

SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 20 FEBRUARY 2020

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SHIRE OF BRUCE ROCK

AGENDA – ORDINARY MEETING 20 FEBRUARY 2019

1. Declaration of Opening

The Shire President Cr SA Strange declared the meeting open at 3.25pm.

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

President	Cr SA Strange
Deputy President	Cr R Rajagopalan
Councillors	Cr AR Crooks
	Cr IS Dolton
	Cr KP Foss
	Cr NC Kilminster
	Cr PG Negri
	Cr BJ Waight
	Cr RA Waye
Chief Executive Officer	Mr DRS Mollenoyux
Deputy Chief Executive Officer	Mr A O’Toole
Executive Assistant	Mrs MJ Schilling
Environmental Health Officer	Mr J Goldacre 3.42pm to 3.57pm
Manager of Finance	Mrs J Bow 3.59pm to 4.22pm

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
20.02.20	Darren Mollenoyux	13.2	Is CEO applying for Contract Extension

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
20.02.20	Cr Rajagopalan	11.1.1	Airconditioning in Dentist Rooms which Cr Rajagopalan rents

4. Response to Previous Public Questions Taken on Notice

5. Public Question Time

6. **Petitions/Deputations/Presentations/Submissions**
7. **Applications for Leave of Absence**
8. **Announcements by Presiding Member**
9. **Confirmation of Minutes**

Ordinary Meeting of Council held on Thursday 19 December 2019.

COUNCIL DECISION

Resolution OCM Feb 20 – 9.1

Moved: Cr Crooks

Seconded: Cr Foss

That the minutes of the Ordinary Meeting of Council held Thursday 19 December 2019 be confirmed as a true and correct record.

Carried 9/0

10. Regional Reports

Agenda Reference and Subject:	10.1.1	WALGA State Council Agenda
File Reference:	1.6.5.2	Western Australian Local Government Association (WALGA) Circulars Agendas Minutes
Reporting Officer:		Darren Mollenoyux, Chief Executive Officer
Author:		Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest:		Nil
Attachments:		<i>Item 10.1 Attachment A - WALGA State Council Agenda</i>

Summary

Council is asked to review the WALGA State Council Agenda and provide direction for its voting delegate for the upcoming WALGA Great Eastern Zone Meeting.

Background

The following request has been received from WALGA;

You have recently received an email notifying you of the WALGA State Council agenda for the February/March 2020 round of Zone and State Council meetings. I thought I would send you a quick email to advise of some recent changes to the WALGA agenda process.

Following the review of WALGA State Council and Zone processes last year, State Council resolved to implement some changes to the agenda process. A key outcome of the review is to make the State Council agenda shorter, sharper, and more forward-looking with the aim of engendering greater engagement with the agenda by WALGA's members. It has also been resolved to cease the hard copy production of the State Council agenda's.

The agenda has been distributed electronically to all CEO's and Elected Members.

A further outcome of the review is to request Chief Executive Officers to implement a process whereby State Council agenda items for decision are considered by Councils, either in formal Council meetings, or in briefing or concept forums. It would be beneficial for State Council agenda items for decision to be considered by Council in a formal or informal meeting to provide guidance and direction to their Zone representatives and to raise awareness of contemporary strategic advocacy and policy issues for all Elected Members and staff. In the March 2020 agenda, there are three items for decision to consider.

Comment

To encourage the improved awareness and promote a better understanding by all Councillors it is recommended that WALGA State Council Agenda and items requiring a decision be addressed by Council.

The following items that require direction from Council are;

5.1 National Redress Scheme – Future Participation of WA Local Governments

WALGA Recommendation

That State Council:

- 1. Acknowledge the State Government's decision to include the participation of Local Governments in the National Redress Scheme as part of the State's declaration;*

2. *Endorse the negotiation of a Memorandum of Understanding and Template Service Agreement with the State Government, and*
3. *Endorse by Flying Minute the Memorandum of Understanding prior to execution, in order to uphold requirements to respond within legislative timeframes.*

5.2 Submission on Aboriginal Empowerment Strategy

WALGA Recommendation

That the submission to the Department of Premier and Cabinet in response to the Aboriginal Empowerment Strategy be endorsed.

5.3 WALGA Submission on Independent Review of the Commonwealth Environment Protection and Biodiversity Conservation Act 1999

WALGA Recommendation

That the submission on the Independent Review of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC) be endorsed.

A full copy of the State Council Agenda is provided as Attachment A.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Risk Implications

Nil

Financial Implications

There will be unknown costs and staffing impacts from the outcomes of the National Redress Scheme and Council's additional responsibility to meet the requirements

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 Feb 20 – 10.1.1

Moved: Cr Waye

Seconded: Cr Rajagopalan

That Council provides direction for its voting delegate and supported the WALGA State Council Agenda Item recommendations listed for consideration at the WALGA Great Eastern Zone Meeting on the 26th February 2020.

Carried 9/0

Agenda Reference and Subject:	10.1.2	WEROC Inc
File Reference:	1.6.9.1	Wheatbelt East Regional Organisation of Councils (WE-ROC) Meeting Minutes and Agendas
Reporting Officer:		Darren Mollenoyux, Chief Executive Officer
Author:		Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest		Nil
Attachment:		<i>Nil</i>

Summary

Council is asked to receive update on WEROC Inc.

Background

Whilst there has not been a WEROC Inc Meeting since the last December 2019 Council Meeting a couple of updates are provided for Councillor's information.

