



Agenda

Ordinary Meeting of Council

To be held in Council Chambers
54 Johnson Street, Bruce Rock
Thursday 16 May 2024
Commencing 3.00pm



Notice of Ordinary Meeting of Council

Dear President and Councillors,

The next Ordinary Meeting of Council will be held on **Thursday, 16 May 2024 at 3.00pm** in Council Chambers, at 54 Johnson Street, Bruce Rock.

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

Darren Mollenoyux
CHIEF EXECUTIVE OFFICER

DISCLAIMER

PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING:

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

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

Our Mission

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

Our Values

Respect, Inclusiveness, Fairness and Equality & Communication

SHIRE OF BRUCE ROCK

AGENDA – ORDINARY MEETING 16 May 2024

TABLE OF CONTENTS

TABLE OF CONTENTS	3
1. Declaration of Opening	4
2. Record of Attendance/Apologies/Leave of Absence (Previously Approved)	4
3. Declarations of Interest	4
4. Response to Previous Public Questions Taken on Notice	4
5. Public Question Time	4
6. Petitions/Deputations/Presentations/Submissions	4
7. Applications for Leave of Absence	4
8. Announcements by Presiding Member	4
9. Confirmation of Minutes	4
10. Officers' Reports	5
10.1 Manager of Works and Services	5
10.2 Manager of Finance	6
10.2.1 Statement of Financial Activity	6
10.2.2 List of Payments	8
10.2.3 Fuel Cards and Credit Card Transactions	10
10.3 Manager of Regulatory Services	12
10.3.1 Proposed Amendment of Local Planning Policy 5.2 Outbuildings, Shipping Containers and Lean-Tos	12
10.4 Manager of Governance and Community Services	15
10.4.1 Working from Home Policy and Procedures	15
10.4.2 Outside Staff Uniform Policy	17
10.4.3 Appointment of Dual Fire Control Officers	19
10.4.4 Review of Fire Behaviour Index for Harvest Bans	21
10.5 Chief Executive Officer	24
10.5.1 Works and Services Committee	24
11. Regional Reports	26
11.1 WALGA Zone Minutes May 2024	26
12. New Business of an Urgent Nature Introduced by Discussion of the Meeting	28
13. Confidential Items	29
13.1 Appointment of Acting Chief Executive Officer	29
13.2 Appointment of Senior Employee – Manager of Works and Services	30
14. Closure of Meeting	31

SHIRE OF BRUCE ROCK

AGENDA – ORDINARY MEETING 16 May 2024

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

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

Date	Name	Item No	Reason

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

Date	Name	Item No	Reason

In accordance with sections 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

Local Emergency Management Committee Meeting held on Wednesday, 20 March 2024.

Ordinary Meeting of Council held on Thursday, 18 April 2024.

Special Council Meeting held on Tuesday, 7 of May 2024.

10. Officers' Reports

10.1 Manager of Works and Services

Nil

10.2 Manager of Finance

Agenda Reference and Subject:	10.2.1 Statement of Financial Activity
Reporting Officer:	Manisha Barthakur, Manager of Finance
Author:	Manisha Barthakur, Manager of Finance
Disclosure of Interest:	
Attachments:	<i>Item 10.2.1 Attachment A – Monthly Financial Statements – April 2024 (to be sent under separate cover)</i>

Summary

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

Background

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

Comment

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

Consultation

Mr Darren Mollenoyux, Chief Executive Officer
Ms Nerea Ugarte, Manager of Governance and Community Services
Mr Brock Williams, Works Supervisor
Mr Julian Goldacre, Manager of Regulatory Services
Mr Mike Darby, Senior Finance Officer and other staff

Statutory Implications

Local Government (Financial Management) Regulations 1996, regulation 34

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

(1) A local government is to prepare each month a statement of financial activity reporting on the revenue and expenditure, as set out in the annual budget under regulation 22(1)(d), for that month in the following detail —

- (a) annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c); and*
- (b) budget estimates to the end of the month to which the statement relates; and*
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates; and*
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and*
- (e) the net current assets at the end of the month to which the statement relates.*

(4) A statement of financial activity, and the accompanying documents referred to in sub regulation (2), are to be —

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and*
- (b) recorded in the minutes of the meeting at which it is presented.*

Policy Implications

Nil

Risk Implications

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

Financial Implications

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

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Governance

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

Voting Requirements

Simple Majority

Officer Recommendation

That the Statement of Financial Activity for the month ending 30 April 2024 are received.

