

SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 21 MARCH 2019

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SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 21 MARCH 2019

1. Declaration of Opening

The Shire President Cr SA Strange declared the meeting open at 1.12pm.

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
Chief Executive Officer	Mr DRS Mollenoyux
Deputy Chief Executive Officer	Mr A O'Toole
Executive Assistant	Mrs MJ Schilling
Manager of Finance	Mrs JL Bow (2.15pm to 3.04pm)
Environmental Health Officer	Mr J Goldacre (1.39pm to 2.11pm)
Manager of Works & Services	Mr G Casley (1.39pm to 2.43pm)
Leave of Absence	Cr BJ Waight

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
21.03.19	Cr Thornton	12.1.2	Is partners business and resides in same house

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
21.03.19	Mr A O'Toole	12.5.6	DCEO Contract Extension – Is DCEO

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

Date	Name	Item No	Reason

4. Response to Previous Public Questions Taken on Notice**5. Public Question Time****6. Petitions/Deputations/Presentations/Submissions**

7. Applications for Leave of Absence

8. Announcements by Presiding Member

The President advised he had attended a meeting in York in regard to the alliance regarding the York Road, Shire's in attendance included Narembeen, Beverly, Quairading and York through to Perth. The commissioner of Road Safety and Craig Manton (Area Manager) was in attendance where various issues were raised from bridges, realignment and speed limits.

Medical Students' immersion program was a great outcome with a total of 170 students in attendance in the Wheatbelt. The students who attended Bruce Rock found it very rewarding and had a very strong connection with their host families.

Rotary's swim held on the 16th March 2019, a lap record was completed by swimmers and it was attended well, however, feedback back to Kero O'Shea will be to tap into surrounding Shire's swim meets to boost attendance.

At the recent WALGA Zone Meeting, a representative from Telstra was in attendance and the battery backup issues that are occurring throughout the Wheatbelt were raised as a significant issue.

9. Confirmation of Minutes

Ordinary Meeting of Council held on Thursday 21 February 2019.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Mar 19 – 9.1

Moved: Cr Kilminster

Seconded: Cr Dolton

That the minutes of the Ordinary Meeting of Council held Thursday 21 February 2019 be confirmed as a true and correct record.

Carried 8/0

10. Status Report

Presentation of Status Report for February 2019 Resolutions

ITEM	RESOLUTION / ACTION REQUIRED	RESPONSIBLE OFFICER	RESPONSE OR STATUS
Resolution Feb 19 – 12.3.3 Write Off Rental Debtor	That Council gives the CEO authority to write off 8 weeks of rent at Unit 3 Farrall Court, Bruce Rock due to the property being inhabitable for that period.	MOF	Completed.
Resolution Feb 19 – 12.3.4 Amend Fees & Charges – Rent	That Council 1. Amend the fee and charge for weekly rent at 21 Collier Street, Bruce Rock to \$290.00 (input taxed); and 2. Give public notice of 7 days of the intent to amend the adopted fee and charge	MOF	Advertised and tenancy commenced.
Resolution Feb 19 – 12.3.5 Adoption of 2018/19 Budget Review	That Council adopt the Budget Review as presented including the variations for the period 1st July 2018 to 30th June 2019 and amend the budget accordingly.	MOF	Budget Review submitted to Department of Local Government as per requirements.
Resolution Feb 19 – 12.3.6 Write off Sundry Debtor 84052	That Council provides authority to write off the 2017-18 lease payment for the quarry for the amount of \$13,200 (inc GST).	MOF	Completed.
Resolution Feb 19 – 12.5.1 Acceptance of Gifted Land – Shackleton District Club Inc 26,27 & 28 Mills Street, Shackleton WA	That Council; <ul style="list-style-type: none"> • Continues to work with the Shackleton Bowling Club to seek funding for the installation of a synthetic bowling green through the Department of Sport and Recreation CSRFF Grants. • Defer the decision to accept the transfer of Lots 26, 27, 28 Mills Street, Shackleton from the Shackleton District Club to the Shire of Bruce Rock to the March 2019 Council meeting to enable staff to; <ul style="list-style-type: none"> - Seek clarification of the boundary alignment in reference to the location of the building structure on Lot 26 Mills Street, Shackleton. - In conjunction with the Shackleton Bowling Club staff further investigate options and costs in relation to the Shackleton Bowling Club building on Lot 26 Mills Street, Shackleton. - Obtain confirmation from the Shackleton Bowling Club as to their proposed financial commitment towards any works or potential replacement of the Shackleton Bowling Club building. 	CEO	Meeting held with the Shackleton Bowling Club to discuss options. An item will be presented for Council consideration at the March 2019 Council Meeting.

	- Provide confirmation to Council on the eligibility for both the Department of Sport Recreation Annual and Small CSRFF Grants.		
Resolution Feb 19 – 12.5.2 Funding of Hockey Turf Lighting and Recreation Centre Power Upgrade	That Council: <ul style="list-style-type: none"> • That Council receives the information, including financial situation, for Recreation Centre Power Upgrade and Installation of Lighting Project, as presented. • That the Chief Executive Officer and Shire President meet with the President and Vice President of the Bruce Rock Hockey Club to present the above information and discuss options for progressing towards the completion of the project. • Item be represented for Council Consideration at the Ordinary Council Meeting held 21 March 2019. 	CEO	The President and CEO met with Bruce Rock Hockey Club representatives to discuss lighting project and funding options. An agenda item will be presented at the March 2019 Council Meeting.
Resolution Feb 19 – 12.5.3 Local Government Act 1995 – Phase 2 Review	That Council: <ol style="list-style-type: none"> 1. Supports WALGA’s Position Statement – “Local Government Act Review Principles”, as presented. 2. Endorses the survey responses prepared by the Chief Executive Officer, noting variations by Council to support statements 1 and 4 of question 6 in the election section, page 40. 3. That the Chief Executive Officer submit the endorsed survey responses to the following organisations by the 22nd February 2019; <ol style="list-style-type: none"> a) WA Local Government Association b) WALGA Great Eastern Zone c) WEROC d) Department of Local Government 	CEO	The CEO submitted Council’s submission to all relevant organisations and the Department of Local Government by the deadlines.
Resolution Feb 19 – 13.1 Bruce Rock Quarry Lease Update	That Council: <ol style="list-style-type: none"> i) Approve Mineral and Crushing Services Pty Ltd’s request to defer the commencement date of the Bruce Rock Quarry Lease until 1st July 2019 ii) Approve that Mineral and Crushing Services Pty Ltd be invoiced for the fee for the preparation of the Bruce Rock Quarry Lease. 	DCEO	Notification of new start date of Quarry lease has been sent to Mineral and Crushing Services. Invoice has been issued for preparation of the lease.
Resolution Feb 19 – 13.2 Review of Australian Citizenship Ceremonies Code	That Council: <p>That the Chief Executive Officer prepare a response to the Department of Home Affairs’ review of the Australian Citizenship Ceremonies Code</p>	CEO	The CEO prepared and submitted a submission in line with Council’s views of the proposed changes. A

	outlining Council's views on the proposed changes.		response was received back clarifying that Councils who conduct less than 20 ceremonies per year won't be required to hold ceremonies on Australia Day or Citizenship Days.
Resolution Feb 19 – 13.4 Memorial House	That Council move to pursue the avenue of attracting aged care/service packages to Bruce Rock and regionally through collaboration with WACHS and CEACA. And That Council works towards exploring the options for expansion of permanent care services at the Bruce Rock Hospital (namely Acacia House) and liaise with WACHS as t the future use of Memorial House.	CEO	The CEO will provide an update at the March 2019 Council Meeting.

Status Report

Ongoing items as at March 2019

ITEM	RESOLUTION / ACTION REQUIRED	RESPONSIBLE OFFICER	RESPONSE OR STATUS
<p>Resolution August 16–13.1.10 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>Resolution December 17 – 12.5.4 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>Resolution Mar 18 – 12.5.6 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 That Council staff investigates 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>CEO</p>	<p>The CEO and CDO are working on this between other priority projects.</p>
<p>Resolution Mar 18 – 12.5.12 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"> • Activities on Thoroughfares and Trading in Public Places Local Law 2004; • Dogs Local Law 2005; • Parking and Parking Facilities Local Law; • Local Law Relating to the Management and Control of Bruce Rock Cemetery 2004; • Local Laws Relating to Fencing; • Local Government Property Local Law; and • Local Government Model By-laws Removal and Disposal of Obstructing 	<p>CEO</p>	<p>Referred back to Consultant and will be making arrangements to align with proposed Standing Orders Local Laws.</p> <p>Will proceed with currently reviewed Local Laws and await Act Review outcomes in regard to Standing Orders.</p> <p>Quotes were received and consultancy work for the Local Laws</p>

	<p>Animals or Vehicles No 7.</p> <p>2. That the Shire of Bruce Rock determine that the outcome in respect to each local law is as follows:</p> <p>a. Shire of Bruce Rock Activities on Thoroughfares and Trading in Public Places Local Law 2004 be amended as outlined in the report;</p> <p>b. Shire of Bruce Rock Dogs Local Law 2005 be amended as outlined in the report;</p> <p>c. Shire of Bruce Rock Parking and Parking Facilities Local Law not be amended due to the minimal nature of the amendments;</p> <p>d. Shire of Bruce Rock Local Government Property Local Law be amended as outlined in the report;</p> <p>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;</p> <p>f. Shire of Bruce Rock Local Laws Relating to Fencing be amended as outlined in the report;</p> <p>g. Shire of Bruce Rock Local Government Property Local Law be amended as outlined in the report; and</p> <p>h. Shire of Bruce Rock Local Government Model By-laws (Removal and Disposal of Obstructing Animals or Vehicles) No 7 be further reviewed to determine whether existing local laws or legislation may satisfy the purpose and effect of the local law.</p>		<p>Review will be undertaken by Conway Highbury. They have already commenced the process with an update to be presented at the March Council Meeting.</p>
<p>Resolution July 2018 – 12.3.4 STED Scheme</p>	<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</p>	<p>MOF</p>	<p>Waiting for Water Corporation to advise STED is operational. Application form also still be to developed.</p>

	<p>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>		
<p>Resolution Sep 2018 – 12.3.4 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;</p> <p>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 Advertisements were placed in the West Australian and on Notice Board. The month notification period has now expired. Staff will proceed with the next step of this process.</p>
<p>Resolution Dec 2018 - 12.5.1 Sale of Lots 226,227,228 Butcher Street Bruce Rock</p>	<p>That Council</p> <p>1.That there being no written public submissions and in accordance with section 3.58 of the Local Government Act Council resolves to dispose of the following lots to Damion Michael Verhoogt as to one undivided third share and Brenton Ryan Verhoogt and Joanne Kate Horne as to one undivided third share as joint tenants and Keenan Shane Verhoogt as to one undivided third share, all care of 15 Swan St Bruce Rock WA 6418 as tenants in common for the amounts stated below;</p> <p>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</p> <p>2.That Council resolves to vary the 2018/2019 budget to include income of \$9,000 for the Sale of Vacant Land.</p> <p>3.That Council staff undertake works for the realignment of the fence to meet the correct boundary line of 106 and 104 Butcher St, Bruce Rock.</p>	<p>CEO</p>	<p>Transfer of Land documents have been received by the Settlement Agency and are now awaiting signed copies from Bruce Rock Engineering.</p> <p>All documentation has been completed, however the transfer has been placed on hold pending outcomes of Water Corporation costs and potential issues with purchasing adjoining Crown Land.</p>
<p>Resolution Dec 18 - 13.2 Review of Rental Factory Unit</p>	<p>1 That Council adopts a new rental of \$400 inc gst per month for Factory Unit 3 located at 14 Swan St Bruce Rock to commence on the 1st February</p>	<p>CEO</p>	<p>The tenant was informed of Council’s decision and a new lease</p>

3, 14 Swan St, Bruce Rock	2019. 2 That the new fee be advertised giving 7 days public notice of the intent to vary the new fee and charge.	agreement had been prepared. At the time of writing this item the occupier had not signed the lease.
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<p>COUNCIL DECISION Resolution OCM Mar 18 – 10.1 Moved: Cr Negri Seconded: Cr Kilminster That Council receives the Status Reports as presented.</p> <p style="text-align: right;">Carried 8/0</p>

Mr A O’Toole left the Council Chambers at 1.37pm.

