

SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 20 JUNE 2019

TABLE OF CONTENTS

TABLE OF CONTENTS	1
1. Declaration of Opening	3
2. Record of Attendance/Apologies/Leave of Absence (Previously Approved)	3
3. Declarations of Interest	3
4. Response to Previous Public Questions Taken on Notice	3
5. Public Question Time	3
6. Petitions/Deputations/Presentations/Submissions	3
7. Applications for Leave of Absence.....	4
8. Announcements by Presiding Member.....	4
9. Confirmation of Minutes.....	4
10. Status Report.....	5
11. Regional Reports	14
11.1 WEROC Executive Meeting May 2019	14
11.2 Proposed New CEACA Constitution	17
12. Officers' Reports	19
12.1 Environmental Health Officer.....	19
12.1.1 EHO Information Bulletin May 2019	19
12.1.2 Development Application for an oversized shed at 38 Westral Street, Bruce Rock	22
12.1.3 Budget Amendment – Solar Panel Funding.....	25
Mr J Goldacre left the Council chambers at 2.31pm and did not return.	26
12.2 Manager of Works & Services.....	27
12.2.1 Works & Services Information Report.....	27
12.2.2 Recreation Centre Drainage Costings.....	30
12.3 Manager of Finance	32
12.3.1 Statement of Financial Activity.....	32
12.3.2 List of Payments.....	34
12.3.3 Write-Off of Rates Debt	36
12.3.4 Policy – Portable and Attractive Asset Register	38
12.3.5 Budget Amendment – Assets Under \$5,000	40
12.3.6 Budget Amendment – Purchase Pump.....	42
12.4 Deputy Chief Executive Officer	44
12.4.1 Shire President's Stamp	44
12.4.2 Royal Commission National Redress Scheme.....	45
12.4.3 Staff Satisfaction Survey	48
12.5 Chief Executive Officer	50
12.5.1 Factory Unit Lease (Unit 2/75 Johnson Street, Bruce Rock).....	50
12.5.2 Council Rebrand Strategy – Phase 2	53
12.5.3 Business Townscape Development Grants 2019.....	55
12.5.4 Proposed Speed Limit Changes	57
12.5.5 Bruce Rock Memorial Hospital – Aged Care	60
12.5.6 Tender - Supply & Installation of Hockey Field Lighting and Associated Electrical Works.....	63
12.5.7 Proposed <i>Shire of Bruce Rock Fencing Amendment Local Law 2019</i>	66

12.5.8	Proposed <i>Shire of Bruce Rock Cemeteries Amendment Local Law 2019</i>	69
12.5.9	Proposed <i>Shire of Bruce Rock Local Government Property Local Law 2019</i>	72
13.	New Business of an urgent nature introduced by discussion of the meeting	75
13.1	CEACA Meeting June 2019 and Budget Request	75
14.	Confidential Items	79
15.	Confirmation and receipt of Information Bulletins.	79
16.	Closure of Meeting.	79

SHIRE OF BRUCE ROCK
MINUTES – ORDINARY MEETING 20 JUNE 2019

1. Declaration of Opening

The Shire President Cr SA Strange declared the meeting open at 1.34pm.

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

President	Cr SA Strange
Deputy President	Cr R Rajagopalan
Councillors	Cr AR Crooks
	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
Environmental Health Officer	Mr J Goldacre (2.07pm to 2.31pm)
Manager of Finance	Mrs JL Bow (2.13pm to 3.36pm)
Manager of Works and Services	Mr G Casley (2.07pm to 3.06pm)
Leave of Absence	Cr IS Dolton

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

7. Applications for Leave of Absence

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM June 19 – 7.1

Moved: Cr Rajagopalan

Seconded: Cr Foss

That Cr Thornton be granted leave of absence for the Ordinary Council Meeting for Thursday 18 July 2019.

Carried 8/0

8. Announcements by Presiding Member

9. Confirmation of Minutes

Ordinary Meeting of Council held on Thursday 16 May 2019.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM June 19 – 9.1

Moved: Cr Kilminster

Seconded: Cr Foss

That the minutes of the Ordinary Meeting of Council held Thursday 16 May 2019 be confirmed as a true and correct record.

Carried 8/0

10. Status Report

Presentation of Status Report for May 2019 Resolutions

ITEM	RESOLUTION / ACTION REQUIRED	RESPONSIBLE OFFICER	RESPONSE OR STATUS
<p>Resolution May 19 - 11.1 WEROC Executive Meeting May 2019</p>	<p>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.</p>	<p>CEO</p>	<p>Advised WEROC Executive Officer of Council's decision.</p>
<p>Resolution May 19 – 11.2 Wheatbelt Communities Meeting May 2019</p>	<p>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.</p>	<p>CEO</p>	<p>WEROC Executive Officer has been informed of Council's decision.</p>
<p>Resolution May 19 – 12.2.2 Tender of New Pneumatic Roller</p>	<p>That Council approves the purchase of the Cat CW 34 for the price of \$168,000.00 excluding GST.</p>	<p>MOWS</p>	<p>Roller purchased, due to arrive by the end of June.</p>
<p>Resolution May 19 – 12.3.3 Adoption of Strategic Resource Plan 2018-2033</p>	<p>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.</p>	<p>MOF</p>	<p>Loaded onto the website.</p>
<p>Resolution May 19 – 12.3.4 Preparation of 2019/20 Budget</p>	<p>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.</p>	<p>MOF</p>	<p>In progress.</p>
<p>Resolution May 19 – 12.3.5 2019/20 Fees & Allowances for Elected Members</p>	<p>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</p>	<p>MOF</p>	<p>Will be required to be adopted by Absolute Majority as part of the Budget Process in July.</p>

Shire of Bruce Rock – MINUTES 20 June 2019

	<ul style="list-style-type: none"> 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. 		
Resolution May 19 – 12.3.6 Water Consumption at Settlers Court	<p>That Council instruct staff to;</p> <ul style="list-style-type: none"> 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. 	MOF	Requested further information and will ensure process is finalised by 1 st July 2019.
Resolution May 19 – 12.3.7 Adoption of Corporate Business Plan 2019 - 2023	That Council adopts the Shire of Bruce Rock Corporate Business Plan for the period 2019 to 2023.	MOF	Loaded onto website.
Resolution May 19 – 12.4.2 Staff Performance Reviews	Council receives the presented report on significant changes occurring from Staff Performance Reviews and endorses the CEO’s recommendations on Senior Employees’ Reviews.	DCEO	Report received, will be finalising process in June.
Resolution May 19 – 12.4.3 Donation Request – Lions Cancer Institute (inc)	That Council donates \$500 to the Lions Institute and request that the mobile screening unit comes to the Bruce Rock Agricultural Show in 2019.	DCEO	Lions visit from mobile screening unit to Bruce Rock will take place on 11/8/2019.
Resolution May 19 – 12.5.2 WALGA 2019 Local Government Convention	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.	CEO	Registration of voting delegates has been submitted.
Resolution May 19 – 12.5.3 Wheatbelt Secondary Freight Network Project	<p>That Council:</p> <ul style="list-style-type: none"> 1. Continues to support the strategic intent of the Wheatbelt Secondary Freight Network Project; 	CEO	Correspondence sent confirming Council’s support.

	<p>and</p> <p>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.</p>		
<p>Resolution May 19 – 12.5.4 DRAFT Main Street Revitalisation Strategy</p>	<p>1. That Council adopts the Draft Main Street Revitalisation Strategy prepared by Wheatbelt Business Network, as presented.</p> <p>2. Council staff obtain quotations from suitable consultants to prepare concept streetscape designs following the key principles of the Main Street Revitalisation Strategy.</p> <p>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.</p>	<p>CEO</p>	<p>The final strategy has now been formatted and finalised. A copy will be provided to each Councillor.</p> <ul style="list-style-type: none"> • Quotes are being sought from suitable street scape consultants • Meeting has been held with Regional Manager of Main Roads WA • Letter and strategy summary sent to community members who attended Peter Kenyon workshop and Main Street workshop • Summary sheet published in Council Newsletter • Meeting has been arranged with representatives from Progress Group, CRC and Tourism Group to provided briefing on Main Street Revitalisation Strategy

<p>Resolution May 19 – 13.13 Proposed <i>Shire of Bruce Rock Activities on Thoroughfares and Trading in Public Places Amendment Local Law 2019</i></p>	<p>That Council -</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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. 	<p>CEO</p>	<p>Advertising has commenced and letter sent to the Minister.</p>
<p>Resolution May 19 – 13.2 Proposed <i>Shire of Bruce Rock Dogs Amendment Local Law 2019</i></p>	<p>That Council -</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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 	<p>CEO</p>	<p>Advertising has commenced and letter sent to the Minister.</p>

	<p>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.</p>		
<p>Resolution May 19 – 13.3 <i>Proposed Shire of Bruce Rock</i> <i>Repeal Local Law 2019</i></p>	<p>That Council -</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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. 	<p>CEO</p>	<p>Advertising has commenced and letter sent to the Minister.</p>

Status Report

Ongoing items as at June 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>With current workloads of the CEO and CDO, this will be deferred and dealt with in the next financial year.</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>MOF</p>	<p>Waiting for Water Corporation to advise STED is operational. Application form also still be to developed. Water Corporation have now recommenced works on the STED scheme.</p>

	<p>c. Adopt the new policy regarding connections to the STED Scheme;</p> <p>d. The subsidy will be payable direct to the plumber after the works have been completed and the invoice issued to the property owner and a copy provided to the Shire Administration Office.</p> <p>e. Council will provide appropriate sand or fill for the decommissioning of the land owner’s leach drains.</p>		
<p>Resolution Sep 2018 – 12.3.4 Rates – Sale of Land</p> <p>Resolution Mar 2019 – 12.3.3 Sale of Land for Recovery of Unpaid Rates and Setting Auction Date</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>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>	MOF	<p>Auction date has been set for 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> <p>3. That Council staff undertake works for the realignment of the fence to meet the correct boundary line of 106 and 104 Butcher St, Bruce Rock.</p>	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>
<p>Resolution Feb 19 – 13.1 Bruce Rock Quarry Lease Update</p>	<p>That Council:</p> <p>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</p> <p>ii) Approve that Mineral and Crushing Services Pty Ltd be invoiced for the fee for the preparation of the Bruce Rock Quarry Lease.</p>	DCEO	<p>Notification of new start date of Quarry lease has been sent to Mineral and Crushing Services.</p> <p>Invoice for preparation of the lease. has been paid by Mineral and Crushing Services Ltd</p>

<p>Resolution Feb 19 – 13.4 Memorial House</p>	<p>That Council move to pursue the avenue of attracting aged care/service packages to Bruce Rock and regionally through collaboration with WACHS and CEACA. 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 to the future use of Memorial House.</p>	<p>CEO</p>	<p>A meeting was held on the 28th May 2019 with the Regional Health Director and an item will be presented to Council addressing the outcomes.</p>
<p>Resolution March 19 – 12.5.3 Acceptance of Gifted Land - Shackleton District Club Inc Lot 26,27 & 28 Mills Street, Shackleton WA</p>	<p>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.</p>	<p>CEO</p>	<p>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.</p>
<p>Resolution April 19 – 12.3.3 Community Budget Requests</p>	<p>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>	<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 – 12.5.2 Funding of Hockey Turf Lighting and Recreation Centre Power Upgrade</p>	<p>That Council; 1. 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. 2. 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.</p>	<p>CEO</p>	<p>Letter has been sent to the Bruce Rock Hockey Club advising of Council’s decision. Actions have been undertaken to commence Tender process. Confirmation with Electrical Engineer being sort as to final project specifications for Tender document. An item will be presented to Council on the Tender Outcomes.</p>

COUNCIL DECISION

Resolution OCM June 19 – 10.1

Moved: Cr Crooks

Seconded: Cr Foss

That Council receives the Status Reports as presented.

Carried 8/0

11. Regional Reports

Agenda Reference and Subject:	11.1 WEROC Executive 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 Executive Meeting.

Background

The last WEROC Council Meeting was held on Wednesday 29th May 2019 at the Merredin Council Chambers.

Comment

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

The following items are highlighted for Councils attention:

3.2 Establishment of Solar Farms – Presentation by BSC Solar and Power Ledger

Whilst the Shire of Bruce Rock Councillors received a brief presentation prior to its May 2019 Council meeting, there was a full presentation from key personnel at the WEROC Executive Meeting. The WEROC Executive meeting believed that there was enough merit for further consideration by WEROC Councils in the presentation and made the following resolution:

Resolution

That representatives from BSC Solar and Power Ledger be invited to address the WEROC Council on Wednesday 26 June to explain the potential benefits to Member Councils in developing small scale solar farms on Council owned land to assist in the development of a revenue stream through the sale of power generated by the solar farms.

5.3 STATUS UPDATE - WEROC 2019/2020 Budget

I draw to the attention of Councillors the decision of each Council on the WEROC budget consideration for 2019/2020. ***Does Council wish to discuss this matter further?***

5.1 Future WEROC Projects – Asset Management Project

A copy of Accingo's draft report was circulated post distribution of the meeting agenda. A copy of the report form will accompany the minutes.