Comment

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

Future Governance of WEROC – Development of WEROC Constitution

I can confirm that the new constitution for WEROC Inc has been accepted and therefore Wheatbelt Communities Inc and WEROC are now formalised as one body to be formally known as WEROC Inc. The certificate of incorporation has now been received finalising the arrangements. The first meeting under the new entity will be on the 26th February 2020.

WEROC Executive Officer

As Council is aware the WEROC Executive Officer, Helen Westcott and Bruce Wittber resigned in November 2019 to take affect at the end of February 2020. Following a thorough recruitment process the selection panel put forward a recommendation to WEROC Inc, which was formalised via flying email resolution.

The WEROC Inc resolved as follows;

That WEROC Inc endorses the appointment of Rebekah Burges from 150Square to the position of WEROC Executive Officer based on a 2 year contract commencing on the 1st March 2020 and that the Bruce Rock CEO undertake the preparation of agreement between the two parties in line with the Expression of Interest received and the terms of the position description presented.

The Bruce Rock CEO will be meeting with Rebekah Burgess over the next week to formalise arrangements and start date is expected as of the start of March 2020.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Risk Implications

Risk: That Council does not receive the minutes or object to decisions of the WEROC Council meeting.

Likelihood	Consequence	Rating
Rare	Insignificant	Low

Action / Strategy

This item has been evaluated against the Shire of Bruce Rock’s Risk Management Procedure’s Risk Matrix. The perceived level of risk is considered to be “Low” risk and will be managed by routine procedure and is unlikely to need specific application of resources.

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

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

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 20 – 10.1.2

Moved: Cr Dolton

Seconded: Cr Waight

That Council receives the update on WEROC Inc, as presented.

Carried 9/0

Agenda Reference and Subject:	10.1.3 CEACA Meeting Minutes
File Reference:	4.1.10.1 Central East Aged Care Alliance General Correspondence
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Author:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest	Nil
Attachment:	<i>Nil</i>

Summary

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

Background

The 11 member Councils of the Central Eastern Aged Care Alliance (CEACA Inc.) held a meeting on 4th February 2020 at the Kellerberrin Recreation and Leisure Centre.

Comment

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

The following items are highlighted for Councillors attention;

At the time of writing this report the minutes had not been received, however they will be forwarded to Councillors prior to the Council meeting.

Consultation

Discussions were held at the CEACA Inc. Committee Meeting

Statutory Implications

Nil

Policy Implications

Nil

Risk Implications

Nil

Financial Implications

Council has a budget provision of \$20,000 for its CEACA Inc. Membership in the 2019/2020 financial year.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Community

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

Governance

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

Voting Requirements

Simple majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 20 – 10.1.3

Moved: Cr Waight

Seconded: Cr Foss

That Council receives the minutes of the CEACA Inc General Meeting held on the 4th February 2020 at the Kellerberrin Recreation and Leisure Centre.

Carried 9/0

Mr J Goldacre entered the Council Chambers at 3.42pm.

11. Officers' Reports

11.1 Environmental Health Officer

Agenda Reference and Subject:	11.1.1 Environmental Health Officer Information Bulletin
File Reference:	Nil
Reporting Officer:	Julian Goldacre, Environmental Health Officer
Author:	Julian Goldacre, Environmental Health Officer
Disclosure of Interest:	Cr R Rajagopalan
Attachments:	<i>Nil</i>

Summary

To accept the Environmental Health Officer Information Bulletin for the months of December 2019 and January 2020 for activities undertaken.

Background

The Environmental Health Officer will provide a report of activities undertaken during the preceding two months inclusive of Deputised and Delegated functions. This Information Bulletin will cover the months of December 2019 and January 2020.

Comment

As part of the role of the EHO in asset management the following major items have been undertaken:

A) The Opportunity Shop request for an air conditioning unit has been actioned. A portable AC unit of the highest capacity for cooling was sourced and installed. A wall unit could not be installed due to the building being owned by the State Government and managed by the Local Government;

B) The pool cleaner at the Aquatic centre ceased working and was not repairable due to age. A new model suited to a larger pool body with a vinyl floor was purchased.

C) Unit 5 Farrall Street has undergone extensive renovations post tenant to address issues identified in budget and damage. Unit 4 also has had works undertaken to address maintenance issues;

D) An audit of electrical services within the Medical Centre has been completed as there were no electrical plans on file. These drawings using electrical icons will be submitted to the chosen electrical consultant for the final upgrade plan for the tender to proceed with the electrical upgrade to the required Australian Standard identified during the electrical audit for the now discontinued solar panel installs;

E) The air conditioning upgrade at the Medical Centre requires further investigation which is underway due to 'medical procedures' being undertaken in the dentist rooms. It has been determined that no other medical procedures are undertaken in the other rooms as these are done at the hospital. The EHO has issued the purchase order for the installation of ancillary AC split system units in each dentist rooms to assist the proposed new AC ducted system when finally designed. The EHO has been in consultation with a recommended air conditioning specialist who has provided good information moving forward; further consultation is underway as original quote is too high for this project;

F) Quotations for the dwelling at 117 Noonagin Street have been requested for the roof blanket insulation and educt vents to meet Engineer recommendations from 10 years ago. The works have been awarded.

