

SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 15 NOVEMBER 2018

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SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 15 NOVEMBER 2018

**1. Declaration of Opening**

The Shire President Cr SA Strange declared the meeting open at 1.18pm.

**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 NC Kilminster
	Cr PG Negri
	Cr MK Thornton
	Cr BJ Waight
Chief Executive Officer	Mr DRS Mollenoyux
Deputy Chief Executive Officer	Mr A O’Toole
Executive Assistant	Mrs MJ Schilling
Environmental Health Officer	Mr J Goldacre (1.42pm to 2.26pm)
Manager of Works & Services	Mr G Casley (2.13pm to 2.58pm)
Manager of Finance	Mrs JL Bow (2.14pm to 2.58pm)

**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
15/11/2018	Alan O’Toole	12.5.1	Payment as Acting CEO

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

Date	Name	Item No	Reason

In accordance with Section 5.60B and 5.65 of the Local Government Act 1995 the following disclosures of **Proximity** interest were made at the Council meeting.

Date	Name	Item No	Reason
15/11/2018	Darren Mollenoyux	12.5.1	Request for Annual Leave

**4. Response to Previous Public Questions Taken on Notice**

**5. Public Question Time**

**6. Petitions/Deputations/Presentations/Submissions**

Chloe Corby and Rohan Butler to give brief talk on their recent RYPEN experience.

**7. Applications for Leave of Absence**

**8. Announcements by Presiding Member**

A big thank you to all Councillors who attended the staff and Councillors BBQ at the amphitheatre, it was very well attended by all staff.

Successful “Back to the Bush” Veterans Week – 67+ caravans on the Oval. A big thank you to Cr. Rajagopalan and Mr. Rodney Thornton for heading out to Kwolyin Camp site to welcome guests and take them through some local history. Numbers were slightly down this year, but the general feel was fantastic. The program flowed really well and is a credit to the District Club and the Shire’s Community Development Officer, Ashleigh Waight.

Unfortunately, some of the original veterans have now passed away or are not able to travel to come to the event. The general goal is to have younger veterans become involved in future years, and how to achieve this will be spoken about in the scheduled debrief next week.

The WALGA CEO Ricky Burgess is retiring after 18 years of service. Advertising for this position will commence next week. I will be a part of the executive panel to assist in the recruitment along with 3 other country members, which is very important to ensure the direction of the organisation for the future.

**9. Confirmation of Minutes**

Ordinary Meeting of Council held on Thursday 18 October 2018.

**OFFICER RECOMMENDATION AND COUNCIL DECISION**

**Resolution OCM Nov 18 – 9.1**

**Moved: Cr Dolton**

**Seconded: Cr Foss**

**That the minutes of the Ordinary Meeting of Council held Thursday 18 October 2018 be confirmed as a true and correct record.**

**Carried 9/0**

Works and Services Committee Meeting held on Monday 22 October 2018.

**OFFICER RECOMMENDATION AND COUNCIL DECISION**

**Resolution OCM Nov 18 – 9.2**

**Moved: Cr Rajagopalan**

**Seconded: Cr Waight**

**That the minutes of the Works and Services Committee Meeting held on Monday 22 October 2018 be received.**

**Carried 9/0**

## 10. Status Report

### Presentation of Status Report for October 2018 Resolutions

ITEM	RESOLUTION / ACTION REQUIRED	RESPONSIBLE OFFICER	RESPONSE OR STATUS
<b>Resolution Oct 18 – 13.2.2</b> Tender 2.2018/19 Supply of Stone	That Council awards Tender No. 2.2018/19 to Irvine Transport via Doodlakine Quarry as the successful tenderer for Supply and Delivery of Stone for a period of 12 months.	WORKS	All parties have now been notified, Tender and all other paperwork is located in the Tender File.
<b>Resolution Oct 18 – 13.2.3</b> Tender 3.2018/19 Sealing Tender	That Tender 3.2018/19 Sealing Program for Shires two coat seal works be awarded to Bitutek at the prices and services outlined in their tender.	WORKS	All parties have now been notified, Tender and all other paperwork is located in the Tender File.
<b>Resolution Oct 18 – 13.4.3</b> Bruce Rock Quarry Tender	That Council accept the tender submitted by Mineral Crushing Services (WA) Pty Ltd. That Council choose the Annual Lease fee option.	DCEO	MCS has been contacted and new lease being prepared. MCS want to begin operation ASAP.
<b>Resolution Oct 18 – 13.4.4</b> Update of Bruce Rock Workforce Plan	That Council adopt the Shire of Bruce Rock Workforce Plan 2018-2022.	DCEO	Workforce Plan will be used as 'operational' guideline to increase staff engagement.
<b>Resolution Oct 18 – 13.5.1</b> Review of Council Committees	That Council reviews and amends the new Committees, Delegates and Representatives for Council.	CEO	Register updated and CRC notified of new Tourism Representative.
<b>Resolution Oct 18 – 13.5.2</b> Bruce Rock Tennis Club Annual Fee	That Council; 1. Council write off the Bruce Rock Tennis Club's 2018/19 annual contribution of \$1,820 inc. gst due to the club going into recess for the season. This fee shall be reviewed again for the 2019/20. 2. Adopt a new fee and charge for the hire of the Bruce Rock tennis courts at night, being \$25.00 inc gst, per hour, and 3. Give public notice of 7 days of the intent to adopt the new fee and charge.	CEO	Tennis Club advised of Council's decision and new fee has been advertised.
<b>Resolution Oct 18 – 13.5.3</b> Proposed Policy – Elected Members Conferences, Seminars and Training Courses	That Council considers and endorses the "Elected Members Conferences, Seminars and Training Courses" policy	CEO	Policy Manual has been updated.

Status Report

Ongoing items as at October 2018

ITEM	RESOLUTION / ACTION REQUIRED	RESPONSIBLE OFFICER	RESPONSE OR STATUS
<p><b>Resolution August 16–13.1.10</b> Duplicate Road Name – Buller Road</p>	<p>Council resolved to request that Buller Road outside of the town site be renamed to Buller North Road, and the Buller Road within the gazetted town site be renamed to Buller St.</p>	<p>MOF</p>	<p>Address matching ½ completed by Landgate. Slow process going through addresses one by one. Will look into duplicate road names once process of updating addresses is completed.</p>
<p><b>Resolution March 17 - 11.5.2</b> CEACA – Sale of Land for Independent Living Units</p>	<p>That in accordance with section 3.58 of the Local Government Act Council resolves to dispose of Lots 26,27,28, 56 and 57 Butcher Street, Bruce Rock to the Central East Aged Care Alliance (CEACA) Inc. under the following terms; a) At no cost, as the land is Council’s in-kind contribution to the CEACA Independent Living Unit’s project; b) All outgoings including rates, insurance and utilities to be paid by CEACA.</p>	<p>CEO</p>	<p>Advice given to CEACA on the transfer of land, awaiting CEACA response with details to complete documentation.</p>
<p><b>Resolution September 17 – 13.1.2</b> Provision of Housing for GROH</p>	<p>That Council approves the Chief Executive Officer to investigate floor plans and building costs for a four bedroom, two-bathroom residence to be constructed at 118 Curlew Drive, Bruce Rock to be leased to GROH for teaching staff; and The proposal be presented back to Council for approval prior to progressing to stage 2 of the process set out by GROH.</p>	<p>CEO</p>	<p>The CEO is currently liaising with GROH on this matter.</p>
<p><b>Resolution December 17 – 12.5.4</b> Rental Accommodation</p>	<p>That staff engage an appropriate consultant to prepare a Housing Needs Analysis focusing on Rental Accommodation for the Shire.</p>	<p>CEO</p>	<p>The CEO is still seeking a consultant for Housing Needs Analysis for Bruce Rock.</p>
<p><b>Resolution Mar 18 – 12.5.6</b> Request for BMX Track</p>	<p>That Council staff undertake initial consultation with key groups to ascertain the best location and wants/needs of the youth for the establishment of a BMX track within Bruce Rock town site. With further information to be presented to Council on the insurance and compliance matters that may be associated with the establishment of a track and its location. And</p>	<p>CEO</p>	<p>The CEO and CDO are working on this between other priority projects.</p>

