



Agenda

Ordinary Meeting of Council

To be held in Council Chambers
54 Johnson Street, Bruce Rock
Thursday 16 November 2023
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 November 2023 at 3.00pm** in Council Chambers, at 54 Johnson Street, Bruce Rock.

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

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

Darren Mollenoyux
CHIEF EXECUTIVE OFFICER

DISCLAIMER

PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING:

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

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

Our Mission

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

Our Values

Respect, Inclusiveness, Fairness and Equality & Communication

SHIRE OF BRUCE ROCK

AGENDA – ORDINARY MEETING 15 NOVEMBER 2023

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SHIRE OF BRUCE ROCK
AGENDA – ORDINARY MEETING 16 NOVEMBER 2023

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

Anglo American representatives:

David Wood Discovery Manager Australia, Calum Fullelove Senior Regional Geologist and Andrew Nolan Community and Logistics Specialist.

7. Applications for Leave of Absence

8. Announcements by Presiding Member

9. Confirmation of Minutes

Works and Services Committee Meeting held on Friday, 13 October 2023.

Ordinary Meeting of Council held on Thursday, 19 October 2023.

Special Council Meeting held on Monday, 30 October 2023.

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 – Statement of Financial Activity October 2023</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

Darren Mollenoyux, Chief Executive Officer
Nerea Ugarte, Manager of Governance and Community Services
David Holland, Manager of Works and Services
Julian Goldacre, Manager of Regulatory 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 sub regulation (2), are to be –

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

Policy Implications

Nil

Risk Implications

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

Financial Implications

Comparison of actual year to date to the 2023-24 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 31 October 2023 be received.

Agenda Reference and Subject:	10.2.2 List of Payments
Reporting Officer:	Manisha Barthakur, Manager of Finance
Author:	Mike Darby, Senior Finance Officer
Disclosure of Interest:	
Attachments:	<i>Item 10.2.2 Attachment A – List of Payments October 2023</i>

Summary

Council is asked to endorse the 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 Chief Executive Officer’s credit card.

Comment

Following is a list of payments made from Council’s Municipal and Trust Accounts, and payments made with the Chief Executive Officer’s credit card for the month of October 2023.

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

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 approved delegations and budget.		

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:

1. endorse the list of payments from the Municipal Account consisting of:
 - a. EFT voucher numbers EFT22008 to EFT22368 totalling \$1,369,249.42;
 - b. cheque numbers 138 to 140 totalling \$608.15;
 - c. nil Trust EFT payments;
 - d. wages and superannuation payments totalling \$208,035.59; and
 - e. credit card payments totalling \$725.64with all payments totalling \$1,577,893.16 for the month of October 2023; and
2. note that the credit card payment is reported separately, but is a part of the EFT payments.

Agenda Reference and Subject:	10.2.3 Fuel Cards and Credit Card Transactions
Reporting Officer:	Manisha Barthakur, Manager of Finance
Author:	Manisha Barthakur, Manager of Finance
Disclosure of Interest:	
Attachments:	<i>Item 10.2.3 Attachment A – List of Credit Card and Fuel Card transactions for October 2023</i>

Summary

A list of transactions made using corporate cards are reported to 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 that Shire holds.

If you have any queries regarding these transactions, 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 approved delegations and budget.		

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.

Agenda Reference and Subject:

10.2.4 Budget Variation for Disposal of “G” Grader and Transfer of Net Surplus to Plant Replacement Reserve

Reporting Officer:

Manisha Barthakur, Manager of Finance

Author:

Manisha Barthakur, Manager of Finance

Disclosure of Interest:

Attachments:

Nil

Summary

To amend the budget to allow for the disposal of one “G” grader and the transfer the net surplus from the trade to the Plant Replacement Reserve.

Background

At the Works and Services Committee meeting held on Friday 13 October 2023, the Manager of Works and Services presented a Plant Usage Report and investigation findings into:

- the pros and cons of having extra plant, such as five graders; and
- the financial impacts associated with a reduction of Council owned machines verses the hiring machines on an as needs basis.

Further to this discussion, the Committee resolved to recommend to Council the disposal of a grader in the current 2023-24 financial year, instead of the 2024-25 financial year, as previously planned based on the plant maintenance program.

