

SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 16 MAY 2019

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SHIRE OF BRUCE ROCK
MINUTES – ORDINARY MEETING 16 MAY 2019

1. Declaration of Opening

The Shire President Cr SA Strange declared the meeting open at 1.24pm.

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

President	Cr SA Strange
Deputy President	Cr R Rajagopalan
Councillors	Cr AR Crooks
	Cr IS Dolton
	Cr KP Foss
	Cr NC Kilminster
	Cr PG Negri
	Cr MK Thornton
	Cr BJ Waight
Chief Executive Officer	Mr DRS Mollenoyux
Executive Assistant	Mrs MJ Schilling
Manager of Finance	Mrs JL Bow (2.02pm to 2.57pm)
Manager of Works and Services	Mr G Casley (2.02pm to 2.33pm)

3. Declarations of Interest

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

Date	Name	Item No	Reason

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

Date	Name	Item No	Reason

In accordance with 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

Solar Presentation by Peter Van De Merwe from BCS Solar Farm 11.00am.

7. Applications for Leave of Absence

COUNCIL DECISION

Resolution OCM May 19 – 7.1

Moved: Cr Thornton

Seconded: Cr Foss

That Cr Dolton be granted Leave of Absence for the Ordinary Meeting of Council to be held on 20 June 2019.

Carried 9/0

8. Announcements by Presiding Member

Minister Templeman's visit last Tuesday was very well received by the Minister, with the town tour and tour of Bruce Rock Engineering being highlights.

9. Confirmation of Minutes

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM May 19 – 9.1

Moved: Cr Dolton

Seconded: Cr Kilminster

That the minutes of the Ordinary Meeting of Council held Thursday 18 April 2019 be confirmed as a true and correct record.

Carried 9/0

10. Status Report

Presentation of Status Report for April 2019 Resolutions

ITEM	RESOLUTION / ACTION REQUIRED	RESPONSIBLE OFFICER	RESPONSE OR STATUS
<p>Resolution April 19 – 12.1.2 Extension of Current Kerbside Refuse Collection and Landfill Management Contract</p>	<p>That Council resolves to:</p> <ol style="list-style-type: none"> 1. Formally write to Mr P Fuchsbichler to offer to continue to provide the kerbside refuse collection and landfill management Contract until the 22 October 2019 as detailed in the Deed signed by Mr P Fuchsbichler and the Shire of Bruce Rock and authorises the Chief Executive Officer to undertake this process for Council by authority of this Resolution; and 2. Should Mr P Fuchsbichler be accepting to continue to provide the kerbside refuse collection and landfill management Contract until the 22 October 2019 that Council by the authority of this resolution ratify this acceptance by authorising the Chief Executive Officer to undertake to endorse this service in writing on behalf of Council. 	<p>EHO</p>	<p>Completed Mr P Fuchsbichler has signed letter and is now on file.</p>
<p>Resolution April 19 – 12.1.3 Application for Development Approval for a Carport Structure within Setback Area to Support Issue of Building Permit</p>	<p>That Council resolves to:</p> <ol style="list-style-type: none"> 1. Approve the submitted application detailed in Attachment 12.1.2 – A for development approval to formalise the reducing of the side boundary setback as submitted by the applicant Mrs E Vaughn from 1,500mm to 1,000mm measured from the carport supporting columns to the boundary line and also approving the eave overhang setback to be approved for 770mm to the side boundary setback measured from the inside edge of the carport gutter to the boundary line. 	<p>EHO</p>	<p>Completed Letter to applicant and sent to Kalamunda Building Surveyors for records. Finance dept informed.</p>
<p>Resolution April 19 – 12.3.3 Community Budget Requests</p>	<ol style="list-style-type: none"> 1. That staff include selected community budget requests as determined by Council in the 2019/20 budget deliberations. 2. That staff work with identified Community Groups on their project to seek alternative funding sources. 	<p>MOF</p>	<p>Information and costings will be included in the Annual Budget. Community groups have been notified by CDO.</p>
<p>Resolution April 19 – 12.5.1 Geographic Naming Approval – Stewart Street</p>	<p>That Council;</p> <ol style="list-style-type: none"> 1. In accordance with the request from Western Australian Land Information Authority Council approves to; Archive Road Names – Eujinyn Archive the Names ALEXANDER STREET, PEAD STREET, STEWART STREET and WILKINS STREET. 	<p>CEO</p>	<p>Correspondence sent to Department of Lands confirming Councils decision. Written response and subsequent telephone conversation with Mignon Jones advising of Councils</p>

	<p>2. That Council name the front meeting room of the Administration Building the “Jack Stewart Room” in recognition of former Board Chairman and Shire President Mr Jack Stewart’s contributions to Council.</p>		<p>decision. Appropriate action has been taken to recognise the decision to name the Jack Stewart Room.</p>
<p>Resolution April 19 – 12.5.2 Funding of Hockey Turf Lighting and Recreation Centre Power Upgrade</p>	<p>That Council;</p> <ol style="list-style-type: none"> 1) Receives the report and update on the synthetic hockey turf lighting and power upgrade to the Bruce Rock Recreation Centre, as presented. 2) Acknowledges and accepts the Bruce Rock Hockey Club’s contribution of \$76,732 for the hockey turf lighting and additional \$50,000 towards the power upgrade of the Bruce Rock Recreation Centre and thanks them for their commitment to progressing the project. 3) determines its decision to proceed with its commitment to the synthetic hockey turf lighting and Bruce Rock Recreation Centre power upgrade taking into consideration full details on grant parameters, financial commitments from all parties and any potential costs associated with the surface issues. 4) 4) resolves that the 2018-19 Budget is amended to reflect the proposed works to upgrade the power to the Bruce Rock Recreation Centre and installation of lighting at the Bruce Rock Synthetic Hockey Turf, with a zero effect on the net result of the budget, as; <ol style="list-style-type: none"> i. Operating Income - GL 113308 – INCOME Recreation & Culture Grants – Capital, increase by \$76,732; from allocation of \$0 to \$76,732; ii. Operating Income - GL 113311 – INCOME Contributions & Reimbursements – Rec & Culture (Hockey Club), increase by \$126,732; from allocation of \$17,500 to \$144,232; iii. Operating Expenditure - GL 071208 – EXPENSE STED Scheme Connection Subsidies, decrease by \$120,000; from allocation of \$120,000 to \$0; iv. Capital Expenditure - J09301 – Construction of New Residence Curlew Dr, decrease by \$47,960; from allocation of \$412,000 to \$364,040; v. Capital Expenditure - J11329 - Lighting at Hockey Turf, increase by \$200,000; from allocation of \$0 to \$200,000; and vi. Capital Expenditure - J11314 – Upgrade Power to Recreation Centre, 	<p>CEO</p>	<p>Letter has been sent to the Bruce Rock Hockey Club advising of Council’s decision.</p> <p>Actions have been undertaken to commence Tender process. Confirmation with Electrical Engineer being sort as to final project specifications for Tender document.</p>

Shire of Bruce Rock – MINUTES 16 May 2019

	increase by \$171,424; from allocation of \$73,282 to \$244,706.		
Resolution April 19 – 12.5.3 DRAFT Main Street Revitalisation Strategy	That Council endorses the Draft Main Street Revitalisation Strategy prepared by Wheatbelt Business Network, with the inclusion of information compiled at the Councillor Workshop held on the 18th April 2019.	CEO	Change provided to WBN awaiting revised document to be presented back to Council.
Resolution April 19 – 12.5.4 Adoption of Corporate Business Plan 2019 to 2023	For presentation at the Ordinary Council Meeting held 16 May 2019.	CEO	To be presented at the May 2019 Council Meeting.
Resolution April 19 – 12.5.5 Fee Waiver Bruce Rock Community Resource Centre	That the hire fee for the indoor basketball courts be waived for the “Hoops with Cops” event to be held on Thursday 18th April 2019.	CEO	The Bruce Rock Community Resource Centre have been informed of the outcome and relevant staff notified to ensure no hire fee is charged.
Resolution April 19 – 13.1 Adoption of Long-Term Financial Plan and Asset Management Plan	That Council receives the Shire of Bruce Rock’s Draft Strategic Resource Plan consisting of the Long-Term Financial Plan and Asset Management Plan, for the period 2018 to 2033 and provide feedback in readiness to adopt at the Ordinary Council Meeting held 16 May 2019.	MOF	To be presented at the May 2019 Council Meeting.
Resolution April 19 – Main Street Bin Project	Council agreed to utilise a portion of the Main Street Revitalisation budget to proceed with the main street bin replacement project.	CEO	CEO & CDO have met with the CRC reps to advise of Council’s support for the project and to proceed as soon as practical.

Status Report
Ongoing items as at May 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 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 to Council.</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>Water Corporation have advised Works on the STED scheme will re-commence at the start of May 2019.</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>	MOF	<p>Auction date has been set for Friday 16th August 2019.</p>
<p>Resolution Mar 2019 – 12.3.3 Sale of Land for Recovery of Unpaid Rates and Setting Auction Date</p>	<p>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.</p>		<p>Council will be informed of progress.</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>	CEO	<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>

	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.		
Resolution Feb 19 – 13.1 Bruce Rock Quarry Lease Update	That Council: 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 – 13.4 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 the future use of Memorial House.	CEO	A meeting is scheduled for the 28 th May 2019 with the Regional Health Director.
Resolution March 19 – 12.5.3 Acceptance of Gifted Land - Shackleton District Club Inc Lot 26,27 & 28 Mills Street, Shackleton WA	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.	CEO	Correspondence sent to Shackleton District Club and Shackleton Bowling Club advising of Council’s decision. Staff have commenced research into options and costings for a bowling club building. Land transfer documentation processed for Lots 27 & 28 Mills Street.

COUNCIL DECISION

Resolution OCM May 19 – 10.1

Moved: Cr Kilminster

Seconded: Cr Crooks

That Council receives the Status Reports as presented.

Carried 9/0

11. Regional Reports

Agenda Reference and Subject:	11.1 WEROC Council Meeting May 2019
File Reference:	1.6.9.1 WEROC Executive Meetings
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 1st May 2019 at the Shire of Bruce Rock 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 Council's attention;

5.3 The Future Governance for WEROC and Wheatbelt Communities Inc

It is requested that Councillors refer to the minutes from the WEROC Council Meeting to assist in considering the options for future governance arrangements for WEROC and Wheatbelt Communities Inc.

As per the information provided in the minutes consideration as to which constitution arrangements would best suit the organisations going forward. As per the resolution of the meeting the WEROC Executive will provide a discussion paper on WEROC's future governance which would include a comparison of the Wheatbelt Communities Inc and Warren Blackwood Alliance constitutions.

The Meeting made the following resolution;

RESOLUTION: Moved: Cr Rajagopalan Seconded: Mr Clarke

That:

- 1. The Executive Officer prepare a discussion paper on WEROC's future governance which would include a comparison of the Wheatbelt Communities Inc and Warren Blackwood Alliance constitutions;*
- 2. A comparison of the Wheatbelt Communities Inc and Warren Blackwood Alliance constitutions be distributed to all Member Councils for comment, with all comments to be received by close of business on Friday 7 June 2019; and*
- 3. The discussion paper be tabled for discussion at the WEROC Council Meeting to be held in Kellerberrin on Wednesday 26 June 2019.*

Council is asked to discuss the discussion paper and provide comment on Council's position on WEROC's governance model going forward.

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 May 19 – 11.1

Moved: Cr Rajagopalan

Seconded: Cr Dolton

That Council receives the minutes of the WEROC Council Meeting held on Wednesday 1st May 2019 at the Shire of Bruce Rock Council Chambers.