11. Regional Reports

Agenda Reference and Subject:

11.1 Wheatbelt Communities Meeting February 2019

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 27th February 2019 at the Shire of Yilgarn.

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.

The following items are highlighted for Councillors information/attention;

7.4 Demos of the Wheatbelt

The Shire of Yilgarn received correspondence from West Australian Music (WAM) seeking its support for one of its projects, Demos from the Wheatbelt. This project follows on from a larger project, Sounds, delivered in the region in 2014.

Through these projects, WAM takes the full, professional recording studio experience out of the city and into regional WA in locations where these types of facilities simply do not exist. For many people living in regional WA, the opportunity to progress their own artistic aspirations and professionally record their music is not possible, unless they travel to Perth.

WAM still needs to raise some of the funds necessary to deliver this project, and are asking Shires across the Wheatbelt region to consider making a modest investment in the project, which in turn is an investment in the artists that will be selected to participate in the recordings. A brief proposal and outline of the project can be viewed by following the link below.

<https://www.dropbox.com/sh/zpnmexerttc0sbd/AADt8ZjH0ncwPkZNOdIXqmepa?dl=0>

The Shire of Yilgarn has requested the matter for Wheatbelt Communities Inc's consideration as it views the project of value and one which could contribute to building creative capital across each of the member Councils.

The meeting resolution was carried made;

That Wheatbelt Communities Inc make a donation of \$1,000 to West Australian Music (WAM) in support for one of its projects, Demos from the Wheatbelt, subject to WAM providing advice on:

- a) The level of funds being sought from participating Councils across the Wheatbelt; and*
- b) What happens to a donation should the project not proceed due to lack of sufficient funding.*

Please note that the Shire of Bruce Rock did not vote in favour of this request.

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

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Financial Implications

The donation of \$1,000 will be made from the Wheatbelt Communities Inc Projects Account, therefore there is no direct impact on Council's 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
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 Mar 19 – 11.1

Moved: Cr Rajagopalan

Seconded: Cr Foss

That Council receives the minutes and endorses the actions and resolutions of the Wheatbelt Communities Inc. Meeting held on the 27th February 2019 at the Shire of Yilgarn.

Carried 8/0

Mr A O'Toole returned to the Council Chambers at 1.39pm.

Mr J Goldacre entered the Council Chambers at 1.39pm.

Mr G Casley entered the Council Chambers at 1.39pm.

Agenda Reference and Subject:

11.2 WEROC Council Meeting February 2019

File Reference:

1.6.9.1 WEROC Council Meeting

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 27th February 2019 at the Yilgarn 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;

6.3 Ongoing Development of the WEROC App and Website

At the WEROC Council Meeting held Wednesday 24 October 2018 the ongoing development of the WEROC App and website was considered with the meeting noting the report provided by the Executive Officer. The meeting 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 WEROC App in order for this to be referred to the next Executive Meeting to allow discussion on the future of the WEROC App.

Go2Guides provided a costing for the project. Prior to WEROC considering the costing the Executive requested a simpler approach to the costing in terms of explaining what was required for the fees being charged. This was provided and the information, including the revised costing, form attachments to the meeting agenda.

RESOLUTION: Moved: Mr Clarke Seconded: Mr Mollenoyux

That WEROC:

- 1. Subject to successful grant funding applications to assist it in resourcing the WEROC App Marketing Project, WEROC look to fund the project in the 2019/2020 financial year and beyond; and*
- 2. Go2GUIDES be advised of WEROC's decision.*

NOTE: Whilst the Shire of Bruce Rock has previously advised that it has concerns with any further expenditure on the development and enhancement of this App, it was supported as the decision was that it would only proceed should grant funding be obtained.

6.4 WEROC Asset Management Project

A progress update on this project being undertaken by ACCINGO is provided in the minutes from the meeting. The schedule of the project was advised as follows;

- Desktop work is all but complete (refer next note though)
- Further detail has been requested from Kellerberrin & Bruce Rock in terms of a full asset register. The level of detail between Shires is vastly different and we do require standard data in which to work from

- Initial visit to Westonia on the 15th Feb provided an opportunity to clarify parts of the process going forward
- Site visits will be scheduled with each of the shires by end of Feb
- Completion of site visits by 31 March
- Draft Report or findings & recommendations to be completed by 15th April
- Anticipate final questions & clarifications for April WEROC executive meeting
- Finalise report by end of April

NOTE - Bruce Rock Comment

It should be noted that concern was raised by several Councils at the meeting as to the lack of progress and timeframes not being met at this stage. Being we have still not been advised of expected site visit date it is hard to imagine the site visits being completed by the 31st March and subsequent report available by 15th April 2019.

6.6 Wheatbelt to Goldfields Sports Trail Proposal

This proposal was discussed and considered, however WEROC resolved not to proceed any further with the proposal. Following notification of the decline to proceed Naja Business Consulting Services approached individual Shires to seek any support from those Council's. The CEO advised that the Shire of Bruce Rock did not wish to participate in the proposal.

6.7 Future Governance for WEROC and Wheatbelt Communities Inc

Extract from WEROC Minutes

At the time of adopting the 2018/2019 WEROC and Wheatbelt Communities Inc (WCI) Budgets there was agreement that prior to discussions for the 2019/2020 budgets for both organisations that the governance structure around both organisations should be reviewed.

A review of both entities is required now as the Shire of Yilgarn has indicated that it will not support the continuation of two entities beyond the current financial year, believing the region will be better served by a single entity. So, the decision around future governance and how regional cooperation between the Shires of Bruce Rock, Kellerberrin, Merredin, Westonia and Yilgarn will be evolve must be finalised ahead of budget discussions.

The Shire of Yilgarn is of the view that the vehicle by which regional cooperation can be most effectively delivered is through the consolidation and enhancement of WCI.

The Executive Officer agrees with the Shire of Yilgarn that only a single entity is required and that if properly resourced and supported by each of its current members will assist in the growth and development of its members and the communities it represents.

The meeting resolved as follows;

That:

1. *WEROC's Member Councils look to work cooperatively through a single entity rather than the two currently established entities, WEROC and Wheatbelt Communities Inc;*
2. *In accordance with Clause 8.1 of its Memorandum of Understanding, WEROC cease to exist on 30 June 2019, that being the day upon which the current WEROC Memorandum of Understanding terminates.*
3. *That Wheatbelt Communities Inc become the entity through which the Shires of Bruce Rock, Kellerberrin, Merredin, Westonia and Yilgarn continue to work cooperatively;*
4. *That the Wheatbelt Communities Inc Constitution be reviewed to recognise that it is the sole vehicle for the Shires of Bruce Rock, Kellerberrin, Merredin, Westonia and Yilgarn cooperatively working;*
5. *That as part of reviewing the Wheatbelt Communities Inc Constitution that the organisation be renamed WEROC; and*

6. *That in preparing the 2019/2020 Wheatbelt Communities Budget recognition is given to the fact that it is the major vehicle for regional cooperation between the Shires of Bruce Rock, Kellerberrin, Merredin, Westonia and Yilgarn.*

A full copy of the minutes has been provided to Councillors for 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 Mar 19 – 11.2

Moved: Cr Rajagopalan

Seconded: Cr Thornton

That Council receives the minutes of the WEROC Council Meeting held on Wednesday 27th February 2019 at the Shire of Yilgarn Council Chambers.

Carried 8/0

Agenda Reference and Subject:

11.3 CEACA Meeting February 2019

File Reference:

4.1.10 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 Tuesday 26th February 2019 at the Nungarin Community Recreation 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 following items are highlighted for Councillors attention;

8.2 Project Manager’s Update – Access Housing

The Project Manager provided an update including the following estimated timeframes;

- At this point completion dates are as follows:

• Bruce Rock	Lots 56 and 57 Butcher Street, Bruce Rock	16 April 2019
• Bruce Rock	Lots 26-28 Butcher Street, Bruce Rock	03 May 2019
• Yilgarn	Lot 650 Antares St, Southern Cross	14 May 2019
• Westonia	20 Quartz Street, Westonia	28 May 2019
• Kellerberrin	Lots 1 and 2 Hammond Street, Kellerberrin	29 May 2019
• Wyalkatchem	298 Wilson Street, Wyalkatchem	10 June 2019
• Mukinbudin	Lots 200 and 217 Mallee Drive, Mukinbudin	20 June 2019
• Koorda	Lots 119 to 122 Greenham St, Koorda	02 July 2019
• Mt Marshall	Lots 3 and 40 Rowlands Street, Beacon	03 July 2019
• Mt Marshall	Lot 152 Brown Street, Bencubbin	11 July 2019
• Trayning	Lots 156-165 Lamond Street, Kununoppin	19 July 2019
• Nungarin	Lots 213-217 217 Second Avenue, Nungarin	29 July 2019
• Merredin	Lot 165 Coronation Street, Merredin	14 August 2019
- Managing the project budget has been challenging but is “under control”.
- Transfer of land titles is progressing well.
- It would be good if the next meeting could be held at a site where construction is almost completed in order that CEACA’s membership can see the houses and gain an understanding of the work undertaken.

Additional updates outside the meeting

Rewriting the CEACA Constitution

The CEO is part of the CEACA Working Group that is rewriting the CEACA Constitution. A meeting of the working group was held during February 2019 where further amendments were discussed and recommendations for variations be made. A further draft constitution has since been distributed to members of the working group for feedback.

There will be a further meeting to discuss any further changes with the aim to have a draft copy to provide each Council for consideration in the near future.

Appointment of Independent Chair

The Shire President may wish to provide a verbal update to the meeting on the progress of appointing an independent chair for CEACA Inc.

Management of CEACA's Housing

Information on the Management of the CEACA Independent Living Units for when they are completed is currently being addressed. An update on this matter is expected to be provided shortly and the CEO will update Council at the March 2019 meeting on any progress.

A copy of the minutes has been provided to Councillors.

In addition copies of the monthly financial and construction progress reports have been provided to Councillors for their information.

Consultation	Nil
Statutory Implications	Nil
Policy Implications	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 Mar 19 – 11.3

Moved: Cr Rajagopalan
Seconded: Cr Crooks

That Council receives the minutes and endorses the actions and resolutions of the CEACA Minutes from the Special Committee Meeting held on the 26th February 2019 at the Nungarin Community Recreation Centre.

Carried 8/0

12. Officers' Reports

12.1 Environmental Health Officer

Agenda Reference and Subject:

12.1.1 EHO Information Bulletin February 2019

File Reference:

Reporting Officer:

Julian Goldacre, Environmental Health Officer

Disclosure of Interest

Nil

Summary

To accept the Environmental Health Officer Information Bulletin for the month of February 2019 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 February 2019.