	<p>That Council staff investigate the options available and potential required area for any future expansion of the Bruce Rock Caravan Park located on Reserve 24756 and report details back to Council for consideration.</p>		
<p><b>Resolution Mar 18 – 12.5.12</b> Review of Local Laws Outcome Report</p>	<p>1. That the Shire of Bruce Rock adopt the report of the review of the local laws under S3.16 of the Local Government Act 1995 and note that no community submissions were received in respect to the following local laws:</p> <ul style="list-style-type: none"> <li>• Activities on Thoroughfares and Trading in Public Places Local Law 2004;</li> <li>• Dogs Local Law 2005;</li> <li>• Parking and Parking Facilities Local Law;</li> <li>• Local Law Relating to the Management and Control of Bruce Rock Cemetery 2004;</li> <li>• Local Laws Relating to Fencing;</li> <li>• Local Government Property Local Law; and</li> <li>• Local Government Model By-laws Removal and Disposal of Obstructing Animals or Vehicles No 7.</li> </ul> <p>2. That the Shire of Bruce Rock determine that the outcome in respect to each local law is as follows:</p> <ol style="list-style-type: none"> <li>a. Shire of Bruce Rock Activities on Thoroughfares and Trading in Public Places Local Law 2004 be amended as outlined in the report;</li> <li>b. Shire of Bruce Rock Dogs Local Law 2005 be amended as outlined in the report;</li> <li>c. Shire of Bruce Rock Parking and Parking Facilities Local Law not be amended due to the minimal nature of the amendments;</li> <li>d. Shire of Bruce Rock Local Government Property Local Law be amended as outlined in the report;</li> <li>e. Shire of Bruce Rock Local Law Relating to the Management and Control of Bruce Rock Cemetery 2004 be amended as outlined in the report;</li> <li>f. Shire of Bruce Rock Local Laws Relating to Fencing be amended as outlined in the report;</li> <li>g. Shire of Bruce Rock Local Government Property Local Law be amended as outlined in the report; and</li> <li>h. Shire of Bruce Rock Local Government Model By-laws (Removal and Disposal of Obstructing Animals or Vehicles) No 7 be further reviewed to</li> </ol>	<p>CEO</p>	<p>Referred back to Consultant and will be making arrangements to align with proposed Standing Orders Local Laws.</p>

	determine whether existing local laws or legislation may satisfy the purpose and effect of the local law.		
<b>Resolution June 18 - 12.1.2</b> Retrospective extension of current Avon Waste Recyclables Collection Contract	<p>1. To formally write to Stondon Pty Ltd trading as 'Avon Waste' to offer to retrospectively continue to provide the kerbside and bulk bin recycling collection services until the 22 October 2019 as detailed in the Deed signed by Stondon Pty Ltd and the Shire of Bruce Rock on the 1 December 2018 and authorises the Chief Executive Officer to undertake this process for Council by authority of this Resolution; and</p> <p>2. Should Stondon Pty Ltd trading as 'Avon Waste' be accepting to retrospectively continue to provide the kerbside and bulk bin recycling collection services until the 22 October 2019 that Council Pre-emptively endorse this acceptance to continue to use Stondon Pty Ltd for the provision kerbside and bulk bin recycling collection services until the 22 October 2019 and authorises the Chief Executive Officer to undertake to formally endorse this service on behalf of Council by authority of this Resolution.</p>	EHO	Correspondence sent to Avon Waste. Avon Waste has responded to be tabled at the OCM August 2018.
<b>Resolution July 2018 – 12.3.4</b> <b>STED Scheme</b>	<p>That Council agrees to provide a financial subsidy to property owners within the STED Scheme area to connect to the STED Scheme within 3 years from the date the Water Corporation deems the Scheme operational, subject to the following;</p> <p>a. The subsidy to be paid will be;</p> <p>i) \$1,000 for the owners of residential or commercial properties;</p> <p>ii) \$1,250 for the owners of residential properties that are registered Seniors with the Shire under the Pensioner Rebate Scheme; or</p> <p>iii) \$1,500 for the owners of residential properties that are registered pensioners (including Seniors with Commonwealth Senior Health Cards) under the Pensioner Rebate Scheme.</p> <p>b. Council will only subsidise one connection per rateable assessment;</p> <p>c. Adopt the new policy regarding connections to the STED Scheme;</p> <p>d. The subsidy will be payable direct to the plumber after the works have been completed and the invoice issued to the property owner and a copy provided to the Shire Administration Office.</p> <p>e. Council will provide appropriate sand or fill for the decommissioning of the land owner's leach drains.</p>	MOF	Waiting for Water Corporation to advise STED is operational. Application form also still to be developed.

<p><b>Resolution Sep 2018 – 12.3.4</b> Rates – Sale of Land</p>	<p>That Council pursuant to Section 6.64(1) (b) of the Local Government Act 1995 proceed to sell the properties listed hereunder which have rates in arrears for 3 or more years, and recover from the proceeds of sale the outstanding balances which total \$48,799.74; Assessment A434 Assessment A463 Assessment A484 Assessment A539 Assessment A580 Assessment A591 Assessment A654 Assessment A698</p>	<p>MOF</p>	<p>Property owners have been notified and process has commenced. Advertisements have been placed in the West Australian and on Notice Board.</p>
<p><b>Resolution Sep 2018 – 12.5.2</b> Acceptance of Gifted Land – Shackleton District Club Inc Lot 26,27 &amp; 28 Mills Street, Shackleton WA</p>	<p>That Council accept Lot 26, 27 &amp; 28 Mills Street, Shackleton as gifted by the Shackleton District Club Inc. And That Council accept the financial implications of the cost to Transfer the Land from the Shackleton District Club Inc and the Shire of Bruce Rock.</p>	<p>CEO</p>	<p>The CDO has responded to the Shackleton Bowling Club and the Shackleton District Club to commence the change of ownership process.</p>
<p><b>Resolution Sep 2018 – 13.1</b> 2019/20 CSRFF Application</p>	<p>1. That the application for the Installation of lighting at the Bruce Rock Synthetic Hockey Turf Facility for the 2018/19 Community Sports Infrastructure Grants Program for \$88,242.18 ex gst be submitted to the Australian Sports Commission. 2. That if the application for the Installation of lighting at the Bruce Rock Synthetic Hockey Turf Facility is successful Council will commit a 1/3rd contribution; and 3. That Council make provision in the 2018/19 budget for the contribution of \$88,242.18 ex gst</p>	<p>CEO</p>	<p>The CSRFF application has been submitted and is anticipated that the outcomes will be known in Feb/March 2019.</p>
<p><b>Resolution Sep 2018 – 13.2</b> 2019/20 Community Sport Infrastructure Grant</p>	<p>1. That the application for the Installation of lighting at the Bruce Rock Synthetic Hockey Turf Facility for the 2018/19 Community Sports Infrastructure Grants Program for \$88,242.18 ex gst be submitted to the Australian Sports Commission. 2. That if the application for the Installation of lighting at the Bruce Rock Synthetic Hockey Turf Facility is successful Council will commit a 1/3rd contribution and make a budget provision on \$88,242.18 ex gst in the 2018/19 financial year. This will need to be a budget amendment at time of review.</p>	<p>CEO</p>	<p>The grant application has been submitted with the outcome scheduled to be announced in November 2018.</p>



<p><b>Resolution Sep 2018 – 12.2.2</b> Review of Fixed Stanpipes</p>	<p>That Council endorses the proposed changes to access and classification of each standpipe as outlined in the “Water Corporation Fixed Standpipes” spreadsheet.</p>	<p>MOWS</p>	<p>MOWS will provide an update to Council at the October OCM.</p>
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**OFFICER RECOMMENDATION AND COUNCIL DECISION**

**Resolution OCM Nov 18 – 10**

**Moved:** Cr Thornton

**Seconded:** Cr Waight

**That the status report be moved.**

**Carried 9/0**

## 11. Regional Reports

**Agenda Reference and Subject:**

**11.1** Wheatbelt Communities Meeting October 2018

**File Reference:**

**Reporting Officer:**

Darren Mollenoyux, Chief Executive Officer

**Disclosure of Interest**

Nil

### Summary

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

### Background

The Wheatbelt Communities Inc. held their Committee Meeting on the 24<sup>th</sup> October 2018 at the Shire of Merredin.

### Comment

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

A copy of the minutes has been provided to Councillors for their information.

**Consultation** Nil

**Statutory Implications** Nil

**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

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

### Voting Requirements

Simple Majority

### OFFICER RECOMMENDATION AND COUNCIL DECISION

**Resolution OCM Oct 18 – 11.1**

**Moved:** Cr Thornton

**Seconded:** Cr Rajagopalan

**That Council receives the minutes and endorses the actions and resolutions of the Wheatbelt Communities Inc. Meeting held on the 24th October 2018 at the Shire of Merredin.**

**Carried 9/0**

*Mr A O'Toole left the Council Chambers at 1.38pm.*

**Agenda Reference and Subject:**

**11.2** WEROC Council Meeting October 2018

**File Reference:**

1.6.9.1 Meeting Minutes and Agendas WEROC

**Reporting Officer:**

Darren Mollenoyux, Chief Executive Officer

**Disclosure of Interest**

Nil

**Summary**

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

**Background**

The last WEROC Council Meeting was held on Wednesday 24<sup>th</sup> October 2018 at the Merredin Council Chambers.

**Comment**

To encourage the WEROC partnership and promote a better understanding by all Councillors it is recommended that WEROC minutes be read and received by Council.