H) The EHO has been contacting the Transtruct business operator to leverage out when pool slide stairs replacement will occur and the plans for the building permit received. The plans have been delayed due to the engineer and architect both taking vacations. With the Transtruct new workers on hand, the EHO

has been assured that the plans will be submitted soon, and the materials have arrived to construct the stairs. At this stage the works are likely to begin towards end of pool season if not during pool season closure;

I) The issue of the power fluctuations at the Elders building due to industrial type welding is currently being monitored by Western Power in consultation with their engineering team at Western Power Perth. A report will soon be provided to the Shire detailing the cause of the issues of power fluctuations which also affect the Shire offices and chambers;

K) The ongoing replacement shade sail for the recreation centre playground area is now resolved with West Coast Shades agreeing to cover the cost of the replacement shade sail. Also, the last shade sail remaining to be replaced at the toddlers pool is completed.

L) Spider spraying of Shire property has been undertaken.

Operational matters undertaken by the EHO are as follows:

1) A letter was written to the owners of 82 Johnson Street detailing a historic house unfit order which is showing signs of deterioration. The owners who are registered under a company name have replied giving assurances that the dwelling will be renovated to a suitable standard in 2021. EHO to monitor as an ongoing matter;

2) The EHO has communicated with the Public Health Unit in Northam and the Merredin Health Services to make application for data to support the Shire of Bruce Rock Public Health Plan. The EHO is also negotiating with a Public Health Plan consultant who specialises in regional local government plans to assist moving forward once the parameters are set, subject to Council approval;

3) The dwelling at 49 Railway Parade on inspection by the EHO has been found to be in a condition non-compliant with the *Shire of Bruce Rock Health Local Law 2016*. The owner has been written to in December 2019 and no response has been received as of the 12 February 2020. The EHO will monitor ongoing and progress as required to get the owner's attention to the required works;

4) The EHO and DCEO undertook an inspection pursuant to the *Building Act 2011* to determine that the outbuilding constructed at 117 Butcher Street was in keeping with the issued plans for the Building Permit. On investigation the outbuilding was found to be in significant variance to the engineered plans. The EHO wrote a letter of intention to issue and serve a Building Order to rectify the identified matters inviting the owner to advise on how he intends to proceed. The owner wrote to the Shire on the 21 January 2020 detailing his intentions moving forward to rectify. EHO to monitor ongoing;

5) The EHO is assisting a landowner on Farrall Street for the construction of a fence to comply with the Planning requirements and fencing local law. A letter has been written detailing requirements and options;

6) The EHO has been working through creating a Bushfire Attack Level (BAL) assessment checklist in order to assist with the Building Approval Certificate for the ancillary accommodation (Donga) on a farm on Wogarl Road;

7) The updated Escape Plans and No Exit signage have been installed inside the Shackleton Hall. EHO to discuss with users to not unilaterally install non-complaint locks onto doors to rooms for public use;

8) The squash court one new flooring scheduled for early January 2020 has been deferred to mid to late February due to wood being held up due to Great Eastern Highway fires. The Bruce Rock Squash Club have removed the old flooring and photos have been sent to the flooring contractor who is confident condition of supports are suitable;

9) Quotations for the replacement of the Bruce Rock Shire Hall damaged ceiling sheets is ongoing and will delay the painting until rectified, this has been discussed with the painter and agreed to;

10) The house at 12 Venemore Street Shackleton is ongoing with the owner now taking the insurer to arbitration to resolve matters;

11) The owner of 24 Osbourne Street dwelling has been written to regarding the condition of the dwelling. The owner responded to outline he is currently dealing with bushfire damage to his property in

New South Wales, amongst other things. EHO has replied acknowledging his response and any works undertaken at the property in Bruce Rock will be welcome in the goodness of time;

12) The Expression of Interest submitted to WALGA to participate in the Household Hazardous Waste collection day has been successful. The EHO is working with WALGA and the Works Manager to set up for the day which is scheduled to be on Saturday 13 June 2020 from 9am to 1pm at the Depot Road landfill site. The Shire has been asked to provide one staff member which the EHO volunteered to do, and access to the forklift to load and unload materials, trained driver/s will be available from the hazardous waste collection company;

13) The EHO submitted the draft outbuilding and sea container policy to the Department of Planning Lands and Heritage for consideration. The response is comprehensive given the new legislation created, thus this work is ongoing although the assistance from the Department is constructive and useful, which is important as the Policy if adopted needs the Department consent;

14) Scheduled *Food Act 2008* premises inspections are being undertaken with matters regarding allergen notification being focused on, and food temperature issues with refrigeration being addressed.

15) A house fire at 13 Westral Street which destroyed the dwelling presumed containing asbestos materials was investigated. During the investigation the insurance technical assessor was met on site who gave a commitment to investigate possible asbestos materials and to take action to secure the dwelling ruins. A fence had already been put in place and done in a very secure manner; the dwelling debris was encapsulated. The EHO spoke with the owner who investigated building a new home; the EHO took the opportunity to advise the owner of their obligation to remove the dwelling debris being mindful asbestos could be present which the insurer is assessing for. The matter is ongoing with insurance and the EHO will continue to communicate with both insurer and owner to reach a mutually beneficial outcome.

Consultation

Mr D Mollenoyux Chief Executive Officer; and
Mr A OToole Deputy Chief Executive Officer;

Statutory Implications

Health (Miscellaneous Provisions) Act 1911;
Public Health Act 2016;
Building Act 2011;
Food Act 2008;
Local Government Act 1995; and
Planning and Development Act 2005

Policy Implications

Nil

Risk Implications

Nil

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

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

Voting Requirements

Simple Majority.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 20 – 11.1.1

Moved: Cr Wayne

Seconded: Cr Crooks

To accept the Environmental Health Officer Information Bulletin for the months of December 2019 and January 2020.