Agenda Reference and Subject:

10.2.2 List of Payments

Reporting Officer:

Manisha Barthakur, Manager of Finance

Author:

Cinil Thomas, Finance Officer

Disclosure of Interest:

Attachments:

Item 10.2.2 Attachment A – List of Payments April 2024

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.

Comment

Following is a list of payments made from Council's Municipal and Trust Accounts for the month of April 2024.

If Councillors 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

Local Government Act 1995, section 6.10

Local Government (Financial Management) Regulations 1996, regulation 13(1)

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 the 2023-24 Budget.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Governance

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

Voting Requirements

Simple Majority

Officer Recommendation

That Council endorse the list of payments from the Municipal Account, consisting of:

- a. EFT voucher numbers EFT22976 to EFT23030, totalling \$334,486.82;**
 - b. cheque numbers 154 to 157, totalling \$23,204.57;**
 - c. Trust EFT Payments, totalling \$0;**
 - d. wages and superannuation payments, totalling \$164,903.98; and**
 - e. credit card payments, totalling \$1471.87, noting that the credit card payment is reported separately, but is a part of the EFT payment,**
- with payments totalling \$551,237.22 for the month of April 2024.**

Agenda Reference and Subject:

10.2.3 Fuel Cards and Credit Card Transactions

Reporting Officer:

Manisha Barthakur, Manager of Finance

Author:

Cinil Thomas, Finance Officer

Disclosure of Interest:

Attachments:

Item 10.2.3 Attachment A – List of Credit Card & Fuel Card transactions April 2024

Summary

List of transactions through corporate cards are reported to the Council.

Background

Consistent with the Local Government Regulations Amendment Regulations 2023, from 1 September 2023, Local Governments are required to prepare a list of corporate and credit card payments made by employees each month. The list must be presented to Council at the next ordinary meeting and recorded in the minutes.

Comment

Following is a list of all transactions for all corporate cards the Shire holds.

If Councillors have any queries regarding the transactions, please advise prior to the meeting to enable staff to seek relevant information.

Consultation

Nil

Statutory Implications

Local Government Act 1995, section 6.10

Local Government (Financial Management) Regulations 1996, regulation 13(1)

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 corporate card transactions provide an open and transparent record of payments made under the appropriate approved delegations through the cards.		

Financial Implications

Payments must be made in accordance with the 2023-24 Budget.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Governance

4.3 Our organisation is well positioned and has capacity for the future.

Voting Requirements

Simple Majority

Officer Recommendation

That Council endorse the list of transactions through the:

- a. Bendigo Bank Corporate Credit Card; and**
- b. Great Southern Fuel Card.**

10.3 Manager of Regulatory Services

Agenda Reference and Subject:

10.3.1 Proposed Amendment of Local Planning Policy 5.2
Outbuildings, Shipping Containers and Lean-Tos.

Reporting Officer:

Julian Goldacre, Manager of Regulatory Services

Author:

Julian Goldacre, Manager of Regulatory Services

Disclosure of Interest**Attachments**

*Item 10.3.1 Attachment A - Shire of Bruce Rock AMENDED
Outbuildings Shipping Containers Lean-Tos Policy.*

Summary

Council to consider the proposed amended Policy 5.2 Outbuildings, Shipping Containers and Lean-Tos (Policy) and endorse for advertising. This amended Policy:

- provides clarity on certain matters;
- will reduces administrative burden and costs associated with the assessment and determination of minor and rural development; and
- ensure development outcomes provide for a high standard of built form and visual appearance.