In discussing the report prepared by Accingo the following comments were made:

- Any unresolved data issues need to be resolved, in particular the Shire of Merredin's data needs to be included in the report. Greg Powell was uncertain as to why data from the Shire had not been included in the report and was following up on this with his engineer.
- No information on trucks was contained in the draft report. A request should be made for this to be included and if that is not possible to ask why it is not possible.
- The Executive believe information on the frequency an asset is used should be included within the report.
- Staffing issues for plant usage also need to be resolved by the Member Councils – might help to reduce under-utilisation of the equipment.
- The Shire of Bruce Rock seek clarification on its data. It appears the Accingo data does not capture the Shire's General Ledger for accounts.

The CEO will provide additional update and comments on the report at the Council Meeting.

5.2 Curtin Wheatbelt Community Health Study

Dr Andrew Harper, Adjunct Clinical Professor at the Curtin Medical School, has approached WEROC for support for a research project developed as a direct result of Curtin student involvement in the Wheatbelt Medical Students Immersion Program (WMSIP) this year and last.

Dr Harper, in addition to writing to the Executive Officer (a meeting was also held on 10 May 2019), has had discussions with Jamie Criddle, CEO Shire of Westonia.

The proposal is to conduct an exploratory study in which students under supervision will interview a small group of Wheatbelt residents and key informants. The aims of the project are to:

- Describe the health experience and health concerns of a small group of Wheatbelt residents and key informants;
- Analyse the themes of issues identified through the interviews and to discuss these themes with WEROC's Member Councils; to identify possible avenues for advocacy to help address these issues; to explore the potential utility of interview data in assisting Shires advocate for the health needs of Wheatbelt communities; to promote a health partnership with the Wheatbelt; and,
- Promote social accountability in rural community health.

The following resolution was made;

1. *That WEROC provide in-kind and financial support to a maximum of \$5,000 to Dr Andrew Harper, Adjunct Clinical Professor at the Curtin Medical School, to assist in the conduct of the "Curtin Wheatbelt Community Health Study: An exploratory research proposal".*
2. *That the Executive Officer provide Dr Andrew Harper with a copy of the Verso Report.*

It should be noted that the majority of the \$5,000 contribution will be made up of in-kind contributions.

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

Consultation	Nil
Statutory Implications	Nil
Policy Implications	Nil

Financial Implications

The draft budget sets out an annual subscription to WEROC & Wheatbelt Communities for \$12,000 for the 2019/2020 financial year. Council will need to set a budget provision for this amount.

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 June 19 – 11.1

Moved: Cr Rajagopalan

Seconded: Cr Thornton

That Council receives the minutes of the WEROC Council Meeting held on Wednesday 29th May 2019 at the Merredin Council Chambers.

Carried 8/0

Mr A O'Toole left the Council Chambers at 2.01pm.

Mr A O'Toole returned to the Council Chambers at 2.03pm.

Mr J Goldacre entered the Council Chambers at 2.07pm.

Mr G Casley entered the Council Chambers at 2.07pm.

Agenda Reference and Subject:

11.2 Proposed New CEACA Constitution

File Reference:

CEACA

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

As a member Council, each local government is asked to endorse the new Constitution of Association for the Central East Aged Care Alliance (CEACA).

Background

The working party of CEACA have been undertaking the creation of a new constitution for over twelve months with a very detailed and exhaustive process both internally and with the assistance and direction of consultants and lawyers.

Copies of the following documents have been provided to Councillors to ensure they have adequate understanding of the proposed constitution and reasons why some changes have occurred:

- The CEACA Special Meeting Agenda set for 3rd July 2019
- Proposed new CEACA Constitution
- Document detailing summary of changes from draft constitution
- Memo from Deloitte explaining reasons for the proposed constitution.

Comment

The CEO has been part of the CEACA Working Group that has been reviewing and progressing the proposed new constitution. The CEO will present further details and information at the Council meeting to assist Council in making their decision. One of the major changes and impacts on Council's involvement and representation at the CEACA Association would be:

Section 14.4 (h)

All Members, or other guests, may attend Management Committee Meetings if invited by the Management Committee, but the person shall not have any right to comment without invitation, or any right to vote, or to be provided with copies of any agenda, minutes of meetings, or documents presented to such meetings.

Section 19.3

Voting at meetings

- (a) Subject to these Rules, each General Member has one vote at a General Meeting of the Association.
- (b) A person casts a vote at a meeting either by:
 - (i) voting at the meeting either in person; or
 - (ii) through the use of technology under Rule 17.1(a)(ii).
- (c) In the case of an equality of votes at a General Meeting, the person acting as chair of the meeting is entitled to exercise a second or casting vote.
- (d) A Member is only entitled to vote at a General Meeting if the Member's name is recorded in the Register (and where required has appointed a person under Rule 6.3(a)), as at the date the notice of the General Meeting was sent out under Rule 17.3.

The major concern with these sections is that it essentially means we would only have one member representing Bruce Rock and no other member would be entitled to replace them at a meeting should they be absent. In addition only the one member is entitled to speak or vote at the meeting, therefore under the current arrangements if Cr Strange was away we would have no representation at the meeting.

Additionally as the CEO I would not be able to provide any comments at meetings unless invited, or to be on any working groups etc.

Consultation

CEACA Constitution Working Group
CEACA Executive Officer
CEACA Independent Chair
Deloitte
Kott Gunning Lawyers

Statutory Implications

In endorsing Council’s commitment it needs to be aware of its responsibilities under the Association Incorporations Act 2015 (the Act).

Policy Implications Nil

Financial Implications

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

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Community

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

Governance

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

Voting Requirements
Simple majority

Officer Recommendation:

That Council supports/does not support the proposed new “The Central East Aged Care Alliance Inc. Constitution”, as presented.

Council decision varied to Officer Recommendation to support the proposed new “The Central East Aged Care Alliance Inc. Constitution, on the provision that it allows for distribution of agenda papers, attendance and speaking by non-delegates.

COUNCIL DECISION

Resolution OCM June 19 – 11.2

Moved: Cr Thornton
Seconded: Cr Rajagopalan

That Council supports the proposed new “The Central East Aged Care Alliance Inc. Constitution”, as presented on the provision that it allows for distribution of agenda papers, attendance and speaking by non-delegates.

Carried 8/0

12. Officers' Reports

12.1 Environmental Health Officer

Agenda Reference and Subject:

12.1.1 EHO Information Bulletin May 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 May 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 May 2019.

Comment

- As part of the role of EHO in asset management the following major items have been undertaken:
 - Recreation Centre Air Conditioner replacement is underway although delayed due to poor weather conditions.
- A follow-up on the person camping on a farm property in the Shackleton area has revealed that the person has finally moved on, as reported by the person in care of the farming property. The assistance of the WA Police Force was instrumental in assisting the EHO and encouraging the person to understand the requirements for ad hoc camping, and is appreciated.
- The owner of the derelict house in Venemore Street Shackleton has responded to the letter 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. The owner again gave anecdotal evidence he is unable to make good the house by giving the following three options to the EHO as follows:
 1. Scenario One: Owner will do nothing, is on minimal income but looking for work. In the owner's words: '...Shire will demolish house and send invoice to owner, but owner has no money and will go bankrupt and the Shire will get nothing anyway';
 2. Scenario Two: Again in owner's words: "Council invests in property to make good as was done across the road, and property then sold for good money, and the house is then available for new family. Needs about \$60K spent to fix electrical and new roof. Shire can lodge Caveat and house could go on market for \$120K to \$140K. Shire just needs to hire builders; owner can assist as a worker. The house then will be viable dwelling. Shire investment would be required, but if the house is pulled down there will be one less house in Shackleton";
 3. Scenario Three: Owner did ring builders in Quairading to fix up house and suggested they will get paid out when house is sold, but the builders said they were not interested in that Scenario.

The Owner was invited to write to the CEO for the offer of Scenario Two, and to date no correspondence has been received. This matter is undergoing the process for a declaration of a dangerous building under the *Building Act 2011* and will be brought to Council for consideration when the process reaches the intention to serve a Notice.

- Further meetings with Mr Verhoogt of BK Engineering regarding workforce accommodation proposal to achieve water and sewerage services. EHO assisting with ongoing technical matters to move project forward.

- The Shire residential and commercial and public buildings property inspections with the Senior Finance Officer have now been concluded and works ongoing to set up building maintenance budget 2019-2020 preparations.
- The EHO attended the following meetings in Perth as follows:
 - Meeting with Mr Mario Siano of E Consulting Engineers in Subiaco to provide technical information and timelines for the required tender brief specifications for the Hockey Lighting Tender and to negotiate their interest in providing such service given the short timeframe;
 - Meeting with the Director of Planning at the Department of Planning, Lands and Heritage, Ms Cath Meaghan and Planner Mark Johnston to discuss recent matters regarding tourist accommodation in Rural areas and the Scheme texts' limitations. It has been identified that the Scheme as it stands needs an amendment done to allow further economic opportunities to occur on Rural land along with a tidy-up of Scheme text. The Planning Strategy also requires a review to better support the Scheme outcomes. The meeting highlighted the important requirements to reiterate what is in a Scheme text and what forms conditions on approvals given they need to be duplicated to have binding powers. A matter to do with the Outbuilding policy reveals changes brought in by the new Regulations 2015 governing local planning schemes now makes the outbuilding policy in part unenforceable particularly with sea containers. It has been identified by the Planning Dept. that outbuildings on Lots in regional areas do need more clarification and the Planning Dept. is working on this. The EHO asked if the Shire of Bruce Rock could be kept in the loop on this matter given the preference for larger sheds in the area.
 - A meeting to discuss the proposed methods for mandatory waste data reporting under the amended *Waste Avoidance and Resource Recovery Regulations 2008* was attended to determine what, if anything, would be required above and beyond the current reporting requirements submitted each year by the Shire. It has been determined that as Bruce Rock waste outputs are minor there is no change to the data requirements based on current published volume metric calculations. It will be a requirement in the new landfill management tender that the operator is to keep records of volumes of waste disposed of at the landfill collection bays, and for green waste to assist with the non-waste trucks' data currently submitted. With the new data collection it is now a legal requirement, and records must be made available on request of an investigating officer for audit and/or compliance purposes which is done already by the Shire of Bruce Rock.
- Of the three Development Applications presented to the EHO last month, none progressed due to the sea container applicant withdrawing their application citing lack of rain and too onerous requirements despite the best efforts of the EHO to assist. The holiday accommodation on a farm was not required after consulting with the Planning Department Director due to the technicality of the original approval for farm accommodation that will be rectified with review of the Scheme text and Strategy. The last proposal was deferred given the farm operational seasonal requirements not permitting enough time for the applicant to process the application.
- The EHO inspected prior to use an apparatus for the treatment of sewerage on a farm for a new dwelling and was approved for use formally in writing by the EHO using the authority as Deputy to Council by Resolution OCM Sep 17 – 12.1.3.
- With the closure of the Aquatic Centre and in the absence of the Pool Manager, the EHO and Maintenance crew inspected the swimming pool water and found the water level low and evidence of algae on the poolside walls. Works were undertaken to rectify this with clean water and chemical dosing to reduce the pH levels and scrub the pool body walls to good effect. During winter period shut down the water will be turned over once weekly and chemicals added to maintain water quality and eliminate algae growth.
- The EHO has liaised with Transtruct to organise the replacement of the Shire Hall eaves, gutters, downpipes and replacement of outside lighting works to commence soon pending weather conditions.
- The EHO inspected two dwellings with a history of septic system issues. One was found to have been repaired prior to sale of dwelling. The second property has a failed system and the occupier and the

owner have been written to and requisitioned by the EHO to undertake their required responsibilities to rectify the matter. This situation is ongoing to determine effectiveness of actions.

- The Landfill trench opened for use on the 15 December 2016 has, as of the 28 April 2019, reached capacity giving a service life of 125 weeks. The use of the compactor to remove air space has accounted for the long service life and will assist in the 5 to 7 year settling required for rehabilitation to proceed. A contractor has since covered the trench with 3 meter thick overburden and the EHO is liaising with a contractor for supply of 15 cubic meters of mulch which will be delivered free of charge should the contract be won. The asbestos trench is near capacity and another tyre pit will also be required to be dug - this process is underway.
- The septic system for the new Shire house for Lot 118 Curlew Drive has been drawn up and surveyed and excavations are being arranged with backfill of clean sand. Requests for quotations are being prepared for the supply and install of the hot water system, stormwater drainage and septic system.
- Works to repair the rear motel units of the Hotel have been undertaken, which concludes ongoing works requests. The Right of Way water drainage has been rebuilt to assist in stormwater diversion behind the Hotel.

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

Potential legal expenses undefined for dealing with the derelict house in Shackleton, this being the last resort.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

Goal 12.3 Meeting all levels of compliance

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM June 19 – 12.1.1

Moved: Cr Rajagopalan

Seconded: Cr Foss

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

Carried 8/0

Mrs JL Bow entered the Council Chambers at 2.13pm.

Agenda Reference and Subject:

12.1.2 Development Application for an oversized shed at 38 Westral Street, Bruce Rock

File Reference:

A567 38 Westral Street, Bruce Rock

Reporting Officer:

Julian Goldacre, Environmental Health Officer

Disclosure of Interest

Nil

Summary

That Council approves the Development Application for an oversized outbuilding at 38 Westral Street Bruce Rock townsite with two conditions and one advice note.