And

Council considers the comparison of the Wheatbelt Communities Inc and Warren Blackwood Alliance constitutions when it is distributed to all Member Councils and provides feedback on Council's position in relation to Wheatbelt Communities Inc/ WEROC and the proposed constitution.

Carried 9/0

Mr D Mollenoyux left the Council Chambers at 1.50pm

Mr D Mollenoyux returned to the Council Chambers at 1.51pm

Agenda Reference and Subject:

11.2 Wheatbelt Communities Meeting May 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 1st May 2019 at the Shire of Bruce Rock.

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;

7.3 Wheatbelt Communities Inc/WEROC Budget 2019/2020

By way of background, at the WEROC Council Meeting held in Southern Cross on Wednesday 27 February 2019 it was resolved in part as follows:

- “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;.”*

As a consequence, a draft budget as outlined below, has been developed in line with clause 18 of the Wheatbelt Communities Inc (WCI) Constitution.

Clause 18 requires that a draft budget is prepared at least two months before the end of the financial year and then forwarded to each Member Organisation for comment prior to adoption.

In drafting the budget, the WEROC 2018/2019 and WCI 2018/2019 budgets have been combined to provide a consolidated document from which a new WEROC 2019/2020 draft budget, as outlined below, has been developed. As the WCI is the continuing organisation with a name change to WEROC the ABN for WCI has been retained.

In reviewing the draft budget, the WEROC and WCI income and expenditure for the 2018/2019 year have been shown as separate line items with the WCI line items highlighted in yellow. It should also be noted that the budget has been titled “WEROC Inc” to reflect the name of the combined entity.

In considering the draft budget, the following notes may assist Member Organisations:

Income

- A. Based on the estimates as at 30 June 2019 the balance in the WEROC account will be approximately \$160,000. It is therefore proposed that the total annual subscription be retained at \$12,000 per Member Organisation (including the previous contribution to the Consultancy and Project Reserve).*

- B. *In regard to the Consultancy and Project Reserve this amount has been incorporated into the General Subscription.*
- C. *Interest accrued on general operating WEROC funds. The amount of interest is slowly declining due to interest rates “falling”.*

Expenditure

1. *The allocations relate to the WEROC Executive Officer services. The allocations cover professional services including office expenses and travel and accommodation. With the winding up of WEROC on the 30 June 2019 it is proposed that the expenditure for Executive Services for the June 2019 be paid during June to avoid having any outstanding creditors.*
2. *This allocation covers the cost of managing the financial management and the conduct of the annual audit. It should be noted that it will be necessary to carry out audits for both WEROC and WCI as at 30 June 2019. An allocation has been made for this expenditure.*
3. *This allocation is to enable the WEROC to undertake special projects or consultancies.*
4. *This allocation is to provide funding for the management of the WEROC App.*
5. *This is a new allocation as it may be necessary, as an incorporated body, to “take out” similar insurance to CEACA. No estimate of costs has been received.*
6. *This is a general allocation for legal expenses to simply cover any eventuality.*
7. *This is a specific allocation to cover the cost of developing a new WEROC Constitution using the WCI Constitution as a base. It provides for legal fees and costs associated with lodging the change of name and new Constitution with the Department of Mines, Industry Regulation and Safety. If the work is undertaken during the current financial year this allocation can be deleted when WEROC is formally adopting the budget.*

It is anticipated that the proposed budget will leave the newly formed “WEROC Inc” with a balance at the 30 June 2020 of around \$90,000.

RESOLUTION: Moved: Greg Powell Seconded: Karin Day

1. *That the combined Wheatbelt Communities Inc and WEROC Draft Budget for the year ending 30 June 2020, as presented, with a general subscription for each Member Organisation set at \$12,000 (excluding GST) and in accordance with the Wheatbelt Communities Inc Constitution, be referred to Member Organisations for comment, with all comments to be submitted to the Executive Officer by no later than Friday 31 May 2019.*
2. *That a budget review be undertaken early in the 2019/2020 financial year following the commencement of the newly formed organisation.*

Council is asked to now consider the budget and membership subscription for Wheatbelt Communities/WEROC and determine its views and provide any comments back to the Executive Officer prior to the deadline.

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 Annual combined Membership for Wheatbelt Communities and WEROC will be \$12,000 for 2019/2020. Should Council support this decision then a budget provision will be required in Council’s 2019/2020 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

Absolute Majority

Officer Recommendation:

That Council receives the minutes of the Wheatbelt Communities Inc. Meeting held on the 1st May 2019 at the Shire of Bruce Rock.

And

Council considers the Wheatbelt Communities Inc / WEROC Budget and membership of \$12,000 for the 2019/2020 financial year.

Council decision varied to Officer Recommendation to defer its decision to consider the annual membership of \$12,000 until further direction is received in relation to the proposed new constitution.

COUNCIL DECISION

Resolution OCM May 19 – 11.2

Moved: Cr Rajagopalan

Seconded: Cr Dolton

That Council receives the minutes of the Wheatbelt Communities Inc. Meeting held on the 1st May 2019 at the Shire of Bruce Rock.

And

Council defers its decision to consider the Wheatbelt Communities/WEROC annual membership of \$12,000 until further direction is received in relation to the proposed new constitution.

CARRIED BY ABSOLUTE MAJORITY 9/0

Agenda Reference and Subject:

11.3 WALGA Zone Meeting April 2019

File Reference:

1.6.5.6 Great Eastern Ward Zone – Meeting Minutes and Agendas

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

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

Background

The last Great Eastern Zone Meeting was held on the 24th April 2019 at the Kellerberrin Recreation and Leisure Centre.

Comment

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

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

6.2 Telstra – Power Outages Effecting Telecommunications

An update was provided in the minutes, with new actions listed by the Zone. Please refer to the minutes for further details.

7.2 Local Government Act Review

As the Zone is aware, the Minister for Local Government announced a 2 phase Local Government Act review process.

The first phase has been dealing with issues the Local Government sector listed as urgent issues, such as simplifying the gift provisions, providing Local Governments with the ability to advertise electronically rather than placing advertisements in newspapers, reviewing codes of conduct and providing for standards and policies around the CEO recruitment and performance review process.

The second phase of the Act review process is a complete review of the Act that will provide for a Green Bill to be considered and ultimately a New Local Government Act. The Zone submission on phase 2 of the Act review was submitted on 29 March 2019 as per attachment 3.

The phase 1 changes have been included in the Local Government Amendment Bill 2019 which was introduced in the Legislative Assembly by the Minister for Local Government on 14 March 2019 and was subsequently endorsed by the Assembly on 11 April 2019. The Bill will now be debated in the Legislative Council from 7 May 2019.

This Bill includes amendments to the Local Government Act that align with WALGA's advocacy which was endorsed by the sector in September 2018 and includes the following matters:

- Gifts
- Universal Training
- Standards of Behaviour
- CEO Recruitment and Performance Review
- Public Notices and Access to Information
- Administrative Efficiencies

The proposal around Universal Training was proposed by the Minister and includes the requirement for all candidates at Local Government elections to attend a candidate's information session as part of their nomination requirement. This will be an on-line information session that the Department of Local Government, Sport and Cultural Industries will run and will not include any assessment. In addition, all new and re-elected Elected Members will need to carry out training on five (5) core units in 12 months following being elected.

Those elected members not up for election until 2021 will not need to do the training until after October 2021. In respect to funding for training, it is the Associations position that the training is the States idea, so the State should pay. We will continue to advocate for funding to be provided.

In the absence of a funding commitment for the training, for Local Government budgeting purposes, the following are indicative costing that can be considered;

Face to Face Cost + eLearning

3 face to face courses and 2 eLearning will be approximately = \$2,400 per Elected Member

Agenda Great Eastern Country Zone – 24 April 2019

Individual eLearning Cost

All 5 courses by eLearning will be approximately \$1,000 per Elected Member

However, a council could subscribe to a licence where all Elected Members and Officers from that Local Government can purchase a licence for a course or all courses. This reduces the cost considerably.

The Amendment Bill will need to pass through the Parliament by 30 June 2019 to allow for the provisions around Universal Training to apply for the 2019 elections.

8.2 Local Government Agricultural Freight Group

The BBRF application for the pre-construction work of roads prioritised in the project was unsuccessful, a follow up meeting has been arranged so we can get information as to why the application was ineligible. An application for commodity Route funding was not considered. There has not been any additional information provided.

27th March, an announcement by DPM Minister McCormack of a \$70 million grant from the ROSI fund to the WSNF for capital works. This money comes from a \$3.5 Billion budget allocation and is not an election commitment. Additional information from the Federal department of Regional Development, Infrastructure and Cities, suggest that this is 80% of the funding amount, with a further 20% required from other sources.

The WSNF working group have scheduled meetings with Minister Saffioti's office and Nicole Lockwood from Infrastructure Australia, on the 6th May to discuss the progress and other possible funding sources for the project.

An announcement by Minister MacTiernan of \$100,000 through the RED's fund, to the Shire of Koorda, as lead agency in the application, to assist with the project management of the WSNF project for both the pre-construction and actual on ground work. It is estimated that it will be a 3 to 4-year timeframe, depending on the capacity of LG's and contractors, for the delivery of the works.

The WSNF working group met on the 15th April to discuss both progressing the ROSI and RED's funding announcement. Due to the Federal election, we have not been able to get clear guidelines as to the criteria for ROSI money. Work is now beginning on building a business case and establishing a project management team to ensure that we are able to meet expected milestones once these guidelines have been made clear.

A request will be made to all 42 local governments for a consideration of a rebranding of the \$6,000 commitment for the Unsuccessful BBRF application to a co-contribution towards the RED's funding announcement.

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

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 May 19 – 11.3

Moved: Cr Foss

Seconded: Cr Waight

That Council receives the minutes of the WALGA Great Eastern Zone Meeting held on the 24th April 2019 at the Kellerberrin Recreation and Leisure Centre.

Carried 9/0

Mr A O'Toole left the Council Chambers at 2.00pm.

Mr A O'Toole returned to the Council Chambers at 2.02pm.

Mrs JL Bow entered the Council Chambers at 2.02pm.

Mr G Casley entered the Council Chambers at 2.02pm.

Mrs MJ Schilling left the Council Chambers at 2.04pm.

Mrs MJ Schilling returned to the Council Chambers at 2.06pm.

12. Officers' Reports

12.1 Environmental Health Officer

Agenda Reference and Subject:

12.1.1 EHO Information Bulletin April 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 April 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 April 2019.

Comment

• Western Australian Container Deposit Scheme (CDS) update:

In December 2018 the EHO presented an Information Brief regarding the 'Customer service standards for collection network' for the CDS. A summary of that report detailed that:

- legislation to establish a CDS has been recently introduced into State Parliament and the CDS;
- The CDS will provide a \$0.10 cent refund for all eligible beverage containers including soft drink cans and bottles, bottled water containers and flavoured milk cartons;
- returned containers must be recycled or reused; and
- Bruce Rock townsite is listed as a 'Flexible Refund Point' (FRP). The FRP intends to '*...meet the requirements of smaller or fluctuating populations and could be provided on a part time, seasonal, mobile, or event based (pop-up) basis*'. As such Bruce Rock would not have a permanent CDS so would have to save up eligible containers collection points and wait for when the CDS operator to collect bottles for a refund is in town of which the duration and occurrence will be based on demand and profitability for the entity collecting the Containers.