Background

Council adopted the Policy by Resolution OCM June 22 – 10.3.1 (June 2022). Over the last 12, months a working review of the Policy revealed matters requiring greater detailed descriptions regarding outbuildings in Rural zoned locations, especially where broadacre farming occurs. Recently, a case of an outbuilding on a Rural Lot coming to the attention of the Building Commission highlighted this, especially the distinction, best captured at the planning stage, for building type classification.

The updated Policy addresses these matters, providing more clarity. It will also better assist the public and the Shire of Bruce Rock to best manage Outbuildings, predominantly concerning Rural zoned lots, where broadacre farming occurs.

Comment

After internal review and consultation with the Department of Planning and pending Council approval, the amended Policy, as presented in Attachment A, is now at the point to be advertised for the requisite 21 days. The matters the amended Policy deals with are outbuildings, lean tos and sea containers. The amended Policy is aligned with recent regulatory changes, and the recently amended State Planning Policy 7.3: Residential Design Codes - Volume 1 (the R-Codes), where residential land use lots are involved.

The amended Policy provides clearer formatting, inspecting against recent regulatory changes, with clarifying and providing more detail for rural broadacre farming developments. Also, the purpose remains to reduce the administrative burden, and costs associated with the assessment and determination of minor residential development, and specific rural development. To assist Council in reviewing the amended Policy, Attachment A has been highlighted to display the predominant changes and insertions undertaken and are abridged as follows:

Page 1 – Places ‘broadacre farming activities’ into the objectives given this is a key component of the Policy as amended. To link a partly enclosed outbuilding into the greater definition of ‘Outbuilding.’

Pages 2 and 3 – On advice from the Department of Planning, the former Lot sizes are now compiled into two Lot sizes of less than 4,000m² (clause 1), and 4,000m² and higher (clause 2) to provide a simplified division.

Page 3 – The Lots zoned Rural have been split apart into their own clauses 3 and 4 for the purpose to simplify the distinction between the two Rural zones within and outside the gazetted townsite boundaries of the Bruce Rock district.

Page 4 - On advice from the Department of Planning, clause 5 shipping containers required a detailed explanation, and this is now provided. Also, an amendment to the table is that Rural Lots outside of the gazetted townsite boundaries have no limit on shipping containers, although must follow listed subclauses. This prevents possible 'use' beyond broadacre farming activities.

Page 5 – Minor amendments to clause 5 wording to clarify statutory instrument of the Building Act 2011, also to allow the Shire Delegate flexible administration on a case by case basis, as required for temporary development, as well as a minor word change.

Page 5 – In consultation with the Department of Planning, clause 8 has been detailed with matters to inform applicants reading building permits and exemptions as well as the National Construction Code of Australia regarding the building Class 10A. This insertion is important, given the need to clarify the building class of an Outbuildings and Lean-Tos outside the gazetted townsite boundaries. For this purpose, it is reasonable and practicable that Outbuildings and lean Tos for the purpose of parking of large farm machinery and associated items used for Rural zoned Lot broadacre farming activity is a Class 10A building structure.

The amended Policy must be advertised for a minimum of 21 days for public comment. At the conclusion of the advertising period, the amended Policy will be presented back to Council. If submissions received require a substantial change to the revised Policy, it will need to be re-advertised. Alternatively, should no submissions be received, or be minor in nature, then further advertising is not required. At the conclusion of the advertising period process, Council can consider adoption of the amended Policy.

Consultation

Mr Paul Sewell, Principal Planning Officer, Land Use Planning, Department of Planning, Lands and Heritage
Mr Matthew Burnett, Senior Planner, Land Use Planning, Department of Planning, Lands and Heritage.

Statutory Implications

Shire of Bruce Rock Local Planning Scheme No.