The Committee also recommends that any surplus gained from the disposal must go to the Plant Replacement Reserve, as follows:

COMMITTEE RECOMMENDATION TO COUNCIL

Resolution WSCM October23 – 5.1

Moved: Cr Waight

Seconded: Cr Crooks

1) That Council dispose of one “G” grader in the 2023/24 financial year, which Council can allocate the income funds towards other fleet management priorities. To be undertaken in conjunction with the 2023/24 Budget Review and that funds from the disposal of asset be placed into Council’s Plant Replacement Reserve.

2) That Council hire 1 grader for the 2023/2024 financial year for the maintenance grading program, for approximately 5 months.

3) Following the maintenance grading program in 2024/25 staff undertake a review to determine the financial benefits and efficiencies of hiring verses owning the grader.

4) That should the hiring approach be as successful and not impact Council’s overall roads construction and maintenance programs that the second “G” grader and one of the multi tyred rollers be disposed of in the 2025/26 financial year. This will enable Council to utilize funds that are tied up in these two machines that are not used for large portions of the year and improve Council’s overall asset management.

For: Cr Foss, Cr Strange, Cr Crooks, Waight

Against: Nil

Carried 4/0

Consultation

Darren Mollenoyux, Chief Executive Officer
 David Holland, Manager of Works and Services
 Works and Services Committee

Statutory Implications

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.*

Policy Implications

Nil

Risk Implications

Risk: That the 2023-24 Budget does not reflect the forecast expenditure and revenue for the remaining financial year.		
Likelihood	Consequence	Rating
Likely	Moderate	High
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”.		

Financial Implications

Reduction in assets held as Plant and Equipment.
 Increase in cash in the Plant Replacement Reserve (amount undetermined).

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

Officer Recommendation

That Council adopt the following variation to Budget for creating a provision for the following for financial year 2023-24:

1. **Allow the Manager Works and services to proceed with the disposal of a “G” grader.**
2. **Allow the Manager of Finance to amend the budget with an increase in Transfer to Plant Replacement Reserve by the net surplus amount when the disposal takes place.**

10.3 Manager of Regulatory Services

Agenda Reference and Subject:	10.3.1 Adoption of the Bruce Rock Public Health and Wellbeing Plan 2023-2027 Post Advertising for Public Comment
Reporting Officer:	Julian Goldacre, Environmental Health Officer
Author:	Julian Goldacre, Environmental Health Officer
Disclosure of Interest:	Nil
Attachments:	<i>Item 10.3.1 Attachment A – Schedule of Submissions Received</i> <i>Item 10.3.1 Attachment B – Bruce Rock Public Health and Wellbeing Plan 2023-2027</i>

Summary

Council adopts the Bruce Rock Public Health and Wellbeing Plan 2023-2027, as amended for document control, and instructs the Administration to deposit the Shire of Bruce Rock Public Health and Wellbeing Plan 2023 – 2023 as presented to the Department of Health Western Australia for their records

Background

At the ordinary meeting of Council held on 19 October 2023, Council resolved (Resolution OCM Oct 23 – 10.3.1) to undertake public advertising of the Bruce Rock Public Health and Wellbeing Plan 2023 – 2023 (the PH&WP). Advertising of the PH&WP commenced on 24 October for a period of 21 days through notification on the Shire of Bruce Rock website, notice boards and the local paper inviting comments for Council’s consideration before adopting the PH&WP.

Part 5 of the Public Health Act 2016 (the Act), which requires the development of a Local Government public health plan, has still to come into effect. Originally, Local Governments were encouraged to have substantially started the public health plan process or have in effect a public health plan within five years of the Act coming into effect. This timeline was crippled by the CoVid-19 Pandemic, and this was acknowledged by the Chief Health Officer’s correspondence dated 6 December 2022. Part 5 will not be a requirement now until around 2024. Notwithstanding this, in June 2020, the Shire of Bruce Rock had already commenced to have a consultant, Mr Llew Withers, engaged to prepare the PH&WP.