Background

The Shire of Bruce Rock received an application for a building permit submitted on behalf of the owner Mr K Norman by Mr B Nelson of Transtruct on the 31 May 2019. A review of the application paperwork revealed the proposed shed exceeded the size for the Building Surveyor to be able to undertake the process to issue the Building Permit. The outbuilding as shown in **Attachment 12.1.2 – A** 'Proposed outbuilding design & layout' exceeds the dimensions pursuant to Council Planning Policy 1 'Outbuildings & Seatainers in Residential Areas' adopted on the 17 July 2014 (Policy 1). The EHO notified Mr B Nelson of Transtruct that the application would need Council approval before a Building Permit could be issued and the Shire of Bruce Rock received the Development Application on the 5 June 2019 (**Attachment 12.1.2 – B** Development Application Outbuilding 38 Westral Street).

Comment

The outbuilding building footprint, walls and ridge heights exceed the Policy 1 dimensions allowing approval by the Shire of Bruce Rock Building Surveyor. To be able to approve the Policy 1 variation a Development Application is required to be presented to Council.

The three key matters of the Development Application are listed below for Councils consideration:

- The proposed outbuilding ridge height is 4,200mm; the Policy 1 permits, without Council approval, a maximum ridge height of 3,600mm as shown in **Attachment 12.1.2-A**;
- The proposed outbuilding wall height is 3,200mm; the Policy 1 permits, without Council approval, a maximum wall height of 3,000mm as shown in **Attachment 12.1.2-A**; and
- The proposed outbuilding footprint is 98.8m²; the Policy 1 permits, without Council approval, a maximum footprint of 94m² as shown in **Attachment 12.1.2-A**.

The Policy 1 is designed to guide either the Building Surveyor and/or the Council when determining outbuilding development proposals. The following information below related to Policy 1 lists the above mentioned dot point specific items for consideration and is provided with comments from the EHO on the proposed outbuilding development:

Policy 1 - Outbuildings & Seatainers in Residential Areas Planning Policy –

a) Comply with the Building Code of Australia (BCA) (as amended);

i. The Outbuilding plan shown in **Attachment 12.1.2-A** will be required to have a Certificate of Design Compliance completed by a Registered Building Surveyor before a Building Permit can be granted by the local government.

b) Are constructed of new materials. Where second-hand materials are proposed, the Building Surveyor may require a certification from a practising structural Engineer as to the structural adequacy of the design and/or materials. The Building Surveyor may also require the cladding of the proposed second hand outbuilding to be painted in an approved colour or renewed.

i. The proposed outbuilding is to be constructed wholly of new building materials by the building contractor.

- c) *Are not attached to a dwelling;*
 - i. The outbuilding is not attached to a dwelling as shown in **Attachment 12.1.2-A**.
- d) *Are not habitable;*
 - i. The outbuilding is for storage and it is an offence under the *Health (Miscellaneous Provisions) Act 1911* to occupy as a dwelling a building not constructed as a dwelling.
- e) *Are not within the primary street setback area;*
 - i. Lot 415 Westral Street as shown in **Attachment 12.1.2-A** shows the outbuilding situated in the middle portion of the Lot behind the dwelling.
- f) *Do not reduce the amount of open space required by the Residential Design Codes to less than the prescribed amount;*
 - i. The required open free space is maintained as follows – Existing outbuilding is approximately 24.5m², proposed outbuilding is 98.8m² and existing dwelling is Outbuilding 105m² with the Lot size of 1011m². Required free space area of 60% is easily achieved with the calculated area for free space being 77%.
- g) *Are setback in accordance with the requirements of the Residential Design Codes;*
 - i. The setback distances for the proposed outbuilding is to be a minimum of 1,100mm off the south-facing boundary pursuant to State Planning Policy 3.1 Residential Design Codes (R Codes) 'Table 2a Boundary setbacks – Walls with no major openings' (Table 2a). The site plan in **Attachment 12.1.2-A** shows a setback of 1,000mm only. It is proposed in order to compliment the required setback requirements that a condition for Development Approval be that the outbuilding proposed comply with Table 2a setback requirement and be moved north by 100mm. Whilst this will bring the building line to within 1,700mm of the leach drain there is the ability for the EHO to permit such and will be dealt with as a Deputised matter on behalf of Council by the EHO given Westral Street will soon have access to the STED scheme connection and the property file reveals no issues with the current apparatus for the treatment of sewerage.

The proposed outbuilding concerning ridge and wall height, other than Lot boundary setback to be dealt with as a proposed planning condition, meets the guidance criteria of Policy 1 and the R Codes as presented. Observation of the amenity of the area shows a variety of outbuilding structures on various Lots built up to and on boundaries of various wall and ridge heights, therefore this proposed outbuilding is in keeping with the area amenity. An advice note recommended by the EHO to be added to this Development Application Proposal for the outbuilding is:

1. All stormwater collected by the outbuilding gutters and discharged through downpipes is required to be suitably plumbed into an approved stormwater drainage system on Lot 415 Westral Street. The stormwater discharge point is to not direct stormwater within the footprint area of the leach drains serving the apparatus for the treatment of sewerage. Should the stormwater drainage be onto the road as a new stormwater outlet this is to be discussed with the Shire of Bruce Rock Works Manager for the approval of the provision of a 'cut/s' into the street kerbing to accommodate the stormwater plumbing discharge.

Statutory Environment

Health (Miscellaneous Provisions) Act 1911;

Planning and Development Act 2005;

Local Government Act 1995;

Planning and Development (Local Planning Schemes) Regulations 2015

Shire of Bruce Rock Local Planning Scheme N^o3;

Shire of Bruce Rock Health Local Law 2016; and

Shire of Bruce Rock Outbuildings & Seatainers in Residential Areas Planning Policy (Policy 1)

Policy Implications

Compliance with the Shire of Bruce Rock Outbuildings & Seatainers in Residential Areas Planning Policy (Policy 1).

Financial Implications

Development Application fee of \$147.00

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Economy

Goal 4 Workers and their families reside in and contribute to the local economy, and clause 4.3 'Promote existing residential land and plan for future commercial and residential land developments to meet current and future needs

Voting Requirement

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM June 19 – 12.1.2

Moved: Cr Negri

Seconded: Cr Rajagopalan

That Council approves

- 1. Application for Development Approval described in Attachment 12.1.3-B on Lot 415 Westral Street Bruce Rock townsite for an overheight wall, ridge and building footprint outbuilding as detailed in Attachment 12.1.3-A of 4,200mm ridge height and 3,200mm wall height and 98.8m2 footprint with the following conditions:**
 - a. The outbuilding south facing wall and ridge is to be moved by 100mm further away to accommodate a total setback distance of 1,100mm from the south boundary of Lot 415 Westral Street; and**
 - b. The outbuilding is to be constructed in full accordance with the plans provided in Attachment 12.1.2-A, except for the variation to accommodate the Planning Condition in this resolution being (2)(a) to accommodate the 1,100mm increased setback.**

That Council provides the following Advice Note to assist the applicant with requirements for stormwater management as required under other written laws and Code being:

- 1. All stormwater collected by the outbuilding gutters and discharged through downpipes is required to be suitably plumbed into an approved stormwater drainage system on Lot 415 Westral Street. The stormwater discharge point is to not direct stormwater within the footprint area of the leach drains serving the apparatus for the treatment of sewerage. Should the stormwater drainage be onto the road as a new stormwater outlet this is to be discussed with the Shire of Bruce Rock Works Manager for the approval of the provision of a 'cut/s' into the street kerbing to accommodate the stormwater plumbing discharge.**

Carried 8/0

Agenda Reference and Subject:

12.1.3 Budget Amendment – Solar Panel Funding

File Reference:

8.2.7.1 Annual Budget

Reporting Officer:

Julian Goldacre, Environmental Health Officer

Disclosure of Interest

Nil

Summary

Council re-allocate expenditure intended for Solar Panels from the municipal fund not included in the current 2018-2019 budget for Electrical upgrades to the Medical Centre and Shire Administration Building.

Background

The 2018-2019 budget resolved on by Council committed funds for the installation of solar panels to the sum of \$25,000 for Job Code J04204 ('Install Solar Panels on Admin Building') and \$25,000 for Job Code J07313 ('Install Solar Panels on Medical Centre'). A tender was prepared and advertised for solar panel supply and install and the subsequent buildings' investigation and Tender responses revealed compliance requirements and wide variations in solar options recommended and in price. Investigations revealed that the installation of solar panels will trigger a full electrical upgrade to both the Medical Centre and administration building incurring unbudgeted costs. The EHO consulted with Officers at WALGA Procurement team and the Shire of Kojonup, and undertook an investigation to determine costs for upgrades.

Comment

An electrical consultancy company 'E Consulting Engineers' was engaged to determine the potential costs for required upgrades which will be in addition to the solar panels' budget allocation. E Consulting provided a report with estimated electrical upgrade costs, without the solar panel installation, and determined that the Medical Centre requires \$35,450 in upgrades and the administration building requires \$10,150 in upgrades totalling \$45,600 in estimated costs.

Council discussion based on the 'Information Bulletin' prepared by the Environmental Health Officer indicated that the funds for solar panels should be considered for re-allocation to undertake the required electrical upgrades. This item is to formally request from Council a budget reallocation of funds currently for solar panels to be directed to required electrical upgrades for the Medical Centre and Administration Building.

As the budget currently stands, a sum of \$25,000 for the Medical Centre and \$25,000 for the Administration Building for solar panel supply and installation is allocated. It is requested of Council that the funds be reallocated as follows:

- Medical Centre \$37,000 for required electrical upgrades; and
- Administration building for required electrical upgrades \$13,000

There is no change to the full amount of \$50,000 budgeted in the 2018-2019 budget other than the \$25,000 for each of the buildings is re-allocated as shown in the above two dot points.

Consultation

Mrs J Bow, Manager of Finance; and
Mr D Mollenoyux, Chief Executive Officer.

Statutory Implications

Local Government Act 1995.

Policy Implications

Nil.

Financial Implications

Nil. The amount to be reallocated will be carried over into the 2019-2020 Budget considerations.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

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

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM June 19 – 12.1.3

Moved: Cr Foss

Seconded: Cr Waight

That Council considers to reallocate the 2018-2019 budgeted funds for Job Code J04204 (Install Solar Panels on Admin Building) and Job Code J07313 (Install Solar Panels on Medical Centre) to be reallocated for building electrical upgrades for the Medical Centre to the sum of \$37,000, and the Administration Building to the sum of \$13,000.

CARRIED BY ABSOLUTE MAJORITY 8/0

Mr J Goldacre left the Council chambers at 2.31pm and did not return.

12.2 Manager of Works & Services

Agenda Reference and Subject:

12.2.1 Works & Services Information Report

File Reference:

Reporting Officer:

Glenn Casley, Manager of Works & Services

Disclosure of Interest:

Nil

Town & Gardening Crew

- Main street tidied
- Footpaths blown free of debris
- Kokerbin Rock site cleaned up
- Kwolyin Camp site cleaned up
- Street Sweeper has been to all towns
- Lawns prepared for winter
- Railway Reserve tidied up
- All reticulation is turned off in town
- Doctor's house tidied up
- Chemist's house tidied up
- Private works, concrete patio, driveway
- STED scheme private works
- Currie (Water Corp) Dam pump
- Pergola near Hotel repaired
- Private Works, tree removal
- Pioneer Park raked and tidied up
- Laneways tidied up

Construction Crew

- Maintenance Grading is well underway

Workshop

- BK011 Roller- Service and repairs
- BK6515 Tractor- Replace alternator
- BK373 Loader -Replace hydraulic hoses
- Repair workshop water pressure cleaner
- BK638 Truck - fit air compressor on tray
- BK510 Grader- replace drive tyres
- BK 2 - service and smash repairs
- BK010 - Ute service
- BK792 - Ute service
- BK08 - Ute service
- Workshop maintenance
- 27 Vehicle Inspections

Recreations Centre

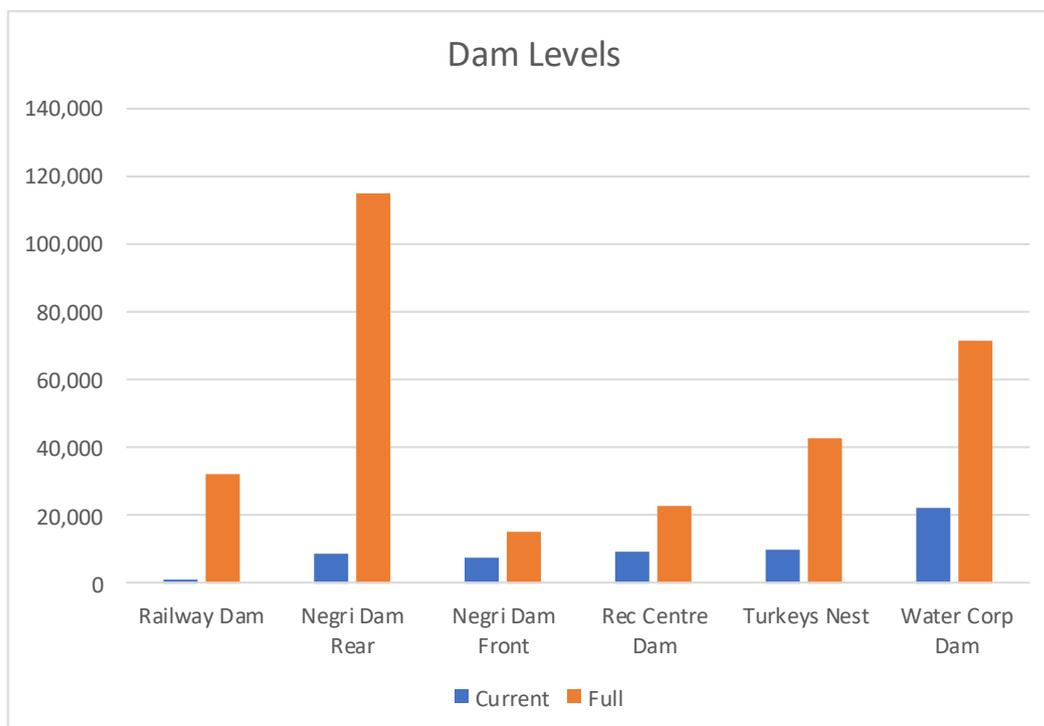
- Oval mowed
- Sprayed wetting agent
- Sprayed pre-emergent herbicide
- Clean surrounds of Hockey Field
- Clean up around the Recreation Centre surrounds
- Checking outside and oval lights
- Marking out oval for football
- Work on Currie (Water Corp) Dam pump