More recently information on the CDS rollout is at hand and is surmised below:

- Amendments to the *Waste Avoidance and Resource Recovery Amendment Act 2007* legislation passed 13 March 2019 (published in the Government Gazette on 18 April 2019);
- Appointment of Scheme Coordinator April 2019 (yet to be announced, DWER statement claims 'Offers are currently being assessed and a decision on the preferred respondent will be made shortly'.)
- DWER CDS networking webpage April 2019; EHO still looking for this site;
- Procurement of Collection Network June/July 2019 – *EHO note - this part is an important consideration for local governments intending to operate collection point/s;*
- Appointment of Collection Network Sept/Oct 2019;
- Community engagement by Scheme Coordinator & Establishment of the Collection Network Nov/Dec 2019; and
- Scheme commences early 2020.

Whilst Planning has been an issue in the Eastern States for location and amenity of collection points, given Bruce Rock is a Flexible Refund Point it is not reasonably anticipated this will be an issue. Of interest is the Regulatory requirement for the Material Recovery Facility (MRF) operators to enter into an agreement with the Local Government that the CDS material originated from as to how benefits from the Scheme will be shared (the deposit collection, WALGA has produced a document to assist with this

agreement). This could prove problematic given that the recyclables collected by Avon Waste in the regions are mostly all set down at one place then collected and transported on mass to the selected MRF making each Shire unable to be separated unless undertaken by Avon Waste itself which could be that Avon Waste becomes a refund point as opposed to a MRF; this will be investigated.

The refund points are anticipated to be selected by the CDS Scheme Coordinator who will run an open procurement process to establish the collection network. The appointed Scheme Coordinator is to promote the CDS through a public education and awareness campaign. The campaign is to include information on the CDS, how Scheme objectives will be achieved and the location of refund points. Delivery of the campaign is likely to commence mid-2019. Amongst many things, this process will result in the appointment of contracts to operate refund points. There is a possibility that refund points will be operated by a range of parties, such as:

- charities,
- community groups, or
- a Local Government (where appropriate).

Any public enquiries regarding the CDS are to be handled by the Scheme Coordinator, or the Department of Water and Environmental Regulation where the Scheme Coordinator's response is not satisfactory. This removes local government from having to deal with enquiries by forwarding the details to the public to follow-up with the appropriate entity.

Local Governments that are interested in operating a refund point, must submit a bid during the procurement process.

Considerations for Local Governments that choose to submit a bid to operate a refund point, include:

- Potential number of eligible containers generated in the community
- Existing services which could also provide a refund point (for example, staffed landfill, transfer station, reuse shop or community centre)
- Costs associated with establishing refund point infrastructure
- Developing a Risk Plan for the proposed refund point (contact your LGIS Account Manager to arrange an assessment of the Risk Plan, to ensure the proposed location is suitable for use).

Again, it is pointed out that as Bruce Rock is a Flexible Refund Point it is predicted that the collection service will be done by a contracted service which will 'drive through' and collect containers for refund. The data presented by the Beverage Industry estimates that an average of 2 containers are generated per person per day meaning a potential in Bruce Rock townsite of an estimated 1,000 containers per day equating to a potential refund amount of \$100 per day.

The EHO has communicated with Ms Rebecca Brown of WALGA who will be presenting at the Northam hosted Health & Building Group meeting on the 7th June 2019 to detail relevant information specific to the Regional areas on the CDS rollout. Furthermore, the EHO received information from the CEO and Hon Mia Davies MLA office regarding a register of interest for organisations wanting to participate in the collection network for the container deposit scheme. This register will help organisations to connect and create partnerships within the collection network including donation points, refund points, transport and processing facilities. This register is non-binding and merely raises the flag to attract interested parties. Bruce Rock shore has been registered as 'seeking' interested parties to allow review and consideration of requests for the setting up of refund-collection points.

- As part of the role of EHO in asset management the following major items have been undertaken:
 - Recreation centre Air Conditioner replacement has been authorised and a third quote being sought to commence replacement of old unit.
 - Town Hall gutter repairs are progressing.
 - The range hood gooseneck to prevent rain events affecting the chimney is sourced and prepared for fixture to the Johnson street café.
- Further onsite investigation with the local police force to investigate a person camping on a farm property in Shackleton area. The person of interest was again met and found to be still on the property camping in the caravan despite the person agreeing to move off the property. Given that more than the

negotiated time to move occurred. In the company of the Police Officer the EHO, being the Authorised Officer by Council also to give infringements (Resolution OCM Sep 18 – 12.1.2) pursuant to the *Caravan Parks & Camping Grounds Act 1995* issued an infringement notice under Regulation 10. Where person may camp. 'Exceeding 3 nights in any period of 28 consecutive days. The Authorised Officer advised that the person had 21 days to pay the modified penalty of \$100 within 21 days to a person at the Shire appointed to take the modified penalty or the matter will need to go to Court. That said, it was explained if the person was found to have vacated the property within the 21 days the CEO will be requested to rescind the penalty and the matter proceed no further. The person was agreeable and said he was doing his best to move off the property but needed more time.

- The owner of the derelict house in Shackleton has been written to for the purpose of giving the Shire of Bruce Rock good cause why a 'dangerous building' under the *Building Act 2011* or a 'demolition Notice' under the *Health (Miscellaneous Provisions) Act 1911* should not be issued and served. Attached to the letter was a timeline from 2015 showing empirical evidence of the continued deterioration and lack of, if any, works to the house. The Owner has until before the Council meeting in June to give an explanation of their intentions.
- Undertaking the Shire residential and commercial and public buildings property inspections with the Senior Finance Officer to determine works required and/or requested for consideration in the 2019-2022 budget preparations.
- Three Development Applications have been presented to the EHO for consideration. One will be presented to Council at this meeting, the two others are ongoing due to final applicant consideration and further planning investigations.
- Down To Earth Training conducted a two-day course for local government staff and contractors for working at heights, confined spaces and gas detection which was co-ordinated on the days by the EHO in the absence of the DCEO.
- A matter regarding the keeping of pigs on residential property in the townsite of Bruce Rock was reported to the EHO and followed up. The owners were liaised with and options given to assist with keeping pigs on Rural land as an alternative. Discussions recently revealed the pigs have been moved on to Rural land and is in the process of reducing numbers to one as permitted without a permit from the local government.
- The EHO took 6 days' combination of leave & Public Holidays during the month of April 2019.

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;
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

In the event the modified penalty has not been paid by the close of business on the 9th May 2019 the matter will need to be taken to the local magistrate Court for resolution. Costs are undetermined and will be investigated if the penalty has not been paid or the person has vacated the property.

Strategic Implications

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

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM May 19 – 12.1.1

Moved: Cr Thornton

Seconded: Cr Rajagopalan

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

Carried 9/0

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 tidied up
- Footpaths blown down
- Museum mowed and tidied up
- Apex park and surrounds tidied up
- Medical centre tidied up
- Shire office and hall weeded and tidied up
- Playgroup mowed
- Amphitheatre, Sculpture Park and Memorial Park mowed
- Caravan Park mowed and raked
- Private works shed and garage pads
- Aged units tidied up
- Fence realignment at Swan street factory units
- Footpath fix ups around town

Construction Crew

- Private works jobs for farmers
- Summer grade until rain
- Complete Liebeck Road R2R funding
- Fixing up some road issues around our network, e.g. blowouts, pushes, collapsed culverts

Workshop

- BK510 Grader 500 Hr service
- BK 238 Truck service and replace fuel lines.
- BK2391 newest!!! grader repair axle and wheel hub
- BK6670 Tip Loader service and replace front diff hub seal
- BK604 Truck replace brakes and tyres
- BK638 Truck replace tank fuel pump and bunt out wiring harness
- Workshop Make up oil bench for oil bay
- 23 inspections

Rec Centre

- Oval Mowed
- Sprayed for spider mite
- Sprayed for fungus
- Clean surrounds of hockey field
- Clean up around the tennis courts
- Changing lights in the inside courts
- Marking out oval for winter sports

Vehicles/Machinery Changeover

All remaining vehicles have been ordered, waiting for delivery

Dams

• Dam	• Current	• Capacity
• Railway Dam	• 9,500kl	• 32,000kl full
• Negri Dam Rear	• 9,000kl	• 115000kl full
• Negri Dam Front	• 5,500kl	• 15000kl full
• Rec Centre Dam	• 8,000kl	• 23000kl full
• Turkeys Nest	• 9,000kl	• 43000kl full
• Water Corp Dam	• 22000kl	• 71808kl full

Recreation Centre Drainage

With the Rec centre brick paving sinking issues, we believe this will keep happening with the forklift running over this area loaded with deliveries. The thought that Peter and myself have had is to put in the new drainage then concrete from the north western side of the building down to the carpark which will help achieve the right levels to prevent the water issues that have been occurring. The cost of the concrete, parts and labour would come to under what has been budgeted which is \$ 50,000.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM May 19 – 12.2.1

Moved: Cr Foss
Seconded: Cr Waight

That the Manager of Works and Services report be received.

Carried 9/0

Agenda Reference and Subject:**12.2.2** Tender of New Pneumatic Roller**File Reference:****Reporting Officer:**

Glenn Casley, Manager of Works & Services

Disclosure of Interest:

Nil

Summary

Council is requested to consider the options for replacement of the Pneumatic Roller

Background

Council has included an amendment to the Budget to replace the Pneumatic Roller after additional grant funding was received.

Comment

Tenders were invited by EQuotes and four companies responded. Their submissions are summarised in the table below:

Respondent	Tutt Bryant	JCB	Conplant	Westrac
Vehicle	BW 27RH	CP 2100W	AP 240H	Cat CW 34
Warranty	4 years or 4000hrs	3 years or 3000hr	2 years or 2000hr	7 years or 4,000hr
Flashing Light	Yes	Yes	Yes	Yes
Signwriting	Yes	Yes	Yes	Yes
AM/FM Radio	Yes	Yes	Yes	Yes
Seat Cover	Yes	Yes	Yes	Yes
Battery Isolator	Yes	Yes	Yes	Yes
Delivery	Yes	Yes	Yes	Yes
Fire Extinguisher	Yes	Yes	Yes	Yes
Availability	In Stock	TBA	In Stock	In Stock
Window Tint	Yes	Yes	Yes	Yes
Licenced	Yes	Yes	Yes	Yes
Total Cost of Vehicle (Ex-GST)	155,000.00	177,900.00	152,000.00	168,000.00
Total Cost of Vehicle (Inc-GST)	170,500.00	195,690.00	167,200.00	\$184,800.00

Evaluating the information provided, all the respondents have met the specifications requested in the EQuote documentation. The major outstanding feature therefore is the 7-year warranty offered by Westrac. I have approached other Shires for any feedback about the machines as quoted above. The Cat CW 34 is a popular choice, with no apparent mechanical issues identified. It was reported that back-up support for parts is also very good.

There will be no trade on the current roller, as it will go to auction. The estimated amount for auction will be approximately \$40,000.00

Consultation

Works and Services Committee
Construction Foreman

Statutory Implications

Local Government Act, 1995 s3.57

Local Government (Function and General) Regulations 1996, Division 2, Tender Regulations

Policy Implications

Shire of Bruce Rock Purchasing Policy – requirement for a minimum 3 written quotes

Local Government Authority Tender Regulations

Financial Implications

Council has a budget provision of \$183,812 for the purchase of a new roller in the 2018/19 financial year.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Infrastructure

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

1.3. Plant and Equipment maintenance and replacement.

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM May 19 – 12.2.2

Moved: Cr Dolton

Seconded: Cr Kilminster

That Council approves the purchase of the Cat CW 34 for the price of \$168,000.00 excluding GST.

CARRIED BY ABSOLUTE MAJORITY 9/0

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 30th April 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 May 19 – 12.3.1

Moved: Cr Negri

Seconded: Cr Kilminster

That the Statements of Financial Activity for the month ending 30th April 2019 as presented be received.