Comment

With the completion of the advertising of the PH&WP, it can be stated, effective as on 8 November 2023 (two days before the due date for submission, unless otherwise advised) that no public comments have been received. Attachment A is the statement of fact that no comments have been received. Whilst no public comments have been received, a review by this officer suggests, as included in Attachment B, the addition of a page with document control features that displays the date advertising commenced and finished, and Council’s adoption of the PH&WP. This will provide a record of administrative actions related to the PH&WP

This PH&WP will be an informing strategy that possibly could integrate with the Community Strategic Plan. Furthermore, the key projects and outcomes could also be included in the Corporate Business Plan, should this be deemed practicable. The PH&WP has been written to place the Shire in a supportive role in so far as available human resources and finances can achieve pertinent public health programs. Such programs are best undertaken by suitably qualified persons, who are best sourced from Public Health Units and non-government agencies, and even the Western Australian Department of Health directly, should funding ever eventuate.

Currently, the Department of Health requires the PH&WP to be submitted to their inbox for the purpose of registering receipt only. There is no external review undertaken by the Department, as the PH&WP is a document owned and functioned at the Shire of Bruce Rock, based in suitable research and public consultation.

It is anticipated the PH&WP will be duly reviewed as part of the annual document review process to ensure validity and functionality, and to reflect funding opportunities and the outcomes, should external funding arise to undertake suitable public health promotion activities in addition to the public health infrastructure and activities the Shire of Bruce Rock currently undertakes.

Consultation

- Darren Mollenoyux, Chief Executive Officer
- Nerea Ugarte, Manager of Governance and Community Services
- Caris Negri, Community Development Officer
- Shayna Campbell, Engagement Officer
- Lyn Fogg, Governance Specialist, WALGA
- Llew Withers, Withers & Associates P/L Environmental Health Consultant

Statutory Implications

Public Health Act 2016

Policy Implications

Nil.

Risk Implications

Risk: State Government imposes a requirement that the Shire organises, manages, and funds all public health programs that fall outside the normal Shire operational endeavours.		
Likelihood	Consequence	Rating
Possible	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 “Medium”, and will be managed by specific monitoring and response procedures.		

Financial Implications

A total cost of \$10,000 (excluding GST) spread over three financial year terms of 2020-2021, 2021-2022 and 2022-2023.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

- Goal 7 Our community are engaged and have a healthy lifestyle.
 - 7.7 Environmental Health Services - Create a community health plan incorporating community life, local planning, parks and facilities, transport, social support, and community participation to embed preventative health measures and health promotion locally.

Voting Requirements

Simple majority

Officer Recommendation

That Council:

- 1. acknowledge that no public submissions were received during the advertising for comment of the Shire of Bruce Rock Public Health and Wellbeing Plan 2023-2027, as presented in Attachment A;**
- 2. adopt the Shire of Bruce Rock Public Health and Wellbeing Plan 2023-2027 as amended for the purpose of document control, and**
- 3 agree to staff submitting the Shire of Bruce Rock Public Health and Wellbeing Plan 2023-2027, as presented, to the Department of Health Western Australia for its records.**

Agenda Reference and Subject:

10.3.2 Homestead subdivision referral for comment from the Western Australian Planning Commission No 164131 for Lot 18610 Bruce Rock-Naremben Road

Reporting Officer:

Julian Goldacre, Environmental Health Officer

Author:

Julian Goldacre, Environmental Health Officer

Disclosure of Interest:

Nil

Attachments:

Item 10.3.2 Attachment A – WAPC 164131 Lot 18610 Bruce Rock-Naremben Road – Subdivision Plan
Item 10.3.2 Attachment B - Letter by Mr A Kalotay of RM Surveys for exemption and risk level request
Item 10.3.2 Attachment C - WAPC 164131 Lot 18610 Bruce Rock-Naremben Road – Subdivision Supporting Documents

Summary

Council advises the Western Australian Planning Commission (WAPC) regarding the Application No. 164131 for Lot 18610 Bruce Rock – Naremben Road Homestead Lot subdivision that Council has no specific comment to make. Notwithstanding this, Council does support the applicant’s (Mr Kalotay) view that there is not a requirement for a Fire Assessment and a Site-and-soil evaluation. Furthermore, an Advice Note is provided that the dwelling is serviced by a water supply drawn from the Water Corporation reticulated network.

Background

WAPC has provided a referral 164131 letter with attachments for a proposed Homestead Lot subdivision on Rural zoned land for consideration by the Local Government of Bruce Rock for comment.