Carried 9/0

Mr J Goldacre left the Council Chambers at 3.57pm and did not return.

Mrs JL Bow entered the Council Chambers at 3.59pm.

11.3 Manager of Finance

Agenda Reference and Subject:	11.3.1 Statement of Financial Activity
File Reference:	8.2.6.2 Financial Reporting
Reporting Officer:	Jennifer Bow, Manager of Finance
Author:	Jennifer Bow, Manager of Finance
Disclosure of Interest	Nil
Attachment:	<i>Item 11.3.1 Attachment A – Statement of Financial Activity 31 December 2019 and 31 January 2020.</i>

Summary

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

Background

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

Comment

The financial statements for the month ending 31 December 2019 and 31 January 2020. will be presented at the meeting.

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

Risk Implications

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

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 Feb 20 – 11.3.1

Moved: Cr Rajagopalan

Seconded: Cr Waye

That the Statements of Financial Activity for the month ending 31 December 2019 and 31 January 2020. as presented be received.

Carried 9/0

Agenda Reference and Subject:	11.3.2 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
Attachments:	<i>Item 11.3.2 Attachment A – List of Payments December 2019 and January 2020</i>

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 December 2019 and January 2020.

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

Risk Implications

Risk: Payments are not monitored against approved budget and delegation.		
Likelihood	Consequence	Rating
Possible	Minor	Moderate
Action / Strategy		
The monthly list of payments provides an open and transparent record of payments made under the appropriate approved delegations.		

Financial Implications

Payments must be made in accordance with 2019/20 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 Feb 20 – 11.3.2

Moved: Cr Rajagopalan

Seconded: Cr Kilminster

That Council endorse the list of payments from the:

- 1. Municipal Account consisting of:**
 - a. EFT voucher numbers EFT15055 to EFT totalling \$793,101.04**
 - b. Cheque number 23366 totalling \$41,564.58**
 - c. Trust Cheque number totalling \$700.00**
 - d. Wages and Superannuation payments totalling \$374,456.48 and**
 - e. Credit Card payments \$1,120.79**

With all payments totalling \$1,209,822.10 for the month of December 2019 and January 2020.

Carried 9/0

Agenda Reference and Subject:	11.3.3	Acceptance of 2018/19 Audit Report
File Reference:	8.2.6.2	Annual Financial Statements
Reporting Officer:	Jennifer Bow, Manager of Finance	
Author:	Jennifer Bow, Manager of Finance	
Disclosure of Interest:	Nil	
Attachments:	Nil	

Summary

The Audit Committee has recommended that Council adopts the Audit Report for the year ended 30 June 2019.

Background

At the completion of the annual audit, the auditor prepares an Audit Report and a Management Letter outlining any areas or issues that Council needs to address.

Comment

The Audit Committee received the Audit Report and Management Letter for the year ending 30th June 2019.

Council also received a Management Letter which contained 2 significant issues which have been raised with the Audit Committee and a report must be prepared and submitted to the Minister for Local Government in accordance with section 7.12A of the Local Government Act 1995. This report also must be published on the Shire website within 14 days of being submitted to the Minister.

Consultation

Chief Executive Officer
Deputy Chief Executive Officer
Manager of Finance
Office of the Auditor General
AMD Auditors

Statutory Implications

Audit Report - *Local Government Act 1995* s. 7.9 and *Local Government (Audit) Regulations 1996* r.9 & 10.

s7.9. Audit to be conducted

- (1) *An auditor is required to examine the accounts and annual financial report submitted for audit and, by the 31 December next following the financial year to which the accounts and report relate or such later date as may be prescribed, to prepare a report thereon and forward a copy of that report to —*
 - (a) *the mayor or president; and*
 - (b) *the CEO of the local government; and*
 - (c) *the Minister.*

Management Letter - Section 7.9 & 7.12A of *Local Government Act 1995* s7.9 & 7.12A and *Local Government (Audit) Regulations 1996* r.9 & 10.

7.12A. Duties of local government with respect to audits

- (4) A local government must –
- a. prepare a report addressing any matters identified as significant by the auditor in the audit report, and stating what action the local government has taken or intends to take with respect to each of those matters; and
 - b. give a copy of that report to the Minister within 3 months after the audit report is received by the local government.
- (5) Within 14 days after a local government gives a report to the Minister under subsection (4)(b), the CEO must publish a copy of the report on the local government’s official website.

Policy Implications

Nil

Risk Implications

Risk: Compliance – Non-compliance with relevant sections and regulations of the Local Government Act 1995.		
Likelihood	Consequence	Rating
Possible	Moderate	Moderate
Action / Strategy		
This item has been evaluated against the Shire of Bruce Rock’s Risk Management Procedures Risk Matrix. The perceived level of risk is considered to be “Medium” risk and will be managed to mitigate the risks associated with each of the areas of the financial audit.		

Financial Implications

Unknown expense for obtaining valuations and condition assessments for Other Infrastructure which will be brought to March Council meeting for Budget Amendment.