Comment

- The completion for advertising of the Landfill operations tender for April;
- As part of the role of EHO in asset management the following major items have been undertaken:
 - Continuing to seeking quotations for the rebuilding/renovations of 5 Collier Street wet areas.
 - Recreation centre AC repairs ongoing to replace seized AC compressor and repair alcohol fridge chiller unit.
 - Seeking quotes from builders for the Town Hall gutter and eaves replacements.
 - Works undertaken to replace the unserviceable toilet cisterns in the Amphitheatre building and undertake required works on the building.
- The EHO undertook an onsite visit with the local Police and Ranger Services to investigate a person camping on a farm property in Shackleton area. Whilst no one was present the empirical evidence that a person is staying there is overwhelming. A follow-up visit to talk to the person with the police in company is being arranged.
- The EHO has assisted the DCEO and Pool Manager to respond to the 'observations' made during the Aquatic Centre audit to explain the situation in order to have some 'observations' discounted from the report. Further activity required to certify the stairs for the slide, which is due for replacement during the off-season subject to budgetary outcomes.
- The EHO continues to assist the CEO regarding the proposed Bruce Rock Engineering Workforce Accommodation proposal.
- The Shire Administration and Medical Centre buildings were formally inspected by E Consulting Engineers and the report for both buildings has been made available and the EHO has surmised the following:

The estimated costs for compliance to be able to proceed with (1) or, without (2) a Photovoltaic installation are as follows:

 1. Electrical upgrades & requirements to be able to proceed with a Photovoltaic installation:
 - Medical Centre = **\$55,450**;
 - Shire Administration Building = **\$30,150**.
 - **Total \$85,600**

The above costings do not include the supply and install of the Photovoltaic system nor the Western Power headwork's and service fees but will be required to do so.

-
2. Electrical upgrades & requirements to meet compliance (no provision to accommodate a Photovoltaic installation):
- Medical Centre = **\$35,450**;
 - Shire Administration Building = **\$10,150**.
 - **Total \$45,600**
- Assisting the Manager of Finance for the mid-year budget review for costs and balances with regard to asset management.
 - The EHO submitted a response to the Commission handling swimming pool and spa safety barriers and compliance, costs and application. The document was comprehensive and was peer reviewed by the DCEO prior to submission. Recent feedback received from the Commission was that the submission was appreciated and comprehensive and will be used as part of informing the Department and the Ombudsman for future reference.
 - The EHO assisted the DCEO regarding the recent sale of rural land where historic extraction of hard stone has occurred. The new owners required clarification given the South Australian terminology for extractive industry is very different to Western Australia's. The areas cover Environment and Planning, and the EHO assisted to clarify expectations for current and any new extractive industry endeavours.
 - As per the request from the Shire President and the CEO, the EHO investigated the requirements for Strata Title for a 'built strata' (already built building) and has provided preliminary information to the CEO. Caveat here is that the legislation is soon to be amended covering strata title activities.
 - The EHO was advised of a home based business for food handling being advertised. In keeping with the Shire of Bruce Rock commitment to work with persons undertaking an activity which requires approvals, the EHO met with the proponent and coached them through the Planning and Food Act requirements along the lines of compliance through education. The outcome has been positive and a report is before Council for this Ordinary Meeting of Council for Council's consideration.

Consultation

Mr D Mollenoyux Chief Executive Officer; &
Mr A O'Toole Deputy Chief Executive Officer;

Statutory Implications

Health (Miscellaneous Provisions) Act 1911;
Caravan Parks and Camping Grounds Act 1995;
Food Act 2008;
Local Government Act 1995;
Planning and Development Act 2005;
Building Act 2011; and
Waste Avoidance and Resource Recovery Act 2007.

Policy Implications

Nil.

Financial Implications

Nil.

Strategic Implications

Goal 12.3 – 10 Year Outcome '...meeting all levels of compliance'.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Mar 19 – 12.1.1

Moved: Cr Dolton

Seconded: Cr Foss

To accept the Environmental Health Officer Information Bulletin for the month of February 2019.

Carried 8/0

Cr Thornton left the Council Chambers having declared an Financial Interest in item 12.1.2 at 2.08pm.

Agenda Reference and Subject:

12.1.2 Application for Development Approval ‘Home Business’ located at 29 Bruce Street, Bruce Rock for food handling business.

File Reference:

Reporting Officer:

Julian Goldacre, Environmental Health Officer

Disclosure of Interest

Cr MK Thornton

Summary

Council approves the Development Application for a ‘Home Business’ located at 29 Bruce Street, Bruce Rock for the business activity of a food business and handling and allows Clause 63 exemptions and applicable conditions for the home business

Background

Mrs K McKenzie approached the Environmental Health Officer (EHO) to investigate the requirements to operate a food business at a residence located at 29 Bruce Street where frozen meals for sale would be prepared. The EHO advised Mrs McKenzie that in the first instance Planning Approval would be required from Council to undertake such a venture as well as registration of a food business under the *Food Act 2008*. To start the process the EHO advised Mrs McKenzie to prepare an application for development approval for submission to Council for tabling at the March 2019 Ordinary Council Meeting.

Comment

On the 11 March 2019 the EHO received a completed Application for Development Approval (Application) as presented to Council in **Attachment 12.1.1 – (A)** from Mrs McKenzie. The proposal is for a ‘Home Business’ to operate out of a dwelling located at 29 Bruce Street as shown in **Attachment 12.1.1 – (C)** in a Residential zoned area. A home business is listed in the Shire of Bruce Rock Local Planning Scheme N^o 3 (Scheme) zone table as a use ‘D’ for a Residential zoned area which means ‘...that the use is not permitted unless the local government has exercised its discretion by granting development approval.’ The EHO has assessed this Application and found it has merit under the Scheme as a ‘home business’ for the purpose of a food business for food handling. In **Attachment 12.1.1 – (B)** the applicant details the proposed works and use for this Application as well as the details of existing building and use.

A ‘*home business*’ in this instance means a dwelling used by an occupier of the dwelling to carry out a business, service or profession. There are conditions for the carrying out of a home business and are listed below in points (a) through to (g) with supporting-explanatory comments by the EHO that the carrying out of the business, service or profession:

- a) does not involve employing more than 2 people who are not members of the occupier’s household; and
 - I. *EHO Comment - Mrs McKenzie advises that the proposed home business for food preparation would not employ more than two persons given it will be at this point of in time and into the near future a business endeavour owned and operated by Mrs McKenzie herself.*
- b) will not cause injury to or adversely affect the amenity of the neighbourhood; and
 - I. *EHO Comment – Discussions with Mrs McKenzie reveals that the food preparation will be undertaken in the home kitchen and that there will be no home business activity undertaken that could affect the existing amenity of the area given it will occur inside the dwelling only.*
- c) does not occupy an area greater than 50 m²; and
 - I. The kitchen in the dwelling is a typically sized domestic kitchen and well below 50m², the administration for the home business uses a small area.
- d) does not involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and

Mrs K McKenzie, Applicant.

Statutory Implications

Planning and Development Act 2005;

Planning and Development (Local Planning Schemes) Regulations 2015;

Shire of Bruce Rock Local Planning Scheme N° 3; and

Food Act 2008

Policy Implications

Nil.

Financial Implications

Planning application fee of \$147. *Food Act 2008* Registration fee \$165 and Notification fee \$60.

Strategic Implications

Strategic Plan – ‘... increasing business and employment opportunities...’. Economy – Points of Measurement ‘number of new businesses opening across the Shire’; and Shire of Bruce Rock Planning Strategy (2009)

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Mar 19 – 12.1.2

Moved: Cr Rajagopalan

Seconded: Cr Kilminster

Council resolves to –

- 1. Waive the following subclauses listed in the Planning and Development (Local Planning Schemes) Regulations 2015 Clause 63 ‘Accompanying Materials’ deemed not applicable to this development application being subclauses 62(3), 63(1)(a)(ii), (iii), (iv), (vii), (ix) & (x) and 63(3)(a)(b)(c).**
- 2. Approve this Development Application for a ‘Home Business’ located at 29 Bruce Street, Bruce Rock townsite as presented in Attachments 12.1.1 (A), (B) and (C) for the activity of a food business for food handling as defined in the Food Act 2008.**
- 3. To place the following conditions on this approval relevant to a home business activity being:**
 - a) Is not to involve employing more than 2 people who are not members of the occupier’s household; and**
 - b) Is not to cause injury to or adversely affect the amenity of the neighbourhood; and**
 - c) Is not to occupy an area greater than 50 m²; and**
 - d) Is not to involve the retail sale, display or hire of any goods unless the sale, display or hire is done only by means of the Internet; and**
 - e) Is not to result in traffic difficulties as a result of the inadequacy of parking or an increase in traffic volumes in the neighbourhood; and**
 - f) Is not to involve the presence, use or calling of a vehicle of more than 4.5 tonnes tare weight; and**
 - g) Is not to involve the use of an essential service that is greater than the use normally required in the zone in which the dwelling is located,**
In the event any one or more points a) through to g) is breached, Council reserves the right to revoke the home business activity planning approval and will only do so after undertaking all practicable and reasonable efforts to resolve any such issue/s raised.
- 4. Provide the following Advice Notes for information purposes only to assist the Applicant to be aware of but not limited to being:**
 - a) This home business planning approval does not approve the requirements under the Food Act 2008 for a food business for food handling. Contact the Shire of Bruce Rock EHO to undertake the**

food business notification and registration process to be able to conduct a food business from the home business; and

- b) This home business approval to Mrs K McKenzie for the property located at 29 Bruce Street, Bruce Rock is not transferrable by name and/or location.**

Carried 7/0

Cr MK Thornton returned to the Council Chambers at 2.10pm.

Mr J Goldacre left the Council Chambers at 2.11pm and did not return.

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

- Main Street mowed and tidied up
- Amphitheatre and Sculpture Park has been mowed and weeded
- Caravan park mowed and tidied up
- Cemetery cleaned up
- Museum mowed and tidied up
- Skate Park tidied
- Hand Watering completed every Monday
- Ramirez Park tidied up
- Retirement units tidied up
- Three private works jobs completed
- Footpaths tidied
- Footpath repairs ongoing
- Shire office and Hall tidied up
- Rec Centre wall completed and garden beds ready for plants
- Caravan Park Entrance completed
- Curlew Drive pillars completed and garden bed ready to go

Construction Crew

- Bruce Rock- Narembeen Rd reconstruction is complete.
- Sippee Rd complete (Blackspot Project) \$ 42,500.00
- Eujiny North Rd complete (Roads to Recovery) \$37,233.00
- Next project is Hughes Rd re sheet (\$50,300.00) self-funded

There have been concerns raised about the Bruce Rock- Narembeen Rd upgrade. All the road was cement stabilised. There are a few deviations in the road which have been caused by the Bomag at the end of each run. This subject will be addressed fully at the meeting.

Workshop

- BK602-Grader 1500 Hr service
- BK1047-Tractor Replaced PTO cable
- BK1018-Truck 50000Km service
- BK010-Isuzu ute 80000Km service
- BK792-Mechanics ute 60000 Km service
- BK608-truck 40000km service
- BK062-truck 160000km service, tray repairs and replace heater core (on going)
- BK604-truck 80000km service
- BK409-grader service and repair trans oil leak (on going)
- BK06-loader fit new tyres
- John Deere mower- rebuild mower deck (on going)
- 21 vehicle inspections

Rec Centre

- Oval Mowed
- Sprayed with wetta-soil
- Sorting out dams
- Edging around the Rec Centre
- General tidy up around the Rec Centre
- Work on the cricket pitch

Vehicles/Machinery Changeover

3 utes have been delivered, the other 3 utes that are going to public tender will be advertised in the local paper from the 21st March and run for two weeks but in the mean time I will order the next three.

Dams

• Dam	• Current	• Capacity
• Railway Dam	• 12,500kl	• 32,000kl full
• Negri Dam Rear	• 9,000kl	• 115000kl full
• Negri Dam Front	• 8,500kl	• 15000kl full
• Rec Centre Dam	• 14,000kl	• 23000kl full
• Turkeys Nest	• 18,000kl	• 43000kl full
• Water Corp Dam	• 32000kl	• 71808kl full

Regional Road Group

There was a Regional Road Group meeting in Wickepin on the 1st of March. It has been asked whether the \$6000 that was asked for the Secondary Freight Route plan be rolled over into next year’s budget as funding was rejected this year. The Shire’s Commodity Route application was unsuccessful, there were 34 Shires that applied and only six were successful. I will apply again next financial year and see how the application goes.

WANDRRA

Waiting for the final payment to be finalised by Core, then can do a report for Council.