Carried 9/0

Agenda Reference and Subject:

12.3.2 List of Payments

File Reference:

8.2.3.3 Accounts Payable (Creditors)

Reporting Officer:

Jennifer Bow, Manager of Finance Officer

Author:

Mike Darby, Senior Finance Officer

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 April 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 May 19 – 12.3.2

Moved: Cr Rajagopalan

Seconded: Cr Foss

That Council endorse the list of payments from the:

- 1. Municipal Account consisting of;**
 - a. EFT voucher numbers EFT 14152 to EFT 14244 totalling \$200,474.94**
 - b. Cheque number 23902 to 23911 totalling \$70,938.69**
 - c. Trust Cheque 1927 to 1928 totalling \$915.90**
 - d. Wages and Superannuation payments totalling \$148,258.29 and**
 - e. Credit Card payments totalling \$1,018.74**

With all payments totalling \$451,234.03 for the month of April 2019.

Carried 9/0

Mr G Casley left the Council Chambers at 2.33pm and did not return.

Agenda Reference and Subject:

12.3.3 Adoption of Strategic Resource Plan 2018-2033

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 Strategic Resource Plan 2018 - 2033 with input and guidance from the staff.

This report seeks Council’s approval for the adoption of the Shire of Bruce Rock’s the Strategic Resource Plan 2018 – 2033.

Background

The draft report presented was presented to the April Ordinary Meeting of Council, for staff and Councillors to review the draft document prior to adoption.

Comment

The Strategic Resource Plan is an important informing strategy of the Integrated Strategic Planning Framework of the Shire. It is two documents combined into one, combining the Asset Management Plan and the Long Term Financial Plan and takes influences and consideration from the Workforce Plan, Strategic Community Plan and Corporate Business Plan. It is the mechanism that will ensure the delivery of the actions contained in the Strategic Community Plan.

Moore Stephens have developed the plan to ensure that it complies with the requirements of the Local Government (Administration) Regulations 1996.

The Plan was developed utilising the 2017-18 Budget and the 2016-17 Annual Financial Statements to form a financial baseline. The following assumptions also underlay the SRP;

- i. Inflation rate through plan is 2%
- ii. Stable population base
- iii. Stable levels of services delivered to the community
- iv. Balanced annual budget throughout the plan
- v. Rates increase annually of 4.5% (which includes CPI of 2% and 2.5% increase to rates)
- vi. Employee costs to increase by 2% annually

An extensive capital works program has also been planned for the period 2018 to 2033 and includes;

Project by Asset Class	2018 – 2033 Amount
Buildings	
Building renewals	\$560,000
Subdivision Housing	\$412,000
Aquatic Centre Upgrade	\$400,000
Bruce Rock Caravan Park Accommodation	\$150,000
Bruce Rock Caravan Park Ablutions Upgrade	\$120,000
Buildings Total	\$1,642,000
Plant and Equipment	
Plant Replacement	\$11,072,652
Install alternative energy infrastructure	\$70,000
Telecommunication Upgrade	\$120,000
Plant and Equipment Total	\$11,262,652
Roads	
Roads to Recovery	\$7,500,000
Regional Road Group	\$4,780,000
Dunstall Street Upgrade	\$80,000
Road Renewals	\$7,632,146
Roads Total	\$19,992,646
Bridges	
Bridges	\$2,250,000
Bridges Total	\$2,250,000
Other	
Main Street Revitalisation	\$190,000
Bowling Green Surface Replacement	\$150,000
Tennis Court Resurface	\$80,000
Lighting Upgrade	\$200,000
Hockey Turf Surface Renewal	\$300,000
Upgrade Apex Park/ Amphitheatre Precinct/Visitor Facilities	\$100,000
Other Total	\$1,020,000
GRAND TOTAL	\$36,167,298

Significant issues identified in the plan includes the continued provision of community infrastructure remains as one of the main priorities and major expenditure items for the Shire, road maintenance and renewals for the Shire due to the strategic economic benefit that the road network provides for the district and the adequate maintenance, renewal and upgrading of the road network remains highly dependent on the receipt of external grants and contributions.

Over the course of the Plan, the forecasted revenue will see rates increase from \$1.4m in 2018 to \$2.7m in 2032-33 and will comprise of 29% of operating revenue for Shire. The Shire expects to receive \$46m in untied grants, subsidies and contributions and non-operating grants are expected to remain stable.

The forecast expenditure will grow in line with inflation with the exception of depreciation which will be impacted by the addition of assets. Ideally, the average asset renewal should be in line with depreciation expense over the long term to ensure that the value of assets is maintained. On average, the Shire is planning to renew its infrastructure assets at a lower level than they are depreciating over the term of the Plan. However, with further improvements to asset management and estimation of depreciation

expenses, the future renewal of long loved assets may result in a closer alignment between assets renewals and depreciation expense.

The Plan also included scenario planning and this is how the rate increase of 4.5% was selected.

Other than the borrowing to fund the construction of the new residence in Curlew Drive, there are no other borrowings identified in the plan. This will allow for greater flexibility to respond to sudden or unexpected expenditure requirements or to leverage grant funding opportunities.

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 for the period 2018 to 2033 in which to meet the 2017 – 2027 Strategic Community Plan objectives.

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2017-2027

The plans cover all aspects of the Strategic Community Plan 2017-2027

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM May 19 – 12.3.3

Moved: Cr Negri

Seconded: Cr Rajagopalan

That Council adopts the Shire of Bruce Rock Strategic Resource Plan (incorporating the Long-Term Financial Plan and Asset Management Plan) for the period 2018 to 2033.

Carried 9/0

Agenda Reference and Subject:

12.3.4 Preparation of 2019/20 Budget

File Reference:

8.2.7.1 Annual Budget

Reporting Officer:

Jennifer Bow, Manager of Finance

Disclosure of Interest

Nil

Summary

Each year, Council is required to prepare an annual budget.

Background

Direction is sought from Council regarding the annual budget for 2019/20.

Comment

With the adoption of the Strategic Resource Plan, some direction for setting the 2019/20 Budget can be sought. In particular with the following;

- Increases to rates of 4.5%
- Increase to fees and charges of 2%
- Allocated expenditure for capital renewals and upgrades.

However, as per previous years, staff are requesting advice from Councillors with regards to inclusion of projects into the 2019/20 Annual Budget.

The State Budget is due to be handed down on Thursday 9th May 2019 and may contain additional funding opportunities however information regarding the impact of the State Budget will be presented to Council.

Consultation

CEO, DCEO and MOF

Statutory Implications

The Annual Budget must be compliant with various sections of Part 6 of the Local Government Act 1995 and accompanying regulations.

When setting fees and charges, Council must also ensure that we look to s6.17 of the Act.

6.17. Setting level of fees and charges

(1) In determining the amount of a fee or charge for a service or for goods a local government is required to take into consideration the following factors —

- (a) the cost to the local government of providing the service or goods;*
- (b) the importance of the service or goods to the community; and*
- (c) the price at which the service or goods could be provided by an alternative provider.*

Policy Implications

Nil

Financial Implications

The 2019/20 Annual Budget will provide the direction for expenditure during the next financial year.

Strategic Implications

The budget will be compiled with all four priority areas of the 2017 – 2027 Strategic Community Plan and the Corporate Business Plan in mind, while complying with the Strategic Resource Plan 2018 – 2033.

Voting Requirements Simple Majority

Officer Recommendation

That Council direct staff to prepare a draft budget for 2019/20 with the following increases;

1. _% for rates;
2. _% for fees and charges whilst ensuring that fees and charges are set in accordance with s6.17 of the Local Government Act; and
3. Minimum rates to be increased as much as possible whilst remaining compliant with the Local Government Act 1995.

Council decision varied to Officer Recommendation to set % of rates and fees and charges.

COUNCIL DECISION

Resolution OCM May 19 – 12.3.4

Moved: Cr Rajagopalan

Seconded: Cr Dolton

That Council direct staff to prepare a draft budget for 2019/20 with the following increases;

- 1. 4.5% for rates;**
- 2. 2% for fees and charges whilst ensuring that fees and charges are set in accordance with s6.17 of the Local Government Act; and**
- 3. Minimum rates to be increased as much as possible whilst remaining compliant with the Local Government Act 1995.**

Carried 9/0

Agenda Reference and Subject:	
	12.3.5 2019/20 Fees & Allowances for Elected Members
File Reference:	2.1.1.6 Councillors Allowances
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer, Jennifer Bow, Manager of Finance
Disclosure of Interest	Nil

Summary

Council is to consider Elected Members fees and allowances for 2019/20.

Background

Council set fees and allowances for elected members in June 2013 and have amended these each year until 2017/18. Since then they have remained the same.

Description of Fees	Council Member other than President	Council Member who holds the position of President
Council Meeting Attendance Fee	\$90 per meeting	\$485 per meeting
Committee Meeting and Prescribed Meeting	\$45 per meeting	\$118 per meeting
Annual Allowance for President	N/A	\$14,000
Annual Allowance for Deputy President	\$3,500	N/A
Travel Expenses Reimbursement	As per the Public Services Award	
Information Communications Technology (ICT) Allowance	\$1,500 upon election, \$500 year after **Initial \$1,500 to be pro-rata according to length of service	

Comment

The Salary and Allowances Tribunal advised that there has been a 1% increase across the fees.

Currently Councillors are paid at the minimum of the range for Band 4 for their Council and Committee meeting attendance fees, except for the President, who is paid at the maximum allowance.

The following are from the Determination of the Salaries and Allowances Tribunal for Chief Executive Officers and Elected Members (9th April 2018);

6.2 Council Meeting Attendance Fees per Meeting

Band	Council Member other than President		Council Member who holds the position of President	
	Minimum	Maximum	Minimum	Maximum
4	\$91	\$238	\$91	\$490

6.3 Committee Meeting and Prescribed Meeting Fees per Meeting

Band	Council Member other than President		Council Member who holds the position of President	
	Minimum	Maximum	Minimum	Maximum
4	\$46	\$119	\$46	\$119

3. Each of the following meetings is a type of meeting prescribed in regulation 30(3A) of the LG Regulations -
- a. meeting of a WALGA Zone, where the council member is representing a local government as a delegate elected or appointed by the local government;
 - b. meeting of a Regional Road Group established by Main Roads Western Australia, where the council member is representing a local government as a delegate elected or appointed by the local government;
 - c. council meeting of a regional local government where the council member is the deputy of a member of the regional local government and is attending in the place of the member of the regional local government;
 - d. meeting other than a council or committee meeting where the council member is attending at the request of a Minister of the Crown who is attending the meeting;
 - e. meeting other than a council meeting or committee meeting where the council member is representing a local government as a delegate elected or appointed by the local government.

6.4 Annual attendance fees in lieu of Council Meeting and Committee Meeting fees

Band	Council Member other than President		Council Member who holds the position of President	
	Minimum	Maximum	Minimum	Maximum
4	\$3,589	\$9,504	\$3,589	\$19,534

7.2 Annual Allowance for President

Band	Council Member who holds the position of President		Council Member other than President (Deputy President)	
	Minimum	Maximum	Minimum	Maximum
4	\$513	\$20,063	\$128.25	\$5,015.75

Annual Allowance for Deputy President

For the purpose of section 5.98A(1) of the Local Government Act the annual allowance for a Deputy President is determined to be 25% of the President's Allowance.

The current annual allowance for the President and Deputy President is listed below.

Annual Allowance for President	N/A	\$14,000
Annual Allowance for Deputy President	\$3,500	N/A

9.1 Expenses to be Reimbursed

Some of the expenses that can be reimbursed include;

- Child care costs incurred because of attendance at a meeting is the actual cost per hour or \$30 per hour, whichever is the lesser.
- Travel expenses can either be reimbursed in accordance with the *Local Government Officers' (Interim) Award 2011* or as an annual allowance of \$50.