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

<p>OFFICER RECOMMENDATION AND COUNCIL DECISION Resolution OCM Feb 20 – 11.3.3</p> <p>Moved: Cr Rajagopalan Seconded: Cr Waye</p> <p>That Council;</p> <ul style="list-style-type: none"> i. receives the Audit Report and accompanying Management Letter for the year ended 30th June 2019; ii. provides a report to the Minister for Local Government as required under s.7.12A.(4) of the Local Government Act 1995; and iii. publish the notice on Council’s website as required under s.7.12A.(5) of the Local Government Act 1995. <p style="text-align: right;">Carried 9/0</p>
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Agenda Reference and Subject:	11.3.4	Purchase Reserve 42538 – Lot 465 Westral Street, Bruce Rock from Department of Planning, Lands & Heritage
File Reference:	8.2.7.1	Annual Budget
Reporting Officer:		Jennifer Bow, Manager of Finance
Author:		Jennifer Bow, Manager of Finance
Disclosure of Interest:		Nil
Attachments:		<i>Nil</i>

Summary

To propose the purchase of a housing reserve (Reserve 42538 being on Lot 465 on Deposited Plan 88332) from the Department of Planning, Lands & Heritage situated at 39 (Lot 465) Westral Street, Bruce Rock. Council constructed a staff house on the land in 2009.

Background

The tenant that occupies the house situated at 39 (Lot 465) Westal Street, Bruce Rock contacted the Shire in October 2018 in regards to purchasing the property. Council obtained a valuation for property however the land that the property is situated on is a reserve.

A request was put to the Department of Planning, Lands and Heritage and advice was received in late November 2019 that the Department had the land valued and would be prepared to sell the reserve.

Comment

This is the only residential property held by the Shire of Bruce Rock that is constructed on a reserve.

The residence was constructed in 2009 for the DCEO at the time, and the land is held as a reserve for housing.

A request was lodged with the Department of Planning, Lands and Heritage in October 2018 following an enquiry from the current tenant who was interested in purchasing the property. It took until November 2019 to get a response from the Department. However, they have advised that they would be prepared to sell the land to us for a current unimproved market valuation of \$10,000.

Council have in the past sold properties at current market values and it would be prudent to purchase this land so that in the future, if any request is made to purchase this property, Council can do so. Currently, if Council ever wanted to sell the property, it would be unable to do so as it doesn't own the land.

We also have not included this item in the budget and would have to make an amendment to the budget if Council were to purchase the land.

The only costs associated in addition to the sale price would be the registration of the title as Council is exempt from stamp duty.



BRUCE ST		BRUCE ST	BRUCE ST
P175077 414 2008 m ²		P88332 116 1009 m ²	P88332 101 1009 m ²
P175077 415 1012 m ²		P88332 115 1012 m ²	P88332 102 1012 m ²
P175077 416 1012 m ²	WESTRAL ST	R 42488 P191506 464 1012 m ²	P88332 103 1012 m ²
P175077 417 1012 m ²		R 42038 P88332 465 1012 m ²	P88332 104 1012 m ²
P175077 418 1012 m ²		P88332 112 1012 m ²	P88332 105 1012 m ²
P182229 429 2005 m ²		P88332 111 1012 m ²	P88332 106 1012 m ²
		P88332 110 1012 m ²	P88332 107 1012 m ²

Consultation
CEO & MOF

Statutory Implications

Local Government Act 1995 s.6.8

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

Risk Implications

Risk: That land isn't owned if offer made on the property.		
Likelihood	Consequence	Rating
Unlikely	Minor	Low
Action / Strategy		
This item has been evaluated against the Shire of Bruce Rock's Risk Management Procedure's Risk Matrix. The perceived level of risk is considered to be "Low" risk and can be managed by routine procedure, and is unlikely to need specific application of resources.		

Financial Implications

The financial implications are that this expenditure of \$10,000 hasn't been included in the budget.

Registration fee of approximately \$175 also application on transfer of land to Shire.

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

<p>OFFICER RECOMMENDATION AND COUNCIL DECISION Resolution OCM Feb 20 – 11.3.4</p> <p>Moved: Cr Dolton Seconded: Cr Rajagopalan</p> <p>That Council;</p> <ol style="list-style-type: none"> 1. Amend the 2019-20 Budget for the purchase of Reserve 42538 being on Lot 465 on Deposited Plan 88332 for the price of \$10,175, and 2. Direct staff to purchase the land from the Department of Planning, Lands and Heritage for the purchase price of \$10,000. <p style="text-align: right;">CARRIED BY ABSOLUTE MAJORITY 9/0</p>
--

Agenda Reference and Subject:	11.3.5 Amend Fees & Charges – Rent for 21 Collier Street, Bruce Rock
File Reference:	8.2.7.1 Annual Budget
Reporting Officer:	Jennifer Bow, Manager of Finance
Author:	Jennifer Bow, Manager of Finance
Disclosure of Interest:	Nil
Attachments:	<i>Nil</i>

Summary

To amend the adopted fee and charge for the rental charged for 21 Collier Street, Bruce Rock.

Background

The residence situated at 21 Collier Street, Bruce Rock is a 4 bedroom, 2 bathroom property which was rented to a teacher from the school. The Shire ended the lease with GROH in December 2019 as it was required for Shire staff.

Comment

The new tenant will be the Project Officer who is working on the Wheatbelt Secondary Freight Project and he will be located in Bruce Rock. This reduced rent is reflected in his employment package and the financial commitment from the Shire in support of the project.

Consultation

CEO & MOF

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

Nil

Risk Implications

No risk implications

Financial Implications

There will be a reduction in the rent payable for this property of approximately \$6,000.