Works and Services Committee Meeting

Please be advised for relevant committee members that the Works and Services Committee Meeting has been set for Friday, 29th March 2019 at 3.00pm. This date and time was chosen to coincide with the Staff VS Councillors bowls evening that will follow at the District Club.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Mar 19 – 12.2.1

Moved: Cr Negri
Seconded: Cr Dolton

That the Manager of Works and Services report be received.

Carried 8/0

*Mr A O’Toole left the Council Chambers at 2.13pm.
 Mr A O’Toole returned to the Council Chambers at 2.14pm.
 Mrs JL Bow entered the Council Chambers at 2.15pm.*

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 28th February 2019 are available on the website for download.

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 Mar 19 – 12.3.1

Moved: Cr Kilminster

Seconded: Cr Rajagopalan

That the Statements of Financial Activity for the month ending 28th February 2019.

Carried 8/0

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 February 2019.

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 Mar 19 – 12.3.2

Moved: Cr Rajagopalan

Seconded: Cr Kilminster

That Council endorse the list of payments from the:

- 1. Municipal Account consisting of;**
 - a. EFT13931 voucher numbers EFT14043 to EFT totalling \$218,550.86**
 - b. Cheque number 23876 to 23889 totalling \$85,162.96**
 - c. Trust Cheque 1921 totalling \$2,865.00**
 - d. Wages and Superannuation payments totalling \$186,379.60 and**
 - e. Credit Card payments totalling \$592.75**
- With all payments totalling \$492,958.42 for the month of February 2019.**

Carried 8/0

Mr G Casley left the Council Chambers at 2.43pm and did not return.

Agenda Reference and Subject:

12.3.3 Sale of Land for Recovery of Unpaid Rates & Setting
Auction Date

File Reference: 8.1.1.7 Rates Recovery

Reporting Officer: Jennifer Bow, Manager of Finance & Mike Darby SFO

Disclosure of Interest Nil

Summary

To set the auction date for the sale of land and recovery of rates which have remained unpaid for 3 or more years.

Background

Council agreed at the Ordinary Council Meeting in September 2018 to commence the process to recover rates from the 8 properties that have arrears of more than three years.

Comment

Staff have completed the necessary steps in accordance with the Local Government Act 1995 in which to recover the outstanding rates on the properties.

Form 4 was displayed on Council's noticeboard for the minimum of 35 days and Form 2 has been served to the owners last known address. Form 3 has been affixed to a conspicuous part of the land in order to take possession of the land.

The next step is to set an auction date and then give state-wide public notice as per Form 5 advising of the particulars of the sale, via a public auction. We have until mid October 2019 to hold the auction as the process must be completed within 12 months of serving Form 4 (notice on noticeboard).

Council is asked to consider providing guidance to staff as to when to set the date for the auction.

Consultation

CEO, DCEO, MOF & SFO

Statutory Implications

Local Government Act 1995 Section 6.64 (1)

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

6.64. Actions to be taken

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

 - a) from time to time lease the land; or*
 - b) sell the land; or*
 - c) cause the land to be transferred to the Crown; or*
 - d) cause the land to be transferred to itself.*
- (2) On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.*

(3) *Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.*

Policy Implications

Nil

Financial Implications

Recover rate arrears and reduce outstanding rate debtors

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2017-2027

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

Voting Requirements

Simple Majority

Officers Recommendation

That Council resolves to set a date for the auction for the sale of land to recover unpaid rates in accordance with the Local Government Act 1995.

Council decision varied to Officer Recommendation to set date for the auction for the sale of land to recover unpaid rates.

COUNCIL DECISION

Resolution OCM Mar 19 – 12.3.3

Moved: Cr Rajagopalan

Seconded: Cr Dolton

That Council resolves to hold the auction for the sale of land to recover unpaid rates in accordance with the Local Government Act 1995 on Friday 16th August 2019.

Carried 8/0

Agenda Reference and Subject:

12.3.4 Adoption of Long-Term Financial Plan and Asset Management Plan

File Reference:

2.5.1.3 Long Term Financial Plan

2.5.1.4 Asset Management Plan

Reporting Officer:

Jennifer Bow, Manager of Finance

Disclosure of Interest

Nil

Summary

The Shire of Bruce Rock adopted its Strategic Community Plan in March 2018 and the Long-Term Financial Plan (LTFP) and Asset Management Plan (AMP) are required as “informing strategies”, providing financial guidance to achieve the goals and aspirations of the community for the next 15 plus years.

Council has engaged consultants Moore Stephens to provide the LTFP & AMP with input and guidance from the staff.

This report seeks Council’s approval for the adoption of the Shire of Bruce Rock’s Long-Term Financial Plan and Asset Management Plan.

Background

There have been delays in producing the LTFP and AMP on both parties, however the biggest delay was with the validity of the data in RAMM (asset management system for roads) as some of the construction data had not been updated for many years. There is still some work to be carried out in RAMM which was also identified in our recent audit and the MOWS is committed to ensuring that this data has been brought up to data and can be relied on.

At the completion of the LTFP and AMP, the Corporate Business Plan can also be adopted, ensuring compliance with the Local Government Act’s requirements.

Comment

A copy of the LTFP and AMP will be presented at the meeting as at the time of preparing the agenda, the final document had not been received. Further information will be provided to Councillors about the long-term financial implications contained in the LTFP and AMP.

Consultation

CEO, DCEO, MOF, MOWS, EHO & Moore Stephens Consultants

Statutory Implications

Local Government Act 1995, Section 5.56.

Section 5.56(1) and (2) of the Local Government Act requires that each local government is to “plan for the future of the district”, by developing plans in accordance with the Regulations. The Local Government Administration Regulations 1996 were amended to require each local government to adopt a Strategic Community Plan and a Corporate Business Plan.

Local Government (Administration Regulations) 1996,

19DA (3)(c) A Corporate Business Plan for a district is to - develop and integrate matters relating to resources, including asset management, workforce planning and long-term financial planning.

Policy Implications

Nil

Financial Implications

Future expenditure to meet the Strategic Community Plan objectives.

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2017-2027

Infrastructure

Goal 2 – Maintain Shire owned facilities in a strategic manner

2.1 – Asset Management Plan developed and adopted

2.4 – Support the improvement and maintenance of assets in strategic manner

Governance

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

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

12.3 – Long Term Financial Plan is developed and adopted

Voting Requirements

Simple Majority

Officer Recommendation

That Council adopts the Shire of Bruce Rock Long Term Financial Plan 2018 to 2033 and Asset Management Plan.

Council decision varied from Officer Recommendation due to the plans not being available to be viewed.

COUNCIL DECISION

Resolution OCM Mar 19 – 12.3.4

Moved: Cr Foss

Seconded: Cr Rajagopalan

That Council table the item until the Ordinary Council Meeting held 18 April 2019.

Carried 8/0

Mrs M Schilling left the Council Chambers at 2.52pm.

Mrs M Schilling returned to the Council Chambers 3.04pm.

Council Meeting adjourned for afternoon tea at 3.04pm.

Council Meeting resumed at 3.25pm with all staff and Councillors present.

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 February 2019.

Background

Nil

Comment

As per Council's policy, the Shire Seal has been used during the month of February 2019 as follows:

- Sale of Land – Lot 226,227 & 228 Butcher Street to Bruce Rock Engineering

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 Mar 19 – 12.4.1

Moved: Cr Dolton

Seconded: Cr Kilminster

That Council endorse the use of the Shire Seal during February 2019.

Carried 8/0

Agenda Reference and Subject:

12.4.2 Shire President Stamp

File Reference:

Reporting Officer:

Alan O’Toole, Deputy Chief Executive Officer

Disclosure of Interest

Nil

Summary

Use of Shire Seal in February 2019.

Background

Nil

Comment

As per Council’s policy, the Shire President Stamp has been used during the month of February 2019 as follows:

- Sale of Land – Lot 226,227 & 228 Butcher Street to Bruce Rock Engineering

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 Mar 19 – 12.4.2

Moved: Cr Thornton

Seconded: Cr Crooks

That Council endorse the use of the Shire President Stamp during February 2019.

Carried 8/0

Agenda Reference and Subject:

12.4.3 Compliance Audit Return 2018

File Reference:

1.6.1.6 Compliance Audit Return

Reporting Officer:

Alan O’Toole, Deputy Chief Executive Officer

Disclosure of Interest

Nil

Summary

This item is a recommendation from the Audit Committee. Council is requested to adopt the Compliance Audit Return for submission to the Department of Local Government and Communities (“the Department”).

Background

The Compliance Audit Return has to be completed and submitted to the Department by 31 March 2019.

Comment

The Audit has been distributed with the Agenda. Before submitting to the Department, the Audit is to be:

- a) presented at a meeting of the Council;
- b) adopted by Council; and
- c) the adoption of the Compliance Audit Return is recorded in the minutes of the meeting at which it was adopted.

Consultation

Chief Executive Officer.

Manager of Finance.

Statutory Implications

This Audit is to test Council’s statutory compliance with the Local Government Act 1995 and associated regulations.

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 Mar 19 – 12.4.3

Moved: Cr Thornton

Seconded: Cr Rajagopalan

That Council adopt the Compliance Audit Return, as attached, for the period 1 January 2018 to 31 December 2018, in accordance with the Local Government (Audit) Regulations 1996.

Carried 8/0

Agenda Reference and Subject:

12.4.4 Request to vary date of April 2019 OCM and closure of Administration on Friday 26 April 2019.

File Reference:

2.1.2.5 Council Meetings

Reporting Officer:

Alan O’Toole, Deputy Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is asked to consider rescheduling the date of the April 2019 Ordinary Council Meeting, and to approve the closure of the Shire Administration Office on Friday 26th April 2019.

Background

The dates of the Easter Holidays this year are April 19th (Good Friday) – April 22nd (Easter Monday). Therefore, if the Ordinary Council Meeting for April were to be held on the scheduled date (Thursday 18th April), this would leave no time to action any Council decisions until Tuesday 23rd April at the earliest. In addition, in the following week which commences on Easter Monday, there are only two “working” days before the next public holiday (Anzac Day) on Thursday 25th April 2019. The outside workforce will not be working on Friday 26th April, as they will be taking this as the Easter Local Government Day.

Comment

It is requested that Council consider moving the April 2019 Council meeting date from Thursday 18th April to Wednesday 17th April 2019. This will allow one full working day within the same week to action any urgent or important items before the Easter break. Once a change of date has been approved, Council is required to advertise the new date.

In addition, because of the Anzac Day public holiday falling in the same week as Easter Monday, this means that the Administration will be only open for two days (Tuesday and Wednesday) before closing again on Thursday for Anzac Day. As the outside staff will be taking their Local Government Day on Friday 26th April, it is proposed that the Administration Office should also remain closed and that the Administration staff take this as their Local Government day to provide consistency with the outside staff, and also to reduce confusion amongst the ratepayers about the Shire operating times over this period.

For the period between Wednesday 25th April and Monday 29th April, the CEO and other Senior Managers will be available in town to respond should anything require their attention. Therefore, if the above changes are approved, the fortnight from 15th to 26th April 2019 will be as follows:

Monday 15 th April	Open as usual
Tuesday 16 th April	Open as usual
Wednesday 17 th April	Open as usual - April Ordinary Council Meeting
Thursday 18 th April	Open as usual
Friday 19 th April	Closed - Good Friday Public Holiday
<i>Saturday 20th April</i>	<i>Easter Saturday</i>
<i>Sunday 21st April</i>	<i>Easter Sunday</i>
Monday 22 nd April	Closed - Easter Monday Public Holiday
Tuesday 23 rd April	Open as usual
Wednesday 24 th April	Open as usual
Thursday 25 th April	Closed – Anzac Day Public Holiday
Friday 26 th April	Closed (Proposed) – (Local Government Day)

From Monday 29th April 2019, all Shire services will re-open for business as usual.