Vehicles/Machinery Changeover

All remaining vehicles have been ordered, waiting for delivery

Dams

• Dam	• Current	• Capacity
• Railway Dam	• 1000kl	• 32,000kl full
• Negri Dam Rear	• 9,000kl	• 115000kl full
• Negri Dam Front	• 7,500kl	• 15000kl full
• Rec. Centre Dam	• 9,500kl	• 23000kl full
• Turkeys Nest	• 10,000kl	• 43000kl full
• Water Corp Dam	• 22,000kl	• 71808kl full



Craig Manton Visit

Craig Manton from Main Roads attended the office for a meeting with the CEO, Councillor Waight and MOWS to talk about the Dunstall Street- Osborne Street intersection, and also the York-Merredin Road. Council will receive a verbal report on the discussions at the meeting at the Ordinary Council Meeting, along with the CEO and Councillor Waight.

Extra Costings for Recreation Centre Drainage

The extra costings Council asked for with regard to linking up the down pipes have been worked out and will be presented in a Report to Council at the Ordinary Council Meeting.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM June 19 – 12.2.1

Moved: Cr Negri

Seconded: Cr Foss

That the Manager of Works and Services Information Report be received.

Carried 8/0

Agenda Reference and Subject:

12.2.2 Recreation Centre Drainage Costings

File Reference:

1.3.6.1 Bruce Rock Recreation Centre

Reporting Officer:

Glenn Casley, Manager for Works and Services

Disclosure of Interest

Nil

Summary

To repair and rectify drainage issues at the entry to the Bruce Rock District Club at the Recreation Centre, which was allocated funding of \$50,000 in the 2018/19 budget.

Background

Concerns have been raised about the sinking pavers and drainage issues experienced through rainfall in front of the western entrance to the Bruce Rock District Club. Of concern also is that the public have safe access to the Club without any slip or trip hazards.

Comment

Costings have been done to show the comparison between two options:

1. Pulling out pavers by hand to add drainage and downpipes, and then replace with same pavers; or
2. Permanently removing all pavers, installing drainage and downpipes, and then concrete the area with a stencil finish.

Evaluation Matrix

Costings	Reusing Pavers	Using Concrete
Drainage materials	1,700	1,700
Concrete	0	11,600
Stencilling	0	25,900
Pavers	700	0
Machinery Costs	1,650	2,800
Labour	55,038	41,279
Cost Exc GST	59,088	83,279

Consultation

CEO
 Works and Services Manager
 Town Foreman
 Town Leading Hand

Statutory Implications

Section 6.8 of *Local Government Act 1995*

6.8 Expenditure from municipal fund not included in annual budget

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*

- (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
- (b) *is authorised in advance by resolution*; or*
- (c) *is authorised in advance by the mayor or president in an emergency.*

** Absolute majority required.*

Policy Implications Nil

Financial Implications

Costings are slightly over what was allocated for the 2018/19 budget of \$50,000. However, this item will be carried forward to the 2019/20 Budget.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Infrastructure

- Goal 2 Maintain Shire owned facilities in a strategic manner
 - 2.1 Asset Management Plan developed and adopted
 - 2.4 Support the improvement and maintenance of assets in strategic manner

Voting Requirements

Absolute Majority

Officer Recommendation

Requesting Council's determination as to which option (being Paver or Concrete) to use to finish the rectification of drainage issues at the Bruce Rock District Club

Council decision varied to Officer Recommendation to require additional information on construction types.

COUNCIL DECISION

Resolution OCM June 19 – 12.2.2

Moved: Cr Rajagopalan

Seconded: Cr Thornton

Additional information be provided to Council to address the rectification of drainage at the Bruce Rock District Club for consideration in the 19/20 budget deliberations.

CARRIED BY ABSOLUTE MAJORITY 8/0

Mr D Mollenoyux left the Council Chambers at 2.54pm.

Mr D Mollenoyux returned to the Council Chambers at 2.55pm.

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 31st May 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 June 19 – 12.3.1

Moved: Cr Crooks

Seconded: Cr Rajagopalan

That the Statements of Financial Activity for the month ending 31st May 2019 as presented be received.

Carried 8/0

Agenda Reference and Subject:

12.3.2 List of Payments

File Reference:

8.2.3.3 Accounts Payable (Creditors)

Reporting Officer:

Jennifer Bow, Manager of Finance 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 May 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 June 19 – 12.3.2

Moved: Cr Thornton

Seconded: Cr Foss

That Council endorse the list of payments from the:

- 1. Municipal Account consisting of;**
 - a. EFT voucher numbers EFT 14245 to EFT 14262 totalling \$260,625.97**
 - b. Cheque number 23912 to 23921 totalling \$32,483.25**
 - c. Trust Cheque 1929 totalling \$1,051.64**
 - d. Wages and Superannuation payments totalling \$264,118.25 and**
 - e. Credit Card payments totalling \$799.06**

With all payments totalling \$558,243.11 for the month of May 2019.

Carried 8/0

Mr G Casley left the Council Chambers at 3.06pm and did not return.

Agenda Reference and Subject:

12.3.3 Write-Off of Rates Debt

File Reference:

A556 42 Dampier Street, Bruce Rock

Reporting Officer:

Jennifer Bow, Manager of Finance

Disclosure of Interest

Nil

Summary

For Council's consideration to write off penalty and ESL penalty interest and rubbish and recycling charges from an assessment that did not have Pensioner registration loaded when it was received.

Background

Council received an application to register a Pensioner under the *Rates and Charges (Rebates and Deferments) Act 1992* from the Water Corporation for a residential property in Bruce Rock, Assessment 556 on 30th May 2016. The application was not loaded against the property when the application was received and full rates and charges have been charged for the past three years.

Comment

An eligible pensioner that applies for a rebate on their Council rates under the *Rates and Charges (Rebates and Deferments) Act 1992* is eligible to receive a 50% rebate on their Council rates and ESL Levy, no penalty interest on rates or ESL levy, and Council honours a reduced fee for rubbish and recycling charges, also a 50% reduction. The State Government then reimburses the Shire for the rebate via a claim lodgement system.

When Council receives an application for a pensioner or senior for a rebate on rates, the application should be processed promptly so that any rebate eligible can be applied to the property. For some reason, this application was not loaded onto the system and when the 2016/17 and 2017/18 rates were raised, the ratepayer did not query why there was no rebate on the rates. They also didn't pay off the entire balance of rates, and as such penalty interest was accrued on the outstanding rates.

The current Senior Finance Officer discovered this Rebate Application and has been able to claim the rebates applicable for 2016/17, 2017/18 and 2018/19. However, given the size of the penalties and rubbish and recycling charges to be written off, it is a requirement that the CEO is given approval to write off the remainder of the debt.

The amount to be written off totals \$488.47 and is made up of the following:

- i. Penalty interest of \$106.79 and \$15.68 in ESL penalty interest as this is the interest that has accrued since the ratepayer registered as a pensioner on 30 May 2016.
- ii. Rubbish and Recycling charges totalling \$366.00 also need to be written off as full charges were levied in 2016/17 and 2017/18. The Rubbish Charge is \$127.00 for 2016/17 and \$134.00 for 2017/18 and the Recycling Charge is \$51.00 for 2016/17 and \$54 for 2017/18.

The charges for 2018/19 have been amended by raising an Interim Rate to reflect the registration of the pensioner for a rebate on rates.

Consultation

CEO, MOF & SFO

Statutory Implications

Local Government Act, section 6.12 (c) gives the Council the authority to write off any amount of money.

Policy Implications

Nil

Financial Implications

Reduction in interest collectable and reduction of rubbish and recycling charge of \$488.47

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 June 19 – 12.3.3

Moved: Cr Thornton

Seconded: Cr Kilminster

That Council gives the CEO authority to write off the following from A556;

- i. Penalty interest of \$106.79,**
- ii. ESL penalty interest of \$15.68,**
- iii. Rubbish charges of \$261.00 and**
- iv. Recycling charges of \$105.00**

Carried 8/0

Agenda Reference and Subject:

12.3.4 Policy – Portable and Attractive Asset Register

File Reference:

8.2.6.1 Annual Audit

Reporting Officer:

Jennifer Bow, Manager of Finance

Disclosure of Interest

Nil

Summary

To adopt the new Policy as recommended by the Audit Committee regarding the amendments to the Local Government (Financial Management) Regulations 1996 which excludes assets under \$5,000 from being capitalised.

Background

An amendment to Regulation 17A excluded assets that are valued \$5,000 at the time of acquisition from being capitalised. This regulation commenced on 1st July 2018.

However, the CEO must take all reasonable steps to prevent the theft or loss of non-consumable assets that are portable or attractive for personal use or resale.

Comment

The Audit Committee have endorsed this Policy for adoption.

As per the Audit Committee's agenda item, this change to the Financial Management regulations is consistent with the State Government requirements where assets under \$5,000 are not capitalised and now this requirement has been enforced upon Local Governments.

The following Policy has been drafted to ensure that acquisitions of items under \$5,000 but are deemed to be "attractive" and "portable" must be recorded in a Portable and Attractive Asset Register and reviewed regularly.

The types of assets that are deemed attractive and portable are:

- mobile phones
- laptops
- printers
- portable electronic equipment including data projectors, cameras, drones
- tool sets (individual tools under \$500 will not be listed)
- trade tools including power tools, mowers, blowers and whipper snippers

Due to this amendment, the only assets that will be capitalised under \$5,000 will include land, however this is not deemed portable.

Consultation

Audit Committee, CEO, DCEO and MOF and Auditors

Statutory Implications

Local Government Act 1995, Local Government (Financial Management) Regulations 1996

Policy Implications

Introduction of new Policy for Portable and Attractive Asset Register

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 June 19 – 12.3.4

Moved: Cr Crooks

Seconded: Cr Negri

That Council adopts the new Policy for the Portable and Attractive Asset Register to assist the CEO with preventing the theft or loss of portable and attractive items.

Carried 8/0

Agenda Reference and Subject:**12.3.5** Budget Amendment – Assets Under \$5,000**File Reference:**

8.2.7.1 Annual Budget

Reporting Officer:

Jennifer Bow, Manager of Finance

Disclosure of Interest

Nil

Summary

To amend the 2018-19 Budget to reflect the change to the Local Government (Financial Management) Regulations 1996, regulation 17B that excludes assets under \$5,000 from being recognised in the Asset Register.

Background

The Local Government Act 1995 and its accompanying regulations had changes made to it in 2017 that were applicable from the 1st July 2018. One of these new requirements was that assets could only be recognised in the Asset Register if the purchase price was \$5,000 or more.

The 2018-19 Budget was adopted with several items that fall below this threshold, and the Budget requires an amendment to transfer these items to operating expenditure.

Comment

A budget amendment is required to reflect the change in the Financial Management Regulations that the Shire must adhere to. The following items will be transferred to the Operating Expenditure section of the General Ledger. Some of these items will also need to be included in the Portable and Attractive Asset Register. There will be no change to the budget as the funds are being reallocated to reflect the change in accounting treatment of these items.

Most of the sub-programmes in the General Ledger will have a new account loaded for Property, Plant and Equipment under \$5,000 where purchases for these items will be allocated.