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 Feb 20 – 11.3.5

Moved: Cr Rajagopalan

Seconded: Cr Foss

That Council;

- 1. Amend the fee and charge for weekly rent at 21 Collier Street, Bruce Rock to \$92.00 per week; and**
- 2. Give public notice of 7 days of the intent to amend the adopted fee and charge.**

CARRIED BY ABSOLUTE MAJORITY 9/0

Agenda Reference and Subject:	11.3.6 Wheatbelt Secondary Freight Network Project Manager – Budget Amendment
File Reference:	1.1.1.14 Personnel
Reporting Officer:	Jennifer Bow, Manager of Finance
Author:	Jennifer Bow, Manager of Finance
Disclosure of Interest:	Nil
Attachments:	Nil

*In accordance with Section 5.23(2) of the Local Government Act 1995, the meeting is closed to the members of the public for this item as the following sub-section applied:
(b) the personal affairs of any person;*

Summary

Council is asked to consider budget amendments to reflect the hosting and employment of the Wheatbelt Secondary Freight Network Project Manager (WSFNPM).

Background

Council at the November 2019 Meeting, accepted the recommendation to host the WSFNPM for at least the next two years.

OFFICER RECOMMENDATION COUNCIL DECISION

Resolution OCM Nov 19 – 11.5.11

Moved: Cr Foss

Seconded: Cr Waye

1. That Council formalise their acceptance to host the Wheatbelt Secondary Freight Network Project Manager position for at least the next two years.
2. That staff present a report to Council at the December Ordinary Meeting of Council confirming the expenditure and income for the WSFN Project Manager Position and provide a budget variation.

CARRIED BY ABSOLUTE MAJORITY 9/0

42 Local Governments of the Wheatbelt region have worked collaboratively for over 4 years to secure funding to improve secondary freight network routes on Local Government Roads in the Wheatbelt. The Wheatbelt Secondary Freight Network (WSFN) Program has successfully been allocated \$70 million of Federal funding (ROSI) and this has been matched with State funding of \$17.5 million (reflecting the 80/20 funding agreement).

The State funding will be sourced two thirds from the State and one third from the Local Governments whose assets are being upgraded. The available \$87.5M will not be sufficient to upgrade all the identified 80 routes and good governance of this program, and ongoing collaboration between all parties will be critical in securing additional funding.

Comment

Stephen Thomson has been appointed as the WSFN Project Officer and commences in March 2020.

As previously mentioned to Council, he will be employed by the Shire of Bruce Rock but most of the costs associated with his position will be reimbursed by the funding provided to the WSFN through grant

funding and contributions from the other 42 Wheatbelt Shires. The Shire of Koorda is overseeing this aspect of the grant. There will be some minor administrative costs which will be absorbed through administration.

The following is a budget estimate of expenditure and income expected for the remainder of this financial year;

Expenditure	
Employment Costs	37,000
Uniform	450
Communication (Landline & Mobile)	300
IT Setup	3,000
Incidentals	500
Recruitment	5,000
Professional Development	500
Travel & Accommodation	2,000
Motor Vehicle	
- Fuel	3,000
- Registration & Licensing	500
- Maint	700
- Contribution towards Capital Cost of Vehicle (Over 24 months)	2,500
	55,450
Capital Expenditure	
Capital Acquisition of Vehicle	41,545
Income	
Funding for Position (Reimbursed from Shire of Koorda)	-
	55,450

The expenditure for the position will be offset with income reimbursed by the Shire of Koorda as they are overseeing the funding for the project. Operating expenditure will include the employment costs of the Project Officer, uniform, IT set up including laptop and mobile phone, telecommunication costs, recruitment, professional development, travel and accommodation, and motor vehicle costs.

As this position is funded, Council will seek reimbursement monthly from the Shire of Koorda.

Council will also purchase a utility for the Project Officer and seek reimbursement over the course of the funding for the net capital costs. Running costs including fuel, registration, insurance and maintenance will be recoverable costs.

Consultation

Chief Executive Officer, Darren Mollenoyux
Deputy CEO, Alan O'Toole,

Statutory Implications

Local Government Act 1995 s.6.8

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

Risk Implications

Risk: Council staff need to ensure the successful recruitment and management of the WSNP Project Manager to ensure the success of the program and Council’s reputation.		
Likelihood	Consequence	Rating
Likely	Moderate	Moderate
Action / Strategy		
This item has been evaluated against the Shire of Bruce Rock’s Risk Management Procedure’s Risk Matrix. The perceived level of risk is considered to be “Medium” risk and will be managed by specific monitoring and response procedures.		

Financial Implications

The following budget amendments will be necessary as they were not included in the 2019-20 Budget;
 Operating Expenditure for WSNP - \$54,950
 Operating Revenue - \$54,950
 Capital Expenditure - \$41,610

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Infrastructure

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

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

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

Economy

Goal 3 - Assist the local economy to grow

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

Governance

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

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

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION COUNCIL DECISION

Resolution OCM Feb 20 – 11.3.6

Moved: Cr Crooks

Seconded: Cr Negri

The Council resolves to amend the 2019-20 Budget to reflect the employment and associated costs with hosting the WSN Project Officer with funding provided by the Shire of Koorda;

- i. Total Operating expenditure - \$54,950**
- ii. Total Operating Revenue - \$54,950**
- iii. Capital Expenditure for purchase of vehicle - \$41,610**

CARRIED BY ABSOLUTE MAJORITY 9/0

Mrs JL Bow left the Council Chambers at 4.22pm and did not return.