Consultation

Chief Executive Officer
Senior Management and Administration staff

Statutory Implications

Local Government (Administration) Regulations 1996 - REG 12

12. Meetings, public notice of (Act s. 5.25(1)(g))

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and*
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.**
- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub regulation (1).*
- (3) Subject to sub regulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.*
- (4) If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in sub regulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.*

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 Recommendations:

- i) That Council reschedules the April 2019 Ordinary Meeting of Council from Thursday 18th April 2019 to Wednesday 17th April 2019, commencing at 1.30pm.
- And,
- ii) Give public notice of the change of meeting details for the April September 2019 Ordinary Meeting of Council.
 - iii) That the Shire Administration Office remains closed on Friday 26th April, and the Administration staff take this day as the Easter Local Government Day in line with the outside staff.

Council decision varied to Officer Recommendation due to Council voting to keep the Ordinary Council Meeting as Thursday 18th April 2019 commencing at 1.30pm.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Mar 19 – 12.4.4

Moved: Cr Rajagopalan

Seconded: Cr Thornton

That the Shire Administration Office remains closed on Friday 26th April, and the Administration staff takes this day as the Easter Local Government Day.

Carried 8/0

12.5 Chief Executive Officer

Agenda Reference and Subject:	12.5.1 WALGA Honours Program 2019
File Reference:	1.6.5.11 WALGA Honour Awards
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest	Nil

Summary

Council is asked to consider nominations for eligible Councillors or staff for the 2019 WALGA Association Honours Program.

Background

Council has previously resolved to nominate Councillors as they become eligible for the Long and Loyal Service Award category any other nominations are to be considered as per Council's direction.

The **Local Government Medal** and the **Life Membership Award** recognise outstanding achievements and significant contributions by Elected Members and Employees to the Association and/or to Local Government.

The **Eminent Service Award** recognises personal commitment, eminent service and contribution to the Local Government Sector or the Association by an Elected Member or Employee of the Association or a Member Local Government.

Those who have provided a high degree of service as either a State Councillor for over 8 years or an Elected Member for more than 12 years could be eligible for the **Long and Loyal Award**.

Merit Awards recognise Councillors who have demonstrated distinguished service to the community through their Local Government.

Local Government Distinguished Officer Award recognises Local Government Employees for their achievements.

Awards will be presented to recipients at a ceremony held at the Local Government Convention on the 7 August 2019.

A copy of the policy and criteria for nominations has been included for Councillors reference.

Comment

Council needs to consider and recommend any nominations for the 2019 honours program.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority

Officer Recommendation

That Council considers and nominates any eligible members under the 2019 WALGA Association Honours Program.

No resolution was made as Council did not recommend and nominations for the 2019 WALGA Honours Program.

Agenda Reference and Subject:

12.5.2 E Rotary Request for Sponsorship 2019

File Reference:

8.2.7.5 Sponsorship Requests

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is asked to consider a request from the Bruce Rock Branch of E-Rotary to sponsor two Bruce Rock Youth to attend the Rotary RYPEN Youth Development Camp in 2019.

Background

A request has been received from Kero O’Shea from E Rotary WA to sponsor two Bruce Rock Youth to attend the Rotary RYPEN Youth Development Camp in 2018. The request states the following;

“We were delighted with the support received from the Shire for our youth development program in 2018. With your support, we sent 5 Bruce Rock teenagers to the RYPEN leadership and personal development camp. Judging by the responses from participants and parents, the experience was beneficial and for some, life-changing. I understand that RYPEN attendees Rohan Butler and Chloe Corby did an excellent job of explaining the benefits of RYPEN when they spoke with the Shire council late in the year.

We very much appreciated your sponsorship for two of those fine young Bruce Rock leaders and respectfully request your support again in 2019. The cost of two places will be \$600.”

Comment

The Rotary Youth Program of Enrichment (RYPEN) is a weekend camp, usually held twice a year here in southern WA. The fee per attendee is \$300.

RYPEN provides opportunities for young people aged 14-17 to:

- develop and challenge themselves;
- develop their self-esteem and confidence;
- develop skills including leadership, teamwork, communication, goal setting & problem solving;
- build a network of young people and to make new friends; and
- enjoy a weekend of fun.

Over the past three years E-WA has facilitated the attendance and contributed funding of nine Bruce Rock teenagers at RYPEN:

2016 - Jordan Mollenoyux; and

2017 - Ashlee Thornton, Luke Cotter and Shaun Cotter

2018 – Rohan Butler, Chloe Corby, Darcy Mollenoyux, Grace Paxman and Karryn Buller

In 2017, E-WA offered a community service challenge to aspiring RYPEN participants. Support for, and participation in the 2017 Rotary Swim for Bruce Rock Kids became one of the considerations for RYPEN selection, as we sought to encourage higher standards of citizenship and personal development.

As part of our promotion of the RYPEN opportunity, we invited RYPEN graduates to help communicate the benefits of the program to other Bruce Rock teenagers. We were thrilled that two past participants agreed to act as RYPEN ambassadors, with Jordan Mollenoyux and Ashlee Thornton appearing in promotional videos that were very well received in the community.

Council previously sponsored Leeuwin projects up until 2011, however this ceased due to lack of local interest. A recent application to fund the Leeuwin was declined in December 2017 as Council has shifted

its funding focus to other youth initiatives at a more local level with direct and broader impact on the youth of our Shire and community. These programs include annual funding towards the District High School True Blue Dreaming Program, funding towards Camp Kulin holiday programs and supporting the Bruce Rock CRC with their Youtheez group.

This request does fit within the scope of youth leadership development at a local level.

Consultation

Kero O’Shea, E Rotary WA

Statutory Implications Nil

Policy Implications Nil

Financial Implications

This event is in the 2018/2019 financial year and should Council support it fund could be expended from the Council Donation Expenditure Account.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Community

Goal 7 Our community are engaged and have healthy lifestyles
7.6 Positive mental health activities are delivered by community groups in partnership with the Shire

Governance

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

Voting Requirements Simple Majority

Officer Recommendation

That Council approves / declines to sponsor \$600 for two eligible Bruce Rock Youth to attend the Rotary RYPEN Youth Development Camp in 2019.

Council decision varied to Officer Recommendation to approve to sponsor \$600 for two eligible Bruce Rock Youth to attend the Rotary RYPEN Youth Development Camp in 2019.

COUNCIL DECISION

Resolution OCM Mar 19 – 12.5.2

Moved: Cr Rajagopalan

Seconded: Cr Foss

That Council approves to sponsor \$600 for two eligible Bruce Rock Youth to attend the Rotary RYPEN Youth Development Camp in 2019.

Carried 8/0

Agenda Reference and Subject:

12.5.3 Acceptance of Gifted Land - Shackleton District Club Inc Lot 26,27 & 28 Mills Street, Shackleton WA

File Reference: 1.3.8.14 Shackleton District Club

Reporting Officer: Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest Nil

Summary

Finalisation of Council accepting gifted land from the Shackleton District Club at Lot 26, 27 & 28 Mill Street, Shackleton WA for the purpose of recreation and for funding purposes for the Shackleton Bowling Club.

Background

The Shackleton Bowling Club have approached Council for assistance in applying for funding through the CSRFF – Department of Sport and Recreation Grants Program for the 2019/20 financial year to upgrade their current grass bowling green with a synthetic more cost effective surface.

The Shackleton Bowling Club submitted an application in 2016 through the CSRFF program but however were unsuccessful due to a number of different reasons. One of the main reasons for the funding not being approved was that the land that the Bowling Club sits on is owned by the Shackleton District Club Inc. After numerous discussions with the Department of Sport and Recreation, they have informed us that the land cannot be owned by a private business.

The Shackleton Bowling Club and the Shackleton District Club Inc held discussions regarding this issue and approached Council to accept the land as a gift for the purpose of recreation, to enable funding to be sought for this project and any further development that may need funding down the track.

The three lots are highlighted below;



At the September 2018 Ordinary Council Meeting the following resolution was made in response to this request;

OFFICER RECOMMENDATION AND COUNCIL DECISION
Resolution OCM Sep 18 – 12.5.2
Moved: Cr Rajagopalan

Seconded: Cr Kilminster

That Council accept Lot 26, 27 & 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.

CARRIED BY ABSOLUTE MAJORITY 7/0

During the completion of transfer documents and subsequent property inspection new information was presented to Council at the Ordinary Meeting of Council held on the 21st February 2019. The following resolution was made;

Resolution OCM Feb 19 – 12.5.1

Moved: Cr Kilminster

Seconded: Cr Foss

That Council;

- Continues to work with the Shackleton Bowling Club to seek funding for the installation of a synthetic bowling green through the Department of Sport and Recreation CSRFF Grants.*
- Defer the decision to accept the transfer of Lots 26, 27, 28 Mills Street, Shackleton from the Shackleton District Club to the Shire of Bruce Rock to the March 2019 Council meeting to enable staff to;*
 - Seek clarification of the boundary alignment in reference to the location of the building structure on Lot 26 Mills Street, Shackleton.*
 - In conjunction with the Shackleton Bowling Club staff further investigate options and costs in relation to the Shackleton Bowling Club building on Lot 26 Mills Street, Shackleton.*
 - Obtain confirmation from the Shackleton Bowling Club as to their proposed financial commitment towards any works or potential replacement of the Shackleton Bowling Club building.*
 - Provide confirmation to Council on the eligibility for both the Department of Sport Recreation Annual and Small CSRFF Grants.*

CARRIED BY ABSOLUTE MAJORITY 9/0

Comment

The land transfer documentation was been prepared through Council's settlement agent in line with Council's decision. As part of all land transfers the EHO is required to assess for any health and building issues that may exist that the purchaser needs to be aware of and in particular the building located on Lot 26 Mills Street.

Council's EHO conducted the property inspection and reported the following;

Inspection of Shackleton Bowling Club undertaken by the Environmental Health Officer on the 20 December 2018.

The building is of masonry construction with asbestos containing materials (ACM) roofing panels and is showing its age with evidence of foundation issues by fact outside walls have severe cracking and that tie bars are employed to hold walls intact. The tie bars have been compromised due to further foundation movement causing the bricks to pull inwards and thus become structurally unsound in that immediate area. ACM on the building is in parts damaged and the entire roof of ACM is moderately deteriorated and window frames are deteriorated. Structural supports for the verandah roofing is severely deteriorated and fixing points compromised. With regards to the two brick columns, it cannot be determined that the structural brick columns have a centre metal channel to reinforce the structure and take the roof loadings.

ACM fencing on the South side is damaged and the rainwater tank does not have mosquito mesh in place (plastic tank); the concrete water tank is disused. The Shed for storing gardening equipment has deformed walls and cracked masonry and has a ACM roof which is moderately deteriorated.

The Shackleton bowling club buildings are located south of the Kellerberrin seismic zone within the 0.15 Acceleration Co-efficient and in proximity enough for further damage and possible collapse of some portions of the structures in the event of a suitable magnitude earthquake event.

The condition of the outside of the building is average to poor. As the building is for sporting and civic functions, a Form 4 is required pursuant to the Health (Miscellaneous Provisions) Act 1911 and no record of a Form 4 could be found on file. Given the buildings current condition unless works are undertaken this cannot be issued due to the potential risk to the public. Furthermore, a Workplace Asbestos Register needs to be completed when the property is in the possession of the Shire to comply with WorkSafeWA Regulatory obligations.

No access to the inside of the building was possible although on rudimentary observation the inside looks to be in reasonable condition, subject to further investigation.

It has been discussed that an MOU agreement and a surface replacement fund will be set up as per the agreements with other sporting clubs in the Shire. This MOU will outline what Council is responsible for and what the Shackleton Bowling Club will be responsible for going forward.

Council needs to consider the information received on the property report and determine if it wishes to proceed with the purchase of all three lots which include the building and, should Council accept the lot including the building, what direction it would determine in relation to the future of the building, considering that it would cost approximately \$47,600 to bring it up to the appropriate standards and meeting compliance plus an additional \$3,000 per annum for general maintenance and upkeep.