The following table outlines the amendments:

GL Code or Job Code	Description	Capital	Operating Expenditure
J11336	Consultant for Hockey Turf	\$5,000	
113215	EXPENSE - Consultants for Hockey Turf		\$5,000
J12107	Bunded Fuel & Chemical Containers	\$3,400	
142225	EXPENSE – PWO – Tools & Equipment		\$3,400
J12141	Metro Road Counter x 2	\$8,060	
121218	EXPENSE – Property, Plant & Equipment under \$5,000 – Transport		\$8,060
J04201	Admin Computers	\$6,000	
042241	EXPENSE – Property, Plant & Equipment under \$5,000 – Admin		\$6,000
J07308	New Medical Centre Computers	\$6,200	
073218	EXPENSE - Property, Plant & Equipment under \$5,000 – Medical Centre		\$6,200
J11341	Glass Storage Racking System	\$1,800	
113237	EXPENSE - Property, Plant & Equipment under \$5,000 – Rec Centre		\$1,800

Consultation

CEO, DCEO and MOF

Statutory Implications

Section 6.Part 6 of the Local Government Act 1995 and accompanying regulations.
Regulation 17B of Local Government (Financial Management) Regulations 1996

Policy Implications

Portable and Attractive Asset Register Policy

Financial Implications

To increase to overall 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

Absolute Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM June 19 – 12.3.4

Moved: Cr Thornton

Seconded: Cr Waight

That Council resolves to amend the 2018-19 Budget to reflect the changes to the Financial Management Regulations that assets under \$5,000 are not recognised and amend the following accounts with a nil effect to the budget;

- i. J11336 Consultant for Hockey Turf, reduce to \$nil;
- ii. GL 113215 EXPENSE - Consultants for Hockey Turf, increase to \$5,000;
- iii. J12107 Bunded Fuel & Chemical Containers, reduce to \$nil;
- iv. GL 142225 EXPENSE – PWO – Tools & Equipment, increase to \$3,400;
- v. J12141 Metro Road Counter x 2, reduce to \$nil;
- vi. GL 121218 EXPENSE – Property, Plant & Equipment under \$5,000 – Transport, increase to \$8,060
- vii. J04201 Admin Computers, reduce to \$nil;
- viii. GL 042241 EXPENSE – Property, Plant & Equipment under \$5,000 – Admin, increase to \$6,000
- ix. J07308 New Medical Centre Computers, reduce to \$nil;
- x. GL 073218 EXPENSE - Property, Plant & Equipment under \$5,000 – Medical Centre, increase to \$6,200;
- xi. J11341 Glass Storage Racking System, reduce to \$nil; and
- xii. GL 113237 EXPENSE - Property, Plant & Equipment under \$5,000 – Halls & Rec Centre, increase to \$1,800.

CARRIED BY ABSOLUTE MAJORITY 8/0

Agenda Reference and Subject:

12.3.6 Budget Amendment – Purchase Pump

File Reference:

8.2.7.1 Annual Budget

Reporting Officer:

Jennifer Bow, Manager of Finance

Disclosure of Interest

Nil

Summary

To amend the 2018-19 Budget and approve an item purchased under section 6.8 1 (c) of the Local Government Act 1995.

Background

The Shire President authorised the purchase of a water pump between the May and June 2019 Council meetings as it was deemed an emergency and of an urgent nature. This authorisation is permissible under section 6.8 1 (c) of the Local Government Act 1995.

Comment

The Manager of Works and Services requested an urgent expenditure of \$21,127.84 ex GST for the purchase of a new replacement pump at Currie Dam (previously owned by Water Corporation). The reason this was deemed urgent is that the existing water pump completely failed and needed urgent replacement as it pumps water to our main dam which waters our parks and gardens, including the Town Oval. The Railway Dam was completely dry, and therefore if the Shire is unable to pump water from Currie Dam, it will have to start purchasing scheme water, which is very expensive given the volume of water that would be required.

The CEO contacted the Shire President on 28th May 2019 outlining the reasons for the urgent request. The Shire President responded with his approval.

The Manager of Works and Services obtained three quotations in accordance with our Purchasing Policy and evaluated these with Council's Mechanic. The pump that was selected was from Allight Sykes and is a 150mm / 6" automatic compressor priming solids handling low head pump set for \$21,124.84 ex GST.

The funds for this purchase are to be reallocated from the budget allocation for the purchase of the float, as this item will not be purchased in the 2018/19 Budget.

Consultation

CEO, DCEO and MOF

Statutory Implications

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

Policy Implications

Purchasing Policy

Financial Implications

No change to overall 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

Absolute Majority

COUNCIL DECISION

Resolution OCM June 19 – 12.3.6

Moved: Cr Rajagopalan

Seconded: Cr Foss

That Council resolves to;

- i. Approve the purchase of the new pump which was made under section 6.8 1 (c) of the Local Government Act 1995; and**
- ii. amend the 2018-19 Budget to reflect the purchase of the new pump for Currie Dam with the following amendment;**
 - a. J12163, Purchase Float BK9282, reduction of \$21,125; and**
 - b. J13601 Pump for Currie Dam, increase of \$21,125.**

CARRIED BY ABSOLUTE MAJORITY 8/0

Council adjourned for Afternoon Tea at 3.11pm

Council returned to the Council Chambers at 3.36pm with all staff and Councillors present.

Cr Kilminster left the Council Chambers at 3.36pm.

12.4 Deputy Chief Executive Officer

Agenda Reference and Subject:

12.4.1 Shire President's 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 President's Stamp in May 2019.

Background

Nil

Comment

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

- Disbursement Authority Lot 8 & 10 Mills Street Shackleton
- Building Variation 118 Curlew Drive Bruce Rock

Consultation

Nil

Statutory Implications

Council Policy

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 June 19 – 12.4.1

Moved: Cr Rajagopalan

Seconded: Cr Waight

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

Carried 8/0

Agenda Reference and Subject:

12.4.2 Royal Commission National Redress Scheme

File Reference:

Reporting Officer:

Alan O’Toole, Deputy Chief Executive Officer

Disclosure of Interest

Nil

Summary

The “Royal Commission into Institutional Responses to Child Sexual Abuse” released its final report on 15 December 2017. One of the outcomes was the establishment of the National Redress Scheme. There are implications and responsibilities that arise from this for Local Governments, affecting staffing requirements, and also potential liabilities that may come from historical claims which could be made and could involve Shire liability. This Report summarises the situation so far, and contains recommendations regarding the Shire’s response.

Background

The National Redress Scheme formally commenced on 1 July 2018 and offers eligible applicants three elements of redress:

- A direct personal response from the responsible institution, if requested
- Funds to access counselling and psychological care, and
- A monetary payment of up to \$150,000 (average payment expected to be approximately \$76,000).

Comment

With regard to the above, the “National Redress and Local Government Directions Paper” was released by WALGA in April 2019. It reported that of the 409 recommendations made by the Royal Commission, 310 were applicable to the WA State Government, and there was one specific recommendation directed at Local Government. This was:

Recommendation 6.12

With support from governments at the national, state and territory levels, Local Governments should designate child safety officer positions from existing staff profiles to carry out the following functions:

- a. developing child safe messages in Local Government venues, grounds and facilities*
- b. assisting local institutions to access online child safe resources*
- c. providing child safety information and support to local institutions on a needs basis*
- d. supporting local institutions to work collaboratively with key services to ensure child safe approaches are culturally safe, disability aware and appropriate for children from diverse backgrounds.*

In response, WA Local Governments expressed generalised support but with the following concerns:

- impact on the Local Government workforce
- increasing levels of service expectation
- strategic alignment and a whole of government approach
- deliberative consultation and good governance moving forward
- data collection
- financial management policy and process
- volunteer and community groups, and
- rural and remote communities.

The major impact of this Recommendation for smaller Local Governments is having to identify and designate a person from within the existing workforce to act as the “Child Safety Officer” who will perform

the functions (a. to d.) above. Training will be provided to the designated officer with regard to the skills and knowledge required to perform the functions noted.

While it is not envisaged that this role will be impose a significant burden on the nominated person(s), it is another role that must be absorbed and provided for within a small workforce. Additionally there is the issue of what to do if a person presents to the Shire wishing to discuss any of the issues above while the designated officer is on leave or is otherwise not available. Therefore whether the Shire also nominates a back-up or support Child Safety Officer would need to be considered. This person would also need to be trained with the appropriate skills. (Obviously any complaint or issue that needs to be investigated would be handled by the Police and should always be directed to them in the first instance).

The Scheme

Local Governments have the opportunity to either join the National Redress Scheme and limit their liability exposure to the elements defined in the Scheme, or to opt out and risk the full extent of a civil litigation process in the event an application is made against them. Whilst there is no obligation to join, the tables below outline some key considerations in making this initial decision.

JOIN National Redress Scheme

Opportunities	Challenges
Clearly defined eligibility criteria	Ratepayers don't get a say
Consistency and capping of compensation payments	WA Criminal Code may produce conflicting complexity
Releases institution from civil liability	
Minimising likelihood of re- traumatisation for victim/survivor	
Increased perception of justice and procedural fairness	
Display of accountability and transparency of Local Government	
National consistency and legislative safeguarding	
Supports the principle of accountability promoted by the Royal Commission	

DO NOT JOIN National Redress Scheme (Civil Litigation Process)

Opportunities	Challenges
Potential for negotiated settlement	A potentially more difficult process for survivors/victims
Independence in achieving resolutions	Additional legal and other expenses
Unlimited timeframes for action	No capped financial claim – could exceed \$150k
WA Redress Scheme may have addressed some claims	Eligibility criteria and standard of proof unrestricted
	Unlimited timeframes for action therefore may incur higher legal fees
	Potential for socio-political consequences

Any Western Australian survivors of historical abuse can either:

- i) Pursue civil court action(s) against the perpetrator and/or the responsible institution, or,
- ii) Apply to the National Redress Scheme, which provides eligible applicants with a monetary payment, funds to access counselling and an apology (Direct Personal Response).

Local Governments need to consider the potential implications of both options (above) should a survivor pursue redress for abuse where the authority may be directly or indirectly responsible and/or liable.

Circumstances in which abuse may have occurred include:

- Direct -Council run child care services, aquatic and recreation facilities, youth facilities, holiday program and activity services, events
- Indirect –Council settings provided to or activities provided by another party (hiring of facilities, contracting of services)

Currently no application naming a WA Local Government has been received by the National Redress Scheme.

In conclusion WALGA are recommending that “joining the National Redress Scheme is a good organisational approach to risk management of child abuse both historically and for the future protection of communities.”

Consultation

CEO, Manager of Finance, WALGA

Statutory Implications Nil

Policy Implications Nil

Financial Implications

Joining the National Redress Scheme would offer the Shire some protection with regard to claims of historical abuse which may be made against it.

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 June 19 – 12.4.2

Moved: Cr Thornton

Seconded: Cr Rajagopalan

That in response to the Royal Commission into Institutional Responses to Child Sexual Abuse, the Shire opts to join the National Redress Scheme when applicable, and;

As recommended by the Royal Commission, and at such time as is required, the Shire designates a Child Safety Officer from within the existing workforce.

Carried 8/0

Agenda Reference and Subject:

12.4.3 Staff Satisfaction Survey

File Reference:

Reporting Officer:

Alan O’Toole, Deputy Chief Executive Officer

Disclosure of Interest

Nil

Summary

As part of the Shire’s commitment to creating and maintaining a positive workplace, and in line with the objectives of the “Workforce Plan 2018-2022”, a Staff Satisfaction Survey was recently circulated to all staff. This report provides a summary of the Survey and the responses received from the workforce.

Background

In planning for the future workforce needs of the Shire, and also to assist the understanding of ways to improve the current situation, a Staff Satisfaction Survey, collated from latest industry sources, was circulated to all staff members in print form. Responses could be anonymous, but staff were aware that if they take this option, then individual feedback (if required) could not be given.

The Survey took the form of 12 questions arranged in the following groups:

- i. Your Role
- ii. The Shire (as employer)
- iii. Management (direct/line supervision)
- iv. Team Spirit (specific, and in general)
- v. Work/Life Balance
- vi. The Future (employee aspirations/plans)

Questions varied between “Yes/No” responses, scaled responses (1-10), and also any free text comments that staff wanted to make. If staff chose not to personally identify themselves, then they were asked to select which team or work area they belonged to, and thus assist management to understand and analyse the data better.

A decision was made to circulate the Survey individually and in print to every staff member to ensure equity of access for all. Therefore the Survey was sent out alongside each employee’s Payslip to guarantee that all staff members were aware of the request and to hopefully maximise responses.

Comment

Of the 39 Surveys distributed 14 responses were received (36%) which in general as a response to an optional Survey is a positive percentage. Of these, 7 were from the Works Crew, 5 were from Administration, and 2 were “Other.”

General Findings.

Broken down into the 7 groups of questions above, 100% of respondents understood their role and felt they had the tools, equipment, skills and training to perform it well, with the proviso that sometimes for the Works Crew, equipment can get broken and take some time to replace.

On a scale of 1-10, all but one respondent rated their happiness with work between 8 and 9, with the other rating being a 7. (It was noticeable that the Admin tended towards 9, while the other Work areas were a combination of 8 and 9). Workload was cited as an area to be addressed to improve staff happiness.

All staff members felt valued by the Shire, but 3 of the Works Crew stated they were not aware of the Shire’s Workforce Plan.

Nearly all respondents stated that their supervisors were available for them, but a small number said they would appreciate more regular feedback.

With regard to Team Spirit, all respondents who expressed an opinion felt that more regular get-togethers with all Shire staff would help to facilitate greater cohesion and sense of “one organisation”.

Sporting events were also suggested as a means of bringing people together. Also, bringing staff from different work groups on visits to work sites e.g. Admin staff to Works’ sites, and vice versa.

The provision of non-alcoholic drinks at staff BBQs was also mentioned by a number of respondents.

Most respondents felt they were able to achieve a good Work/Life balance, but a small minority felt that due to the nature of their roles this was hard to achieve.

Finally, with regards to the future, all staff who responded to this question expressed the wish to remain at the Shire, and all respondents said they would recommend somebody they knew to work for the Shire.