11.4 Deputy Chief Executive Officer

Agenda Reference and Subject:

11.4.1 Shire Seal

File Reference:**Reporting Officer:**

Alan O’Toole, Deputy Chief Executive Officer

Author:

Caris Negri, Acting Executive Assistant

Disclosure of Interest:**Attachments:**

Nil

Summary

Use of Shire President Stamp in December 2019 and January 2020.

Background

Nil

Comment

As per Council’s policy, the Shire Seal has been used during the months of December 2019 and January 2020 as follows:

- 12.12.19 – Jennifer Bow; REED Lease
- 16.12.19 – Melissa Schilling; Waste Management Contracts
- 15.01.20 – Caris Negri; Tiger Turf Deed of Settlement

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 COUNCIL DECISION

Resolution OCM Feb 20 – 11.4.1

Moved: Cr Waye

Seconded: Cr Kilminster

That Council endorse the use of the Shire Seal during December 2019 and January 2020

Carried 9/0

Agenda Reference and Subject:

11.4.2 Shire President Stamp

File Reference:

Reporting Officer:

Alan O’Toole, Deputy Chief Executive Officer

Author:

Caris Negri, Acting Executive Assistant

Disclosure of Interest:

Nil

Attachments:

Nil

Summary

Use of Shire President Stamp in December 2019 and January 2020.

Background

Nil

Comment

As per Council’s policy, the Shire President Stamp has been used during the months of December 2019 and January 2020 as follows:

- 12.12.19 – Melissa Schilling; Explanatory Memorandums for Local Law Amendments x 6
- 12.12.19 – Jennifer Bow; REED Lease
- 15.01.20 – Caris Negri; Tiger Turf Deed of Settlement
- 28.01.20 – Alan O’Toole; Letter to CEO Re: Delegation of Duties

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 COUNCIL DECISION

Resolution OCM Feb 20 – 11.4.2

Moved: Cr Kilminster

Seconded: Cr Dolton

That Council endorse the use of the Shire President Stamp during December 2019 and January 2020

Carried 9/0

Agenda Reference and Subject:

11.4.3 Acceptance of 2018-19 Annual Report

File Reference:

8.2.6.5 Annual Report

Reporting Officer:

Alan O’Toole, Deputy Chief Executive Officer

Author:

Alan O’Toole, Deputy Chief Executive Officer

Disclosure of Interest:

Nil

Attachments:

Item 11.4.3 Attachment A – Annual Report

Summary

Council is asked to accept the Annual Report for the period ending 30th June 2019 and set a date for the Annual Electors’ Meeting.

Background

The Annual Report for the financial year ending 30 June 2019 is to be provided to Councillors for their consideration and acceptance. The Audited Financial Statements and the Independent Audit Report are also included in the Annual Report.

Comment

Following the acceptance of the Annual Report, Council is required to give public notice of the availability of the Annual Report as soon as practicable. It is also a requirement that a General Meeting of Electors is to be held on a day set by Council not more than 56 days after acceptance of the Annual Report, with 14 days local public notice of the meeting being given. The last day that the Annual Electors Meeting could be held is Thursday 16th April 2020.

Consultation

Darren Mollenoyux, Chief Executive Officer
Jennifer Bow, Manager of Finance
Julian Goldacre, Environmental Health Officer
Glenn Casley, Manager of Works and Services

Statutory Implications

The Local Government Act 1995 Section 5.53 advises that the Annual Report is to contain the following:

- a) A report from the President;
- b) A report from the Chief Executive Officer;
- c) An overview of the plan for the future of the district made in accordance with Section 5.56, including major initiatives that are proposed to commence or continue in the next financial year,
- d) The Financial Report of the financial year;
- e) Such information as may be prescribed in relation to the payments made to employees;
- f) The Auditor’s report for the financial year;
- g) Such other information as may be prescribed;
- h) Key Performance Indicators from the Strategic Community Plan 2017-27.

Policy Implications

Nil

Risk Implications

Risk: That the Annual Report is not accepted by Council.		
Likelihood	Consequence	Rating
Rare	Moderate	Moderate
Action / Strategy		
It is a statutory requirement that the Annual Report is accepted by Council so that it can be submitted to the Department of Local Government and made available to the Bruce Rock Community.		

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2017-2027

Governance

- Goal 10 Our organisation is well positioned and has capacity for the future
- Goal 12 Council leads the organisation in a strategic and flexible manner

Voting Requirements

Absolute Majority

Officer Recommendation

That Council;

1. Accepts the Annual Report for 2018-19 including the Audited Financial Report for period ended 30 June 2019, and that local public notice of its availability be given as soon as practicable; and
2. Holds the Annual Meeting of Electors before Thursday 16th April 2020.

Council decision varied to Officer Recommendation to set a time and date of Annual Meeting of Electors.

OFFICER RECOMMENDATION COUNCIL DECISION

Resolution OCM Feb 20 – 11.4.3

Moved: Cr Kilminster

Seconded: Cr Waye

That Council;

1. Accepts the Annual Report for 2018-19 including the Audited Financial Report for period ended 30 June 2019, and that local public notice of its availability be given as soon as practicable; and
2. Holds the Annual Meeting of Electors at 4.00pm 27th March 2020 at the Bruce Rock Town Hall Supper Room.