The following items are highlighted for Councils attention;

6.1 Ongoing Development of the WEROC App and Website

There are still ongoing matters that require addressing with both the functionality of the App and Website and also the promotion and take up of local businesses and other subscribers. The meeting discussed the future of the App, and it was agreed that it was not functioning as expected and is not achieving any value for Councils or their communities, and therefore that WEROC not continue with it.

*RESOLUTION: Moved: Cr Strange Seconded: Mr Criddle*

*It was also agreed that the Executive Officer would research the Agreement/Contract between WEROC and Go2Guides to ascertain whether there are any ongoing commitments in relation to the development of the WE-Roc App in order for this to be referred to the next Executive Meeting to allow discussion on the future of the WE-Roc App.*

6.3 The Country Ambulance Strategy

The Minister for Health, Hon Roger Cook (BA, GradDipBus, MBA, MLA), released the draft Country Ambulance Strategy for public consultation. A copy of the Strategy and Summary Document has been provided to Councillors on their Agenda Webpage. A list of the recommendations and key points is included in the WEROC Agenda Item.

*RESOLUTION: Moved: Mr Mollenoyux Seconded: Cr Forsyth*

*That:*

- 1. WEROC prepare a submission on the draft Country Ambulance Strategy; and*
- 2. The WEROC Executive be given delegated authority to review and approve the submission.*

**Note**

**Cr Thornton has provided a comment to the CEO on the Strategy and this will be forwarded to the WEROC Executive Officer for inclusion in the submission.**

7.2 Access to Instructors for Training and Assessment for HR and HC Licences

Darren Mollenoyux advised the meeting that the Shire of Bruce Rock had recently received correspondence from Keen Bros (WA) Pty Ltd to notify the Shire that following advice from the Department of Transport it would no longer be providing training and assessment for HR and HC

licences across the region. The loss of this service would mean that all licences would have to be taken in Perth.

In discussing the potential difficulties the loss of this service would pose for residents across region there was the suggestion that this may be an opportunity for WEROC/Wheatbelt Communities to establish a training and assessment service.

*RESOLUTION: Moved: Mr Criddle      Seconded: Mr Mollenoyux*

*That the WEROC Executive consider the potential for WEROC to establish a training and assessment service for those looking to obtain their HR and HC licences at the meeting scheduled for Wednesday 28 November 2018.*

**NOTE**

***The CEO will provide further update at the Council meeting with regards to the progress and additional information that has come to hand since the WEROC meeting.***

A copy of the minutes has been provided to Councillors for information.

<b>Consultation</b>	Nil
<b>Statutory Implications</b>	Nil
<b>Policy Implications</b>	Nil
<b>Financial Implications</b>	Nil

**Strategic Implications**

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

**Governance**

Goal 12	Council leads the organisation in a strategic and flexible manner
12.2	Continue to build our voice and strategic projects within our regional groupings

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION AND COUNCIL DECISION**

**Resolution OCM Oct 18 – 11.2**

**Moved: Cr Thornton**

**Seconded: Cr Rajagopalan**

**That Council receives the minutes of the WEROC Council Meeting held on Wednesday 24th October 2018 at the Merredin Council Chambers.**

**Carried 9/0**

*Mr A O’Toole returned to the Council Chambers at 1.40pm.*

*Mr J Goldacre entered the Council Chambers at 1.42pm.*

**Agenda Reference and Subject:**

**11.3** CEACA Meeting October 2018

**File Reference:**

CEACA

**Reporting Officer:**

Darren Mollenoyux, Chief Executive Officer

**Disclosure of Interest**

Nil

**Summary**

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

**Background**

The 11-member Councils of the Central Eastern Aged Care Alliance (CEACA) held a meeting on Wednesday 10<sup>th</sup> October 2018 at the Merredin Regional Community and Leisure Centre.

**Comment**

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

The Chief Executive Officer provided a verbal update on CEACA at the Ordinary Council meeting on the 18<sup>th</sup> October 2018 and outlined the following topics:

- Funding Meeting with the Minister for Regional Development
- GST Implications on the project

The following additional matters are highlighted for Councillors' attention;

**5.4 Cost Recovery on unexpected Expenditure**

At the CEACA Meeting held Wednesday 5 September 2018 the matter of cost recovery from Member Councils for expenditure that could not be considered the responsibility of either Pindan or CEACA was raised.

This matter was raised due to several sites having unexpected issues arise impacting financially on the project, these items have been unforeseen and deemed as a potential matter for the member Council to financially assist.

An example of this may involve Bruce Rock with an alternative sewerage treatment option and the additional costs that may be incurred.

The following resolution was made at the meeting;

1. *That Access Housing Australia as Project Manager for the CEACA Seniors Housing Project be responsible for working with affected Members on an individual basis to resolve the issue of cost recovery for expenditure that could not be considered the responsibility of either Pindan or CEACA; and*
2. *Should Access Housing not be able to resolve cost recovery issues with the affected Member a report be provided to the CEACA Committee, with a final decision on the issue made by the CEACA Committee.*

A copy of the minutes has been provided to Councillors.

In addition to the minutes a copy of the following documents has been provided in Information Bulletin 1.

- Access Housing – CEACA Housing Project Progress Report

- 2018 CEACA Executive Election Nomination Outcomes
- CEACA Income & Expenditure Statement as at 1<sup>st</sup> October 2018

<b>Consultation</b>	Nil
<b>Statutory Implications</b>	Nil
<b>Policy Implications</b>	Nil

#### **Financial Implications**

Should any unexpected expenditure occur at the Bruce Rock sites then Council may be required to make a financial contribution.

#### **Strategic Implications**

Shire of Bruce Rock – Strategic Community Plan 2017-2027

##### **Community**

- Goal 7 Community are engaged and have a healthy lifestyle
- 7.1 Encourage and help facilitate the administration of the planned CEACA units
  - 7.3 Continue to work towards achieving the strategies of the Age Friendly Community Plan

##### **Governance**

- Goal 12 Council leads the organisation in a strategic and flexible manner
- 12.2 Continue to build our voice and strategic projects within our regional groupings

#### **Voting Requirements**

Simple majority

#### **OFFICER RECOMMENDATION AND COUNCIL DECISION**

##### **Resolution OCM Oct 18 – 11.3**

**Moved: Cr Negri**

**Seconded: Cr Kilminster**

**That Council receives the minutes and endorses the actions and resolutions of the CEACA Minutes from the Special Committee Meeting held on the 10th October 2018 at the Nungarin Community Recreation Centre.**

**Carried 9/0**

## 12. Officers' Reports

### 12.1. Environmental Health Officer

#### Agenda Reference and Subject:

**12.1.1** Request to occupy a caravan at the Co-operative Bulk Handling (CBH) facility accommodation area No 19A (Lot 5) Lethlean Street, Bruce Rock for three months during harvest period

#### File Reference:

#### Reporting Officer:

Julian Goldacre, Environmental Health Officer

#### Disclosure of Interest

Nil

#### Summary

Council approves for Mr A Hooker and his wife to camp in their caravan at the CBH accommodation facilities for three months in a 12-month period with some conditions.

#### Background

The EHO visited the CBH site on Lethlean Street to investigate origins of disused materials poorly disposed of at the Shire of Bruce Rock Depot Road landfill facility, allegedly by CBH personnel or contractors on the 16 October 2018. Whilst the enquiry was underway with CBH staff present onsite a caravan was observed parked next to the CBH accommodation building. There exists State Regulation concerning camping and caravanning on sites not licensed as camping grounds or where a stay of 3 nights with the landholder's permission in any 28-day period is exceeded.

#### Comment

The EHO discussed with the owner and occupier of the caravan Mr Andrew Hooker that there was an option available to continue residing in the caravan and would require written request for Council consideration. The EHO explained to Mr Hooker that the *Caravan Parks and Camping Grounds Regulations 1997* (Regulation) could permit a person to camp on land for up to three months in any period of twelve months. Mr Hooker explained that he had full access to the accommodation facilities at CBH namely the bathroom, kitchen and laundry that are connected to a septic system and he uses these facilities. The EHO invited Mr Hooker to write to Council and the matter will be presented for Council consideration. Mr Hooker wrote to the Shire Office addressed to the Shire of Bruce Rock as shown in **Attachment A – Mr Hooker Correspondence camping permission request.**

The correspondence received detailed the following in support of Mr Hooker's request to Council to be able to be given approval to camp at the CBH site:

1. Mr Hooker has the consent to camp on the land by the CBH Site Manager Mr Peter Brooker,
  - a. EHO comment - This complies with Regulation 11(1)(a).
2. The caravan is parked outside of the site accommodation block at CBH which has facilities being toilet, shower, laundry and kitchen which is utilised whilst staying onsite,
  - a. EHO comment - This complies with Regulation 13(a)&(b).
3. The caravan is self-contained being equipped with its own shower and toilet of which the sewerage is contained on-board in tanks which is appropriately disposed of as required,
  - a. EHO comment - This complies with Regulation 14.
4. Refuse is disposed in the rubbish bins provided onsite for CBH for disposal by the local refuse collection contractor;
  - a. EHO comment - This complies with Regulation 13(a)&(b) and 14.
5. Mr Hooker is compliant with CBH Health, Safety, Site rules and policies whilst employed by CBH,
  - a. EHO comment - This complies with Regulation 13(a).