Planning and Development Act 2005

Planning and Development (Local Planning Schemes) Regulations 2015

Policy Implications

To amend the Local Planning Policy 5.2 Outbuildings, Shipping Containers and Lean-Tos.

Risk Implications

Risk: None perceived, given this is a statutory instrument to assist in determining certain developments as not, or are requiring submission to Council.

Likelihood	Consequence	Rating
Unlikely	Insignificant	Low

Action / Strategy

This item has been evaluated against the Shire of Bruce Rock’s Risk Management Framework. The perceived level of risk is considered to be “Low”, can be managed by routine procedure, and is unlikely to need specific application of resources.

Financial Implications

The loss of income from residential development, which is typically below \$50,000, so the application fee for development approval is \$147, although in most cases this falls short of staff time expenditure, especially if site inspections and liaison with the applicant are required.

Furthermore, a loss of income for the large rural sheds, where the development fee is a percentage of the total building works costs and this would be a significant fee, for example a large shed of \$180,000 in value would be a development application fee of \$576. The current planning administration fee for assessment by the Shire Delegates is \$37, subject to change in the 2024-25 budget.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

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

Voting Requirements

Simple majority

Officer Recommendation

That Council endorses the presented amended Policy 5.2 Outbuildings, Shipping Containers and Lean-Tos for public advertising for a period of no less than the required full 21 days.

10.4 Manager of Governance and Community Services

Agenda Reference and Subject:

10.4.1 Working from Home Policy and Procedures

Reporting Officer:

Nerea Ugarte, Manager of Governance and Community Services

Author:

Nerea Ugarte, Manager of Governance and Community Services

Disclosure of Interest:**Attachments:**

Item 10.4.1 Attachment A – Working from Home Policy

Item 10.4.1 Attachment B – Working from Home Procedure

Summary

Council is asked to adopt a new Working from Home Policy (Policy) and Working from Home Procedure (Procedure), as attached.

Background

The Shire of Bruce Rock (Shire) has no formal policy or procedures to manage requests from staff to work from home. At present, requests are considered and managed on an ad-hoc basis by the Chief Executive Officer.

With the Manager of Finance now moving to a hybrid working from the office and home model and other staff members requesting to work from home from time to time to accommodate personal circumstances, such as attendance at medical appointments, it is now considered necessary to formalise the process to apply for, approve and oversee working from home arrangements.

Comment

The proposed Policy and Procedure are consistent with the Shire's commitment to providing flexible and family friendly working arrangements to employees, subject to business needs.

The Policy and Procedure provide a comprehensive guide to management and staff on:

- the process to apply for and approve a request to work from home;
- the eligibility criteria to apply to the assessment of a request to work from home;
- the employees' and their managers' responsibilities while the working from home arrangements are in place; and
- the process for the review, extension or cessation of a working from home arrangement.

Under the Policy, part-time and full-time, permanent and fixed-term contract employees will be able to access working from home arrangements, subject to eligibility criteria being met, including the suitability of the employee's role to be performed off-site and the ability of the employee to remain productive.

WALGA templates have been used to develop the Policy and Procedure.

LGIS has been consulted on the insurance arrangements applying to employees working from home. These employees are covered by the Shire's insurance policies, as if they were working from the office. LGIS has also provided advice on the Work Health and Safety assessment of designated work spaces.

Consultation

Mr Darren Mollenoyux, Chief Executive Officer

Ms Megan Sumpton, Account Manager, LGIS

Mr Christopher Gilmour, Regional Risk Coordinator, LGIS

Statutory Implications

Nil

Policy Implications

If approved, the Policy and Procedure will supersede the existing COVID-19 Working from Home Procedure.

Risk Implications

Risk: The absence of a working from home policy and procedures leads to a lack of guidelines on the approval and management of working from home arrangements, leaving the interpretation of the responsibilities and requirements associated with working from home open to individual discretion.		
Likelihood	Consequence	Rating
Possible	Moderate	Moderate
Action / Strategy <ul style="list-style-type: none">• Council to endorse the Policy and Procedure.• Policy and Procedure to be reviewed from time to time and in response to changing circumstances to ensure their efficacy.		