Comment

This Homestead application referral 164131 is presented in Attachment C (the Referral). The proposed subdivision, as detailed in the Attachment A plan, is to create two Lots being Lot 402 (primary Lot) and Lot 401 (Homestead Lot) out of the existing Lot 18610. The Homestead Lot will retain the existing dwelling and sheds and be 1.2163 hectares in size, leaving a balance of 63.5334 hectares that will continue the Rural zone farming endeavours.

Study of the Referral does not reveal any clear and present concern or specific interest that would warrant a formal response of the Council of Bruce Rock to the WAPC for its consideration. Notwithstanding this, it was revealed that the notation in Attachment B that the existing dwelling is reliant on rainwater for water supply is false, and was confirmed by Mr G Negri (the Owner) on 7 November 2023. The dwelling has mains power supply, and has access to two roads. The dwelling is in suitable condition and has an operation onsite system for sewage disposal with no observed issues in operation.

The applicant (Mr A Kalotay of RM Surveys) has made two specific requests (Attachment B) to the WAPC regarding the Application, which would warrant Council support, as discussed further.

Exemption ‘Fire Assessment’: (see Attachment B) This is a discussion of the Fire Assessment pursuant to State Planning Policy 3.7 to supply a Bush Fire Attack Level (BAL). On observation of the current ‘Bush Fire Prone Areas 2021 (OBRM-019)’ and the proposed draft 2023 ‘AREA 2’ Bush Fire Prone’ locations, neither the current Lot 18610, and/or the proposed Homestead Lot is Bush Fire Prone listed. Notwithstanding this, Mr Kalotay proposes an exemption given the Homestead Lot subdivision outcome will not result in intensification of, or further development of existing land use, and will not result in increased occupancy, or bushfire risk and the land will remain for broadacre farming. The Planning Bulletin 111/2016 provides for a Fire Assessment exemption to be considered in certain cases. Therefore, given the empirical lack of Bush Fire Risk circumstances, this proposed exemption can be accepted.

‘Low Risk for need of a Site-and-soil evaluation’: (see Attachment B) This is a discussion of the Site-and-soil evaluation (SSE) requirement under The Government Sewerage Policy 2019. The SSE determines the appropriate site and size conditions for the apparatus for the treatment of sewerage (Apparatus) for new developments. This Officer can confirm that on advice of the Department of Planning, Lands, and Heritage (on a previous similar matter), that it was not the intent to require an SSE for an existing Apparatus. Despite this, any proposed new boundaries must ensure the statutory required apparatus setbacks are complied with for the existing onsite Apparatus for the treatment of sewage. Mr Kalotay’s discussion on this matter has sound merit, and it is not this Officer’s intention, based on the knowledge of the inspection of the existing Apparatus, to require an SSE. The Apparatus onsite for the dwelling the focus of the Homestead Lot is compliant and congruent with the new boundary setbacks. Consequently, no comment other than to support Mr Kalotay’s discussion is required.

Attachment C (page titled ‘Application for Approval of Freehold or Survey Strata Subdivisions’) reveals information that the existing dwelling and all outbuildings and structures will be retained. Furthermore, the current status quo of the land when split into two Lots will remain the same, with the exception that the Homestead Lot will become its own freehold entity. A single dwelling on a single Rural lot is a permitted development pursuant to the Shire of Bruce Rock Local Planning Scheme No. 3. Furthermore, whilst the Shire of Bruce Rock Planning Strategy 2009 does not support the fragmentation of Rural zoned land, the Referral seeks to create a Homestead Lot from the existing dwelling visible boundaries, which is unsuitable for farming activity given this is the dedicated dwelling footprint.

Consultation

Mr A Kalotay, Licensed Surveyor, RM Surveys,

Statutory Implications

Planning and Development Act 2005

Shire of Bruce Rock Local Planning Scheme No. 3

Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974

Policy Implications

Shire of Bruce Rock Planning Strategy 2009

State Planning Policy 3.7 - Planning in bushfire prone areas

The Government Sewerage Policy (2019)

Development control policy 3.4 - Subdivision of rural land

Risk Implications

Risk: Development proceeds outside the scope of the WAPC approval and conditions, if approved.		
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 “Medium”, and will be managed by specific monitoring and response procedures.		