With the above declarations by Mr Hooker (listed 1 to 5) the EHO has sub-referenced each with comment to the applicable regulatory requirements for which there is accordance to. A caravan is defined as a 'House' under the *Health (Miscellaneous Provisions) 1911* and the facilities made available would enable the caravan to be compliant under this Act. Mr Hooker respectfully asks that Council approve a stay of up to three months in a twelve-month period whilst working for CBH.

For the sake of balance, it is brought to Council's attention that there is a fully licensed with facilities caravan park available on Dunstal Street. Mr Hooker explained that whilst this is true the preference for CBH is to have staff onsite given the responsibility CBH has for staff whilst working for them. Furthermore, having staff onsite contributes to the site's security as well as being able to mobilise staff at short notice due to unforeseen events such as pending storms and other deemed emergencies.

Council has the authority Pursuant to Regulation 11(2)(a) to grant camping up to three months in a twelve-month period and given that the conditions in the Regulations to support the exercise of such approval are valid Council is able to make such an approval.

**Consultation**

Mr D Mollenoyux, Chief Executive Officer;  
Mr Peter Brooker, CBH Site Manager;  
Mr Andrew Hooker, CBH worker and applicant.

**Statutory Implications**

*Health (Miscellaneous Provisions) 1911;*  
*Caravan Parks and Camping Grounds Act 1995; and*  
*Caravan Parks and Camping Grounds Regulations 1997.*

**Policy Implications**

Nil.

**Financial Implications**

Nil.

**Strategic Implications**

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

**Voting Requirements**

Simple majority.



**OFFICER RECOMMENDATION AND COUNCIL DECISION**

**Resolution OCM Nov 18 – 12.1.1**

**Moved: Cr Rajagopalan**

**Seconded: Cr Thornton**

**That Council resolves to grant approval to Mr Andrew Hooker and wife to camp in the caravan owned by Mr A Hooker at the Co-operative Bulk Handling (CBH) facility accommodation area located at No 19A (Lot 5) Lethlean Street, Bruce Rock for three months effective from this resolution date with the following conditions:**

- 1. This approval is to be effective from the date of this Council resolution and not to exceed three months in a 12-month period;**
- 2. This approval is to remain valid only during 2018 harvest period and into 2019 whilst Mr A Hooker and/or his wife are employed by CBH and with CBH approval of the site manager or relevant CBH authority and have full unimpeded access to the CBH accommodation amenities as required; and**
- 3. Council reserves the right to revoke this approval for any matter deemed to be not in keeping with the application made to Council or any other matter Council deems to be valid for revoking this approval.**

**Carried 9/0**

*Mr A O'Toole left the Council Chambers at 2.10pm.*

*Mr A O'Toole returned to the Council Chambers at 2.13pm.*

*Mr G Casley entered the Council Chambers at 2.13pm.*

**Agenda Reference and Subject:**

**12.1.2 EHO Information Bulletin**

**File Reference:**

**Reporting Officer:**

Julian Goldacre, Environmental Health Officer

**Disclosure of Interest**

Nil

**Summary**

To accept the Environmental Health Officer Information Bulletin for the period of October 2018 for activities undertaken.

**Background**

The Environmental Health Officer will provide a report of activities undertaken during the preceding Month inclusive of Deputised and Delegated functions. This Information Bulletin will cover the month of October 2018.

**Comment**

- The outcomes of the Council Ordinary Meeting of October 2018 were carried out by the EHO being:
  - Resolution OCM Oct 18 – 13.1.2 – prepare and have signed the required documentation for Development Approval for Lot 17 Collier Street Bruce Rock townsite for the over-height and over-sized outbuilding. This matter is now complete; and
  - Resolution OCM Oct 18 – 13.1.3 - prepare and have signed the required documentation for Development Approval for Lot 125 Curlew Drive Bruce Rock townsite for the over-height wall and ridge outbuilding. This matter is now complete.
- Assisting the Uniting Church of Australia facilitation of the paperwork for the dilapidated church demolition on Venemore Street Shackleton and discussions with concerned members of the community regarding the demolition. Contrary to belief, the Shackleton Church deconsecrated in 2009 was determined unilaterally for demolition by the Uniting Church of Australia due to its poor condition and no longer in use. Whilst demolition is now scheduled the local Uniting Church members have gone to considerable lengths to preserve the stained-glass windows and have had remained at the site part of the front masonry wall with the foundation stone in view as a memorial;
- The EHO has prepared and submitted to the Department of Health Water Unit the applications for the apparatus for the treatment of sewerage, which are taking time to prepare given the deficit of staff in the department. The EHO is encouraging and working with a new staff member to have the approvals completed in a timely manner;
- The EHO has worked with Mr A O’Toole and Mr P Zenni at the Shire of Merredin to prepare a submission at the request of the Chief Executive Officer on the invitation to comment on the proposed changes to the Aquatic Facilities Regulations and Code of Practice;
- On the 24 October 2018 the EHO met with the members of the Craft Shop to discuss the regulatory requirements for jams, pickles and chutney production and labelling. The EHO has in recent times developed straightforward recording of production, food recall plans and assistance in food labelling to make the process more amenable to persons who have not had to do this previously. The discussions went well and it was revealed that (in the Craft Shop’s own way) some of the requirements were already in place. The Food Act 2008 does not discriminate between a person making one jar of jam for sale or a company making 10,000 jars of jam. Discussions with the Department of Health Food Unit clarified the requirements even for food made for charitable purposes. The EHO has offered any assistance to meet labelling and recording of foods made to achieve compliance;
- The EHO was successful in getting a scholarship from the Department of Health to undertake studies in Public Health Promotion run by Curtin University costed at \$4,600, which was covered by the Department. During October two online, interactive sessions were held as well as a full day onsite at the Department. The EHO successfully completed the course completing the required modules in partnership with Mr P Zenni of the Shire of Merredin;

- The EHO continues to work with the Pool Manager to address the main pool and hydro pool operational requirements working to resolve or plan rectification works as required and for future considerations;
- The EHO attended the Environmental Health Professionals Australia - Environmental Health in a Multi-Faceted World - “Learning from the past, planning for the Future, delivering for the Community” which was well attended and delivered on its agenda and was an encouraging symposium with dedicated professionals;
- The EHO along with the Community Development Officer assisted the Community Resource Centre with their application to celebrate the 2018 International Day of People with Disability and have coined the acronym ‘BOLD’ (Building Our Lives: Disabled) and produced a Booklet (Bruce Rock CRC Initiative). The application was successful resulting in a Community Sundowner to be held on Thursday 6th December 2018 at the Bruce Rock District Club from 5.30pm. Stalls outlining disability and support services information will be available, as well as promoting the Shire of Bruce Rock accessible facilities which will feed into the Disability Access and Inclusion Plan adopted by Council for yearly review and reporting;
- The EHO met with the new owners of the Shackleton store to discuss proposals and to have the shop registered under their name. A *Food Act 2008* registration certificate has been issued using Council delegated authority to do so by **Resolution OCM Sep 17 – 12.1.2.**
- The issue regarding a stay over 3 nights in a 28-day period on a farm in Shackleton is ongoing pending a meeting with the person with power of attorney;
- Inspection of the landfill trench shows good lifespan given the regular compacting of waste and as of December this year will reach the 2-year mark with still some capacity left; and
- Dealing with daily matters regarding the handyman crew and operational requirements are as normal ongoing and diverse.
- Seeking Council’s direction as to expectations on and implementation of mosquito control within the Shire.
- Staff are continuing to research the solar panels for the Administration Building and Medical Centre to determine the best way forward.

#### **Consultation**

Mr D Mollenoyux, Chief Executive Officer; and  
Mr A O’Toole Deputy Chief Executive Officer.

#### **Statutory Implications**

*Local Government Act 1995*

*Shire of Bruce Rock Health Local Law 2016*

#### **Policy Implications**

Nil.

#### **Financial Implications**

As per Budget allocation.

#### **Strategic Implications**

Goal 12.3 10 Year Outcome ‘meeting all levels of compliance’

#### **Voting Requirements**

Simple majority.