Local Government Officers' (Interim) Award 2011

30.6 Rates of hire for use of an Officer's own motor vehicle on official business shall be as follows: Engine displacement (in cubic centimetres)

Area and Details	Over 2600cc	Over 1600cc to 2600cc	1600cc and under
Cents per kilometre			
Metropolitan area	93.97	67.72	55.85
South West Land Division	95.54	68.66	56.69
North of 23.5 Latitude	103.52	74.12	61.21
Rest of state	99.01	70.87	58.37
Motor cycle		Rate c/km	
Distance travelled		32.55	

9.2 Annual Allowance for Information & Communications Technology (ICT)

The annual allowance for ICT includes the rental charges to one telephone and one facsimile machine and any other expenses that relate to information and communications technology.

Annual Allowance – for the purpose of section 5.99A(a) of the Local Government Act, the minimum annual allowance for ICT expenses is \$500 and the maximum annual allowance for ICT expenses is \$3,500.

The Tribunal's preference is that actual costs are reimbursed for Information and Communications Technology however appreciate this is difficult and assert that Councillors should not be out of pocket.

In light of the proposed additional training requirements for Councillors, would they like to reconsider their fees and allowances to be paid in 2019/20?

Consultation

CEO, Deputy CEO and Manager of Finance

Statutory Implications

WA Salaries and Allowances Act 1975 determination of the Salaries and Wages Tribunal on Local Government Elected Members, pursuant to Section 7(B).

Local Government Act 1995 *Part 5 Administration, Division 8; Local government payments and gifts to its members* and Local Government (Administration) Regulations 1996 *Part 8 Local government payments and gifts to its members.*

Policy Implications

Nil

Financial Implications

Provision will be made in the 2019/20 Annual 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 Requirement

Absolute Majority

Officer Recommendation

That elected members fees, allowances and reimbursements for 2019/20 are to be set, In accordance with the determination from the Salaries and Wages Tribunal, dated 9th April 2018, as follows;

- i. Council meeting attendance fee for President \$ _____
- ii. Council meeting attendance fee for Councillors \$ _____
- iii. Committee or other prescribed meeting attendance fee for President \$ _____
- iv. Committee or other prescribed meeting attendance fee for Councillors \$ _____
- v. President's Annual Allowance - \$ _____; and
- vi. Deputy President's Annual Allowance to be 25% or \$ _____ of the President's Annual Allowance,
- vii. Travel reimbursement to be in accordance with the *Local Government Officers' (Interim) Award 2011*
- viii. Annual Allowance for Information and Communications Technology to be \$ _____
- ix. Childcare reimbursement because of attendance at a meeting is the actual cost per hour or \$30 per hour, whichever is the lesser,

THIS MOTION MUST BE CARRIED BY ABSOLUTE MAJORITY.

Council decision varied to Officer Recommendation to agree to the Salary and Allowances Tribunal 1% increase across the fees.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM May 19 – 12.3.5

Moved: Cr Foss

Seconded: Cr Kilminster

That elected members fees, allowances and reimbursements for 2019/20 are to be set, In accordance with the determination from the Salaries and Wages Tribunal, dated 9th April 2018, as follows;

- i. Council meeting attendance fee for President \$490**
- ii. Council meeting attendance fee for Councillors \$91**
- iii. Committee or other prescribed meeting attendance fee for President \$119**
- iv. Committee or other prescribed meeting attendance fee for Councillors \$46**
- v. President's Annual Allowance - \$14,140; and**
- vi. Deputy President's Annual Allowance to be 25% or \$ 3,535 of the President's Annual Allowance,**
- vii. Travel reimbursement to be in accordance with the Local Government Officers' (Interim) Award 2011**
- viii. Annual Allowance for Information and Communications Technology to be \$1,515 upon election and \$505 each year thereafter**
- ix. Childcare reimbursement because of attendance at a meeting is the actual cost per hour or \$30 per hour, whichever is the lesser,**

CARRIED BY ABSOLUTE MAJORITY 9/0

Agenda Reference and Subject:

12.3.6 Water Consumption at Settlers Court

File Reference:

1.3.7.2 Hydrotherapy Pool

Reporting Officer:

Jennifer Bow, Manager of Finance

Disclosure of Interest

Nil

Summary

Correspondence has been received from the Retirement Units Committee regarding the increasing cost of water at Settlers Court, Butcher Street, Bruce Rock.

Background

Settlers Court was constructed in the mid-1990s and includes 4 double units and 4 single units which are managed by the Bruce Rock Retirement Units Committee. Also included on the site, is an Amenities Building which includes a meeting room, consult room (previously used by the physiotherapist) and a hydrotherapy pool.

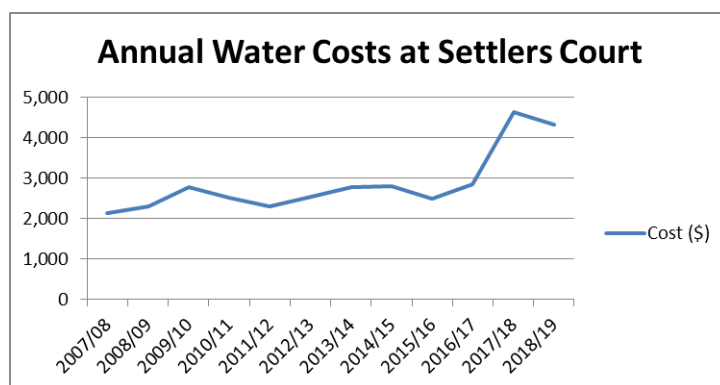
At the time of construction, the Shire agreed to pay for the electricity however the Retirement Units committee covered the water consumption. Individual metres were not installed to meter the water consumption.

Comment

The Retirement Units Committee has highlighted the increased cost of water to their committee over recent years. This increase in cost will also correlate with the increased maintenance issues affecting the hydrotherapy pool and in particular maintaining water quality. This has seen the water being required to be drained at least 7 times this financial year, coupled with constant evaporation as the water is heated.

The Retirement Units provided the following financial information regarding the cost of water consumption at Settlers Court for the past 12 years;

Financial Year	Cost (\$)
2007/08	2,124.00
2008/09	2,293.65
2009/10	2,779.50
2010/11	2,507.80
2011/12	2,310.00
2012/13	2,532.30
2013/14	2,780.91
2014/15	2,812.73
2015/16	2,497.06
2016/17	2,841.07
2017/18	4,626.87
2018/19	4,336.11



The Retirement Units Committee is requesting that the Shire have water metres installed so that the water used at the hydrotherapy pool is removed from the costs currently being paid for by the Retirement units.

Council could install a sub metre but would have to read this separately as Water Corporation will not read these metres. The Water Account would also have to be transferred into the Shire’s name. The Retirement Units Committee could then be invoiced for the net amount of water consumed by the residents and for maintaining the gardens.

Council are asked to consider the Retirement Units Committee Request.

Consultation

CEO, MOF and Retirement Units Committee

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Approximately \$3,500 per year for water rates and consumption

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

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

Voting Requirements

Simple Majority

Officer Recommendation

That Council instruct staff to;

1. Have a sub metre installed for the water used at the Hydrotherapy Pool and Amenities Building, Butcher Street, Bruce Rock; and
2. Have the Water Consumption Account transferred into the Shire's name so that the Retirement Units Committee can be invoiced for the water used by the residents.

Council decision varied to Officer recommendation to have the Water Consumption Account for the Hydrotherapy and Amenities Building transferred to the Shire of Bruce Rock and be responsible for ongoing water charges as at 1 July 2019.

COUNCIL DECISION

Resolution OCM May 19 – 12.3.6

Moved: Cr Rajagopalan

Seconded: Cr Dolton

That Council instruct staff to;

1. **Have the Water Consumption Account for the Hydrotherapy Pool and Amenities Building, Butcher Street, Bruce Rock transferred to the Shire of Bruce Rock**
2. **Council will be responsible for ongoing water charges as at 1 July 2019.**

Carried 9/0

Agenda Reference and Subject:

12.3.7 Adoption of Corporate Business Plan 2019 - 2023

File Reference:

2.5.1.3 Long Term Financial Plan

2.5.1.4 Asset Management Plan

Reporting Officer:

Jennifer Bow, Manager of Finance Officer

Disclosure of Interest:

Nil

Summary

The Shire of Bruce Rock adopted its Strategic Community Plan in March 2018.

The Corporate Business Plan is also a requirement and is an integral document that forms part of the Shire's Integrated Planning and Reporting Framework.

This report seeks Council's approval for the adoption of the Shire of Bruce Rock's Corporate Business Plan 2019 to 2023.

Background

The Corporate Business Plan outlines how the Strategic Community Plan will be activated by the Shire.

The Plan was developed by Caroline Robinson from Wheatbelt Business Solutions and draws heavily from the Strategic Community Plan, Long Term Financial Plan, Workforce Plan and Asset Management Plan.

The Corporate Business Plan must be reviewed annually as part of the annual budget process.

Comment

A copy of the Corporate Business Plan will be presented at the meeting as at the time of preparing the agenda, the final document had not been received. Staff will present the document to Councillors at the meeting.

Consultation

CEO, DCEO, MOF, MOWS, EHO & Ms C. Robinson; Wheatbelt Business Solutions Consultant

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

The plans cover all aspects of the Strategic Community Plan 2017-2027

Long Term Financial Plan

This was utilised as an informing document

Asset Management Plan

This was utilised as an informing document

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM May 19 – 12.3.7

Moved: Cr Dolton

Seconded: Cr Negri

That Council adopts the Shire of Bruce Rock Corporate Business Plan for the period 2019 to 2023.

Carried 9/0

12.4 Deputy Chief Executive Officer

Agenda Reference and Subject:

12.4.1 Shire President Stamp

File Reference:

Reporting Officer:

Alan O'Toole, Deputy Chief Executive Officer

Author:

Melissa Schilling, Executive Assistant

Disclosure of Interest

Nil

Summary

Use of Shire Seal in April 2019.

Background

Nil

Comment

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

- Modular WA Contracts

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 May19 – 12.4.1

Moved: Cr Rajagopalan

Seconded: Cr Dolton

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

Carried 9/0

Mrs JL Bow left the Council Chamber at 2.57pm.

Council adjourned for afternoon tea at 2.57pm.

Council meeting resumed at pm with all staff and councillors present 3.25pm.

Agenda Reference and Subject:

12.4.2 Staff Performance Reviews

File Reference:

1.1.6 Awards and Salaries

Reporting Officer:

Alan O’Toole, Deputy Chief Executive Officer

Disclosure of Interest

Nil

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 May 19 – 12.4.2.1

Moved: Cr Rajagopalan

Seconded: Cr Waight

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

Carried 9/0

Summary

Council is asked to receive a report on significant changes arising from Staff Performance Reviews for 2019.

Background

Staff are required to have at least one Performance Review per year, these are traditionally carried out around April/May. Reviews are completed by relevant supervisors, with the CEO’s Review being the responsibility of Council.

Comment

This year’s Reviews have been carried out and a confidential report on significant changes will be provided to Councillors at the meeting.

Consultation

CEO and Senior Management

Statutory Implications

The Local Government Act, Section 5.38 “The performance of each employee who is employed for a term of more than one year, including the CEO and each senior employee, is to be reviewed at least once in relation to every year of the employment.”

Policy Implications

Nil

Financial Implications

Any variations or increases to wages will need to be included in the 2019/2020 budget.

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.