In general, the response to the 2019 Staff Satisfaction Survey was very positive. More work can be done with individuals, work teams and the staff as a whole to address and build on what was revealed. The Management team and Supervisors will have individual debriefs on their work areas to facilitate further communication with their team members, and to guide and drive improvements in overall staff satisfaction. This will hopefully be recognised in future Staff Surveys, and in the general happiness and well-being of staff working for the Shire.

Consultation

CEO, All staff

Statutory Implications Nil

Policy Implications Nil

Financial Implications Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

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

Voting Requirements Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM June 19 – 12.4.3

Moved: Cr Waight

Seconded: Cr Foss

That Council receives this Report of the 2019 Staff Satisfaction Survey.

Carried 8/0

Cr Kilminster returned to the Council Chambers at 3.52pm.

12.5 Chief Executive Officer

Agenda Reference and Subject:	12.5.1 Factory Unit Lease (Unit 2/75 Johnson Street, Bruce Rock)
File Reference:	2.4.1.1 Leases – Council Owned Buildings
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest	Nil

Summary

Council is asked to consider a lease request for a Council owned factory unit located at Unit 2/75 Johnson Street, Bruce Rock and the subsequent variation to Fees and Charges.

Background

Whilst Integra Electrical had ceased operating within the Shire of Bruce Rock last year, they only vacated and handed back the Lease of the Council’s factory unit located at unit 2/75 Johnson Street, Bruce Rock in April 2019.

During the month an application has been received from Mr Melvyn Deering of Wheatbelt Refrigeration & Air-Conditioning to lease Unit 2/75 Street Bruce Rock. Mr Deering has advised that he already conducts quite a lot of business in Bruce Rock and is seeking to base his business in Bruce Rock if a suitable location can be leased.

Mr Deering has also advised that he proposes to sublease a portion of the factory unit to Mr Mitchell Hunter who has a part-time boiler-making business.

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

Comment

The factory unit located at 2/75 Johnson Street, Bruce Rock has been inspected and is ready for occupancy.

I did raise the question of the type of boiler-making works that would be conducted as it is in the main business street, and any large machinery may be an issue due to both aesthetics and parking requirements. Mr Deering has advised that Mr Hunter is only doing this type of work part-time and it will only be for smaller work as any of his larger work is generally undertaken on farms. It is unclear as to any potential noise issues that may pertain to the boiler-making works that would be undertaken at the unit.

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

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

This proposal by Mr Deering will bring a new business and service to be based in Bruce Rock and additionally will centralise a component of Mr Hunter’s business.

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

Consultation

Melvyn Deering, Wheatbelt Refrigeration & Air-conditioning
Jennifer Bow, Manager of Finance
Michael Darby, Senior Finance Officer

Statutory Implications

Local Government Act 1995 s.6.16 & s.6.19

6.16. Imposition of fees and charges

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

** Absolute majority required.*

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

(a) imposed during a financial year; and*

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

** Absolute majority required.*

6.19. Local government to give notice of fees and charges

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

(a) its intention to do so; and

(b) the date from which it is proposed the fees or charges will be imposed.

Policy Implications

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

Financial Implications

The 2019/20 rent on the factory unit located at Unit 2/75 Johnson Street is set for \$588 per month inc. GST.

A reduced rental of 30% would set the rental amount at \$411.60 per month inc. GST, over the 12 month rental request this would be a total of \$2,116.80.

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

As per all Council rentals and Tenancy Agreements the Fee and Charge will be reviewed annually and further rental increases may occur.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Infrastructure

Goal 2.2 – Encourage greater usage of current Council owned facilities

Economy

Goal 3: Assist the local economy to grow

3.3 Encourage the business units to be used in Swan Street

3.7 Leverage economic opportunities and development from successful local businesses

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

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

Governance

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

Voting Requirements

Absolute Majority

Officer Recommendation

That Council:

1. That Council lease its factory unit located at Unit 2/75 Johnson Street, Bruce Rock to Wheatbelt Refrigeration and Air-Conditioning (Melvyn Deering).
2. That approval be granted to Mr Deering to sublease a portion of the factory unit to Mr Mitchell Hunter (boiler-maker) on the provision that no large machinery is to be parked on the site or street verge, and parameters around any excessive noise be sought.
3. That Council considers the request from Mr Melvyn Deering for a reduction of rent for the first 12 months of the lease to assist him in relocating and establishing his business 'Wheatbelt Refrigeration and Air-Conditioning' within Bruce Rock.
4. The new monthly rental fee of \$____ (inc. GST) is to be charged from 1st July 2019 and to be reviewed as part of the annual budget review process.
5. Give public notice of 7 days of the intent to vary the Fee and Charge.
6. That there is a requirement of the lease for business signage to be erected on the building.

Council decision varied to Officer Recommendation to vary the rental value that Council has set for the Factory Unit.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM June 19 – 12.5.1

Moved: Cr Rajagopalan

Seconded: Cr Waight

That Council:

1. **That Council lease its factory unit located at Unit 2/75 Johnson Street, Bruce Rock to Wheatbelt Refrigeration and Air-Conditioning (Melvyn Deering).**
2. **That approval be granted to Mr Deering to sublease a portion of the factory unit to Mr Mitchell Hunter (boiler-maker) on the provision that no large machinery is to be parked on the site or street verge, and parameters around any excessive noise be sought.**
3. **That Council considers the request from Mr Melvyn Deering for a reduction of rent for the first 12 months of the lease to assist him in relocating and establishing his business 'Wheatbelt Refrigeration and Air-Conditioning' within Bruce Rock.**
4. **The new monthly rental fee of \$411.60 (inc. GST) is to be charged from 1st July 2019 and to be reviewed as part of the annual budget review process.**
5. **Give public notice of 7 days of the intent to vary the Fee and Charge.**
6. **That there is a requirement of the lease for business signage to be erected on the building.**

CARRIED BY ABSOLUTE MAJORITY 8/0

Agenda Reference and Subject:

12.5.2 Council Rebrand Strategy – Phase 2

File Reference:

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is requested to endorse the Shire of Bruce Rock’s Rebrand Strategy and give consideration to supporting the implementation of Phase 2 in 2019/2020.

Background

In May 2018 Council adopted its new brand which was prepared in conjunction with Market Creations and was built around the theme of “Where Friends Become Family”. The new logo and rebrand was initially rolled out over the following months with a community launch, merchandise, new Shire uniforms, street signage, entry statements, a suite of corporate documents, number plates and various other materials.

Council set a KPI for the CEO to develop a Rebrand Strategy to be presented to Council by 30 June 2019.

Comment

Over the past few months, Melissa Schilling, Executive Assistant has been compiling information and, guided by the CEO, has prepared a new “Rebrand Strategy” for the Shire of Bruce Rock. The Strategy outlines where we have come from, how we arrived at our new brand, followed by key strategies that we have set for each Rebrand goal.

The document outlines all those initiatives undertaken in Phase 1 of the Rebrand and now lists and details the proposed Phase 2 goals and strategies.

This document is not deemed to be a public document and is only intended to be a guide to assist Council and staff to ensure the continued effective implementation of the new Shire brand.

Consultation

Melissa Schilling, Executive Assistant

Statutory Implications Nil

Policy Implications Nil

Financial Implications

The implementation of phase 2 of the Rebrand will require a budget provision in the 2019/2020 budget. Council will need to consider this as part of its budget deliberations.

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2017-2027

Infrastructure

Goal 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

Governance

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

Chief Executive Officer's Key Performance Indicators

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

Number 8. **Rebranding**

- Initiate the development of a branding strategy for the effective implementation of Council's rebrand.
- Deliver the funded branding strategy to the community

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM June 19 – 12.5.2

Moved: Cr Rajagopalan

Seconded: Cr Crooks

That Council:

- 1. That Council adopts the Shire of Bruce Rock Rebranding Strategy (Internal Document), prepared by Council staff, as presented.**
- 2. That Council makes budget provision for the implementation of phase 2 of the Rebranding Strategy in the 2019/2020 financial year.**

Carried 8/0

Agenda Reference and Subject:

12.5.3 Business Townscape Development Grants 2019

File Reference:

8.2.4.17 Business Townscape Development Grant

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is to consider the re-establishment of its Local Business Townscape Development Grants and review the criteria provided in the guidelines.

Background

In 2013 Council adopted an annual Local Business Townscape Development Grants Program to encourage local businesses to enhance the appearance and accessibility to their premises.

Since its inception there has been mixed success with some great projects being funded, however some of the potentially higher community needs or priority areas have not been addressed.

In late 2017 Council resolved to not open the grant for the 2018 period to enable further consideration of its approach and leave it to be addressed as part of the development of Council's Main Street Revitalisation Strategy.

Comment

During the recent development of Council's Main Street Revitalisation Strategy, Council addressed the need to re-establish its Local Business Townscape Development Grants and was subsequently set as one of the actions in the final document.

It was recognised that perhaps Council needed to offer a higher contribution towards specific projects to entice applicants to apply. The new guidelines have been amended to reflect Council's views from the Main Street Revitalisation Strategy Workshop.

Council is asked to review the guidelines and in particular provide direction and resolution on the amount of contribution that it will provide to individual projects.

A copy of the Guidelines and Application Form have been provided to Councillors.

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.
- Public Consultation - Identified during the development of Council's Strategic Community Plan 2017 – 2027.

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Council needs to set a budget provision in the 2019/2020 Financial Year should it proceed with the Grant Program in 2019. It is recommended that Council budgets \$20,000, however this does not mean that it needs to award the full amount during the grant round if projects aren't deemed as a priority.

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.
- 2.4 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
- 3.5 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

Main Street Revitalisation Strategy

That Council's Local Business Townscape Development Grants be re-established

Voting Requirements

Absolute Majority

Officer Recommendation

1. That Council adopts the Bruce Rock Local Business Townscape Development Grant (including guidelines) for 2019, as presented.
2. Council determines the percentage of contribution that they require from the business owner on individual projects
3. That Council make a budget provision of \$20,000 for the 2019/2020 to be utilised for its Local Business Townscape Development Grants for 2019 round.

Council decision varied to Officer Recommendation to set a 10% contribution from the business owner.

COUNCIL DECISION

Resolution OCM June 19 – 12.5.3

Moved: Cr Rajagopalan

Seconded: Cr Thornton

That Council:

1. **That Council adopts the Bruce Rock Local Business Townscape Development Grant (including guidelines) for 2019, as presented.**
2. **Council sets the percentage of contribution that they require from the business owner on individual projects as 10%.**
3. **That Council make a budget provision of \$20,000 for the 2019/2020 to be utilised for its Local Business Townscape Development Grants for 2019 round.**

CARRIED BY ABSOLUTE MAJORITY 8/0

Agenda Reference and Subject:

12.5.4 Proposed Speed Limit Changes

File Reference:

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is to consider making a submission to Main Roads WA to seek a reduction to various speed limits within the Bruce Rock townsite.

Background

One of the desired outcomes of the Main Street Revitalisation Strategy is to slow traffic in the main business precinct of Johnson Street, Bruce Rock, and general discussion was held to seek a reduction in the speed limit from 60km to 50km. This in turn will assist with road safety, in particular traffic entering into the intersection of Johnson Street, Dunstall Street and the Bruce Rock - Merredin Road intersections.

During a recent conversation, the Shire President also suggested that consideration should be given to reducing the speed limit to all townsite streets within a “built-up area” for the Shire.

Comment

I have contacted Mr Craig Manton, Regional Manager Main Roads WA, regarding the process for Local Governments to seek a reduction in speed limit. The first step is for Council to make a resolution seeking Main Roads WA to undertake an assessment and then put a written submission to his office outlining the roads, limits and justification/reasons for reduction request.

It is suggested that Council may wish to make three requests for speed limit re-assessment, being as follows;

- **Johnson Street, Bruce Rock**

Reduction from 60km to 50km

There have been several accidents over the years along Johnson Street and one could argue that it is technically a built-up area and should therefore have a speed limit of 50km.

The street is 4 lanes wide and is an area where tourists and local pedestrians (including many children) cross on a regular basis.

There is a risk with the parallel parking on the western side reversing back into oncoming traffic.

A lot of trucks, caravans and travellers pull in and out of the slip road on the eastern side as it is a designated stop area.

- **Noonajin Road, Bruce Rock**

(Between Butcher Street and the Bruce Rock-Quairading Road)

Reduction from 80km to 60km

This section is an anomaly as the rest of Noonajin Road is 60km, however this section, virtually running along the industrial area increases to 80km and then drops back to 60km again.

There are significantly large and lengthy vehicles entering in and out of this area, which creates a risk with traffic travelling at 80km.

- **Townsite “Built Up Areas”**

In addition to the speed limit matters raised for the two points above, Council may wish to take the lead in this area and advocate for reduced speed limits within built-up areas. Current speed limits within “built up areas” within townsites is set at 50km, and it may be worth Council considering

submitting a request to Main Roads WA to reassess all of its townsites, with the suggestion to reduce them to 40km.

Consultation

- Council - The matter of reducing the speed limit was discussed as part of the Main Street Revitalisation Strategy, where Council is seeking to slow traffic down in the main street, being Johnson Street, Bruce Rock.
- Shire President – requested that the CEO include the townsite streets in consideration of reducing the speed limit to 40km.

Does Council wish to undertake community consultation prior to presenting its request to Main Roads WA?