**OFFICER RECOMMENDATION AND COUNCIL DECISION**

**Resolution OCM Nov 18 – 12.1.2**

**Moved: Cr Foss**

**Seconded: Cr Waight**

**To receive the Environmental Health Officer's Information Bulletin for the period of October 2018.**

**Carried 9/0**

*Mrs J Bow entered the Council Chambers at 2.14pm.*

*Mr J Goldacre left the Council Chambers at 2.26pm and did not return.*

*Mr D Mollenoyux left the Council Chambers at 2.27pm*

*Mr D Mollenoyux returned to the Council Chambers at 2.29pm.*

## 12.2. Manager of Works & Services

### Agenda Reference and Subject:

**12.2.1** Works & Services Information Report

### File Reference:

### Reporting Officer:

Glenn Casley, Manager of Works & Services

### Disclosure of Interest:

Nil

### Town & Gardening Crew

- Street sweeping completed in Bruce Rock, Ardath, Babakin and Shackleton.
- Caravan Park lawns mowed and cleaned up
- Main street cleaned up ready for Veteran's Event.
- Memorial Park, Amphitheatre and Sculpture Park mowed and cleaned
- All Shire blocks in town and Shackleton have been slashed
- 3 Private Works jobs (shed and silo pads)
- Playgroup grounds mowed
- Blowers applied to Footpaths
- Power line trees trimmed back (Bruce Rock)
- Hughes Road bridge under construction. (\$75,000 Fully funded Main Roads)

### Construction Crew

- Yarding- Ardath and Stranger Road intersection are progressing well; the gravel will get delivered in the next week and the road be prepared for sealing.
- Next projects will be Perkins Road re-sheet (R2R \$53,500)
- Hughes Road re-sheet (R2R \$50,300)

### Workshop

- BK 6515, Tractor, 2000 Hr. service
- BK 3, Isuzu Ute, 50000 KM service
- BK 510, 12 M Grader, 5000 Hr. service
- BK6338, Steel Drum roller, replace hydraulic hose on vibe motor
- BK373, Volvo loader, replace cutting edge's, weld on adaptors and hard face worn areas
- Small plant repairs
- BK010, Isuzu Ute 60,000 KM service
- BK6670, tip loader, repair transmission oil leak
- BK9354, dolly, replace and repair tail light wiring
- 23 vehicle inspections

### Rec Centre

- Oval and surrounds mowed
- Wicket area sectioned off for Veterans Week
- All sprinklers marked
- Rec. Centre surrounds cleaned
- Damien busy setting things up for Veterans all week
- New emergency shower erected at Rec. Centre shed
- 2 storage containers for fuel and chemical installed

**Vehicles/Machinery Changeover**

Waiting to speak to the Auditors for some clarification on the correct procedures and limits allowed

**Dams**

<b>Dam</b>	<b>Current</b>	<b>Capacity</b>
Railway Dam	14,500kl	32,000kl full
Negri Dam Rear	9,000kl	115000kl full
Negri Dam Front	4,500kl	15000kl full
Rec Centre Dam	19,000kl	23000kl full
Turkeys Nest	24,000kl	43000kl full

**Road Test WALGA and ARRB**

Mark Bondiotti from WALGA contacted me and Kellerberrin to see if the two Shires would be interested in getting the Shackleton-Kellerberrin road assessed with a new system they are trialling. It consists of a new truck that measures the roughness and rutting of the road, penetrates with lasers and looks at the base and sub base of the road which will pick up weak spots and gives a diagnostic report at the end. On 7/11/18 I went over to have a look at the truck, which cost \$4.5 million to build, and to observe the process. The report will be presented to the December meeting and outcomes explained.

**OFFICER RECOMMENDATION AND COUNCIL DECISION**

**Resolution OCM Nov 18 – 12.2.1**

**Moved: Cr Crooks**

**Seconded: Cr Waight**

**That the Manager of Works and Services report be received.**

**Carried 9/0**

*Cr NC Kilminster left the Council Chambers at 2.42pm.*

*Cr NC Kilminster returned to the Council Chambers at 2.45pm.*

### 12.3. Manager of Finance

**Agenda Reference and Subject:**

**12.3.1** Statement of Financial Activity

**File Reference:**

8.2.6.2 Financial Reporting

**Reporting Officer:**

Jennifer Bow, Manager of Finance

**Disclosure of Interest**

Nil

**Summary**

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

**Background**

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

**Comment**

The financial statements for the month ending 31<sup>st</sup> October 2018 will be available on the website for download on Monday which is still within the 72 hour timeframe.

**Consultation**

Chief Executive Officer  
Deputy Chief Executive Officer  
Manager of Finance  
Manager of Works and Services  
Senior Finance Officer and other staff

**Statutory Implications**

r. 34 Local Government (Financial Management) Regulations 1996

**Policy Implications**

Nil

**Financial Implications**

Comparison of actual year to date to the 2018/19 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 Nov 18 – 12.3.1**

**Moved:** Cr Rajagopalan

**Seconded:** Cr Dolton

**That the Statements of Financial Activity for the month ending 31 October 2018 as presented be received.**

**Carried 9/0**

**Agenda Reference and Subject:**

**12.3.2** List of Payments

**File Reference:**

8.2.3.3 Accounts Payable (Creditors)

**Reporting Officer:**

Jennifer Bow, Manager of Finance Mike Darby, Senior Finance

**Disclosure of Interest:**

Nil

**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 also payments made with the CEO's credit card for the month of October 2018.

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

**Financial Implications**

Payments must be made in accordance with 2018/19 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 Oct 18 – 12.3.2**

**Moved: Cr Dolton**

**Seconded: Cr Thornton**

**That Council endorse the list of payments from the:**

- 1. Municipal Account consisting of;**
    - a. EFT voucher numbers EFT13539 to EFT13649 totalling \$275,577.23**
    - b. Cheque number 23806 to 23850 totalling \$13,266.91**
    - c. Trust Cheque 1911 to 1914 totalling 640.00**
    - d. Wages and Superannuation payments totalling \$206,0250.41 and**
    - e. Credit Card payments totalling \$596.00**
- With all payments totalling \$494,864.55 for the month of October 2018.**

**Carried 9/0**

**Agenda Reference and Subject:****12.3.3** Budget Amendments – Roads Funding Allocations**File Reference:**

8.2.7.1 Annual Budget

**Reporting Officer:**

Jennifer Bow, Manager of Finance

**Disclosure of Interest:**

Nil

**Summary**

To amend the 2018-19 Budget to reflect increases of funding received from Western Australian Local Government Grants Commission and Main Roads, with recommendations from the Works and Services Committee Meeting.

**Background**

The 2018-19 Budget was adopted in July 2018 with estimations for funding to be received from the Western Australian Local Government Grants Commission (WALGGC) and Main Roads as final determinations had not been released.

Fortunately, Council has received extra funding and a Budget Amendment must be made to reflect this increase in revenue.

**Comment**

A Budget Amendment is required to reflect the increase in revenue to be received during 2018-19 as these amounts had not been confirmed at the time of setting the Annual Budget in July 2018.

The increases of funding are as follows;

GL Code	Description	Budget	Actual	Difference
032300	WALGGC – Local Roads	\$353,600	\$353,966	\$366
121307	Main Roads – Direct Grant	\$103,000	\$174,681	\$71,681
121317	WALGGC – Special Projects Funding - Bridges	\$0	\$130,065	\$130,065
	<b>TOTALS</b>	<b>\$456,600</b>	<b>\$658,712</b>	<b>\$202,112</b>

The Works and Services Committee met recently to discuss the additional road funding of \$202,112.

There were two projects that were not completed in 2017/18 and were not allocated funding in the 2018/19 budget;

- i. Culvert replacement works on Babakin South East Road - \$15,100
- ii. Gravel resheeting on Cumminin Road - \$3,200

These works total \$18,300 and require an allocation of funds for the 2018/19 budget. This is slightly different from the recommendations at the Works and Services Committee meeting as Cumminin Road is a Roads to Recovery project and requires a budget allocation (was not picked up until the Roads to Recovery quarterly report was submitted after the Works and Services Meeting).

The bridge programme in the 2018/19 budget had been funded from Main Roads and Council funds, and the Council funds will be replaced by the funding from WALGGC – Special Projects Funding. This releases the \$130,000 back as Council funds. This is similar with the additional Direct Grant funds from Main Roads which will be allocated to Roads Maintenance, as this was also funded by Council funds in the Budget.

The Works and Services Meeting discussed that the additional Council funds to be used to purchase a roller and trade-in two of the older rollers. The allocation for the changeover is \$183,812.

**Consultation**

CEO, DCEO, MOF & MOWS

**Statutory Implications**

Part 6 of the Local Government Act 1995 and accompanying regulations.

**Policy Implications**

Nil

**Financial Implications**

An increase to the income received for 2018-19.