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Governance

4.3 Our organisation is well positioned and has capacity for the future.

Voting Requirements

Simple majority

Officer Recommendation

That Council adopt the Working from Home Policy and Working from Home Procedure, as presented.

Agenda Reference and Subject:

10.4.2 Outside Staff Uniform Policy

Reporting Officer:

Nerea Ugarte, Manager of Governance and Community Services

Author:

Nerea Ugarte, Manager of Governance and Community Services

Disclosure of Interest:

Attachments:

Item 10.4.2 Attachment A – Outside Staff Uniform Policy

Summary

Council is asked to adopt a revised Outside Staff Uniform Policy (Policy), as attached.

Background

The Shire of Bruce Rock's (Shire) current Policy provides for the supply of a set number of uniform items to staff every year.

In an attempt to reduce expenditure on uniforms, during 2023, the former Manager of Works and Services trialled the replacement of uniform items on a fair wear and tear basis only. This approach did not result in any noticeable expenditure reduction and was not welcome by staff.

As a result of this, the Shire's Chief Executive Officer (CEO) decided to discontinue the trial. This was communicated to the outdoors crew on 6 May 2024.

The CEO considered this presented a good opportunity to review the existing Policy in consultation with the Work Health and Safety (WHS) Committee (Committee) to ensure it meets current staff needs and WHS standards.

Comment

The Committee undertook a review of the Policy, and recommended that the following changes be made to it:

- Replace the long sleeve polar shirt option with a micro mesh option.
- Remove the option of a cap with legionnaire fitted, as it is not popular with staff.
- Remove the Yakka socks option and replace it with the Explorer brand option.
- Add the cleaners to the policy and specify the uniform items to be supplied to them. This list does not include steel capped boots or socks, as the cleaners are just required to wear enclosed shoes.
- Remove the reference to the Shire providing sunscreen, as this is not a uniform item.
- Add the requirement for staff who cease employment with the Shire to return uniforms with logos. This is to prevent former staff members from using uniforms with the Shire logo when they are no longer working for the Shire.

Consultation

Mr Darren Mollenoyux, Chief Executive Officer

Mr Brockman Williams, WHS Representative

Mr Damien Bow, WHS Representative

Mrs Shenae Negri, WHS Representative (also responsible for uniform orders)

Statutory Implications

Nil

Policy Implications

Nil.

Risk Implications

Risk: That outside staff do not have adequate uniforms to enable them to do their jobs safely.		
Likelihood	Consequence	Rating
Rare	Moderate	Low
Action / Strategy <ul style="list-style-type: none">• Council to endorse the Policy.• Policy to be reviewed from time to time and in response to changing circumstances to ensure staff safety.		

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Governance

4.3 Our organisation is well positioned and has capacity for the future.

Voting Requirements

Simple majority

Officer Recommendation

That Council adopt the revised Outside Staff Policy, as presented.

Agenda Reference and Subject:

10.4.3 Appointment of Dual Fire Control Officers

Reporting Officer:

Nerea Ugarte, Manager of Governance and Community Services

Author:

Nerea Ugarte, Manager of Governance and Community Services

Disclosure of Interest:

Attachments:

Item 10.4.3 Attachment A – Letter from the Shire of Corrigin

Summary

The Shire of Corrigin has requested that the Shire of Bruce Rock appoint Dual Fire Control Officers for the 2024-25 bush fire season.

Background

The Chief Executive Officer has received correspondence from the Shire of Corrigin requesting that the following people be appointed as Dual Fire Control Officers in the Shire of Bruce Rock for the 2024-25 bush fire season:

Shire of Corrigin:

- Mr Sandow Jacobs
- Mr Tim Georged

Comment

Fire Control Officers who adjoin neighbouring Shires require the adjoining Shires' approval to act as Dual Fire Control Officers.