Statutory Implications

Council has no statutory powers in setting speed limits, however a Local Government can submit a request to Main Roads WA who will undertake a review in accordance with *“Main Roads Western Australia – Policy and Application Guidelines for Speed Zoning”*.

Policy Implications Nil

Financial Implications

The costs of replacing any changed speed limit signs would need to be considered, however it is the understanding that this would be the responsibility of Main Roads WA. Clarification would need to be obtained once the request has been submitted.

Minor additional costs may be borne by Council for promotion and publicity of any speed limit changes.

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2017-2027

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 |
| 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 |

Governance

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

Voting Requirements

Simple Majority

Officer Recommendation

That the Chief Executive Officer prepares a submission on behalf of Council to request Main Roads WA to undertake an assessment and review of the following proposed speed limit reductions within the Shire of Bruce Rock;

1. Johnson Street, Bruce Rock reduced from 60km to 50km
2. The section of Noonajin Road, Bruce Rock set as 80km be reduced to 60km to be in line with the rest of Noonajin Road.
3. That all “built up areas” within all townsites of the Shire of Bruce Rock be reduced from 50km to 40km.

Council decision varied to Officer Recommendation to review the boundary roads/streets such as Noonajin Road, Barr Street, Loller Street and Lethlean Street.

COUNCIL DECISION

Resolution OCM June 19 – 12.5.4

Moved: Cr Rajagopalan

Seconded: Cr Waight

That the Chief Executive Officer prepares a submission on behalf of Council to request Main Roads WA to undertake an assessment and review of the following proposed speed limit reductions within the Shire of Bruce Rock;

- 1. Johnson Street, Bruce Rock reduced from 60km to 50km**
- 2. The section of Noonajin Road, Bruce Rock set as 80km be reduced to 60km to be in line with the rest of Noonajin Road.**
- 3. That all “built up areas” within all townsites of the Shire of Bruce Rock be reduced from 50km to 40km with the provision that townsite boundary roads such as Noonajin Road, Barr Street, Loller Street and Lethlean Street be internally reviewed first for appropriateness of current limit remaining.**

Carried 8/0

Agenda Reference and Subject:

12.5.5 Bruce Rock Memorial Hospital – Aged Care

File Reference:

4.1.3.3 Bruce Rock Memorial Hospital

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

The WA Country Health Service is seeking Council's "in principle" agreement for their proposal to increase capacity for Residential High Care Beds at the Bruce Rock Hospital.

Background

Over 18 months ago community concerns were raised as to the status of Memorial House in that it was not currently accepting new occupants and was temporarily closed. Council is aware of the meetings that have occurred in the interim and I can confirm that the latest meeting held on the 28th May 2019 was productive. Below is the response from Mr Sean Conlan, Regional Director WA Country Health Service Wheatbelt:

"At the meeting on 23 February 2019 between WA Country Health Service, the Shire of Bruce Rock and the Members of the Bruce Rock Local Health Advisory Group, the Regional Director outlined the areas of concern for Memorial House, including electrical safety, nurse call & duress systems, fire safety, floor levels and conditions of bathrooms. The Heritage status of the building and the importance of this building to the community was also acknowledged. Estimates for the restoration of the Memorial House to contemporary residential aged care standards would be in the vicinity of \$1 million.

The model of care within a "Lodge" is outdated, with the current Commonwealth Aged Care reforms including "Living Longer, Living Stronger" moving towards supporting people to age in their own homes or within Aged Appropriate Community Accommodation. The Shire has committed to increasing the stock of Aged Appropriate Community Accommodation within the town. The current challenges aged people and their families experience in accessing providers to provide home support services was acknowledged by all. The Shire and community raised concerns about the increasing aged profile within the community and the number of "high care" residential aged care beds within the town.

The WACHS Wheatbelt Regional Director committed to explore options for expanding high care beds within the current Bruce Rock Hospital.

WACHS Wheatbelt has conducted some investigation and has developed an initial "concept plan" for consideration by the Bruce Rock Shire and Local Health Advisory Group. The plan proposes to:

- Increase the residential aged care "high care" beds from six to eight.*
- Retain the five acute inpatient beds, including one palliative care bed.*
- Permanently close the six low care beds at Memorial House.*
- Undertake minor renovations within the current building footprint of Bruce Rock Hospital – to minimize the impact to operational costs – staffing, utilities, repairs & maintenance.*

I attach a copy of the Bruce Rock Hospital floor plan including the proposed changes as discussed at our meeting on 28 May 2019.

I am seeking the Bruce Rock Shire and the Local Health Advisory Group's "in principle" agreement for this proposal."

If received, the WACHS Wheatbelt Regional Director will seek approval from the WACHS Chief Executive and Board to commence the process of:

- *Submitting a minor works business case to achieve the recommended renovations.*
- *Submitting an application to the Commonwealth Aged Care Directorate to convert two (2) current low care funded places to an additional two (2) high care funded places.*
- *Submitting an application to the Commonwealth Aged Care Directorate to convert four (4) current low care funded places to an additional four (4) flexible care funded places – with the intent to use these to support community based aged care service delivery.*

Comment

Discussion has been held with our local Health Service Manager, Sinqobizitha Mndebele, as I wanted to ensure that there was no reduction in other areas such as acute beds etc. due to this proposal. Sinq said that she feels the proposal will be workable for the staff and will cater for the current level of aged care required.

A Local Health Advisory Group meeting was held on the 12th June 2019 where the proposal was listed to be discussed and information will be provided to Council at the meeting on the Group's views.

There are still some concerned local community members who believe that Memorial House needs to be reinstated and that people are on the waiting list and are ready to move into Memorial House now. Clarification has been sought and, as previously advised, whilst Hospital staff have reviewed each person, every individual they have spoken to states they are not ready to access residential care yet.

As Council is aware the Federal and State Government's focus is on "ageing in the home", which is part of the reason that through CEACA we have constructed 8 more independent living units in Bruce Rock. The main concern that we need to now focus on is ensuring that the aged can receive the support and care they require to "age in their home" or in our independent living units. Council and the community must work collaboratively to seek an improvement to the way Home Care Packages are awarded, assessed and delivered into our community.

Consultation

Sean Conlan, Regional Director, WA Country Health Service
Karen Horsley, Operation Manager, WA Country Health Service
Sinqobizitha Mndebele, Health Service Manager, Bruce Rock Memorial Health Service
Cr Philip Negri
DCEO, Alan O'Toole
Bruce Rock Local Health Advisory Group

Statutory Implications Nil

Policy Implications Nil

Financial Implications Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Community

- Goal 7 Community are engaged and have a healthy lifestyle
- 7.1 Encourage and help facilitate the administration of the planned CEACA units
 - 7.2 Advocate for the retention and use of the Bruce Rock Hospital and existing services
 - 7.3 Continue to work towards achieving the strategies of the Age Friendly Community Plan

Governance

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

Voting Requirements

Simple majority

Officer Recommendation:

1. That Council provide “in principle” support for the proposal to increase capacity for Residential High Care Beds at the Bruce Rock Hospital from 6 to 8 within the current footprint on the basis that there is no reduction in the number of acute beds or other impacts on services provided to the current status of hospital service.
2. That Council continues to lobby and work with the WA Country Health Service to retain Memorial House and seek appropriate usage of the building into the future.
3. Council continues to work with CEACA and other relevant bodies to lobby for improved access and provision of “Home Care Packages” for Bruce Rock and neighbouring areas.

Council decision varied the Officer Recommendation to include: “That officers prepare a communique to be placed in the Rock Review explaining the situation regarding Memorial House and the proposals for the Hospital.”

COUNCIL DECISION

Resolution OCM June 19 – 12.4.5

Moved: Cr Negri

Seconded: Cr Kilminster

- 1. That Council provide “in principle” support for the proposal to increase capacity for Residential High Care Beds at the Bruce Rock Hospital from 6 to 8 within the current footprint on the basis that there is no reduction in the number of acute beds or other impacts on services provided to the current status of hospital service.**
- 2. That Council continues to lobby and work with the WA Country Health Service to retain Memorial House and seek appropriate usage of the building into the future.**
- 3. Council continues to work with CEACA and other relevant bodies to lobby for improved access and provision of “Home Care Packages” for Bruce Rock and neighbouring areas.**
- 4. That officers prepare a communique to be placed in the Rock Review explaining the Council decision and status regarding Memorial House and the proposals for the overall aged care accommodation for Bruce Rock.**

Carried 8/0

Agenda Reference and Subject:

12.5.6 Tender - Supply & Installation of Hockey Field Lighting and Associated Electrical Works

File Reference:

RFT 8.2018/19

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Author:

Ashleigh Waight, Community Development Officer

Disclosure of Interest

Nil

Summary

Council is asked to consider the Tenders received, and award Tender RFT 8.2018/19 for the supply and installation of Hockey Field Lighting and associated electrical works.

Background

Tenders were invited for submissions from suitably qualified and competent Tenderers, for the supply and installation of Hockey Field Lighting and associated electrical works, at the Bruce Rock Recreation Centre.

Tenders closed on Wednesday 12th June 2019, and tenders were received from the following companies:

- Greenlite Electrical Contractors Pty Ltd
- Team Electrical Services
- Nites Electrical
- Prestige Jointing and Electrical
- Hender Lee
- Tracc Civil
- Future Power WA Pty Ltd

Comment

The Tenders received do not include works that will be carried out by Western Power for the Recreation Centre power upgrade component of the project.

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

SELECTION CRITERIA

The Principal has adopted a best value for money approach to this Tender. The Contract will be awarded to a Tenderer who best demonstrates the ability to provide quality products at a competitive price. The Tendered prices will be assessed with the following qualitative and compliance criteria to determine the most advantageous outcome to the Principal.

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

COMPLIANCE CRITERIA

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

QUALITATIVE CRITERIA

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

Description of Qualitative Criteria
(a) Demonstrated experience on similar project – attach and label as attachment 1
(b) Timeframe for project completion – attach and label as attachment 2
(c) Details of specifications submitted – attach and label as attachment 3
(d) Addressing of specification checklist items- as per attached checklist in Appendix 1 and label attachment 4
(e) Submission within Budget parameters – attach and label as attachment 5

PRICE CONSIDERATIONS

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

Documents addressing the assessment of Tenders will be provided to Councillors at the meeting, whilst a summary of Tenders received has been provided to Councillors outlining the Tenderer, options, timeframes and costs.

Consultation

Darren Mollenoyux, Chief Executive Officer
 Ashleigh Waight, Community Development Officer
 Julian Goldacre, Environmental Health Officer
 Mario Siano, E-Consulting Engineers

Statutory Implications

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

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

3.57. Tenders for providing goods or services

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

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

11 When tenders have to be publicly invited

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

Policy Implications

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

Council Policy 2.7 – Purchasing

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

Financial Implications

Council has made budget provision of \$441,706 in the 2018/19 financial year for the supply and installation of the Hockey Turf Lighting and the electrical works associated with the power upgrade to the Recreation Centre. At this late stage of the financial year, it is likely that most of the expenditure will occur in the early part of the 2019/20 financial year and therefore unexpended funds will be carried forward from this current budget.

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

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.

Governance

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

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

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

Voting Requirements Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION
Resolution OCM June 19 – 12.4.6

Moved: Cr Thornton
Seconded: Cr Rajagopalan

That Council awards Tender 8.2018/19 Supply & Installation of hockey field Lighting and associated electrical works to Greenlite Electrical Contractors Pty Ltd for \$253,104.91 ex GST.

Carried 8/0

Agenda Reference and Subject:

12.5.7 Proposed *Shire of Bruce Rock Fencing Amendment Local Law 2019*

File Reference: 2.3.2.11 Local Laws 8 Year Review

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 Local Laws Relating to Fencing 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 Local Laws Relating to Fencing*. This local law was gazetted on 2 June 2005 and last amended on 19 May 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

Most matters relating to fencing are dealt with by the Dividing Fences Act 1961, which in essence provides for property owners to build fences and maintain them by agreement. The main role for a local government is to prescribe what is considered to be a 'sufficient fence' in the event that owners cannot agree, and to regulate some matters.

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

Clause 4 - Interpretation

- Amend the description of "AS" to "AS/NZS" with any consequential amendments to Australian Standards;
- Add definitions of "occupier", "owner", "local planning scheme" (and replace "town planning scheme" with "local planning scheme" whenever it occurs in the local law); and 'Planning and Development Act 2005';
- Delete the definition of "Building Surveyor" and add "authorised Person" in its place (this means a person designated by the local government under section 96 of the *Building Act 2011* to perform all or any of the functions conferred on an authorised person under this local law); and replace the "Building Surveyor" where used throughout the local law with "authorised Person".

Clause 5 - Licence Fees & Charges

Add reference to s6.19 of the Local Government Act 1995.

Clause 10 - General Discretion of the Local Government

Subclause (1) currently reads "Notwithstanding clause 6, the local government may consent to the erection or repair of a fence which does not comply with the requirements of these Local Laws". It is suggested that the clause could be changed to read:

"Notwithstanding the provisions of clause 6, the local government may approve the erection or repair of a dividing fence which is not a sufficient fence where all of the owners of the lots to be separated by the dividing fence make an application for approval for that purpose."

This gives the adjoining owners an opportunity to advise the Shire of their agreement to a fence that is not a sufficient fence.

Clause 14 - Transfer of a Licence

Add 'Unless cancelled under clause 15, a licence referred to in clause 13 shall transfer with the land to any new occupier or owner of the lot' to make it clear that if a licence has been cancelled it cannot be transferred.