**Strategic Implications**

Shire of Bruce Rock Strategic Community Plan 2017-2027

Goal 1 – Roads are a key economic driver across the Shire

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

**Voting Requirements**

Absolute Majority

**OFFICER RECOMMENDATION AND COUNCIL DECISION**

**Resolution OCM Nov 18 – 12.3.3**

**Moved: Cr Foss**

**Seconded: Cr Crooks**

**That Council resolves to amend the 2018-19 Budget to reflect the increase in funding received from the Western Australian Local Government Grants Commission and Main Roads to the following accounts;**

- i. GL 032300 - INCOME WALGGC – Local Roads, increase to \$353,966**
- ii. GL 121307 - INCOME Main Roads – Direct Grant, increase to \$174,681**
- iii. GL 121317 – INCOME Main Roads – Special Projects Funding WALGGC, increase to \$130,065**
- iv. Job BR007 – EXPENSES Babakin South East Rd - \$15,100**
- v. Job RR045 – EXPENSES Cumminin Rd - \$3,200**
- vi. Job J12153 – EXPENSES Changeover Roller - \$183,812**

**CARRIED BY ABSOLUTE MAJORITY 9/0**

*Mrs JL Bow left the Council Chambers at 2.58pm and did not return.*

*Mr G Casley left the Council Chambers at 2.58pm and did not return.*

*Council adjourned for afternoon tea at 2.58pm.*

*Council meeting resumed at 3.22pm with all staff and Councillors present.*

*Cr MK Thornton left the Council Chambers at 3.22pm.*

*Mrs A Butler, Miss Chloe Corby and Mr Rohan Butler entered the Council Chambers at 3.22 pm.*

*Mrs A Butler, Miss Chloe Corby and Mr Rohan Butler left the Council Chambers at 3.32pm and did not return.*

## 12.4 Deputy Chief Executive Officer

**Agenda Reference and Subject:**

**12.4.1** Shire Seal

**File Reference:**

**Reporting Officer:**

Alan O’Toole, Deputy Chief Executive Officer

**Disclosure of Interest**

Nil

**Summary**

Use of Shire Seal in October 2018.

**Background**

Nil

**Comment**

As per Council’s policy, the Shire Seal has been used during the month of October 2018 as follows:

- Sale of Land – Water Corp Access Road
- Direct Debt Establishment – Centrelink

**Consultation**

Nil

**Statutory Implications**

Council Policy

**Policy Implications**

Nil

**Financial Implications**

Nil

**Strategic Implications**

Corporate Governance

**Voting Requirements**

Simple Majority

**OFFICER RECOMMENDATION AND COUNCIL DECISION**

**Resolution OCM Nov 18 – 12.4.1**

**Moved: Cr Rajagopalan**

**Seconded: Cr Waight**

**That Council endorse the use of the Shire President’s Stamp during October 2018.**

**Carried 8/0**

**Agenda Reference and Subject:**

**12.4.2** Shire of Bruce Rock Business Continuity Plan

**File Reference:**

**Reporting Officer:**

Alan O’Toole, Deputy Chief Executive Officer

**Disclosure of Interest**

Nil

**Summary**

Council is requested to adopt the Shire of Bruce Rock Business Continuity Plan.

**Background**

As part of Governance best practice and in line with recognised contemporary Risk Management and Business Continuity processes, the Shire, in conjunction with LGIS Risk and Governance Services, has developed the Business Continuity Plan (BCP). The purpose of this document is to provide a structure and guidelines for the continuance of Shire business in the event of an incident that may impact adversely on the ability to provide services to the Council and the community.

The types of incidents that most typically create business continuity issues are: weather events including storm damage, power outages (whether caused by weather events or other factors), internet outages (causes as above), or a temporary loss of essential personnel. The BCP provides a strategy which the Shire can use to respond in the event of any sudden interruption to normal business practices.

**Comment**

The BCP has been formulated following Workshops facilitated by LGIS, and including senior staff from across the organisation. It was identified that many rural Shires experience similar business continuity issues, but the unique character of each Local Government dictates their capacity to respond, and therefore how this is presented and addressed in the BCP.

**Consultation**

Senior Shire staff  
Senior Risk Consultant, LGIS Risk and Governance Services

**Statutory Implications**

N/A

**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 AND COUNCIL DECISION**

**Resolution OCM Nov 18 – 12.4.2**

**Moved: Cr Waight**

**Seconded: Cr Dolton**

**That Council adopt the Shire of Bruce Rock Business Continuity Plan**

**Carried 8/0**

## 12.5 Chief Executive Officer

### Agenda Reference and Subject:

**12.5.1** CEO Annual Leave Request

### File Reference:

Personnel

### Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

### Disclosure of Interest

Darren Mollenoyux, Chief Executive Officer

Alan O’Toole, Deputy Chief Executive Officer

*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 AND COUNCIL DECISION

#### Resolution OCM Nov 18 – 12.5.1.1

**Moved:** Cr Dolton

**Seconded:** Cr Kilminster

**That Council:**

**Close the Meeting to members of the public to deal with matters relating to employees.**

**CARRIED BY ABSOLUTE MAJORITY 8/0**

### Summary

Council is asked to consider approval of long service and annual leave for the Chief Executive Officer and appoint an Acting CEO during his absence.

### Background

The Chief Executive Officer is seeking annual leave during the 2018 Christmas period from Monday 24<sup>th</sup> December 2018 to Tuesday 1<sup>st</sup> January 2019, consisting of 4 Annual Leave Days and 3 public Holidays. During this period the Shire Office is closed. In addition, the CEO will continue his annual leave from Tuesday 2<sup>nd</sup> January 2019 until Friday 18<sup>th</sup> January 2019 inclusive. Adequate Annual Leave is accrued to take the requested leave.

The CEO will still be on call for the period between Christmas and New Year while the Shire Office is closed, and adequate arrangements have been put in place to cover Harvest Ban readings during this period.

It is a requirement under the Local Government Act that an Acting Chief Executive Officer be appointed during these periods of absence.

### Comment

January is generally a quiet time, there is no Council meeting and the majority of Works Crew is on leave, so it is an ideal period for the Chief Executive Officer to take annual leave.

I have held discussions with the Deputy CEO, Alan O’Toole and I am confident that Alan is capable and suitable to be appointed as Acting CEO during this period. The Manager of Works and will be working during this period to also support Alan.

**Consultation**

Manager of Works  
Deputy Chief Executive Officer

**Statutory Implications**

**Local Government Act 1995**

In particular:

5.36. *Local government employees*

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

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

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

5.39. *Contracts for CEO and senior employees*

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

**Policy Implications** Nil

**Financial Implications**

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

**Strategic Implications**

Shire of Bruce Rock – Strategic Community Plan 2017-2027

**Governance**

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

**Voting Requirements**

Absolute Majority

**OFFICER RECOMMENDATION AND COUNCIL DECISION**

**Resolution OCM Nov 18 – 12.5.1.2**

Moved: Cr Foss

Seconded: Cr Crooks

1. Approve the annual leave of the Chief Executive Officer, Darren Mollenoyux for the period commencing on Monday 24th December 2018 to Friday 18 January 2019 inclusive.
2. Appoint the Deputy Chief Executive Officer, Alan O’Toole as the Acting Chief Executive Officer for the period from Tuesday 2nd January 2018 to Friday 18 January 2019 inclusive and that Alan is paid at higher duties, equivalent to the current CEO, during this period.

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**OFFICER RECOMMENDATION AND COUNCIL DECISION**

**Resolution OCM Nov 18 – 12.5.1.3**

Moved: Cr Dolton

Seconded: Cr Rajagopalan

**That Council:**

**Reopen the Meeting to members of the public to deal with matters relating to an employee.**

**CARRIED BY ABSOLUTE MAJORITY 8/0**



**Agenda Reference and Subject:**

**12.5.2** Report of the Returning Officer Extraordinary  
Election held on 12 October 2018

**File Reference:** 2.2.1.7 Elections

**Reporting Officer:** Darren Mollenoyux, Chief Executive Officer

**Disclosure of Interest** Nil

**Summary**

This report is to brief elected members on the conduct of the election held on 12<sup>th</sup> October 2018 and to provide an overview of statistics that relate to the election.

**Background**

On the 12<sup>th</sup> October 2018 Shire of Bruce Rock held an Extraordinary Election for the District. There were two vacancies each for a one-year term.

Early Voting was available at the Bruce Rock Shire Office, 54 Johnson Street, Bruce Rock, between 12<sup>th</sup> September to Thursday 11<sup>th</sup> October 2018 from 8.30am to 4.30pm. 126 votes were received by early voting.

On Election Day, 12<sup>th</sup> October 2018 the polling place was Bruce Rock Shire Office, 54 Johnson Street, Bruce Rock open from 8.00am to 6.00pm. 81 votes were received on Election Day.

**Comment**

As it was a standard working day all staff worked at the Shire Office as normal, however three staff commenced at 7.30am and the remaining started at normal time from 8.00am - 5.00pm, three staff members worked until to 7.00pm and assisted with the count.

Year	Number of Candidates	Total number eligible voters on roll	Total valid votes cast	Total informal votes	Total votes cast	Percentage turnout
2018*	3	628	207	0	207	33%
2017	5	642	258	6	264	41%
2013	6	681	267	2	269	39%
2012*	2	698	178	3	181	26%

*\*indicates extraordinary election*

There were no incidents on the day to report.