Voting Requirements

Simple Majority

COUNCIL DECISION

Resolution OCM May 19 – 12.4.2.2

Moved: Cr Kilminster

Seconded: Cr Thornton

Re-Open the Meeting to members of the public.

Carried 9/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM May 19 – 12.4.2.3

Moved: Cr Rajagopalan

Seconded: Cr Crooks

Council receives the presented report on significant changes occurring from Staff Performance Reviews and endorses the CEO's recommendations on Senior Employees' Reviews.

Carried 9/0

Agenda Reference and Subject:	12.4.3	Donation Request – Lions Cancer Institute (inc)
File Reference:	8.2.7.4	Donation Requests
Reporting Officer:	Alan O’Toole, Deputy Chief Executive Officer	
Disclosure of Interest	Nil	

Summary

Council is asked to consider a request from the Lions Cancer Institute (Inc) seeking a donation to support their “Special Children’s Big Day Out”, and towards sustaining the Lions’ Free Mobile Cancer Screening Unit.

Background

The Shire has received an email plus attachment from the Lions Cancer Institute (Inc.), which is based in West Perth and is a project of Lions Clubs International in Western Australia. They are seeking financial support towards two initiatives benefitting the most vulnerable and infirm in the community. In part, the request states:

“The “SPECIAL CHILDRENS BIG DAY OUT” is an event for Terminally Ill, Handicapped and Disabled Children and we are asking the local Businesses, on behalf of these special little ones, to put their support behind them. We are aiming to take over 5100 Special Needs Children and carers out for a day to remember on June 29th 2019.

*Sadly there is no Government Funding so we are asking on behalf of the children, and being a **registered charity** we carry **DGR Status** making your contribution **100% Tax Deductable**.*

(Please note: the cost of supporting one child to attend the “Big Day Out” is \$100.00)

Secondly, and equally important, funds raised from this event will be used to purchase and maintain our Free Mobile Cancer Screening Unit, the Lions Cancer Screening is a free service run by Lions Club Members & volunteers that travels around WA diagnosing people for potential Cancer. The Lions Cancer Institute is asking for your support to help us continue our FREE mobile Cancer Screening, this service would normally cost \$360 per patient.

*Your help **WILL** make a difference.”*

Comment

This is the first time that the Shire has been approached by Lions to support these initiatives. The recipients of the Lions’ programs may come from anywhere in WA, but obviously not necessarily from Bruce Rock and its surrounding area. Council may wish to consider whether supporting a state-wide program would offer benefit to the Bruce Rock community, and also whether as such this may form a precedent regarding any further requests of this sort. Council would be aware of other initiatives that have been supported in the past which relate more directly to the Bruce Rock community and in particular its youth.

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Financial Implications

Council does not have a budget provision for this type of request, however there are funds available in the Shire’s Community Development account.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Community

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

Voting Requirements Simple Majority

Officer Recommendation

That Council considers the request to support the Lions Cancer Institute (Inc.) in either the “Special Children’s Big Day Out” or the Free Mobile Cancer Screening Unit or both, and if so to what extent.

Council decision varied to officer recommendation to set a donation amount.

COUNCIL DECISION

Resolution OCM May 19 – 12.4.3

Moved: Cr Dolton

Seconded: Cr Kilminster

That Council donates \$500 to the Lions Institute and request that the mobile screening unit comes to the Bruce Rock Agricultural Show in 2019.

Carried 9/0

12.5 Chief Executive Officer

Agenda Reference and Subject:	12.5.1 CEO Annual Leave Request
File Reference:	Personnel
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest	Darren Mollenoyux, Chief Executive Officer

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 May 19 – 12.5.1.1

Moved: Cr Kilminster

Seconded: Cr Foss

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

Carried 9/0

Summary

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

Background

The Chief Executive Officer is seeking annual leave commencing Friday 27th September 2019 up to and including Monday 7th October 2019. It is a requirement that an Acting Chief Executive Officer be appointed during this length of absence.

Comment

I have held discussions with the Deputy CEO, Alan O'Toole and I am confident that he is capable and suitable to be appointed as Acting CEO during this period. There are no significant meetings or events during this period.

The Chief Executive Officer has sufficient accrued annual leave for the requested period.

Consultation

Deputy Chief Executive Officer, Alan O'Toole

Statutory Implications

Local Government Act 1995

In particular:

5.36. *Local government employees*

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

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

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

5.39. *Contracts for CEO and senior employees*

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

Policy Implications Nil

Financial Implications

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

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

Goal 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

COUNCIL DECISION

Resolution OCM May 19 – 12.5.1.2

Moved: Cr Kilminster

Seconded: Cr Foss

Re-open the Meeting to members of the public.

Carried 9/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM May 19 – 12.5.1.3

Moved: Cr Thornton

Seconded: Cr Dolton

1. Approve the annual leave of the Chief Executive Officer, Darren Mollenoyux for the period commencing on Friday 27th September 2019 up to and including Monday 7th October 2019.

2. Appoint the Deputy Chief Executive Officer, Alan O’Toole as the Acting Chief Executive Officer for the period from Friday 27th September 2019 up to and including Monday 7th October 2019 and that Mr O’Toole is paid at higher duties during this period.

Carried 9/0

Agenda Reference and Subject:

12.5.2 WALGA 2019 Local Government Convention

File Reference:

1.6.5.5

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is asked to determine who will be attending the 2019 Local Government Conference and nominate its voting delegates for the WAL Local Government Association AGM.

Background

The WA Local Government Association Annual General Meeting will be held on Wednesday 7th August 2019 at the Perth Convention Centre. Council is requested to appoint voting delegates for the meeting.

Comment

Council is asked to appoint two voting delegates and two proxy voting delegates. Council traditionally appoints the President and Deputy President as voting delegates.

The 2019 WA Local Government Convention will run from the Wednesday 7th – Friday 9th August 2019.

The Gala Dinner is being held on the Thursday evening to allow those wishing to travel home on Friday the opportunity to do so. Accommodation has been tentatively booked for 10 rooms, we require Councillors to provide an indication of their attendance at this year's conference so that we can confirm accommodation reservations.

Registration papers for the conference will be distributed at the May Council meeting and it is requested that Councillors return these prior to or at the June 2019 Council Meeting.

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

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM May 19 – 12.5.2

Moved: Cr Thornton
Seconded: Cr Kilminster

That Council appoints Cr Stephen Strange and Cr Ramesh Rajagopalan as voting delegates and Cr Dolton and Cr Waight as proxy voting delegates at the WA Local Government Association AGM to be held on Wednesday 7th August 2019.

Carried 9/0

Agenda Reference and Subject:	12.5.3 Wheatbelt Secondary Freight Network Project
File Reference:	6.1.2.17
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest	Nil

Summary

For Council to consider support for the Wheatbelt Secondary Freight Network project by reallocation of funds from Building Better Regions fund co-contribution to role of Lead Consultant Project Management in support of successful Regional Economic Development grant.

Background

The Wheatbelt Secondary Freight Network (WSFN) network comprises 4,400km of Local Government managed roads that connect with State and National highways to provide access for heavy vehicles into the region. These roads are intended to enable large, high productivity trucks safe and cost effective access to business.

The project is being driven by local government authorities with a Working Group established consisting of representatives from the following organisations:

- Wheatbelt North Regional Road Group (WN RRG)
- Wheatbelt South Regional Road Group (WS RRG)
- WA Local Government Association (WALGA)
- Regional Development Australia - Wheatbelt (RDA-W)
- Main Roads WA-Wheatbelt Region (MRWA-WR)
- Wheatbelt Development Commission (WDC)

Over the last 2 years, 42 Local Government authorities across the region have collaborated to identify priority routes and have also participated in a technical data collection process, preparation of a pre-feasibility business case and a cost benefit analysis of the planning process. The in-kind investment by local government to date is estimated to be in excess of \$750,000. The process has been an excellent example of a large number of local governments working together on a common strategic regional priority.

The key undertakings of the project so far are:

1. Identification of nominated WSFN roads based upon a simple criteria developed by RRG.
2. Determination of basic project framework and minimum design standards.
3. Road condition assessment against minimum design standards.
4. High level scope of works and order of magnitude costs for upgrades required.
5. A summary of data collection and assessment across the 42 local of governments is:

	Route Length (km)	Proposed Works (km)	Proposed Length (%)	Indicative Costs (\$)
TOTAL	4,337	2,851	66	\$ 493,000,000

This initial approach was to assist the Working Group to work towards an Infrastructure Australia Stage 3/4 submission for inclusion of the WSFN project on the Infrastructure Australia Infrastructure Priority List (IPL). The long-term goal is to obtain funding support for a broadly estimated, \$500 million capital works program over 10 - 20-year timeframe to bring the network up to a fit for purpose standard for current and anticipated future needs. The group is working towards submitting an IA Stage 4 Business Case

submission for the WSFR. The project development costs associated with the business case submission are estimated to be \$5M, which is in the order of 1% of the estimated capital investment.

The following provides an outline of the proposed budget and funding applications that were submitted to assist with the development and planning stages the WSFN project.

Stages	Budget and Funding Sources
Stage 1 – Strategic Planning	\$1,000,000
<ul style="list-style-type: none"> ▪ Design Criteria and Objectives ▪ Options Assessment ▪ Collated Data Review ▪ Multiple Criteria Assessment ▪ Staging Plan 	<ul style="list-style-type: none"> ▪ BBRF (\$750K) ▪ LGA co-contribution (\$250K)
Stage 2 – Detailed Planning	\$3,600,000
<ul style="list-style-type: none"> ▪ Concept Design Investigations ▪ Preliminary Design Investigations 	<ul style="list-style-type: none"> ▪ Commodity Route (\$1M) ▪ LGA in-kind
Stage 3 – IA Stage 3/4 Submission	\$400,000
<ul style="list-style-type: none"> ▪ Project Management ▪ Governance Plan ▪ Business Case Development 	<ul style="list-style-type: none"> ▪ REDS (\$100K) ▪ LGA in-kind
	\$5,000,000

Building Better Regions Fund (BBRF) submission

The Building Better Regions Fund (BBRF) submission is only intended to contribute towards funding activities associated with Stage 1 – Strategic Planning at an estimated budget of \$1M.

Funding and the associated BBRF application can be summarised as follows:

- Budget
 - Total Cash \$1M
- Funding
 - BBRF \$750K
 - LGA cash co-contribution \$250K.

This strategic planning work will inform the strategic allocation of road capital works funding provided to LGAs in the region, the economically optimal sequence for developing the network and ensure that roads are designed and constructed to an optimal standard from a 'whole-of-life' asset management perspective. The detailed planning exercise is expected to achieve a net benefit in the order of \$20 million based solely on the benefits gained from freight route prioritisation.

Commodity Freight Roads Fund (CFRF)

The Commodity Freight Roads Fund submission is intended to contribute towards funding of activities associated with Stage 2 – Detailed Planning. This will specifically entail \$1M for consultants to undertake Preliminary Design Investigations. The remainder of Stage 2 is intended to be undertaken via in-kind by local governments and other funding sources currently being investigated, should they become available.

Regional Economic Development (RED) Grant

The Regional Economic Development (RED) Grants submission is intended to contribute towards funding activities associated with Stage 3 – IA Stage 3/4 Submission. This will specifically entail \$100K for a Lead Consultant to undertake project management. The remainder of Stage 3 is intended to be undertaken via in-kind by local governments and other funding sources being investigated should they become available.