As per Council's decision at the February 2019 meeting the following actions have occurred;

- **Boundary Alignment**
Clarification has been sought as to the boundary alignment of Lot 26 Mills Street in comparison to the actual location of the Shackleton Bowling Club Building. The EHO has sought confirmation from Landgate Mapping which clearly shows that the Shackleton Bowling Club Building does not cross onto Lot 27 Mills Street, Shackleton. The shelter covers just encroach the boundary.
- **Meeting with the Shackleton Bowling Club**
The CEO, Executive Assistant and Cr Crooks met with representatives from the Shackleton Bowling Club to discuss both the synthetic Bowling Green project and state of future direction of the bowling club house building. The following points came from the meeting;
 - The CEO gave an overview of Council's position on the turf project and advised that Council was still supportive of seeking funding for a synthetic bowling green through the CSRFF grant process.
 - It was agreed that as the building was on a separate lot (being Lot 26) we would proceed with the transfer of land for only two lots (being 27 & 28) at this stage so that we don't have any delays in the grant application process.
 - The Shackleton Bowling Club confirmed that they still require a building that includes ablutions, kitchen sink and bench plus a Captain's room. In addition, an undercover area at the front of the building would be ideal.
 - The club representatives advised that they believe the current building is not worth spending money on repairs and the best solution would be to demolish the old building and replace it with a transportable donga style facility, with a roof structure with shade area to be constructed over the whole area.

- If Council agrees staff will research and develop a proposal including removal of asbestos and demolition of old building, new/second hand buildings, costings and any additional regulatory requirements.
 - The CEO advised that staff will research any other potential funding opportunities that may exist for the building (outside of CSRFF).
 - The Shackleton Bowling Club advised that they are in a financial position that would enable them to apply for the next round of CSRFF Annual Grants for the installation of a synthetic bowling green.
 - The Shackleton Bowling Club advised that they could provide in-kind labour and machinery to assist in the demolition of the old building, once asbestos was removed from the site.
 - Once Council staff have developed a plan and costings for the potential demolition and replacement of the bowling club building a meeting will be held with representatives to discuss financial commitment towards the building.
- Grant Funding
Council sought confirmation on the eligibility for both the Department of Sport Recreation Annual and Small CSRFF Grants. The following information is provided from the Department on the two categories of grants.

Small Grants

Small grants will be awarded to projects involving a basic level of planning. The total project cost for small grants must not exceed \$200,000. Grants given in this category must be claimed by 15 June in the relevant financial year. Value of total project \$7500 to \$200,000 exclusive of GST. Value of grant Minimum grant of \$2,500 and Maximum grant of \$66,666

Examples of small grant projects:

- Cricket pitch and practice wickets
- Storage upgrades
- Changerooms refurbishments
- Safety fences for sport and recreation facilities, i.e. ballistic sports
- Small floodlighting projects
- Court surface conversion
- Large scale dams, water collection systems and pipelines for distribution (maximum grant offered is \$60,000)
- Various planning studies to a maximum grant amount of \$25,000

It should be noted that the proposed application for the Shackleton Bowling Club turf project is above the threshold of the Small Grants. We have previously tried to reduce costs to meet this category but have been unable to bring it under the threshold.

CSRFF Annual Grants

Annual grants will be awarded to projects with a planning and construction process that will be complete within 12 months and have a total project cost (exclusive of GST) of \$200,001–\$500,000. Grants given in this category must be claimed by 15 June in the next financial year. Value of total project \$200,001 to \$500,000, exclusive of GST. Value of grant Minimum grant of \$66,667 and Maximum grant of \$166,666.

Examples of annual projects:

- Upgrades to clubrooms/pavilions
- Large floodlighting projects
- Court or bowling green construction
- Reticulation system for a grassed playing field

To apply for the funding through the above streams for a new bowling club building is likely jeopardize any application for the actual synthetic turf project.

Consultation

Julian Goldacre, EHO

Ashleigh Waight, CDO

Shackleton Bowling Club & Shackleton District Club Inc

Statutory Implications

Land Administrations Act 1997

Local Government (Administration) Regulations

10. *Revoking or changing decisions (Act s. 5.25(1)(e))*

(1) *If a decision has been made at a council or a committee meeting then any motion to revoke or change the decision must be supported —*

(a) *in the case where an attempt to revoke or change the decision had been made within the previous 3 months but had failed, by an absolute majority; or*

(b) *in any other case, by at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.*

(1a) *Notice of a motion to revoke or change a decision referred to in subregulation (1) is to be signed by members of the council or committee numbering at least 1/3 of the number of offices (whether vacant or not) of members of the council or committee, inclusive of the mover.*

(2) *If a decision has been made at a council or a committee meeting then any decision to revoke or change the first mentioned decision must be made —*

(a) *in the case where the decision to be revoked or changed was required to be made by an absolute majority or by a special majority, by that kind of majority; or*

(b) *in any other case, by an absolute majority.*

(3) *This regulation does not apply to the change of a decision unless the effect of the change would be that the decision would be revoked or would become substantially different.*

Policy Implications

Nil

Financial Implications

- The only financial impact on the 2018/19 budget is the cost of the transfer of land which is \$1,238.82 inc GST.
- We will no longer receive service charges for the bins. The land is currently deemed non-rateable.
- Council currently provides the Shackleton Bowling Club with an annual contribution of \$1,000 for water on the greens.
- The land will need to be valued for the Asset Register and the buildings will require property insurance.
- Engineer assessment on building condition and works required to amend identified issues estimated at \$1,000;
- ACM issues:
 - Repair of ACM club building roofing estimated at \$4,800
 - Replacement of ACM club building roofing estimated at \$16,000 inclusive of removal and disposal;
 - Removal of south fence \$1,000 (and replacement of fence if deemed necessary \$3,000)
- Underpinning of foundations estimated at \$12,000;
- Repair and/or replacement of damaged masonry estimated at \$4,000;
- Installation of gutters, downpipes and stormwater disposal system estimated at \$2,800;
- Demolition of old shed construction of prefabricated replacement shed estimated at \$3,000;
- General repairs and replacements (window frames, veranda supports, replace masonry columns if no internal steel supports) estimated at \$4,000; and
- Annual asset maintenance allocation for club building only \$3,000 (repairs, hot water system, plumbing, termite and spider inspections and sprays and the like)

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Infrastructure

Goal 2 – Maintain Shire owned facilities in a strategic manner and also to meet community needs.

Community

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

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

12.5 – Lead the organisation in a financially responsible and viable manner

Voting Requirements

Absolute Majority

The revoking of Resolution OCM Sep 18 – 12.5.2 requires both support from the original mover and be carried by absolute majority.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Mar 19 – 12.5.3A

Moved: Cr Rajagopalan

Seconded: Cr Kilminster

That due to new and unexpected information identified during the property enquiry process (works on the building located on Lot 26 Mills Street, Shackleton would cost approximately \$47,600. to meet compliance) Council revoke resolution OCM Sep18-12.5.2 being;

“Resolution OCM Sep 18 – 12.5.2

Moved: Cr Rajagopalan

Seconded: Cr Kilminster

That Council accept Lot 26, 27 & 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.

CARRIED BY ABSOLUTE MAJORITY 7/0”

CARRIED BY ABSOLUTE MAJORITY 8/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Mar 19 – 12.5.3B

Moved: Cr Foss

Seconded: Cr Rajagopalan

1. That Council proceeds with the acceptance of transfer of Lot 27 & 28 Mills Street, Shackleton from the Shackleton District Club for the purposes of recreation.
2. That Council staff assist the Shackleton Bowling Club in the preparation of an application to fund the installation of a synthetic bowling green in Shackleton through the Department of Sport and Recreation Annual CSRFF grants program for the 2020/21 financial year.
3. That Council declines the transfer of Lot 26 Mills Street, Shackleton as gifted by the Shackleton District Club Inc. due to the current condition of the building and until further investigation has been undertaken as to possible solutions or alternatives have been agreed upon by the Shire of Bruce Rock, Shackleton District Club and Shackleton Bowling Club.
4. That Council staff work with representatives of the Shackleton Bowling Club to prepare a full proposal including building options, costings and any potential funding opportunities for the replacement of the Shackleton Bowling Club building located on Lot 26 Mills Street, Shackleton.

Carried 8/0

Agenda Reference and Subject:

	12.5.4	Funding of Hockey Turf Lighting and Recreation Centre Power Upgrade
File Reference:	1.3.8.7	Bruce Rock Recreation Centre
Reporting Officer:		Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest		Nil

Summary

Council is asked to consider its direction and financial commitment to the power upgrade at the Bruce Rock Recreation Centre and provision of lighting for the new synthetic hockey facility following advice that we were unsuccessful in attracting funding through the Department of Sport & Recreation's CSRFF 2019/20 round.

Background

With the success of obtaining funding and now construction of a synthetic hockey turf, the next stage for works at the Bruce Rock Recreation Centre is for the installation of lighting to the synthetic hockey turf.

Whilst determining the lighting and power requirements for the new synthetic hockey turf in 2016 it was identified that a power upgrade to the entire recreation centre precinct was also required.

Council and the Bruce Rock Hockey Club agreed in early 2018 to submit a new application for the next round of CSRFF for the 2019/2020 funding round. The grant application was submitted in September 2018 (with Council endorsement) with the final project description being;

Power upgrade to the Bruce Rock Recreation Centre & Installation of lighting at the Bruce Rock Synthetic Hockey Turf Facility.

*"To provide sufficient lighting and power to maximise usage of all facilities co-located at the Bruce Rock Recreation Centre.
Upgrade of the power supply to the Bruce Rock Recreation Centre sporting precinct to allow the installation of lighting at the Synthetic Hockey Turf, improve safety, enable separate sporting grounds to use lights concurrently, and provide the capacity for future lighting improvements.
Installation of eight poles at the Synthetic Hockey Turf Facility. Each pole will be 18m high and contain four T10 maxi fittings."*

This item was presented at the February 219 Ordinary Meeting of Council and is represented in accordance with the resolution from that meeting, being;

"COUNCIL DECISION

Resolution OCM Feb 19 – 12.5.2

Moved: Cr Rajagopalan

Seconded: Cr Crooks

That Council:

- That Council receives the information, including financial situation, for Recreation Centre Power Upgrade and Installation of Lighting Project, as presented.*
- That the Chief Executive Officer and Shire President meet with the President and Vice President of the Bruce Rock Hockey Club to present the above information and discuss options for progressing towards the completion of the project.*
- Item be represented for Council Consideration at the Ordinary Council Meeting held 21 March 2019."*

Comment

Council received notification from the Department of Sport & Recreation in early February 2019 that its application for funding under the 2019/2020 CSRFF funding round was unsuccessful. The reason stated was “*your application has been unsuccessful because there were higher priorities in the round.*”

Whilst the Department of Sport & Recreation CSRFF application was unsuccessful Council was successful in attracting federal government funding through the Australian Sports Commission 2018/19 Community Sports Infrastructure Grants Program for \$76,732 ex gst.

The project expenditure costs are;

Power Upgrade to Recreation Centre	\$200,000	
Lighting of Hockey Turf	<u>\$241,706</u>	(includes contingency of \$11,509)
Total Project Cost	\$441,706	

The original application income break up is as follows;

Shire of Bruce Rock	\$219,738 ex gst	Works In-Kind, Cash
Bruce Rock Hockey Club	\$ 76,732 ex gst	Cash
CSRFF Grant	<u>\$148,235</u> ex gst	Cash
Total	\$444,706 ex gst	

The current funding income situation for the project is;

Shire of Bruce Rock	\$ 73,283 ex gst	(2018/19 budget allocation)
Shire of Bruce Rock	\$146,456 ex gst	(2019/20 commitment if CSRFF grant successful)
Bruce Rock Hockey Club	\$ 76,732 ex gst	(1/3 commitment for lighting component)
Federal Grant	\$ 76,732 ex gst	(received 2018/19 fin year)
Total	\$373,204 ex gst	

Current Funding Shortfall \$ 71,502 ex gst

Council needs to determine the most appropriate and financially viable approach in progressing this project to completion. Council may wish to wait and re apply for 2020/21 CSRFF funding, this may jeopardise the federal funding that has already been approved. Council could seek to meet with Bruce Rock Hockey Club Representatives and discuss possible alternative funding options for the shortfall of the project, with an aim of completing the project sooner.