**Consultation** Nil

**Statutory Implications**

For this election the CEO acted as Returning Officer. The election was conducted on the basis of electors voting in person. Part 4 of the Local Government Act 1995 and Local Government (Elections) Regulations 1997 specify the way local government elections are to be conducted.

**Policy Implications** Nil

**Financial Implications**

The October 2018 Extraordinary Election cost \$1,978. The 2018/19 Annual Budget has an amount of \$3,000 allocated for Election expenses. This does not capture wages to run the election as they are captured in ordinary wages for staff. To date expenses appear to be within budget, though not all expenses have been received to date.

**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 AND COUNCIL DECISION**

**Resolution OCM Nov 18 – 12.5.2**

**Moved: Cr Rajagopalan**

**Seconded: Cr Waight**

**That Council receive the report of the Returning Officer for the election held on 12th October 2018.**

**Carried 8/0**

**Agenda Reference and Subject:**

**12.5.3** St John Ambulance WA - Sponsorship Request

**File Reference:**

8.2.7.5 St John Ambulance

**Reporting Officer:**

Darren Mollenoyux, Chief Executive Officer

**Disclosure of Interest**

Nil

**Summary**

Council is asked to consider a request from St John Ambulance WA to make a donation towards their 2019 Annual Regional Seminar.

**Background**

The Regional Manager of Wheatbelt for St John Ambulance WA has written to Council seeking a donation towards the Annual Regional St John Ambulance Seminar. The letter states the following;

*“Did you know that in the community in your Shire, the majority of ambulance service locations are operated by a group of dedicated and highly skilled St John Ambulance volunteers? Last Year our Wheatbelt volunteers attended more than 10,000 call outs. We would like to celebrate their efforts at our annual Regional Seminar in 2019 and we are giving the opportunity to local Shires in the Wheatbelt to help us say thank you!!*

*Our volunteers provide life changing and lifesaving services throughout the region and next year we, like them, would like to go above and beyond and upscale the event so that we can include and engage with even more of our volunteers. In doing so we are seeking support from the local Shires and giving you the opportunity to say thank you to the volunteers in your local area – of which there are 10 at the Sub Centre of Bruce Rock - by contributing a monetary donation. Large or small, all donations are greatly appreciated and will go toward the purchase of gift cards and vouchers as prizes for our volunteers.*

*St John Ambulance Western Australia covers the largest area of any single ambulance service in the world, 2.5 million square kilometres, and has more than 3,100 dedicated volunteer ambulance officers. Within this area the Wheatbelt region has the largest number of sub centres and over 975 volunteers who dedicate their time and skills to helping their communities.*

*These volunteers not only operate the ambulance service they work hard in making our community more resilient by providing first aid programs like professional courses, free programs for every school aged child and Community First Responder that connects people to Automatic External Defibrillators in the community, through our triple zero (000) call centre. Our goal is to make first aid part of everyone’s life you can help us support the volunteers that make it happen.*

*In thanks and support for their dedication and efforts, St John Ambulance holds an annual seminar in each region aimed at recognising the outstanding work performed by these exceptional men and women and showcasing the latest in clinical techniques and equipment.*

*Our last regional seminar, held at EL Caballo Resort on the 24th of March 2018, was a huge success with over 145 delegates in attendance from Jurien Bay in the North, to Dumbleyung in the South. As part of the event, some 20 or so businesses donated various items as prizes for the volunteers, including chocolate hampers, gym memberships, entertainment packages, coffee vouchers and more!! The volunteers very much appreciated this demonstration of gratitude from their community, not that they volunteer for reward but everyone appreciates a ‘thank you’ for a job well done.*

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*As a supporter, you will not only know that you are helping improve the lives of everyone across the Wheatbelt, but you will also be recognised on our social media pages and at the seminar your logo will be displayed at the event and a brief description of your contribution in our program.”*

**Comment**

Council provide both financial and in-kind support to the local Bruce Rock St John Ambulance Sub Centre on an annual basis. This is the first time a request for this type of sponsorship has been received from St John Ambulance WA and Council needs to determine the appropriateness of making a donation at this level of the organisation.

<b>Consultation</b>	Nil
<b>Statutory Implications</b>	Nil
<b>Policy Implications</b>	Nil

**Financial Implications**

There is \$2,900 remaining in Council’s Donations and Sponsorship budget for 2018/19 financial year.

**Strategic Implications**

Shire of Bruce Rock – Strategic Community Plan 2017-2027

**Community**

Goal 7 – Our community are engaged and have healthy lifestyles  
7.8 – Shire supports emergency services and St John Ambulance

**Governance**

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

**Voting Requirements**                      Simple Majority

**Officer Recommendation**

That Council resolves / declines to make a donation to St John Ambulance WA for their Annual Regional Seminar in 2019.

*Council decision differed to officer recommendation to resolve to decline the request.*

**COUNCIL DECISION**

**Resolution OCM Nov 18 – 12.5.3**

**Moved:            Cr Dolton**  
**Seconded:       Cr Rajagopalan**

**That Council declines to make a donation to St John Ambulance WA for their Annual Regional Seminar in 2019.**

**Carried 8/0**

<b>Agenda Reference and Subject:</b>	<b>12.5.4</b> Request for Elected Member Training
<b>File Reference:</b>	2.1.1.5 Councillor Training
<b>Reporting Officer:</b>	Darren Mollenoyux, Chief Executive Officer
<b>Disclosure of Interest</b>	Nil

**Summary**

The Council is requested to consider Cr Rajagopalan’s request to undertake WALGA’s Diploma of Local Government (52756WA).

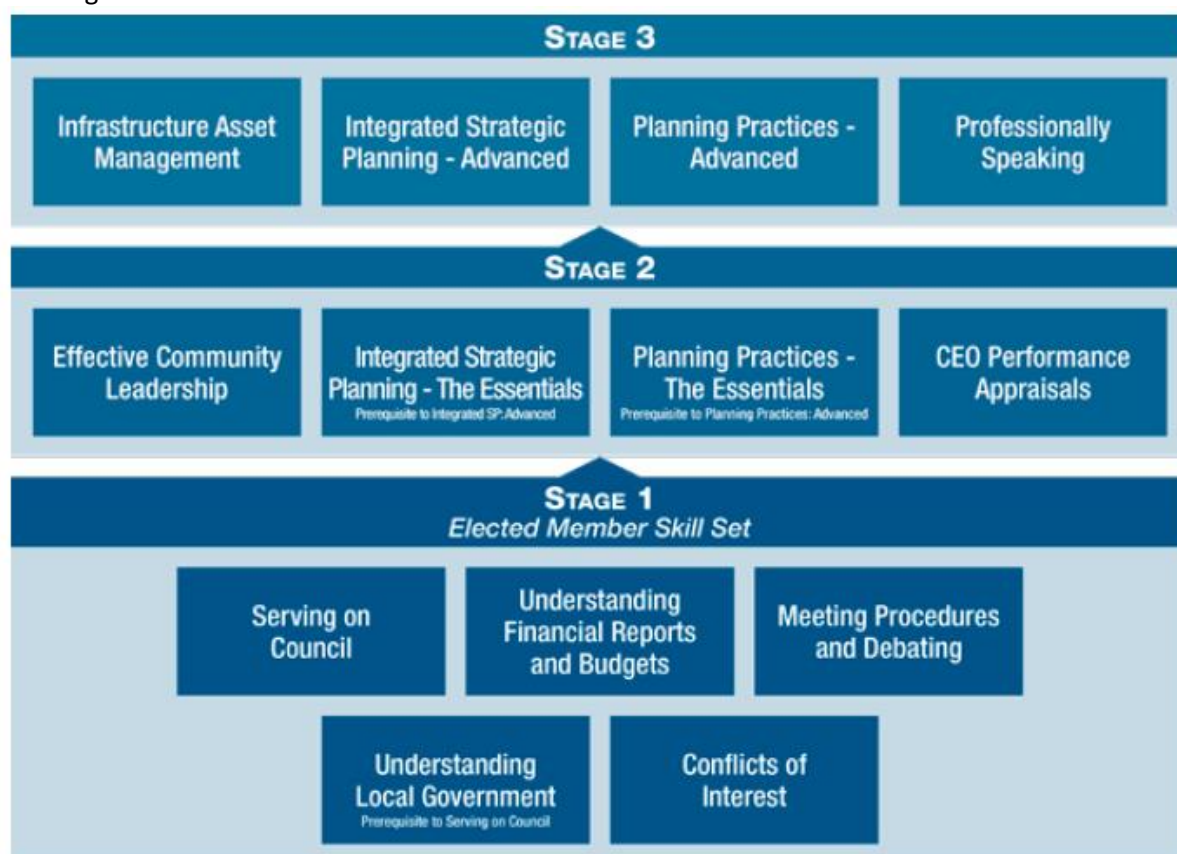
**Background**

During the month Cr Rajagopalan requested to undertake Councillor training, being the Diploma of Local Government. As Council did not have a policy at the time, one was adopted at the October Council Meeting which states that training such as this requires approval by Council. Cr Rajagopalan has now formalised his request by writing to the CEO stating an intention of completing the Diploma within 2-3 years

**Comment**

WALGA’s Diploma of Local Government for Elected Members is the highest level of qualification that an Elected Member can obtain through WALGA Training. It has been designed specifically to meet the skills and knowledge requirements of an Elected Member’s role in Western Australia. Encompassing completion of Stages One, Two and Three of WALGA’s Learning and Development Pathway, this nationally recognised training program contains 10 units of competency that form the Diploma of Local Government.

