes administered by the Department of Mines and Petroleum. Examples include some clearing for temporary tracks, groundwater drilling, clearing for camp sites, anchoring vessels and removing marine growth from certain structures. See Schedule 1 to determine whether or not this exemption applies to you.</p> <p>There is a requirement that all cleared areas are progressively rehabilitated.</p> <p>An exemption for other mineral or petroleum activities is defined in clause 2(2) of Schedule 1 and allows clearing of up to 10 hectares per financial year for clearing authorised under the Mining Act 1978 and the various Petroleum Acts in an authority area.</p> <p>The term “authority area” is defined in Schedule 1.</p> <p>Non-permitted areas for the purpose of this exemption are also defined in Schedule 1; DER’s map viewer http://www.der.wa.gov.au/nvp assists in locating these areas.</p> <p>These exemptions do not apply in an environmentally sensitive area.</p>

Item no.	Wording of exemption	Comment / explanation
<p>Regulation 5, Item 21</p> <p>Clearing for a temporary bypass road</p> <p>Clearing must be done by or with the authority of:</p> <p>The Commissioner of Main Roads, the Public Transport Authority, the local government, the person or the entity responsible for the stretch of road.</p>	<p>Clearing that is the result of the construction of a temporary vehicular track that is necessary to bypass a stretch of road (whether public or private) that is impassable due to unforeseen damage to part of that stretch of road.</p>	<p>This exemption allows for the creation of temporary emergency diversion access tracks following damage of a road by events such as flooding.</p> <p>This exemption is available only to road managers.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>
<p>Regulation 5, Item 21A</p> <p>Clearing for a crossover</p> <p>Clearing must be done by or with the authority of:</p> <p>The person with the authority to construct the crossover.</p>	<p>Clearing that is the result of constructing a crossover from a road to a property adjacent to the road, and any associated sight line areas, if the construction is within the scope of the authority to construct the crossover.</p>	<p>This exemption allows for the creation of a crossover between a road and a property, to enable access to that property through the road reserve.</p> <p>“Property” means an area of land that is managed as a single property whether or not it is made up of a number of properties held under separate titles.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>

Item no.	Wording of exemption	Comment / explanation
<p>Regulation 5, Item 22 Clearing in existing transport corridors Clearing must be done by or with the prior authority of: The Commissioner of Main Roads, the Public Transport Authority, the local government, the person or the entity responsible for the stretch of road or railway.</p>	<p>Clearing in relation to a stretch of road or railway if the clearing is –</p> <p>(a) in an area or for a purpose specified in Schedule 2;</p> <p>(b) to the extent specified for that area or purpose in Schedule 2; and</p> <p>(c) in accordance with Schedule 2.</p>	<p>This exemption allows for maintenance of road and railway verges in accordance with Schedule 2 of the regulations.</p> <p>Schedule 2 defines:</p> <ul style="list-style-type: none"> • the area or purpose for which clearing may be allowed; • the extent of the clearing that is permissible and; • how the clearing is to be carried out. <p>While this exemption does not apply in an environmentally sensitive area, an area that would otherwise be an environmentally sensitive area is not an environmentally sensitive area to the extent it is in a maintenance area of a road or railway. A maintenance area is an area that has been lawfully cleared.</p> <p>You should note that the taking of flora declared as rare under the Wildlife Conservation Act 1950 still requires consent, even if the flora are not within an environmentally sensitive area.</p> <p>For an official version of Schedule 2, please refer to the Environmental Protection (Clearing of Native Vegetation) Regulations 2004.</p>
<p>Regulation 5, Item 23</p>		<p>This exemption was transitional and has now expired.</p>
<p>Regulation 5, Item 24 Clearing under a Petroleum Act Clearing must be done by or with the prior authority of: A person covered by the authority to carry out the exploration.</p>	<p>Clearing that is the result of carrying out exploration under an authority under the Petroleum and Geothermal Energy Resources Act 1967, the Petroleum Pipelines Act 1969, or the Petroleum (Submerged Lands) Act 1982.</p>	<p>This exemption allows clearing for exploration approved under various Petroleum Acts. This exemption does not apply in an environmentally sensitive area.</p>