Financial Implications

Nil. This is a referral advice only for comment and does not incur a chargeable fee.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Governance

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

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

Voting Requirements

Simple majority

Officer Recommendation

That Council resolve to inform the Western Australian Planning Commission that no comment from the Council for this proposed Homestead Lot subdivisions is deemed required, other than the following Council supportive comments for the applicant (Mr Kalotay) on the following matters:

1. That the exemption to a ‘Fire Assessment’ pursuant to State Planning Policy 3.7 is supported by Council, should one be required, as proposed by Mr Kalotay for the two Lots the subject of subdivision, as it will not result in intensification or further development of existing land use.
2. That the ‘Low Risk for need of a Site-and-soil evaluation’, as proposed by Mr Kalotay, is supported by Council for not requiring a Site-and-soil evaluation (SSE) under The Government Sewerage Policy 2019 on the grounds that the apparatus for the treatment of sewerage is pre-existing, and that the proposed Lot boundaries do not affect the required setbacks for such an apparatus.
3. Council provides the following Advice Note for the WAPC consideration as follows:
 - a. The dwelling on Lot 18610 is serviced by a water supply drawn from the Water Corporation reticulated network, as confirmed by Mr Geoff Negri (the Owner) on the 7 November 2023.

10.4 Manager of Governance and Community Services

Agenda Reference and Subject:	
	10.4.1 Purchasing Policy
Reporting Officer:	Nerea Ugarte, Manager of Governance and Community Services
Author:	Nerea Ugarte, Manager of Governance and Community Services
Disclosure of Interest:	
Attachments:	<i>Item 10.4.1 Attachment A – Purchasing Policy</i>

Summary

Council is being asked to approve minor changes to its Purchasing Policy to reflect that information on verbal and written quotations can be recorded either using the forms attached to the policy or the Shire’s Altus procurement software.

Background

Currently, the Purchasing Policy states that quotations for purchases up to \$39,999 (ex GST) must be recording using hard copy forms attached to the policy. However, in practice, the majority of quotations are recording using the Shire’s Altus procurement module.

Comment

Changes have been made to the Purchasing Policy to clarify that quotations can be recorded using the hard copy forms or the Altus procurement system.

Consultation

Darren Mollenoyux, Chief Executive Officer
David Holland, Manager of Works and Services

Statutory Implications

Part 4 of the Local Government (Functions and General) Regulations 1996 sets out the requirements for Local Governments’ procurement of goods and services.

Policy Implications

Nil

Risk Implications

Risk: That staff must use hard copy forms to record purchase quotations.		
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’.		

Financial Implications

Nil.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Governance

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

Voting Requirements

Simple majority

Officer Recommendation

That Council approve the revised Purchasing Policy, as attached.

10.5 Chief Executive Officer

Agenda Reference and Subject:	10.5.1 Report on Election Held on 21 October 2023
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Author:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest:	
Attachments:	<i>Nil</i>

Summary

This report is to brief elected members on the conduct of the election held on Saturday 21 October 2023 and to provide an overview of statistics that relate to the election.

Background

At the Ordinary Council Meeting held in February 2023, Council resolved to:

- declare, in accordance with Section 4.20(4) of the Local Government Act 1995, the Electoral Commissioner to be responsible for the conduct of the 2023 Ordinary Elections, together with any other elections or polls that might be required; and
- determine, in accordance with Section 4.61(2) of the Local Government Act 1995, that the method of conducting the election would be as a Postal Election.

On 21 October 2023, the Shire of Bruce Rock held Local Government Elections for the District. There were three vacancies for a four-year term and one vacancy for a two-year term with six candidates.

Due to delays with electors receiving their ballot papers in the post, a significant number of residents did not receive their ballot papers until the week before the election. This led to an increase in the number of papers dropped to the Shire Office in the lead up to polling day.

On Election Day, the polling place was the Bruce Rock Emergency Services Building, Dunstall Street, Bruce Rock open from 8.00am to 6.00pm. A total of 25 votes were received on Election Day.

Comment

A total of three staff worked on election throughout various times between 7.30am and 10.30pm.