Actions since the February 2019 Council Meeting

As per Council’s resolution the Shire President and CEO met with the President and Vice President of the Bruce Rock Hockey Club to discuss the current status of funding for the installation of lighting to the hockey turf and power upgrade to the recreation centre.

At the meeting we addressed Council’s views and sought the hockey club’s feedback on how they see the project proceeding, funding and subsequent timeframes. The Bruce Rock Hockey Club have their AGM on Thursday 14th March 2019 and the Hockey Club President will present the information to the meeting and seek their direction.

At the time of writing this report a response had not been received from the hockey club, however it is anticipated that their response and position will be provided to the CEO prior to the actual March Council meeting, where the CEO can provide an update.

Council may also take into consideration any potential financial impact in addressing the rectification of the “ripple effect” in the hockey turf. At this point in time there is no indication of what financial impact their maybe, however the Shire is expecting to have some further direction and update on this matter by

the 31st March 2019. Any rectification would not occur until at least September 2019, therefore a potential financial impact would not impact until the 2019/2020 financial year.

Consultation

Ashleigh Waight, Community Development Officer
 Jennifer Bow, Manager of Finance
 Rodney Thornton, Bruce Rock Hockey Club
 Jennifer Collins, Department of Sport & Recreation

Statutory Implications Nil

Policy Implications

7.1 Procedure for Community Grant Applications

Financial Implications

The current funding income situation for the project is;

Shire of Bruce Rock	\$ 73,283 ex gst	(2018/19 budget allocation)
Shire of Bruce Rock	\$146,456 ex gst	(2019/20 commitment if CSRFF grant successful)
Bruce Rock Hockey Club	\$ 76,732 ex gst	(1/3 commitment for lighting component)
Federal Grant	<u>\$ 76,732</u> ex gst	(received 2018/19 fin year)
Total	\$373,204 ex gst	

Current Funding Shortfall \$ **71,502** ex gst

Strategic Implications

The concept of the synthetic hockey field was identified in Council’s Integrated Strategic Planning and is included in the following Council documents;

- Corporate Business Plan 2013 – 2017
- Strategic Community Plan 2013 – 2017
- Strategic Community Plan 2017 – 2027
- Long Term Financial Plan 2013 – 2023

Shire of Bruce Rock Strategic Community Plan 2017-2027

Infrastructure

Goal 2 Maintain Shire owned facilities in a strategic manner and also to meet the community needs.
 2.1 – Encourage greater usage of current owned facilities
 2.4 – Support the improvement and maintenance of assets in a strategic manner

Community

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

Voting Requirements Simple Majority, unless Council resolves to vary the expenditure year for this project and then it would require an Absolute Majority.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Mar 19 – 12.5.4

Moved: Cr Foss

Seconded: Cr Rajagopalan

That Council;

- 1) Receives the report and update on the synthetic hockey turf lighting and power upgrade to the Bruce Rock Recreation Centre, as presented.**
- 2) Considers the response provided by the Bruce Rock Hockey Club as to their direction and commitment to progressing the hockey turf lighting project.**
- 3) That Council determines its financial commitment at the April 2019 Ordinary Council Meeting to the synthetic hockey turf lighting and Bruce Rock Recreation Centre power upgrade pending full details on grant parameters, financial commitments from all parties any potential costs associated with the surface are known and presented to Council.**

Carried 8/0

Agenda Reference and Subject:

12.5.5 Factory Unit Lease (70 Dampier, Bruce Rock)

File Reference:

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Summary

Council is asked to consider an application for the recently vacated factory unit located at 70 Dampier Street, Bruce Rock and the subsequent variation to fees and charges.

Background

Sprigg Mechanical have now vacated the factory unit that they leased from Council located at 70 Dampier Street, Bruce Rock.

An application has been received from Mr Brodie Verhoogt of Elec Tech Diesel Services Pty Ltd to lease 70 Dampier Street Bruce Rock. Mr Verhoogt has advised that he is in the process of moving his business permanently to the area and is seeking to commence a lease on the 1st April 2019.

Mr Verhoogt has also requested Council's consideration of a discounted lease for the first 12 months of his lease, similar to other businesses who have received this upon start up in Council owned factory units and shops.

Comment

The factory unit located at 70 Dampier Street, Bruce Rock has been inspected and is ready for occupancy.

As stated Mr Verhoogt is seeking Council's consideration as to reducing the monthly lease for the first twelve months, this is to assist in being able to establish his new business within Bruce Rock.

Council has previously moved a motion in May 2008 that "Council may consider a discount of up to 30% for new businesses renting a factory unit for a period of up to 12 months".

This business opportunity will be of great benefit to the community, economy and will provide a service the residents of Bruce Rock that does not currently exist on a permanent basis.

Council may wish to include a requirement for business signage to be erected on the building as it has set previously on factory unit rentals.

Consultation

Brodie Verhoogt, Elec Tech Diesel Services Pty Ltd
Jennifer Bow, Manager of Finance

Statutory Implications

Local Government Act 1995 s.6.16 & s.6.19

6.16. Imposition of fees and charges

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

** Absolute majority required.*

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

(a) imposed during a financial year; and*

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

** Absolute majority required.*

6.19. *Local government to give notice of fees and charges*

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

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

Policy Implications

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

Financial Implications

The current rent on the factory unit located at 70 Dampier Street is set at \$567 per month inc gst. A reduced rental of 30% would set the rental amount at \$396.90 per month inc gst.

Council budgets for rental income on this factory units. Any reduction in rental will need to be adjusted in Council’s budget income, however as it is currently vacant it is not generating income.

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

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Infrastructure

2.2 – Encourage greater usage of current Council owned facilities

Economy

Goal 3: Assist the local economy to grow

- 3.3 Encourage the business units to be used in Swan Street
- 3.7 Leverage economic opportunities and development from successful local businesses

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

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

Governance

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

Voting Requirements Absolute Majority

Officer Recommendation

That Council:

1. That Council lease its factory unit located at 70 Dampier Street, Bruce Rock to Elect Tech Diesel Services Pty Ltd (Brodie Verhoogt).
2. That Council considers the request from Mr Brodie Verhoogt for a reduction of rent for the first 12 months of the lease to assist him in the establishing his business, Elec Tech Diesel Service Pty Ltd, permanently in Bruce Rock.
3. The new monthly rental fee of \$_____ (inc. GST) is to be charged from 1st April 2019 and to be reviewed as part of the annual budget review process.
4. Give public notice of 7 days of the intent to vary the fee and charge.
5. That there is a requirement of the lease for business signage to be erected on the building.

Council decision varied to Officer Recommendation to include a new monthly fee to be charged from 1st April 2019 for 70 Dampier Street Bruce Rock.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Mar 19 – 12.5.5

Moved: Cr Rajagopalan

Seconded: Cr Thornton

That Council:

- 1. That Council lease its factory unit located at 70 Dampier Street, Bruce Rock to Elect Tech Diesel Services Pty Ltd (Brodie Verhoogt).**
- 2. That Council considers the request from Mr Brodie Verhoogt for a reduction of rent for the first 12 months of the lease to assist him in the establishing his business, Elec Tech Diesel Service Pty Ltd, permanently in Bruce Rock.**
- 3. The new monthly rental fee of \$396.90 (inc. GST) is to be charged from 1st April 2019 and to be reviewed as part of the annual budget review process.**
- 4. Give public notice of 7 days of the intent to vary the fee and charge.**
- 5. That there is a requirement of the lease for business signage to be erected on the building.**

CARRIED BY ABSOLUTE MAJORITY 8/0

Agenda Reference and Subject:

12.5.6 Contract Extension of Senior Employee

File Reference:

Personnel

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Mr A O'Toole

Mr A O'Toole left the Council Meeting at 4.19pm.

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;

COUNCIL DECISION

Resolution OCM Mar 19 – 12.5.6.1

Moved: Cr Thornton

Seconded: Cr Kilminster

That the meeting be closed the meeting to the public to address an item that deals with the personal affairs of an employee.

Carried 8/0

Summary

Council is asked to endorse the contract extension for Mr Alan O'Toole as the Temporary Deputy Chief Executive Officer for the Shire of Bruce Rock.

Background

As Council is aware the contracted Deputy CEO, Catherine Dunn is currently on Maternity Leave for a twelve-month period up until the 21st July 2019. Following a meeting with Catherine Dunn, an extension of Maternity Leave has been agreed upon for an additional 12-month period.

With this information the Chief Executive Officer held discussions with the current temporary Deputy CEO, Mr Alan O'Toole and taking into consideration his performance to date in filling the role, have offered a contract extension up the 31st July 2020.

Comment

I have received written confirmation that Mr O'Toole that he has accepted the contract extension. Therefore, pending Council's endorsement, a contract extension will be executed in line with the current terms and conditions, with any variation to the remuneration package to be undertaken during the 2019 annual performance review process.

Consultation

Catherine Dunn, Deputy CEO
Alan O'Toole, Temporary Deputy CEO
Stephen Strange, Shire President

Statutory Implications

Local Government Act 1995

5.36 . Local government employees

*(3) A person is not to be employed by a local government in any other position unless the CEO —
(a) believes that the person is suitably qualified for the position; and*

(b) is satisfied with the proposed arrangements relating to the person's employment.

(4) Unless subsection (5A) applies, if the position of CEO of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.

(5A) Subsection (4) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.

(5) For the avoidance of doubt, subsection (4) does not impose a requirement to advertise a position before the renewal of a contract referred to in section 5.39.

5.37 . Senior employees

(1) A local government may designate employees or persons belonging to a class of employee to be senior employees.

(2) The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO's recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.

(3) Unless subsection (4A) applies, if the position of a senior employee of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.

(4A) Subsection (3) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.

Policy Implications Nil

Financial Implications

The package fits within Council's Salaries and Wages budget for 2018/19.

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 Mar 19 – 12.5.6.2

Moved: Cr Rajagopalan

Seconded: Cr Dolton

That Council endorses the contract extension for Mr Alan O'Toole to the Temporary position of Deputy Chief Executive Officer concluding on the 31st July 2020.

Carried 8/0

COUNCIL DECISION

Resolution OCM Mar 19 – 12.5.6.3

Moved: Cr Dolton

Seconded: Cr Thornton

That the meeting be re-opened closed the meeting to the public.

Carried 8/0

Mr A O'Toole returned to the Council Chambers at 4.23pm.

Agenda Reference and Subject:

12.5.7 Draft Main Street Revitalisation Strategy

File Reference:

1.3.9.5 Community Development

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council provides comment and feedback on the Draft Main Street Revitalisation Strategy as prepared by Wheatbelt Business Network.

Background

On the 26th February 2018 Council held a Community Forum which was facilitated by Peter Kenyon from B.A.N.K. of Ideas. The Community Workshop was held to re-ignite the community and create discussion about what the community wants for it town/s and how the community can help itself.

Over 100 residents of various ages turned up to the workshop and the response and conversation was certainly very engaging. Some clear directions and ideas came from the workshop, with Council staff collating all of the comments and feedback in readiness to present back to the community. One of the key outcomes identified was the revitalisation of the main street.

In preparing Council's Strategic Community Plan 2017-2027 it was clearly identified by both Council and through the community consultation process conducted by WBN that a priority is the Main Street of Bruce Rock and the need to revitalise the area on both sides of Johnson Street.