Item no.	Wording of exemption	Comment / explanation
<p>Regulation 5, Item 25 Clearing under the Mining Act 1978</p> <p>Clearing must be done by or with the prior authority of:</p> <p>The person granted the authority to carry out the prospecting or exploration.</p>	<p>Clearing that is the result of carrying out prospecting or exploration under an authority granted under the Mining Act 1978.</p>	<p>This exemption allows clearing for prospecting or exploration activities approved under the Mining Act 1978.</p> <p>Pre-1899 minerals to owner Crown grants refer to freehold areas of land principally in the south-west of the state. The Mining Act 1978 does not apply to this land and therefore this exemption will not apply. One example of this land is Hampton Locations.</p> <p>This exemption does not apply in an environmentally sensitive area.</p>
<p>Regulation 5, Item 26</p>		<p>This exemption was transitional and has now expired.</p>

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WHEN COLLECTING FIREWOOD FROM PARKS AND WILDLIFE DESIGNATED AREAS

1. **HAVE** your official firewood collection permit with you. The permit (receipt/tax invoice) will be issued for THE DAY of collection.
2. **ALL** vehicles, trailers, and equipment **MUST** be clean, free from all soil and plant matter, prior to entering the area.
3. **NO FELLING** is allowed, whether the tree is dead or alive.
4. **ONLY FALLEN MALLET** can be collected for firewood. Mallet is a medium to high density wood that is easy to split and burns freely. A medium amount of ash is produced.
5. **DO NOT** cut or remove hollow Wandoo logs on the ground. Wandoo is an essential part of the Woodland ecosystem that provides habitat for many native fauna, including our state fauna emblem the numbat which has a prominent population in Dryandra Woodland.
6. **REMOVE** all the available wood >50mm in diameter from fallen trees. **The timber should be cut into lengths no greater than 500mm.** All dry timber produces approximately the same quantity of heat per tonne.
7. **STAY** on existing roads and tracks, and ensure your vehicle is capable of safely travelling along gravel roads.
8. **TAKE** a wheelbarrow for easy access and carting of firewood.



COLLECTING FIREWOOD IN THE WHEATBELT REGION

The DBCA Parks and Wildlife Service has set aside fee payable areas for the public collection of firewood. It is **ILLEGAL** to collect wood from Nature Reserves, State Forests, and National Parks.

The wood collected from demarcated public firewood collection areas is for private use **ONLY**. **PENALTIES APPLY for the RE-SALE, BARTER, RAFFLES, or EXCHANGE** of firewood collected from department managed lands.

From the 1st of June to the 30th of September an individual is ONLY allowed to purchase one permit (up to one tonne) every 60 days.

REMEMBER

A single permit allows you to collect up to one (1) tonne of firewood from the designated firewood collection areas per visit. Approximately one tonne of firewood is equal to one standard trailer/ute tray load.



Photo: example of up to one (1) tonne of firewood in a standard 6x4 trailer.

For further information contact the Department of Biodiversity, Conservation and Attractions (DBCA) – Parks and Wildlife Service on (08) 9881 9200 or by visiting the Narrogin Office at 9 Wald Street during business hours (Monday to Friday, 0800 – 1630)

WHEN ENTERING DEPARTMENT MANAGED LANDS

- Firewood **CANNOT** be collected on days the fire hazard forecast is VERY HIGH, SEVERE, EXTREME or CATASTROPHIC or there is a total fire or movement ban in place. Please check with the local shires for updated on fire & movement bans. Dryandra Woodland is located within the shires of Williams, Cuballing, and Narrogin.
- **NO DOGS** are permitted be taken into department managed lands. 1080 meat baits are laid in these areas and are fatal to any introduced species including domestic dogs & cats.
- It is recommended for personal safety that you **do not** collect firewood on your own.
- Care should always be taken when entering and exiting department managed lands. The department will not be responsible for the recovery of vehicles, nor the loss or damage to equipment.
- **NO FIRES** are permitted to be lit.
- Take your rubbish home with you.
- Wildflowers are for all to enjoy, picking them is **ILLEGAL**.