The Bruce Rock Bush Fire Advisory Committee (Committee), which is responsible for the provision of recommendations to Council on the appointment of Fire Control Officers, held a meeting on 15 March 2024. However, the Shire of Corrigin's request was not added to the Committee's agenda.

Since the Committee is not due to meet again until September 2024, it is recommended that Council accepts the request to appoint Corrigin's Dual Fire Control Officers.

Consultation

Nil

Statutory Implications

Bush Fires Act 1954 – Section 38

"38. Local government may appoint bush fire control officer

- (1) A local government may from time to time appoint such persons as it thinks necessary to be its bush fire control officers under and for the purposes of this Act, and of those officers shall subject to section 38A(2) appoint 2 as the Chief Bush Fire Control Officer and the Deputy Chief Bush Fire Control Officer who shall be first and second in seniority of those officers, and subject thereto may determine the respective seniority of the other bush fire control officers appointed by it.*
- (2A) The local government shall cause notice of an appointment made under the provisions of subsection (1) to be published at least once in a newspaper circulating in its district."*

Policy Implications

Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Community Priorities

Goal 1.4 Support and emergency services planning, response and recovery

Governance

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

Voting Requirements

Absolute Majority

Officer Recommendation

That Council appoints Mr Sandow Jacobs and Mr Tim George as Dual Fire Control Officers in the Shire of Bruce Rock for the 2024-25 bush fire season, subject to the officers obtaining the appropriate accreditation, further noting the Dual Fire Control Officers are not permitted to issue burning permits within the Shire of Bruce Rock.

Agenda Reference and Subject:

10.4.4 Review of Fire Behaviour Index for Harvest Bans

Reporting Officer:

Nerea Ugarte, Manager of Governance and Community Services

Author:

Nerea Ugarte, Manager of Governance and Community Services

Disclosure of Interest:

Attachments:

Item 10.4.4 Attachment A – Revised Harvest Bans Policy

Summary

Council is asked to adopt an updated Harvest Bans Policy (Policy), which includes a revised Fire Behaviour Index (FBI) threshold for the declaration of Harvest Bans.

Background

It has been observed that the number of Harvest Bans declared by neighbouring Local Governments is substantially lower than those imposed by the Shire of Bruce Rock (Shire). This is particularly evident once the harvest season concludes, as shown in the table below.

Number of Harvest Bans declared between 1 January 2024 and 29 February 2024

Local Government	Number of Harvest Bans
Bruce Rock	12
Corrigin	6
Cunderdin	5
Narembreen	4
Merredin	3
Quairading	2

This issue was raised by the Shire’s Chief Bush Fire Control Officer at the District Operations Advisory Committee (DOAC) meeting held on 11 March 2024. At the meeting, representatives of neighbouring Local Governments advised that their FBI threshold for the declaration of Harvest Bans is 40 or above. In contrast, under the current Policy, Harvest Bans are declared in the Shire when an FBI level of 37 or above is reached.

This matter was also discussed at the Bruce Rock Bush Fire Advisory Committee (Committee) meeting held on 15 March 2024. The Committee agreed that, to bring the Shire into line with other Local Governments that are members of DOAC, the FBI threshold applied at the Shire should be revised. The Committee resolved the following:

“That the Bush Fire Advisory Committee recommends to Council that, Council Policy 8.2 be amended to change the Fire Behavior Index for the implementation of Harvest and Movement of Machinery Bans to a reading of 40.”

Comment

Consistent with the Committee’s recommendation, the attached Policy has been revised to include an FBI threshold of 40. It is considered that this threshold is reasonable for the purposes of mitigating bush fire risks, and is consistent with the threshold used by neighbouring Local Governments.