Major Project Business Case Fund (MPBCF) Initiative

The Australian Government is investing \$100 billion over 10 years from 2019–20 through its rolling infrastructure plan to help manage our growing population, meet our national freight challenge and get Australians home sooner and safer. This includes \$250 million allocated to the Major Project Business Case Fund (MPBCF) initiative. Projects with clear strategic merit that has:

- Engagement in the project planning stage
- View of future priorities
- Ready to invest to enable economic activity
- Address nationally significant deficits in the transport system
- Drive economic productivity growth and liveability in cities and regions through transport infrastructure investment

The WSFR Working Group sees the \$5M sought for the Stage 4 IA submission for this regionally significant project as an ideal candidate for the MPBCF.

Roads of Strategic Importance (ROSI) Initiative

The Australian Government will invest \$4.5 billion, including \$1 billion of additional funding committed in the 2019-20 Budget, to the Roads of Strategic Importance (ROSI) initiative to help connect regional businesses to local and international markets, and better connect regional communities. ROSI has the following principles:

- Key freight corridors that connect primary agricultural areas and mining resource regions to ports and other transport hubs.
- Support communities along the corridors and provide better access for tourists and other road users
- Characterised by narrow sections of road, low capacity bridges and deteriorating pavements,
- Constrains the productivity and efficiency of freight movements.
- Catalyse economic activity and improve access to communities and tourist attractions.

From an estimated total of \$500,000,000 in funding the Working Group sought \$125,000,000 over the next 3 years for the delivery of the first stage of capital works.

The Working Group put in separate funding submissions for each of the abovementioned funding sources for the various stages of the project. The project has been successful in obtaining funding from the following sources:

- ROSI initiative funding ()
 - Stage 1 Priority Works – Wheatbelt Secondary Freight Network.
 - The Australian Government has committed \$70 million towards the project.
“Upgrades will be prioritised based on linkages to state and national roads and highways and the rail network. Consideration will also be given to links to six ports and two livestock centres, as well as regional and metro grain receival sites, accessed by the producers of the Wheatbelt region.
Benefits of the project include:
 - improve road safety
 - improve freight efficiency, connectivity and travel time
 - ensure consistent Restricted Access Vehicles (RAVs) ratings across the network, which will provide improved access for agricultural and mining regions to transport hubs”
- RED Grants (Supported by the WA State Government’s Royalties for Regions Program)
 - Lead Consultant Project Coordinator – Wheatbelt Secondary Freight Network.
 - \$100,000.
“The Lead Consultant will form part of the Project Management Team and work with the member organisation Working Group.
The Lead Consultant - Project Management is an integral key to successful project delivery. The complexity and scale of this project is significant and well beyond the technical and financial capabilities of the Wheatbelt shires on an individual basis. Engaging a Lead Consultant – Project Management with the skills and expertise required to work with all technical consultants and the PMT will ensure a cohesive collaborative environment is established for optimum outputs.

The project is planned to be managed via oversight from the WSFR Steering Committee with a nominated Project Manager and the Project Management Team (PMT) representing the WSFR.

Lead Consultant – Project Management will direct the work of the external technical consultants and will be the main contact for communication between the Project Management Team and external consultants.

The WSFN Project will require the specialised skills of a range of external technical consultants. Key areas of technical expertise identified for the project are:

- Civil Design
- Surveying
- Environmental
- Economic Assessment”

Comment

Previously 42 local governments were asked to financially contribute to the WSFN project via a budget allocation of \$6,000 which was proposed to be part of a co-contribution towards BBRF. With the unsuccessful BBRF bid, it is proposed that the \$6,000 in financial contributions from each of the 42 local governments totalling \$252,000 be allocated to combine with the RED funding of \$100,000 to become project management pool of approximately \$350,000. This would contribute towards the overall project management requirements associated with the delivery of Stage 1 Priority Works over the course of an estimated 3 year delivery timeframe.

Funding would contribute towards the following nominal requirements:

- Project Coordinator
 - Nominal \$60,000 per annum (\$180,000 across 3 years)
- Project Administration and Communications Officer.
 - Nominal \$20,000 per annum (\$60,000 across 3 years)
- Technical Consultancy Resources
 - Nominal \$100,000.

Consultation

Wheatbelt Secondary Freight Network Working Group - a request has been received by the Chair of the Wheatbelt South Regional Road Group (WSRRG) for confirmation of Council’s consideration of reallocation of the \$6,000 towards the project management.

Statutory Implications Nil

Policy Implications Nil

Financial Implications

Reallocation of funds from Building Better Regions fund co-contribution to role of Lead Consultant Project Management in support of successful Regional Economic Development grant. This funding will be required in the 2019/2020 budget.

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2017-2027

Infrastructure

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

1.5 – Identification of freight task at hand (changes in flow etc)

1.6 – Engagement of neighbouring Shires and key stakeholders in Secondary Freight Route project

Economy

Goal 3 - Assist the local economy to grow

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

Governance

12.1 – Continue to build our voice and strategic projects within our regional groupings

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

Voting Requirements Absolute Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM May 19 – 12.5.3

Moved: Cr Dolton

Seconded: Cr Waight

That Council:

- 1. Continues to support the strategic intent of the Wheatbelt Secondary Freight Network Project; and**
- 2. Authorises the Chief Executive Officer to prepare and sign a letter of support that endorses the re-allocation of \$6,000 in 2019/20 budget to co-fund the project management of the Wheatbelt Secondary Freight Network in combination with the WA State Government’s \$100,000 of Regional Economic Development Grant funding, as part of the delivery of its Stage 1 Priority Works.**

CARRIED BY ABSOLUTE MAJORITY 9/0

Agenda Reference and Subject:

12.5.4 DRAFT Main Street Revitalisation Strategy

File Reference:

1.3.9.5

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is to consider and adopt the Draft Main Street Revitalisation Strategy, prepared by Wheatbelt Business Network, as presented.

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.

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 made 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.

Council considered the draft document at the March 2019 Ordinary Council meeting, however resolved to hold a workshop prior to the next Council meeting to enable further input into the key strategies of draft document.

Comment

Following the Councillor workshop on the 18th April 2019 the CEO, Executive Assistant and Community Development Officer compiled all of the comments and changes to each strategy to provide them to Caroline Robinson to enable the Main Street Revitalisation Strategy to be amended.

The process for continuing the development of the Main Street Revitalisation is as follows;

STEP	STEP DETAILS
1	(COMPLETED) WBN prepared draft Main Street Revitalisation Strategy using information gathered from; <ul style="list-style-type: none"> - Peter Kenyon Bank of Ideas Community – Community Workshop February 2018 - Public Consultation - Identified as part of community consultation & Council feedback during development of Council’s Strategic Community Plan 2017 – 27. - Public feedback (including some Councillors) on Main Street walk with Caz - Feedback from businesses and general public
2	(COMPLETED) Councillor Workshop to review the KEY STRATEGIES and provide feedback for Caroline Robinson to feed into the Main Street Revitalisation Strategy.
3	Council endorse the final Main Street Revitalisation Strategy prepared by WBN, which will include changes from the today’s workshop
4	Engage Street Scape Designer – where we will provide them with a copy of the Main Street Revitalisation Strategy to develop concepts designs for Council input and consideration.
5	Council to review and provide input to enable consultant to finalise draft concept plans with a staged approach
6	Street Scape Concept Plans (including Councillors recommended variations to be prepared in a format to enable a PUBLIC CONSULTATION PROCEEDS
7	Council consider public comments and make any changes prior to final adoption
8	Staff commence the implementation of the Main Street Revitalisation Strategy and Street Scape Plans – including planning, funding, budgeting and works

An electronic copy of the DRAFT Main Street Revitalisation Strategy will be provided to Councillors and a hard copy will also be available at the Council meeting.

Consultation

- Council held a workshop to review each of the key strategies identified in the “Draft” main Street Revitalisation Strategy on the 18th April 2019.
- 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 2018 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

Voting Requirements Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM May 19 – 12.5.4

Moved: Cr Thornton

Seconded: Cr Waight

- 1. That Council adopts the Draft Main Street Revitalisation Strategy prepared by Wheatbelt Business Network, as presented.**
- 2. Council staff obtain quotations from suitable consultants to prepare concept streetscape designs following the key principles of the Main Street Revitalisation Strategy.**
- 3. That the Chief Executive Officer review Council's Business Townscape Grants Program criteria and present the document for consideration at the June 2019 Ordinary Council Meeting.**

Carried 9/0

Agenda Reference and Subject:	12.5.5	Central Agcare Annual Donation
File Reference:	1.3.4.7	Central Agcare
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer	
Author	Melissa Schilling, Executive Officer	
Disclosure of Interest	Nil	

Summary

Council is asked to consider a request from Central Agcare to continue with an annual financial donation towards their counselling service throughout this region.

Background

For many years Council has made a financial contribution to Central Agcare to assist with Counselling services for the region including a service to Bruce Rock. In 2018/19 financial year Council contributed \$2,000 towards the service.

In 2017 Council received an in-person presentation from Central AgCare confirming their commitment to Bruce Rock and outlining the services that are provided to our community and the importance of the service.

Comment

Central AgCare has had a new Councillor start in this area. Anne has been with Central Agcare for almost 12 months and has fitted into the Bruce Rock role well.

Consultation

As per letter from Jay Ludzik, Administration Manager at Central Agcare

Statutory Implications Nil

Policy Implications Nil

Financial Implications

Should Council wish to make a financial contribution of \$2,000 it can be included in the 2019/20 budget.

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2017-2027

Community

Goal 7 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

Absolute Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM May 19 – 12.5.5

Moved: Cr Rajagopalan

Seconded: Cr Dolton

That Council make a donation of \$2,000 to Central Agcare Counselling Services for the 2019/20 financial year.

CARRIED BY ABSOLUTE MAJORITY 9/0

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

Agenda Reference and Subject:	
13.1	Proposed <i>Shire of Bruce Rock Activities on Thoroughfares and Trading in Public Places Amendment Local Law 2019</i>
File Reference:	2.3.2.11 8 Year Review of Local Laws
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest	Nil

Summary

The purpose of this report is to recommend amendments to the *Shire of Bruce Rock Activities on Thoroughfares and Trading in Public Places Local Law 2004*.

Background

Section 3.16 of the Local Government Act 1995 requires a local government to review its local laws at least once every eight years.

At its meeting held on 15 March 2018 Council received the outcomes of a review and resolved to request amendments to a number of local laws, including the *Shire of Bruce Rock Activities on Thoroughfares and Trading in Public Places Local Law 2004*. This local law was gazetted on 27 July 2005 and last amended in August 2006.

The review indicated a number of procedural and minor amendments to reflect changes to other legislations and decisions by the WA Parliamentary Joint Standing Committee on Delegated Legislation (JSCDL) in relation to other local governments with a similar local law.

Comment

The suggested amendments are shown ‘marked’ on the attached copy of the local law and are summarised below:

Clause 1.2 - Definitions

- Amend *Liquor Licensing Act 1998* to *Liquor Control Act 1988* and wherever it appears in the local law;
- Amend *Town Planning and Development Act 1928* to *Planning and Development Act 2006*;
and
- Amend *Local Government (Miscellaneous Provisions) Act 1960* to *Building Control Act 2016*.

Clause 2.1- General Prohibitions

Amend subclause (a) to take account of wording acceptable to the JSCDL – which is (in essence) related to the height that a plant on a verge can be in proximity to an intersection so that it reads:
‘(a) plant any plant (except grasses or a similar plant) within 10 metres of an intersection’

Part 4 – Obstructing Animals, and Vehicles or Shopping Trolleys

Delete the provisions relating to shopping trolleys as they are not used in the Shire.

Clause 5.1- Interpretation

Amend the definition of ‘Roadside Conservation Committee’ to reflect current provisions.

Clause 6.5 - Relevant considerations in determining application for permit

Delete subclause 2(d) as the JSCDL has requested other local governments to do so. This clause was considered too broad by the Committee and is:

6.5 Relevant considerations in determining application for permit

...