Alternatives to collecting your own firewood can be sought by contacting:

BALLARDS OF NARROGIN | (08) 9881 6000
175 Federal Street, NARROGIN

BELVEDERE NURSERY | (08) 9881 3827
1 Cooramining Road, NARROGIN

RO & CA GOLDSMITH | (08) 9861 1529 or 0427 611 529
Piesseville-Jaloran Road, WAGIN

HARWOOD CONTRACTING SERVICES | 0412 722 219
CUBALLING

If you have a concern about a supply of commercial firewood please contact the Forest Products Commission on (08) 9363 4600 or email info@fpc.wa.gov.au



APPLICATION FOR CROWN LAND SUPPLIER'S LICENCE
(Pursuant to Regulation 64 of the Biodiversity Conservation Regulations 2018)

NOTE TO ALL APPLICANTS:

- Please complete ALL sections. Further information may be obtained from the Wildlife Licensing Section, 9219 9836 or wildlifelicensing@dbca.wa.gov.au.

Application should be mailed to: Wildlife Licensing Section
Department of Biodiversity, Conservation and Attractions (DBCA)
Locked Bag 30, Bentley Delivery Centre, WA 6983.

Email to wildlifelicensing@dbca.wa.gov.au, faxed to (08) 9219 8242

Complete 1A OR 1B

1A. Applicant details - INDIVIDUAL

Form for individual applicant details including fields for name, address, contact info, and proof of identification.

1B. Applicant details - COMPANY / BODY CORPORATE

Form for company applicant details including fields for company name, business address, contact info, and proof of identification.

Refer 'Responsibility of certain persons,' Biodiversity Conservation Act 2016 Part 13 Div 2 for liability information

2. Prior Convictions

Form for prior convictions with a Yes/No question and a field for details.

3. Proposed activities				
<input type="checkbox"/>	Storage of flora for supply purposes	<input type="checkbox"/>	Flora taken under previous DBCA licence, to take and supply	Licence No./s
		<input type="checkbox"/>	Flora taken lawfully (clearing permit, exemption) for supply	Attach evidence of lawful take to this application (eg. approved building envelope if exemption Reg 5, Item 1, etc)
6. Other information				
<i>Please attach any other documentation or comments relevant to your application eg. Proof of salvage/clearing permit documents etc</i>				
7. Duration of licence and fees (tick one)				
<i>Payment details on last page</i>				
Renewal application fee	<input type="checkbox"/>	1 year	\$60	
	<input type="checkbox"/>	3 years	\$120	
New application fee	<input type="checkbox"/>	1 year	\$60	
	<input type="checkbox"/>	3 years	\$120	
10. Use and disclosure of information				
Information that you provide will be used and disclosed in accordance with sections 274 and 275 of the <i>Biodiversity Conservation Act 2016</i> (WA). This may include use for licence monitoring and compliance, to inform you of any licence or legislative requirements or changes, to seek your feedback on wildlife related licensing and legislation, and disclosure to other State and Commonwealth agencies for administration or enforcement purposes. You also consent to the release of information concerning the grant of the licence, and of any conditions of the licence, in response to inquiries made to the Department.				
11. Declaration by applicant				
<input type="checkbox"/>	Yes	I understand that there are penalties for making false or misleading statements in or in connection with a licence application and that making false or misleading statements may lead to the cancellation of my licence and may affect my ability to hold licences in the future. All details provided by me to DBCA in relation to this application are true and correct, and I consent to the use and disclosure of information for the purposes described in the 'Use and disclosure of information' section above.		
Signed:		Date:	____/____/____	