The Policy has also been updated to:

- clarify that the Chief Bush Fire Control Officer’s responsibilities include the making of decisions on the duration of Harvest Bans;
- remove the requirement to multiply the wind direction and speed reading obtained using the Kestrel Weather Meter by 1.25 to calculate the average wind speed, as this is now automatically calculated by the Aurora Fire Behaviour Calculator;
- remove the requirement to notify CBH of the placement of a Harvest Ban, as the SMS notification system now reaches parties that in the past would have relied on being notified of the ban through CBH;
- improve the structure of the document by better articulating the policy statement, the different stages of the process leading to the placing of a Harvest Ban, and the effect of a Harvest Ban; and
- add the Bush Fires Regulations 1954 to the Head of Power section of the Policy.

Consultation

Cr Tony Crooks, Chief Bush Fire Control Officer
Mr Darren Mollenoyux, Chief Executive Officer
District Operations Advisory Committee
Bruce Rock Bush Fire Advisory Committee

Statutory Implications

Nil

Policy Implications

Nil.

Risk Implications

Risk: If the revised Policy and FBI threshold are not approved, Council could be exposed to criticism from local businesses that consider the number of Harvest Bans placed in the Shire to be excessive, therefore affecting their business operations.

Likelihood	Consequence	Rating
Possible	Moderate	Moderate

Action / Strategy

- Council to endorse the revised Policy and FBI.
- Policy to be reviewed from time to time and in response to changing circumstances to ensure it effectively supports the mitigation of bush fire risks.

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Community

1.4 Support and emergency services planning, response, and recovery.

Voting Requirements

Simple majority

Officer Recommendation

That Council:

- 1. endorses the Bruce Rock Bush Fire Advisory Committee’s recommendation to amend Council Policy 8.2 Harvest Bans to change the Fire Behaviour Index for the implementation of Harvest and Movement of Machinery Bans to a reading of 40; and**
- 2. adopts the revised Harvest Bans Policy, as presented.**

10.5 Chief Executive Officer

Agenda Reference and Subject:	
Reporting Officer:	10.5.1 Works and Services Committee Darren Mollenoyux, Chief Executive Officer
Author:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest:	
Attachments:	<i>Nil</i>

Summary

Council is asked to consider the nomination of an additional Councillor as a member of the Works and Services Committee (Committee).

Background

Following the October 2023 Ordinary Election, Council endorsed its committees and representatives for the next two years. The below Councillors and staff were endorsed as members of the Committee:

Cr Kevin Foss
Cr Tony Crooks
Cr Brendan Waight
Cr Perry Hodgkiss
Chief Executive Officer
Manager of Works and Services

At the April 2024 Committee meeting, discussion was held regarding the Committee's loss of background knowledge as a result of the recent departure of the Manager of Works and Services and the Chief Executive Officer's departure at the end of June 2024.

Comment

The Committee agreed to request Council to consider the appointment of Cr Stephen Strange as an additional member of the Committee for an interim period. Cr Strange has an extensive background in the history of the Committee, as well as experience at a regional level.

Consultation

Cr Kevin Foss, Chair of the Committee

Statutory Implications

Nil

Policy Implications

Nil

Risk Implications

Risk: That, if Council does not endorse the appointment of Cr Stephen Strange to the Committee, there will be a significant gap in knowledge in the works and services area.

Likelihood	Consequence	Rating
Unlikely	Moderate	Moderate

Action / Strategy

This item has been evaluated against the Shire of Bruce Rock's Risk Management Framework. The perceived level of risk is considered to be "Moderate" and will be managed by specific monitoring and response procedures.

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Governance

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

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

Voting Requirements

Simple Majority

Officer Recommendation

That Council endorse the appointment of Cr Stephen Strange to the Works and Services Committee, with membership including:

Cr Kevin Foss, Chairperson

Cr Tony Crooks

Cr Brendan Waight

Cr Perry Hodgkiss

Cr Stephen Strange

Chief Executive Officer

Manager of Works and Services

11. Regional Reports

Agenda Reference and Subject:

11.1 WALGA Zone Minutes May 2024

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Author:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Attachments

Item 11.1 - Attachment A – WALGA Zone Meeting Minutes

Summary

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

Background

The recent WALGA Great Eastern Zone Meeting was held on 11 April 2024 at the Kellerberrin Recreation Centre. Cr Rajagopalan, Cr Strange and the CEO attended the meeting.