Year	Number of Candidates	Total number eligible voters on roll	Total valid votes cast	Early Votes Cast	Total informal votes	Total votes cast	Percentage turnout
2023	6	678	372		1	373	55%
2021	4	670	395		0	395	59%
2019	6	646	284	188	0	284	44%
2018*	3	628	207	126	0	207	33%
2017	5	642	258	131	6	264	41%
2013	6	681	267	144	2	269	39%
2012*	2	698	178		3	181	26%

*indicates extraordinary election

Whilst the voter turnout exceeded expectations, it was still felt that there could have been improved communication on the postal voting process delivered by the Electoral Commission to the public.

There were 13 returned envelopes rejected, due to the envelope not being signed or due to having had the authentication code torn off.

This year's election was conducted under the new preferential model. This new model created confusion during the election and then created lengthy delays in counting and announcing the results. Bruce Rock received the declared results at 10.00am on Sunday, whilst some Local Governments had to wait until Tuesday for results to be declared.

The conduct of this year's election by the WA Electoral Commission was not as smooth as previous elections, with issues with ballot papers being delayed and lack of understanding and training provided at a local level.

Consultation

Nil

Statutory Implications

Part 4 of the Local Government Act 1995 and the Local Government (Elections) Regulations 1997 specify the way Local Government elections are to be conducted.

Policy Implications

Nil

Financial Implications

The invoice for the election is yet to be received. However, a quote was received in April 2023 for \$12,000 and allocated in the 2023-2024 budget.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Governance

Priority 4.1	Our organisation is well positioned and has capacity for the future
Priority 4.3	Proactive and well governed Shire

Voting Requirements

Simple Majority

Officer Recommendation

That Council receive the report of the Chief Executive Officer for the election held on 21 October 2023.

Agenda Reference and Subject:

10.5.2 Adoption of Final Workforce Plan 2023-2027

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Author:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest:

Attachments:

Item 10.5.2 Attachment A - Workforce Plan 2023- 2027

Summary

Council is asked to adopt the Workforce Plan 2023 -2027.

Background

It is a requirement of Integrated Planning and Reporting legislation that all Local Governments adopt a Strategic Community Plan and Corporate Business Plan. These key documents are supported by Informing Strategies: the Long-Term Financial Plan, the Asset Management Plan and the Workforce Plan.

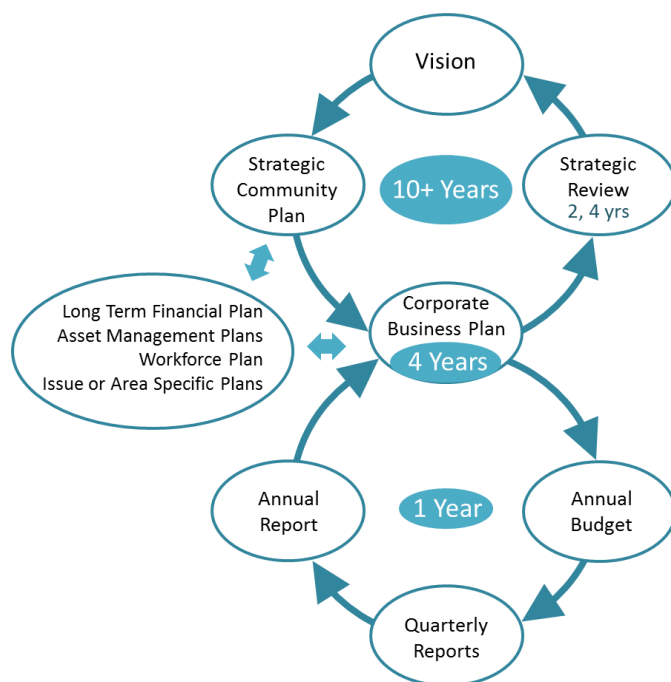


Diagram: Integrated Planning and Reporting Cycle
 Department of Local Government and Communities
 Integrated Planning and Reporting Framework and Guidelines, September 2016

The Workforce Plan must be reviewed at least once every four years, and a desktop review should be carried out every two years. This Workforce Plan updates the previous Plan (2018-2022) and is designed to assist in predicting future workforce requirements.