(2) The local government may refuse to approve an application for a permit under this Division on any one or more of the following grounds—

...

(d) such other grounds as the local government may consider to be relevant in the circumstances of the case.

Clause 6.8 - Conduct of stallholders and traders

- Amend subclause 1(c) to change the description of the legislation; and
- Delete subclause 2(a) as the JSCDL has requested other local governments to do so. This clause was also considered too broad by the Committee and is:

(a) deposit or store any box or basket containing goods on any part of a thoroughfare so as to obstruct the movement of pedestrians or vehicles;

By their very nature, traders in a street are going to use a thoroughfare to store goods.

Part 6 - Division 3 - Outdoor eating facilities on public places

This division requires amendment to take account of the introduction of the *Food Act 2008*. The changes are principally related to change of the legislative description in a number of places.

Clause 7.7 Renewal of permit

Delete "*mutatis mutandis*".

Clause 8.1-Application of Part 9 Division 1 of Act

Delete reference to 'regulation 34'.

Schedule 1- Prescribed Offences

It is appropriate to review the modified penalty for each offence to take account of current standards, so that a current modified penalty (the applicable on the spot fine) of \$50 be increased to \$75, \$100 to \$125, \$200 to \$250 and \$300 to \$400.

Consultation

A local government may amend local laws by making a local law using the process set out in section 3.12 of the Local Government Act 1995.

Amongst other things this requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

The purpose and effect of the Activities on Thoroughfares and Public Places and Trading Amendment Local Law 2018 is:

Purpose

To update references to legislation, remove outdated provisions and amend modified penalties in the *Shire of Bruce Rock Activities on Thoroughfares and Public Places and Trading Local Law 2004*.

Effect

The *Shire of Bruce Rock Activities on Thoroughfares and Public Places and Trading Local Law 2004* is amended.

The results of the community consultation and feedback from the Minister are to be considered by council before it makes the local law.

Statutory Implications Nil

Policy Implications Nil

Financial Implications

There are costs associated with the making of the Amendment Local Law, its advertising and eventual Gazettal. Council has budget provision in 2018/19 to undertake the local laws review process.

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 May 19 – 13.1

Moved: Cr Rajagopalan

Seconded: Cr Thornton

That Council -

- 1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, gives State wide and local public notice stating that:**
 - a. It is proposed to make a Shire of Bruce Rock Activities on Thoroughfares and Public Places and Trading Amendment Local Law, and a summary of its purpose and effect;**
 - b. Copies of the proposed local law may be inspected at the Shire offices;**
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;**
- 2. In accordance with s3.12(3)(b), as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;**
- 3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and**
- 4. Notes that that the results will be presented to Council for consideration of any submissions received.**

Carried 9/0

Agenda Reference and Subject:	13.2	Proposed <i>Shire of Bruce Rock Dogs Amendment Local Law 2019</i>
Reference:	2.3.2.11	8 Year Review of Local Laws
Reporting Officer:		Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest		Nil

Summary

The purpose of this report is to recommend amendments to the *Shire of Bruce Rock Dogs Local Law 2005*.

Background

Section 3.16 of the Local Government Act 1995 requires a local government to review its local laws at least once every eight years.

At its meeting held on 15 March 2018 Council received the outcomes of a review and resolved to request amendments to a number of local laws, including the *Shire of Bruce Dogs Local Law 2005*. This local law was gazetted on 2 December 2005 and has not been amended since coming into effect.

There are a significant number of amendments required, due mainly to changes in the Dog Act and its associated Regulations. This includes:

- Registration of dogs;
- ‘Dangerous dogs’ as defined by the Act;
- Operation of dog management facilities (pounds), including:
 - Issues in relation to the impounding of dogs;
 - Attendance of a pound keeper at the pound,; and
 - Release of impounded dogs is dealt with by the Dog Act 1976, and in particular section 29.
- Registration fees (although fees for the seizure and impounding of a dog may be set by a local government in its annual budget under section 6.16 of the Local Government Act 1995);
- How off leash dog exercise areas are established;
- Dogs wandering at large;
- Dogs not under control;
- Dog attacks;
- Provisions about assistance animals such as guide dogs;
- Modified penalties (on the spot fines) applicable for many minor offences are ow set in the Regulations.

The only matters that a local government may now make local laws about are listed in section 51 of the Dog Act:

51. **Local law making powers**
A local government may so make local laws —
- (a) *providing for the registration of dogs;*
 - [(b) deleted]*
 - (c) *specifying areas within which it shall be an offence (unless the excreta are removed) for any person liable for the control of a dog to permit that dog to excrete on any street or public place or on any land without the consent of the occupier;*
 - (d) *requiring that in specified areas a portion of the premises where a dog is kept must be fenced in a manner capable of confining the dog;*
 - (e) *providing for the establishment and maintenance of dog management facilities and other services and facilities necessary or expedient for the purposes of this Act;*

-
- (f) *providing for the detention, maintenance, care and release or disposal of dogs seized;*
 - (g) *as to the destruction of dogs pursuant to the powers hereinbefore conferred;*
 - [(h) deleted]*
 - (i) *providing for the licensing, regulating, construction, use, and inspection of approved kennel establishments.*

There are also minor changes required to reflect changes to other legislation.

Comment

A set of amendments to the Shire's current Dogs Local Law to remove matters now dealt with by the Dog Act and Regulations is attached and shown 'marked'. Note that this version of the local law also contains text boxes in a number of locations in order to assist use and application. The items do not form part of the local law.

Most are self-explanatory and reflect changes from the Dog Act and Regulations, as noted above.

Areas where dogs are prohibited absolutely and where dogs may be exercised off leash are now established by a council resolution and the giving of local public notice under s 31(3A) and (3B) of the Dog Act.

This is reflected in the recommendation below and the areas are shown as Attachment 2 to this report. Some of these have been previously advertised when adopted by council but the attached list also reflects any changes in lot numbers and/or the property description; for the sake of completeness the entire list should be advertised to ensure full compliance with the Dog Act.

Consultation

Section 51 of the Dog Act 1976 provides that a local government may make local laws about dogs using the process set out in section 3.12 of the Local Government Act 1995.

Amongst other things this requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

The purpose and effect of the *Shire of Bruce Rock Dogs Amendment Local Law* is:

Purpose

To remove matters from the *Shire of Bruce Rock Dogs Local Law 2005* that are dealt with by other legislation, to reflect changes in other legislation, and to increase modified penalties.

Effect

The *Shire of Bruce Rock Dogs Local Law 2005* is amended.

The results of the community consultation and feedback from the Minister are to be considered by council before it makes the local law.

In addition, as noted above local public notice is required of areas where dogs are prohibited and where they may be exercised off leash under s 31(3A) of the Dog Act is also required. There is no requirement to receive feedback, simply the giving of notice. A list that reflects the current provisions in the Dogs Local Law is attached to this report.

Statutory Implications Nil

Policy Implications Nil

Financial Implications

There are costs associated with the making of the Amendment Local Law, its advertising and eventual Gazettal. Council has made budget provision for the review of its local laws in the 2018/2019 budget.

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

Absolute majority for recommendation 5 below; rest by simple majority.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM May 19 – 13.2

Moved: Cr Crooks

Seconded: Cr Waight

That Council -

5. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, gives State wide and local public notice stating that:

a. It is proposed to make a Shire of Bruce Rock Dogs Amendment Local Law, and a summary of its purpose and effect;

b. Copies of the proposed local law may be inspected at the Shire offices;

c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;

6. In accordance with s3.12(3)(b), as soon as the notice is given a copy of the proposed local law be sent to the Minister for Local Government;

7. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it;

8. Notes that that the results will be presented to Council for consideration of any submissions received; and

9. Gives local public notice under s31(3A) of the Dog Act 1976 of the areas where dogs are prohibited and where dogs may be exercised off leash as attached to the report of the CEO.

CARRIED BY ABSOLUTE MAJORITY 9/0

Agenda Reference and Subject:	13.3	Proposed <i>Shire of Bruce Rock Repeal Local Law 2019</i>
Reference:	2.3.2.11	8 Year Review of Local Laws
Reporting Officer:		Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest		Nil

Summary

The purpose of this report is to recommend repeal of the *Local Government Model Bylaws (Removal and Disposal of Obstructing Animals or Vehicles) No7* as adopted by the Shire in 1979.

Background

Section 3.16 of the Local Government Act 1995 requires a local government to review its local laws at least once every eight years.

At its meeting held on 15 March 2018 Council received the outcomes of a review and resolved to request amendments to a number of local laws, including repeal of the *Local Government Model Bylaws (Removal and Disposal of Obstructing Animals or Vehicles) No7* as adopted by the Shire in 1979 and published in the *Government Gazette* on 29 August 1980.

The provisions of this local law are dealt with in the Shire of Bruce Rock Local Government Property Local Law 2004 and Activities on Thoroughfares and Trading in Thoroughfares and Public Places Local Law 2004. It can be repealed.

Comment

The process to repeal a local law is the same as making one - a local government may do so using the process set out in section 3.12 of the Local Government Act 1995.

Amongst other things this requires a local government to give state-wide and local public notice stating that it proposes to make a local law, the purpose and effect of which is summarized in the notice for a period of 6 weeks after it first appears.

The purpose and effect of the Shire of Bruce Rock Repeal Local Law 2019 is:

Purpose:

The purpose of this local law is to repeal the *Local Government Model Bylaws (Removal and Disposal of Obstructing Animals or Vehicles) No7* as adopted by the Shire of Bruce Rock on 8 November 1979 and published in the *Government Gazette* on 29 August 1980.

Effect:

The local law is repealed.

The results of the community consultation and feedback from the Minister for Local Government are to be considered by council before it makes the local law.

Statutory Implications Nil

Policy Implications Nil

Financial Implications

There are costs associated with the making of the Repeal Local Law, its advertising and eventual Gazettal.

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 May 19 – 13.3

Moved: Cr Crooks

Seconded: Cr Waight

That Council -

- 1. In accordance with sections 3.12(3)(a) and (3a) of the Local Government Act 1995, gives State wide and local public notice stating that:
 - a. It is proposed to make a Shire of Bruce Repeal Local Law, and a summary of its purpose and effect;**
 - b. Copies of the proposed local law may be inspected at the Shire offices;**
 - c. Submissions about the proposed local law may be made to the Shire within a period of not less than 6 weeks after the notice is given;****
- 2. In accordance with s3.12(3)(b), as soon as the notice is given a copy of the proposed local law be sent to the Ministers for Local Government and Commerce;**
- 3. In accordance with s3.12(3)(c) of the Act, a copy of the proposed local law be supplied to any person requesting it; and**
- 4. Notes that that the results will be presented to Council for consideration of any submissions received.**

Carried 9/0

Cr Rajagopalan provided Council an update on the training he is undertaking for his Diploma in Local Government

Cr Dolton updated Council regarding a mobile phone tower in Belka

Cr Kilminster advised Council she will attend the Wheatbelt CRC Meeting in Quairading on Friday 17 May

14. Confidential Items

15. Confirmation and receipt of Information Bulletins.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM May 19 – 15.1

Moved: Cr Kilminster

Seconded: Cr Rajagopalan

That Information Bulletin 1 be received.

Carried 9/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM May 19 – 15.2

Moved: Cr Rajagopalan

Seconded: Cr Waight

That Information Bulletin 2 be received.

Carried 9/0

16. Closure of Meeting.

The Shire President, Stephen Strange thanked everyone for their attendance and declared the meeting closed at 5.03pm.

These minutes were confirmed at a meeting on 20 June 2019

Cr Stephen Strange
Shire President
20 June 2019