Clause 16 - Notices of Breach

After subclause (3) insert a new subclause that clarifies right of entry to the property under the Local Government Act 1995 where remedial works are required to be undertaken.

Forms 1 and 2

These forms relate to a permit for an electric fence. There is no need to specify them in a local law and they can be deleted.

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 Shire of Bruce Rock Fencing Amendment Local Law 2019 is:

Purpose:

The purpose of this local law is to amend the Shire of Bruce Rock Local Law Relating to Fencing Local Law 2004 to reflect more up to date terminology and legislative references, remove Forms not required and to clarify the application of some clauses.

Effect:

The Shire of Bruce Rock Fencing Local Law 2004 is amended.

The results of the community consultation and feedback from the Ministers for Local Government and Commerce (who is responsible for *the Dividing Fences Act 1960*) 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.

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 June 19 – 12.4.7

Moved: Cr Waight

Seconded: Cr Rajagopalan

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 Fencing 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 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 8/0

Agenda Reference and Subject:

12.5.8 Proposed *Shire of Bruce Rock Cemeteries Amendment Local Law 2019*

File Reference:

2.3.2.11 Local Laws 8 Year Review

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

The purpose of this report is to recommend amendments to the *Local Law Relating to the Management and Control of Bruce Rock Cemetery 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 Local Law Relating to the Management and Control of Bruce Rock Cemetery. This local law was gazetted on 2 June 2005 and last amended in May 2006.

The review indicated a number of 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 1.3 - Interpretation

A definition of 'local government' has been added to clause 1.3. The Cemeteries Act refers to a 'board' which in many cases is also the local government (as is the case at Bruce Rock). This addition makes it clear that the Board and the local government are the same entity.

Clause 3.4 - Minimum Notice Required

This clause has been amended to require that a booking for a burial or funeral must be made at least two business days beforehand.

Clauses 5.3, 5.4 and 5.5- Vehicle entry, speed limitations and offenders to leave

These subclauses have been rewritten to meet current drafting standards, the requirements of the JSCDL

Clauses 8.1-8.2 Assistance Animals

This clause has been re-written to take account of section 9(2) of the Disability Discrimination Act 1992 which allows a person with a disability to take an assistance animal with them when required. The remaining clauses in Part 8 and the correct clause references in Schedule 1 (modified penalties) have been renumbered accordingly.

Fourth Schedule and forms

The Fourth Schedule can be deleted. Section 53 of the Cemeteries Act still requires a local government to publish fees and charges for cemeteries in the Gazette. While the Fourth Schedule can be deleted the Shire will need to Gazette fees after each change. Fees were last amended in 2012.

The forms listed in the Fourth Schedule can all be deleted. Forms can simply be set by the Shire as required and are referred to in a number of places ‘as determined from time to time) such as in clauses 3.1 and 3.3(1)and (2).

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 Cemeteries Amendment Local Law 2019 is:

Purpose

To update references to legislation and remove outdated provisions in the *Local Law Relating to The Management and Control of Bruce Rock Cemetery 2004*.

Effect

The *Local Law Relating to The Management and Control of Bruce Rock Cemetery 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.

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 June 19 – 12.4.8

Moved: Cr Thornton

Seconded: Cr Foss

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 Cemeteries 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**

Carried 8/0

Agenda Reference and Subject:

12.5.9 Proposed *Shire of Bruce Rock Local Government Property Local Law 2019*

File Reference:

2.3.2.11 Local Laws 8 Year Review

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 Local Government Property 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 Rock Local Government Property Local Law*. This local law was gazetted on 2 June 2005.

The review indicated a number of procedural and minor amendments to reflect changes to other legislation.

Comment

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

Title of the local law

The year when the local law was made is missing from its title. It is customary to use the year in which it is Gazetted and in this instance is 2005. It is suggested therefore that the title be change to the '*Shire of Bruce Rock Local Government Property Local Law 2005*'.

Liquor Licensing Act 1988

Wherever this legislation appears in the local law amend to refer to the correct terminology of *Liquor Control Act 1988*.

Clause 2.7 -Activities which may be pursued on specified local government property

In subclause (c) delete "aeroplane" and insert "aircraft". This also requires definition in clause 1.2.

Clause 2.8 - Activities which may be prohibited on specified local government property

In subclause l(c) delete current wording and insert "(c) taking, riding or driving a vehicle or a particular class of vehicle on the property" to make it clear that a particular class of vehicle is also prohibited on a property.

Clause 3.9 - Renewal of permit

Delete 'mutatis mutandis' and replace with "as though it were an application for a permit".

Clause 5.3 - Only specified gender to use entry of toilet block or change room

Replace clause 5.3 to allow clearer descriptions of access to toilets and change rooms to include families and allow access to toilets by children under 8 with a guardian, and a measure of discretion by an authorised person.

Clause 7.1 - Application of Division 1, Part 9 of the Act

This relates to objections and appeals. Delete reference to regulation 34 which has been repealed.

Schedule 1- Prescribed offences

While rarely (if ever) used, increase the modified penalty (on the spot fine) where \$100 is set, to \$150.

Forms

All Forms contained in the local law can be deleted. Forms can simply be devised administratively and do not need to be set by a local law.

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 Local Government Property Local Law*.

Effect

The *Shire of Bruce Rock Local Government Property Local Law* 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 to undertake the review of its Local Laws in the 2018/2019 financial year.

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 June 19 – 12.5.9

Moved: Cr Kilminster

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 Local Government Property 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 8/0

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

Agenda Reference and Subject:

13.1 CEACA Meeting June 2019 and Budget Request

File Reference:

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

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

Background

The 11 member Councils of the Central Eastern Aged Care Alliance (CEACA) held a meeting on 5th June 2019 at the Merredin Regional Community and Leisure Centre.

Comment

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

The following items are highlighted for Councillors attention;

8.3 2019/2020 CEACA Budget

At the CEACA Committee Meeting held Tuesday 26 February 2019 in considering the development of the 2019/2020 Budget it was resolved as shown below:

That the matter of preparing the CEACA 2019/2020 budget lay on the table until:

1. All issues relating to the GST implications for the CEACA Seniors Aged Housing Project are resolved; and
2. CEACA has determined how it is going to resolve the issue of the delivery of aged care services to residents living in its age appropriate housing.

Given that neither of the issues detailed within the above resolution have been resolved at this point and recognising that CEACA needs to develop a budget for the new financial year in order to be able to adequately plan for the coming 12 months, the A/Chair agreed to a request that a decision on lifting the matter of the 2019/2020 budget be sought from CEACA's members, by way of flying email in accordance with clause 20.1 of the Constitution.

A draft 2019/2020 CEACA budget was prepared for the Executive Committee Meeting on Wednesday 22 May 2019 for recommendation to the Committee Meeting on Wednesday 5 June 2019.

The CEACA Executive Committee in considering the draft 2019/2020 budget resolved to amend the draft budget, prepared by the Executive Officer, by reducing Legal Services and Specialised Project and Consultancy by \$15,000 each. This enabled the draft budget to be presented as a balanced budget (i.e. income equals expenditure).

In presenting this budget it should be noted that this is an operational budget and does not include income and expenditure relating to management of the houses following handover and letting. Some expenditure relating to managing land holdings before the houses are handed over has been included in the 2019/2020 operational draft budget as it relates to costs that need to be met ahead of the management of housing budget being adopted.

The Executive Committee recommended that CEACA Membership contribution be set at \$20,000 for the 2019/2020 financial year.

The CEACA Meeting resolved the following in relation to setting the 2019/20 budget and CEACA Membership;

Resolution

1. *That the Draft Budget for the year ending 30 June 2020, as presented, be received with a general contribution for each Member Organisation set at \$20,000 (excluding GST) and be referred to Member Organisations for comment, with all comments to be submitted to the Executive Officer no later than Tuesday 25 June 2019; and*
2. *That comments, on the Draft Budget, received from Member Organisations by Tuesday 25 June 2019 be referred to a Central East Aged Care Alliance Special Committee meeting on Wednesday 3 July 2019 for the purpose of adopting the 2019/2020 Budget.*

8.6 Management of CEACA Housing

Work around securing a management agreement for CEACA's aged housing post-construction is ongoing. This unforeseen work resulted from Access Housing Australia (AHA) being unable to enter into an agreement with CEACA because AHA could only enter into a lease arrangement with CEACA. Given the GST implications for CEACA should it not gain charitable status, entering into a lease agreement with Access Housing was not possible.

As detailed in the minutes from the Executive Committee Meeting held Friday 12 April 2019, the Executive Officer has been working, with assistance from Greg Mohen of Kott Gunning and Russell Bresland of the Bresland Insurance Group, to secure interest from organisations with the capacity and appropriate governance structures to enter into a management agreement with CEACA.

Work around the management of the new independent living units is still being undertaken and the Independent Chair and Executive Officer are continuing to seek the appropriate body to undertake this role. Further information and an update on this will be provided to CEACA at its Special Meeting to be held on the 3rd July 2019.

8.7 Payment of Rates by CEACA on its Aged Housing

THE CEACA Executive Committee have requested its members to consider a "rates holiday" on its soon to be completed aged housing which will assist CEACA as it looks to develop a management budget for the houses once they are completed and handover from Pindan Constructions is achieved.

Lengthy discussion was held in relation to this request and the CEACA meeting made the following decision:

Resolution

That the CEACA Committee request Members to consider delaying the implementation of the valuation on the completed CEACA aged housing until 1 July 2020.

CEO COMMENT

This is not a request that Council has a policy on or previous precedence for similar requests. Council's direction is sought on this request.

8.9 Engagement of New Executive Officer

With the resignation of the current Executive Officer it has been necessary for CEACA to seek to fill the position prior to 13 July when the current Executive Officer will leave CEACA.

The Acting Chair, Gary Shadbolt, emailed all Committee Members on 6 May 2019 regarding establishing a process to appoint a new Executive Officer. An advertisement was placed in both West Australian Newspaper and on the website seek.com.

Applications for the position of Executive Officer to CEACA closed on 24 May 2019.

Whilst six expressions of interest were received, CEACA's Executive Committee received only one formal application.

It was later resolved by telephone that the Executive Committee would interview the sole applicant, with CEACA's Chair, Hon Terry Waldron JP and Executive Committee Member Gary Shadbolt to conduct the interview. The interview was held in Perth on Monday 27 May 2019. The results of the interview have been provided to members of the Executive Committee.

The meeting agreed to enter into negotiations for a contract with the applicant. Once details are confirmed Council will be advised of the successful applicant.

A copy of the minutes has been provided to Councillors.

Consultation

Discussions were held at the CEACA Committee Meeting

Discussions have also been held with Council's Manager of Finance, Jennifer Bow in relation to the budget and rates request.

Statutory Implications Nil

Policy Implications Nil

Financial Implications

Council will need to make a budget provision of \$20,000 for its CEACA Membership in the 2019/2020 financial year. This is the same amount as the previous budget.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Community

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

Governance

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

Voting Requirements

Absolute majority

Officer Recommendation:

1. That Council receives the minutes and endorses the actions and resolutions of the CEACA Minutes from the Special Committee Meeting held on the 5th June 2019 at the Merredin Community and Leisure Centre.
2. That Council endorses the 2019/2020 CEACA Budget, including the annual membership contribution of \$20,000 and direct the CEACA delegate to vote in support.
3. That Council approves/declines CEACA's request to delay the implementation of the valuation of the CEACA independent Living Units, once completed, until the 1st July 2020 and direct the CEACA delegate to vote in support.

Council decision varied the Officer Recommendation to approve CEACA's request to delay the implementation of the valuation of the CEACA independent Living Units, once completed, until the 1st July 2020 and direct the CEACA delegate to vote in support.

COUNCIL DECISION

Resolution OCM June 19 – 12.5.9

Moved: Cr Thornton

Seconded: Cr Rajagopalan

- 1. That Council receives the minutes and endorses the actions and resolutions of the CEACA Minutes from the Special Committee Meeting held on the 5th June 2019 at the Merredin Community and Leisure Centre.**
- 2. That Council endorses the 2019/2020 CEACA Budget, including the annual membership contribution of \$20,000 and direct the CEACA delegate to vote in support.**
- 3. That Council approves CEACA's request to delay the implementation of the valuation of the CEACA independent Living Units, once completed, until the 1st July 2020 and direct the CEACA delegate to vote in support.**

CARRIED BY ABSOLUTE MAJORITY 8/0

14. Confidential Items

15. Confirmation and receipt of Information Bulletins.

Cr Thornton left the Council Chambers at 4.51pm.

Cr Thornton returned to the Council Chambers at 5.04pm.

Kylie Whitehead – Tourism Email

Council discussed and considered an email from Kylie Whitehead which outlined her views and sought Council to consider a potential pilot program that focuses on “Growing our Shire”.

Council did not wish to pursue this pilot program and requested the CEO to respond on Council’s behalf outlining Council’s views and comments.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM June 19 – 15.1

Moved: Cr Rajagopalan

Seconded: Cr Crooks

That Information Bulletin 1 be received.

Carried 8/0

16. Closure of Meeting.

The Shire President, Stephen Strange thanked everyone for their attendance and declared the meeting closed at 5.26pm.

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

Cr Stephen Strange
Shire President
18 July 2019