As with all Local Governments, the Shire of Bruce Rock (Shire) requires a diverse workforce that encompasses a wide range of occupations, requiring a broad range of skills to ensure that the Shire can deliver on its primary functions including:

- Infrastructure services (e.g. local roads, bridges, footpaths, drainage, waste collection and management).
- Provision and administration of community, cultural and recreation facilities.
- Community services.
- Building services.
- Planning and development approvals.

The Workforce Plan is intended to enhance the capacity of the Shire’s workforce to meet community needs by ensuring the organisation has the required staff, capabilities and resources to ensure sustainable service delivery now and into the future.

The Workforce Plan takes into account corporate and business objectives such as financial targets, service delivery objectives and community benefits. It also examines potential external influences over workforce supply and demand. The Workforce Plan is integrated into the Corporate Business Plan and all staff costs are reflected in the budget. This includes wages, worker’s compensation, superannuation and training costs, and is a recognition of the workforce required to achieve the objectives set out in the Corporate Business Plan.

To assist in the preparation of the Workforce Plan 2023-2027, Mrs Caroline Robinson of 150 Square was engaged to review, undertake in person meetings, and survey staff. The following engagement was undertaken by Mrs Robinson:

- Meeting with members of the Management Team to gauge an overall understanding of the organisation, workforce, culture, directions and strategies going forward. This was important considering a large number of staff turnover and particularly two Managers.
- Over the past two years, the Chief Executive Officer had conducted a comprehensive organisational review of each business unit and work area. The review findings were provided to Mrs Robinson to assist in developing the Workforce Plan.
- A survey was provided to all staff, with both electronic and hard copies made available. 25 out of 44 staff completed the survey.
- Mrs Robinson analysed all the feedback and developed the updated Workforce Plan, whilst ensuring it aligned with Council’s other Integrated Strategic Plans.
- The draft document was provided to the Chief Executive Officer and members of the Management Team, who undertook a review of the Draft Workforce Plan and provided some feedback, including allocation of the Actions set in the plan.
- This input was considered by Mrs Robinson and updates made to the Workforce Plan in readiness to present to Council for the October 2023 Council Meeting.

A copy of the latest version of the Workforce Plan 2023 – 2027 has been provided to Council as an attachment.

Comment

The Workforce Plan 2023-2027 has been developed over the past four months and has involved consultation with all staff, as well as input from other sources, including the Mrs Caroline Robinson, who has significant experience assisting regional Local Governments in Workforce and Strategic Planning.

This Workforce Plan will assist Council and management to:

-
- Ensure appropriate numbers of staff are being recruited or developed to meet future needs
 - Identify potential problems, manage risk and minimise crisis management cycles
 - Contain human resources costs, including the cost of turnover, absenteeism, structural changes and staff movement
 - Develop workforce skills that take time to grow
 - Identify staff development needs
 - Make staffing decisions to provide services in regional and rural areas
 - Optimise the use of human, financial and other resources
 - Integrate human resource management issues into business planning
 - Improve employee productivity through better job design
 - Improve employee relations
 - Increase job satisfaction
-

The Chief Executive Officer is of the opinion that the outcomes and recommended actions of the Workforce Plan 2023-2027 meet the needs of the organisation and are deliverable by the management team.

Consultation

- Mrs Caroline Robinson (150 Square) undertook the preparation of the Workforce Plan 2023-2027
- All staff were provided with a survey to provide input into the new Workforce Plan.
- Over the past two years, the Chief Executive Officer had conducted an organisational review of each work area, and the findings were provided to Mrs Robinson to assist in developing the Workforce Plan.
- The Chief Executive Officer, the Executive Services Manager, the Manager of Finance and the Manager of Governance and Community Services reviewed the draft Workforce Plan and allocated Actions to relevant members of the Management Team

Statutory Implications

All Local Governments are required to produce a plan for the future under S5.56 (1) of the Local Government Act 1995.

The Local Government (Administration) Regulations 1996 provide a brief outline of the minimum requirements to meet this obligation, which includes the development of a strategic community plan and a corporate business plan.

The Workforce Plan is a legislative requirement and forms part of the informing strategies of Council’s Integrated Strategic Planning. The Workforce Plan is subsequently developed factoring in the information and direction set out in Council’s other plans, being the following:

- Strategic Community Plan
- Long-Term Financial Plan
- Asset Management Plan
- Forward Capital Works Plan
- Risk Management Plan

It is a legislative requirement to review the Workforce Plan every four years, with a desktop review every two years.