The stages are listed below.



**Consultation**

CEO, EA

**Statutory Implications**

Local Government Industry Award  
OH&S considerations

**Policy Implications**

Policy 3.7 Elected Member Training, Conferences and Seminars

**Financial Implications**

Below is a breakdown of costs associated with Elected Member Training and the required pathway to be taken to enable a Diploma of Local Government to be obtained. Cr Rajagopalan will undertake Meeting Procedures and Debating and Infrastructure Asset Management training in Cunderdin on the 22<sup>nd</sup> and 23<sup>rd</sup> of November at a significantly reduced price of \$50 per course. Currently there is \$5000 in the 18/19 Budget with no expenditure to date, but it is recommended that some funds be left for any training new Councillors may wish to undertake.

Stage 1: Elected Member Essentials				
	Related Courses	Course Fees	Assessment Fees	Total
Stage One (EM Essentials)	Serving on Council	\$515.00	\$675.00	\$2,610.00
	Conflicts of Interest (eLearning)	\$195.00		
	Understanding Local Government (eLearning)	\$195.00		
	Meeting Procedures and Debating	\$515.00		
	Understanding Financial Reports & Budgets	\$515.00		
Stage Two (Intermediate)	CEO Performance Appraisals	\$515.00	\$900.00	\$2,960.00
	Effective Community Leadership	\$515.00		
	Integrated Strategic Planning - Essentials	\$515.00		
	Planning Practices – The Essentials	\$515.00		
Stage Three (Advanced)	Planning Practices – Advanced	\$515.00	\$900.00	\$2,960.00
	Integrated Strategic Planning - Advanced	\$515.00		
	Infrastructure Asset Management	\$515.00		
	Professionally Speaking	\$515.00		

**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 approves Cr Rajagopalan to undertake the Diploma of Local Government;

And,

That stage one be undertaken in the 18/19 Financial Year the remaining stages to be carried out in the 19/20 Financial Year with any remaining modules in 20/21.

*Council decision differed to Officer Recommendation to provide more flexibility in timeframe as to when training is carried out.*

**COUNCIL DECISION**

**Resolution OCM Nov 18 – 12.5.4**

**Moved: Cr Dolton**

**Seconded: Cr Kilminster**

**That Council approves Cr Rajagopalan to undertake the Diploma of Local Government;**

**And,**

**That it is intended that stage one be undertaken in the 18/19 Financial Year with the remaining stages to be carried out in the 19/20 Financial Year with any remaining modules in 20/21.**

**Individual timeframes may vary dependant on availability of training at a local level.**

**CARRIED BY ABSOLUTE MAJORITY 8/0**

*Mrs MK Thornton returned to the Council Chambers at 3.50pm.*

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

<b>Agenda Reference and Subject:</b>	
<b>13.1</b>	Sale of Lots 226, 227, 228 Butcher St, Bruce Rock
<b>File Reference:</b>	
<b>Reporting Officer:</b>	Darren Mollenoyux, Chief Executive Officer
<b>Disclosure of Interest</b>	Nil

**Summary**

Bruce Rock Engineering are seeking to purchase Lots 106, 108 and 110 Butcher Street, Bruce Rock for a worker’s accommodation proposal.

**Background**

Bruce Rock Engineering had written to Council seeking to obtain adequate and appropriately located land to potentially utilise for a staff village.

Following investigations by Council staff as to any available land that may be suitable several lots were identified and presented to Bruce Rock Engineering for consideration. The preferred site identified is located at Lots 106, 108, 110 and 112 Butcher Street, Bruce Rock, of which three lots are owned by Council and the other Lot (being 112) owned by the Department of Lands under Vacant Land.

Bruce Rock Engineering has subsequently made an offer to purchase the below three lots for a “staff village”, subject to town planning scheme being amended as required.

The offer received is for the following lots:

106 (Lot 226) Butcher St, Bruce Rock	\$3,000
108 (Lot 227) Butcher St, Bruce Rock	\$3,000
110 (Lot 228) Butcher St, Bruce Rock	\$3,000

**Comment**

Whilst located in the light industrial area the lots are zoned as residential and would meet the requirements of Bruce Rock Engineering under the Town Planning Scheme. Council has no current or foreseeable use for these lots.

A valuation has been obtained on each of the three lots owned by Council and the valuations are as follows:

<u>Land Address</u>	<u>Lot Size</u>	<u>Valuation</u>
106 (Lot 226) Butcher St, Bruce Rock	1,012 sqm	\$4,500 <i>ex GST</i>
108 (Lot 227) Butcher St, Bruce Rock	1,012 sqm	\$5,000 <i>ex GST</i>
110 (Lot 228) Butcher St, Bruce Rock	1,012 sqm	\$5,000 <i>ex GST</i>

Should Council resolve to accept the offer and formalise the transfer of land it must comply with the Local Government Act 1995 and Council will need to dispose of the property in accordance with Section 3.58 of the Act, which will require the statutory advertising period of at least two weeks.

**Consultation**

Damion Verhoogt, Bruce Rock Engineering  
 Julian Goldacre, Environmental Health Officer  
 Valwest Pty Ltd



### **Statutory Implications**

Shire of Bruce Rock Local Planning Scheme No3;

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

### **Policy Implications**

Nil

### **Financial Implications**

Council does not have budget provision in 2018/19 for the income for sale of this land and would be required to resolve this motion as an absolute majority. The sale of property would see income of \$9,000 for sale of land in the 2018/19 financial year.

Council may potentially utilise these funds to undertake earthworks to improve the marketability of the industrial subdivision site on the corner of Noonajin Rd and Dampier Street, Bruce Rock.

### **Strategic Implications**

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Infrastructure

Goal 3: Assist the local economy to grow

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

### **Voting Requirements**

Absolute Majority

### **Officer Recommendation**

That Council:

1. 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 dispose of the following lots to Bruce Rock Engineering for the amounts stated below;  
106 (Lot 226) Butcher St, Bruce Rock     \$3,000 plus GST  
108 (Lot 227) Butcher St, Bruce Rock     \$3,000 plus GST  
110 (Lot 228) Butcher St, Bruce Rock     \$3,000 plus GST
2. That at the conclusion of the advertising period an item be presented to the December 2018 Ordinary Meeting of Council to consider any submissions, prior to the execution of the transfer of land documentation.

### **OFFICER RECOMMENDATION AND COUNCIL DECISION**

#### **Resolution OCM Nov 18 – 13.1**

**Moved:            Cr Rajagopalan**

**Seconded:       Cr Waight**

1. 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 dispose of the following lots to Bruce Rock Engineering for the amounts stated below;  
106 (Lot 226) Butcher St, Bruce Rock     \$3,000 plus GST  
108 (Lot 227) Butcher St, Bruce Rock     \$3,000 plus GST  
110 (Lot 228) Butcher St, Bruce Rock     \$3,000 plus GST
2. That at the conclusion of the advertising period an item be presented to the December 2018 Ordinary Meeting of Council to consider any submissions, prior to the execution of the transfer of land documentation.

**CARRIED BY ABSOLUTE MAJORITY 9/0**

*Cr Dolton – Update on firebreaks throughout the Shire, would like to thank the Captains and Bushfire Control Officers for their inspections and ensuring rural firebreaks are compliant throughout the Shire. There are still a few landholders that do not comply, letters will be sent out to those who have been identified.*

**14. Confidential Items**

**15. Confirmation and receipt of Information Bulletins.**

**OFFICER RECOMMENDATION AND COUNCIL DECISION**

**Resolution OCM Nov 18 – 15.1**

**Moved: Cr Crooks**

**Seconded: Cr Waight**

**That Information Bulletin 1 be received.**

**Carried 9/0**

**OFFICER RECOMMENDATION AND COUNCIL DECISION**

**Resolution OCM Nov 18 – 15.2**

**Moved: Cr Rajagopalan**

**Seconded: Cr Foss**

**That Information Bulletin 2 be received.**

**Carried 9/0**

**16. Closure of Meeting.**

The Shire President, Stephen Strange thanked everyone for their attendance and declared the meeting closed at 4.36pm.

These minutes were confirmed at a meeting on 18 December 2018.

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Cr Stephen Strange  
Shire President  
18 December 2018