Comment

To encourage the improved awareness and promote a better understanding by all Councillors, it is recommended that the WALGA Zone meeting minutes be read and received by Council.

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

Presentations

Ms Lisa Jackson, Grants Development Manager from Lotterywest, made a presentation to the Zone on funding processes and any potential areas of support Lotterywest can offer to the Great Eastern Country Zone region.

Agricultural Land Use

The Wheatbelt region is becoming an increasingly attractive place for investors seeking to decarbonise their operations and meet their environmental, sustainable and governance obligations.

Project proponents are active in the region, seeking to develop projects across renewable energy (wind and solar farms), tree planting (for carbon offsets, biodiversity or nature repair credits, clearing offsets) and biofuel production. All are at various stages of development.

Without a coordinated or considered approach to settlement of those investments into the current predominantly agricultural landscape, there is a risk that poor outcomes may result for Wheatbelt communities, the economy and the environment.

The meeting resolved:

"That the Great Eastern Country Zone recommend that WALGA

- 1 In considering Agricultural Land Use, establishes and promotes policy templates to guide Local Governments for their individual adoption to protect and prioritise the preservation of agricultural land against its displacement by non-agricultural activities that lead to a net reduction of the State's productive agricultural land.*
- 2 Within the Policy includes such uses but not limited to tree planting for offsets or carbon, renewable energy generation and transmission.*
- 3 Investigates potential impacts to local government rates on rural land, that has approved long term tree planting for different purposes, for example but not limited to planting for*

- carbon offsets, planting for clearing offsets, or planting for renewable fuels; and renewable energy investments.*
- 4 *Provides advice to local government on what Policies or Special Area Rates should be considered for the land affected.”*

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

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Risk Implications

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

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Governance

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

- We attend meetings of key local and regional organisations to jointly plan and deliver benefits for the community.

Voting Requirements

Simple Majority

Officer Recommendation

That Council receives the minutes of the WALGA Great Eastern Zone Meeting held on 11 April 2024 at the Kellerberrin Recreation Centre.

12. New Business of an Urgent Nature Introduced by Discussion of the Meeting

Nil

13. Confidential Items

Agenda Reference and Subject:	
Reporting Officer:	13.1 Appointment of Acting Chief Executive Officer Darren Mollenoyux, Chief Executive Officer
Author:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest:	
Attachments:	<i>Nil</i>

Officer Recommendation

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

(b) the personal affairs of any person;

Officer Recommendation

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

Voting Requirements

Absolute Majority

Officer Recommendation

That Council:

1. appoint Mr John Merrick as the Acting Chief Executive Officer for the period from Monday 1 July 2024 to Friday 2 August 2024 inclusive;
2. agree to the length of appointment of Mr John Merrick to be reviewed at the July 2024 Ordinary Meeting of Council, pending the outcome of the Chief Executive Officer recruitment process and commencement date of a permanent Chief Executive Officer; and
3. agree to engage Mr John Merrick in line with the weekly contract rate outlined in this report, plus the provision of self-contained accommodation and Shire vehicle, with budget provision to be made for the 2024-25 financial year.

Agenda Reference and Subject:

13.2 Appointment of Senior Employee – Manager of Works and Services

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Author:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Attachments

Item 13.2 Attachment A – (Confidential) Contract and Position Description for Manager of Works and Services

Officer Recommendation

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

(b) the personal affairs of any person;

Officer Recommendation

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

Voting Requirements

Absolute Majority

Officer Recommendation

That Council:

1. endorses the appointment of Mr Gregory Stephens to the position of Manager of Works and Services based on a three-year contract of employment commencing on 1 July 2024; and
2. endorses Mr Stephen's contract and remuneration package, as outlined in this report, offered to Mr Stephens, and included in the 2024-25 budget.

14. Closure of Meeting