PAYMENT METHODS

<input type="checkbox"/> CASH (enclosed)		
<input type="checkbox"/> CHEQUE / <input type="checkbox"/> MONEY ORDER (enclosed, or posted by mail)	Payable to Department of Biodiversity, Conservation and Attractions ("DBCA") to be attached to completed application form.	
<input type="checkbox"/> EFT TRANSFER	Acct Name: DBCA BSB: 066-040 Acct No.: 11300006	Ref: "64 Surname, Initial" (max 18 characters)
<input type="checkbox"/> CREDIT CARD (details below)		

***Any details below will be detached and destroyed once payment is processed. Please print clearly**

VISA / MASTERCARD (Please circle)

Name of Cardholder: _____ Signature: _____ Amount: \$ _____

Card No: _____ Expiry Date: ____/____

Policy Name:	9.4 Light Vehicle Fleet Replacement
Department:	Works and Services
Date Adopted:	15 th October 2020
Last Reviewed:	

Preamble Policy in respect to the changeover/replacement of Council’s light vehicle fleet.

Objective The overall objective of this Policy is to ensure that Council maintains a suitable light vehicle fleet that contributes positively and effectively to the performance of the Shire of Bruce Rock.

The Policy gives staff and Council guidance when planning, reviewing and undertaking the replacement/changeover and purchase of Council’s light vehicle fleet, and to assist in maintaining Council plant replacement program and annual budget.

Policy The following guidelines are to be followed when making a determination on the changeover of a light fleet vehicle.

Overarching Guidance

Light vehicle fleet cycle costs vary regularly due to a variety of factors including fuel costs, vehicle usage, and market demands and trends. The Shire will review these costs and replacement periods on a regular basis to ensure the most cost effective outcome at all times as part of the development of annual budgets, plant replacement plans and long term financial plans.

Regular advice will be sought from vehicle dealers on the optimum changeover period and vehicle to minimise the whole of life costs to the Shire. This information will provide the basis of decision-making as to when the optimum replacement/changeover of light fleet vehicles is deemed appropriate as market trends vary.

Process

All vehicle replacements/changeovers being purchased will be listed in the adopted annual budget and undertaken in accordance with Council’s Policy 7.2 Purchasing.

Vehicle Selection Criteria

The following criteria is a guide to assist in the selection of light vehicle fleet:

- Fit for purpose
- Service Support and Warranty Periods
- Economic Benefit
- Safety
- Environmental Components
- Public Image

Preferred Replacement Guide

Below is a guideline for the purpose of light fleet replacement to assist in ensuring that vehicles:

- a) Meet safe operational needs
- b) Minimise the cost of maintenance and repairs
- c) Are replaced at appropriate intervals to minimise cost to the Shire.

Category	Description	Preferred Replacement Period
Light Vehicle - Admin	Chief Executive Officer <i>SUV Large Diesel</i>	40,000km – 60,000km or 1 year <i>(unless cost effective arrangements for more regular changeovers, being a minimum of every 15,000kms can be obtained depending on the market)</i>
	Deputy CEO and EHO <i>Small to Medium SUV Diesel</i>	60,000km – 80,000km or 2 years <i>(unless cost effective arrangements for more regular changeovers, being a minimum of every 15,000kms can be obtained depending on the market)</i>
	Doctor <i>Large Sedan or small SUV Diesel</i>	60,000km – 80,000km or 2 years
Light Vehicle - Depot	Manager of Works & Services 4 x 4 Diesel Dual cab or small/medium SUV	
	Roads Supervisor, Construction Supervisor <i>Dual cab 4 x 2 Diesel</i>	60,000km – 80,000km or 2 years
	Workshop Manager, Operational staff <i>Single cab / space cab tray back utilities Diesel</i>	120,000km or 3 years

Head of Power

Local Government Act 1995 and Local Government (Functions & General) Regulations 1996