Policy Implications

Nil

Risk Implications

Risk: If Council does not adopt a reviewed Workforce Plan from 2023-2024, it would be non-compliant with the requirements of the Local Government Act.		
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 “Medium”, and will be managed by specific monitoring and response procedures.		

Financial Implications

Indicative increases in wages and salaries identified in the Workforce Plan 2023-2027 will need to be budgeted for in successive years. These figures have been calculated from Council's Long-Term Financial Plan.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2022-2032

Community

Strategic Priority

- 1.1 Our Community are engaged and have a healthy lifestyle
- 1.2 Inclusive community activities, events and initiatives
- 1.3 Shire facilities are maintained in a strategic manner and meet community need
- 1.4 Support emergency management planning, response and recovery

Economic

Strategic Priority

- 2.2 Roads are a key economic driver across the Shire
- 2.3 Workers and their families can work and reside in the Shire

Governance

Strategic Priority

- 4.1 Our organisation is well position and has capacity for the future

Voting Requirements

Simple majority

Officer Recommendation

That Council adopt the Shire of Bruce Rock's Workforce Plan 2023-2027, as presented.

Agenda Reference and Subject:

10.5.3 Development Assessment Panels

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Author:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest:

Nil

Attachments:

Nil

Summary

Council is required to make Local Government Nominations to the Development Assessment Panel (DAP) for the period from January 2024 to January 2026.

Background

Under Regulation 24 of the Planning and Development (Development Assessment Panels) Regulations 2011, each Local Government is required to nominate four elected members of Council, comprising of two local members and two alternative local members to sit on a local DAP, as required.

With the DAPs addressing development applications from \$3 million \$7 million, the likelihood of a Panel being required for Bruce Rock is unlikely.

The Director General of the Department of Planning, Lands and Heritage has written as follows:

As you are aware, representation of local interests is a key part of the Development Assessment Panel (DAP) system. In accordance with this premise, under Regulation 24 of the Planning and Development (Development Assessment Panels) Regulations 2011, Councils are required to nominate, as soon as possible following elections, four elected members to sit as DAP members.

In addition to the above, all existing local government DAP members are currently appointed for a term ending 26 January 2024. Prior to this expiry date, your local government is required to nominate four (4) DAP members for appointment by the Minister for Planning.

Given the upcoming local government elections on 21 October 2023, both requirements can be met by using the attached form and submitting it and a copy of the Council resolution, it via email to the DAP Secretariat at daps@dplh.wa.gov.au, no later than Friday 24 November 2023.

The WA Government has launched OnBoardWA as part of its commitment to increase the diversity and backgrounds of Government Boards and Committees along with the total number of women appointed. I encourage you to consider diversity of representation when putting forward your nominations in supporting this important commitment.

The WA Government is committed to continue implementing the Action Plan for Planning reform to ensure the planning system continues to deliver great outcomes and great places for Western Australians. Changes to the DAP system, identified as part of the reform initiatives, aim to provide a more robust DAP process that promotes consistency and transparency in decision-making.

Please note that the local government membership configuration on DAPs will not be affected by the reform initiatives.

Comment

All nominated members are required to attend training prior to sitting on a DAP. Nominated members are entitled to payment of sitting, training and State Administrative Tribunal attendance fees.

Previously, Council nominated the two local members being Cr Strange and Cr Crooks. Cr Foss and Cr Waye were nominated as alternatives.

Consultation

Nil

Statutory Implications

Regulation 24 of the Planning and Development (Development Assessment Panels) Regulations 2011

Policy Implications

Nil

Risk Implications

Risk: If Council does not nominate Councillors to the DAP, it would be in breach of the legislation. This would also impact any potential applications.		
Likelihood	Consequence	Rating
Likely	Major	High
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 “High”, 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

Strategic Priority

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

Voting Requirements

Simple majority

Officer Recommendation

That Council nominate, for the next two years:

1. Cr _____ and Cr _____ to sit on the Local Development Assessment Panel; and
2. Cr _____ and Cr _____ as alternative members.

11. Regional Reports

Nil

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

13. Confidential Items

14. Closure of Meeting