Council resolved to include the Main Street revitalisation as a key goal in its Community Strategic Plan and furthermore then made it a priority Key Performance Indicator for the CEO in 2018/19 to have a Main Street Revitalisation Strategy developed and presented to Council for consideration.

Comment

The CEO met with Caroline Robinson in September 2018 to discuss an approach to developing a strategy to revitalise the Main Street of Bruce Rock. The strategy was to focus on goals and strategies identified in Council's Strategic Community Plan and the feedback received from the Peter Kenyon Bank of Ideas Workshop.

The CEO advised that focus needed to be on how to get people to stop in Bruce Rock and in particular the Main Street and subsequently how to draw them to both sides of Johnson Street in the main business precinct.

WBN was then contracted to prepare a Main Street Revitalisation Strategy addressing the goals, strategies and ideas of Council and the community. To assist in developing the strategy and gaining further ideas from the community Caroline conducted a "Main Street Walk" which businesses and the public were invited to attend.

Mrs Robinson will make a presentation to Councillors on the 21st March 2019 outlining the Draft Main Street Revitalisation Strategy that has been prepared for Councillors to consider and provide feedback, comment and direction. Following the presentation of the strategy Mrs Robinson will take Councillors on a brief walk of the main street to assist in visualising the ideas and recommendations of the strategy.

An electronic copy of the DRAFT Main Street Revitalisation Strategy has been provided to Councillors and a hard copy will also be available at the presentation with Caroline Robinson.

Consultation

- Caroline Robinson, Wheatbelt Business Network - Consultant
- Mrs Robinson also undertook consultation and a main street walk as requested by the Chief Executive Officer to gauge feedback from business and the community A **Feedback Document from the Community Main Street Walk is provided for Councillors information**. The Deputy CEO, Alan O'Toole also attended the Main Street walk and his **notes are also provided for Council's information**.
- Peter Kenyon Bank of Ideas Community – Community Workshop February 2018
- Public Consultation - Identified as part of community consultation and Council feedback during the development of Council's Strategic Community Plan 2017 – 2027.

Statutory Implications Nil

Policy Implications Nil

Financial Implications

Council has budget provision of \$50,000 in the 2018/2019 budget for potential projects identified in the CBD Revitalisation Strategy.

This report and the Draft Strategy do not set financial commitment to any specific component at this stage.

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2017-2027

Infrastructure

Goal 2 – Maintain Shire owned facilities in a strategic manner and also to meet the community needs.

2.2 – Encourage greater usage of current owned facilities

2.4 – Support the improvement and maintenance of assets in a strategic manner

Economy

Goal 3 - Assist the local economy to grow

3.1 – Continue business improvement grants

3.2 – Externally facilitated workshop to encourage community to help business have a reason to improve

3.4 – Advocate Main Roads WA to improve the entrances to the Bruce Rock main Street

3.5 – Improve signage, infrastructure and aesthetics to link both sides of the Bruce Rock main street that encourages patronage and a reason to visit /stop

Goal 6 – Tourism helps to diversify our local economy

6.1 - Promote our attractions, amenities and activities in a coordinated approach

Community

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

Governance

12.5 – Lead the organisation in a financially responsible and viable manner

Bank of Ideas (Peter Kenyon) – Community Workshop Key Outcomes

8 Key Outcomes were identified as part of the 218 Community Workshop held with Peter Kenyon, with one of the highest priorities identified as set out below;

- **CBD Revitalisation Strategy**

Council agreed to engage a consultant to assist with developing a strategy to revitalise the Central Business District of Bruce Rock.

Chief Executive Officer's Key Performance Indicators

Council resolved and set the CEO's Key Performance Indicators in August 2018, with one of the highest priorities being set as;

Number 2. **Main Street Revitalisation Strategy**

Develop Main Street Revitalisation Strategy and Report to Council by the 21st February 2019.

NOTE: This was not presented to Council at the Council meeting on the 21st February 2019 as it was not received until the 24th February 2019.

Voting Requirements Simple Majority

Officer Recommendation

That Council considers the Draft Main Street Revitalisation Strategy prepared by Wheatbelt Business Network and provide comment and direction on the document, as presented.

Council decision varied to officer recommendation to include a Councillor Workshop to be held on Thursday 18th April 2019 at 10.00am in the Council Chambers. This information will then be taken back to the Wheatbelt Business Network for inclusion in the strategy.

COUNCIL DECISION

Resolution OCM Mar 19 – 12.5.7

Moved: Cr Crooks

Seconded: Cr Kilminster

That Council receives the Draft Main Street Revitalisation Strategy prepared by Wheatbelt Business Network;

And

Hold a Councillor Workshop on Thursday 18th April 2019 at 10.00am in the Council Chambers to determine its views on the strategies identified and provide a response to the Wheatbelt Business Network to amend the "strategy" document accordingly.

Carried 8/0

Agenda Reference and Subject:

12.5.8 Tender for Provision of New Executive Residence

File Reference:

RFT 6.2018/19

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is asked to consider the tenders received and award Tender RFT 6.2018/19 for the provision of an executive residence to be located at 118 Curlew Drive, Bruce Rock.

Background

As part of the agreement with LandCorp for the development of the Residential Subdivision in Bruce Rock, Council is required to construct 2 properties over three years. Council constructed an executive residence at 121 Curlew Drive, Bruce Rock in 2017 and is now required to construct a second residence.

As part of the 2018/19 budget adoption Council included the construction of a new residence to be located at 118 Curlew Drive, Bruce Rock.

Tenders were called for the supply, delivery and erection of One (1) dwelling being either transportable or site built with a minimum of four (4) bedrooms with built in robes and two (2) bathrooms, one (1) theatre room and one (1) open plan kitchen, dining and family room with a minimum floor area of 175m². The design should also provide for an enclosed 2 bay garage.

A detailed floor plan (with optional verandas and/or patios shown) and specifications must be submitted with the Tender.

At the close of tenders on the 28th February 2019 eight tenders were received from six companies. With seven tenders for transportable option and one tender for a site built option.

Comment

The tenders received do not include earthworks, pad, garden shed, septic tank/leach drains, fencing, paving, driveway, landscaping and gardens. An estimate of these full costs will be provided to Council to assist in making an informed decision within the set budget.

In considering which tenderer to award the tender to and undertaking the assessment, financial consideration is one component and obviously needs to meet budget parameters. In addition assessment of the selection criteria is considered by the evaluation team, in line with the criteria set out in the tender specifications below;

SELECTION CRITERIA

The Principal has adopted a best value for money approach to this Tender.

The Contract will be awarded to a Tenderer who best demonstrates the ability to provide quality products at a competitive price. The tendered prices will be assessed with the following qualitative and compliance criteria to determine the most advantageous outcome to the Principal.

This means that, although price is considered, the tender containing the lowest price will not necessarily be accepted, nor will the Tender ranked the highest on the qualitative criteria.

COMPLIANCE CRITERIA

These criteria will not be point scored. Each Tender will be assessed on a Yes/No basis as to whether the criterion is satisfactorily met. An assessment of “No” against any criterion may eliminate the Tender from consideration.

QUALITATIVE CRITERIA

In determining the most advantageous Tender, the Evaluation Panel will score each Tenderer against the qualitative criteria.

It is essential that Tenderers address each qualitative criterion. The Tenders will be used to select the chosen Tenderer, and failure to provide the specified information may result in elimination from the Tender evaluation process. The qualitative criteria for this Request are as follows:

Description of Qualitative Criteria	
(a)	Demonstrated experience in completing similar type projects. – attach and label as attachment 2.
(b)	Detail of house plans submitted – attach and label as attachment 3.
(c)	Detail of specifications submitted – attach and label as attachment 4.
(d)	Given time frame for completion of dwellings – as per attachment 1.
(e)	Addressing of Specification Checklist Items – as per the attached checklist in Appendix 1 and labelled attachment 5.

PRICE CONSIDERATIONS

The tendered price will be considered along with related factors affecting the total cost to the Principal.

Documents addressing the assessment of tenders will be provided to Councillors at the meeting, whilst a summary of tenders received has been provided to Councillors outlining the tenderer, model & type of dwelling, floor area, options, timeframes and costs.

Consultation

Julian Goldacre, Environmental Health Officer
 Melissa Schilling, Executive Assistant

Statutory Implications

Local Government (Functions and General) Regulations 1996
 Division 2 -- Tenders for providing goods or services (s. 3.57)

Local Government Act 1995, Part 3, Division 3, s.3.57

3.57. Tenders for providing goods or services

- (1) A local government is required to invite tenders before it enters into a contract of a prescribed kind under which another person is to supply goods or services.
- (2) Regulations may make provision about tenders.

Local Government (Functions & General) Regulations 1996, Part 4, Division 2, r.11 11.

11 When tenders have to be publicly invited

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150,000 unless sub regulation (2) states otherwise.

Policy Implications

This item is part of the 2018/19 budget and was required to go to tender as it was above the threshold of \$150,000. The process was undertaken in line with Council's Purchasing Policy which also includes the Buy Local and Sustainability policy of Council. The Policy details are outlined below;

Council Policy 2.7 – Purchasing

To give Council guidelines when purchasing goods, works and services under the \$150,000 threshold. The following guidelines are to be followed when making purchasing for items in the listed in the adopted annual budget. This policy also covers "Buy Local and Sustainability" guidance.

Financial Implications

Council has made budget provision of \$412,000 in the 2018/19 financial year to construct a new executive residence in the new Bruce Rock residential subdivision. At this late stage of the financial year it is likely that most of the expenditure will occur in the early part of the 2019/20 financial year and therefore unexpended funds will be a carried forward from this current budget.

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2017-2027

Infrastructure

Goal 2 – Maintain Shire owned facilities in a strategic manner and also to meet the community needs.

Economy

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

4.2 – Partnership approach to addressing rental accommodation for long term benefit of the Shire and local businesses

Governance

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

12.4 - Investigate opportunities to expand revenue from commercial operations, property portfolio and other income generating assets

12.5 – Lead the organisation in a financially responsible and viable manner

Voting Requirements Simple Majority

Officer Recommendation

That Council awards Tender 6.2018/19 Provision of Executive Residence to _____ for \$_____ for a transportable/site built home to be located at Lot 118 Curlew Drive, Bruce Rock.

And

The Chief Executive Officer be delegated to negotiate minor amendments to the tender to alter the external cladding, minor internal layout variations and selection of fittings.

Council decision varied to Officer Recommendation to award the tender to Modular WA for 292,295 for a transportable built home.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Mar 19 – 12.5.8

Moved: Cr Dolton

Seconded: Cr Rajagopalan

That Council awards Tender 6.2018/19 Provision of Executive Residence to Modular WA for \$292,295 for a 4 x 2 transportable home with site built enclosed garage and including options of a patio and porch to be located at Lot 118 Curlew Drive, Bruce Rock.

And

The Chief Executive Officer be delegated to negotiate minor amendments to the tender to alter the external cladding, minor internal layout variations and selection of fittings.

Carried 8/0

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

Cr Strange – Mignon Jones advised Cr Strange that previous Shire President JM Stewart does not have a street named after him and requested that an item be presented at the April 2019 Ordinary Council Meeting to address this matter.

Mrs MJ Schilling left the Council Chambers at 4.58pm and did not return.

14. Confidential Items

15. Confirmation and receipt of Information Bulletins.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Mar 19 – 15.1

Moved: Cr Thornton

Seconded: Cr Rajagopalan

That Information Bulletin 1 be received.

Carried 8/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Mar 19 – 15.2

Moved: Cr Thornton

Seconded: Cr Crooks

That Information Bulletin 2 be received.

Carried 8/0

16. Closure of Meeting.

The Shire President, Stephen Strange thanked everyone for their attendance and declared the meeting closed at 5.07pm.

These minutes were confirmed at a meeting on 18 April 2019.

Cr Stephen Strange
Shire President
18 April 2019