CARRIED BY ABSOLUTE MAJORITY 9/0

Agenda Reference and Subject:	11.4.4 Compliance Audit Return 2019
File Reference:	1.6.1.6 Compliance Audit Return
Reporting Officer:	Alan O’Toole, Deputy Chief Executive Officer
Author:	Alan O’Toole, Deputy Chief Executive Officer
Disclosure of Interest:	Nil
Attachments:	<i>Item 14.4.4 Attachment A – Compliance Audit Return 2019</i>

Summary

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

Background

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

Comment

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

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

Consultation

Chief Executive Officer.
 Manager of Finance.

Statutory Implications

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

Policy Implications

Nil

Risk Implications

Risk: That the Compliance Audit Return is not accepted by Council.		
Likelihood	Consequence	Rating
Rare	Major	High
Action / Strategy		
It is a statutory requirement that the Compliance Audit Return is accepted by the Audit Committee and by full Council so that it can be submitted to the Department of Local Government by 31 March 2020.		

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2017-2027

Governance

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

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

Voting Requirements

Simple Majority

COUNCIL DECISION

Resolution OCM Feb 20 – 11.4.4

Moved: Cr Waight

Seconded: Cr Crooks

That Council adopt the Compliance Audit Return, as attached, for the period 1 January 2019 to 31 December 2019, in accordance with the Local Government (Audit) Regulations 1996.

Carried 9/0

Agenda Reference and Subject:	11.4.5	Request to Waive Fee for Caravan Park Chalet for Visiting GP
File Reference:	4.1.3.2	General Practitioners
Reporting Officer:		Alan O’Toole, Deputy Chief Executive Officer
Author:		Alan O’Toole, Deputy Chief Executive Officer
Disclosure of Interest:		Nil
Attachments:		Nil

Summary

Council is asked to consider a request to waive the fee for the visiting GP, Olga Ward, for her overnight stays in a Chalet at the Bruce Rock Caravan Park during her monthly surgery visits to the Medical Centre.

Background

As Council will be aware, Dr Olga Ward has been visiting the Shire for over 15 years, providing valuable health services, particularly for female patients. As Dr Ward travels to the town monthly in her own plane, there has been an arrangement in place whereby Dr Ward stays overnight with a local resident. (Dr Ward arrives on Tuesday mornings from Westonia, sees patients at the Bruce Rock Medical Centre throughout the day and then stays in the town overnight, prior to flying on to Narembeen early on Wednesday morning.) However, the arrangement with the local resident has recently become untenable, and therefore alternative arrangements for Dr Ward to stay overnight in the town have been investigated. The option which offers the most practical solution is to offer Dr Ward one of the Shire’s Caravan Park Chalets to stay in overnight so that she is in reasonably close proximity to the Medical Centre and town facilities.

Comment

As with the arrangement with the Shire’s resident GP Dr Chow, whose housing is provided by the Shire, it is requested that the same provision is made to Dr Ward, and that the Chalet is offered to her on a non-fee paying basis. This will provide equity of conditions for both of the doctors providing regular services to the community, and is in keeping with the level of support Dr Ward receives from the two other Shires she visits.

Consultation

- Ms Olga Ward, GP
- Mrs Samantha Aurisch, Bruce Rock Medical Centre Practice Manager
- Mr Darren Mollenoyux, CEO
- Mrs Jennifer Bow, Manager of Finance

Statutory Implications

Local Government Act 1995 s.6.16 & s.6.19

6.16. Imposition of fees and charges

- (1) *A local government may impose* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.
* Absolute majority required.*
- (3) *Fees and charges are to be imposed when adopting the annual budget but may be -*
 - (a) *imposed* during a financial year; and*
 - (b) *amended* from time to time during a financial year.*** Absolute majority required.*

6.19. Local government to give notice of fees and charges

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

(a) *its intention to do so; and*

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

Policy Implications

Nil

Risk Implications

Risk: That the visiting GP is not supported in providing a service to the Shire and the service does not therefore continue.		
Likelihood	Consequence	Rating
Unlikely	Moderate	Moderate
Action / Strategy		
Approve a fee waiver for Dr Ward’s one overnight per month stay in the Bruce Rock Caravan Park Chalets.		

Financial Implications

The dates on which it is proposed this fee waiver is required in 2020 are: 5 May, 16 June, 14 July, 11 August, 6 October, 10 November and 15 December. (Please note: as the need for Dr Ward to stay at the Chalets began at the start of the year, there are two dates: 21 January and 18 February, which have already occurred prior to this report being presented for Council’s consideration). The total number of overnight Chalet stays is therefore nine over the course of the year. The fee for the Chalet rental is \$135 per night, and therefore the amount of total fee waiver requested for 2020 is \$1215.

All Council Fees and Charges are reviewed annually as part of deciding the Annual Budget and therefore increases may occur at this time.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Community

- Goal 7 Our community are engaged and have a healthy lifestyle
- Goal 10 Our organisation is well positioned and has capacity for the future.

Governance

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

Voting Requirements

Absolute Majority

<p>OFFICER RECOMMENDATION COUNCIL DECISION</p> <p>Resolution OCM Feb 20 – 11.4.5</p> <p>Moved: Cr Dolton</p> <p>Seconded: Cr Foss</p> <p>That Council approve the fee waiver for Dr Ward’s usage of a Bruce Rock Caravan Park Chalet on the dates noted above, totalling \$1215 for 2020.</p> <p style="text-align: right;">CARRIED BY ABSOLUTE MAJORITY 9/0</p>
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Agenda Reference and Subject:

11.4.6 Request for In-Kind Support – “Ride Alongside”

File Reference:

1.3.6.1 Bruce Rock Recreation Grounds

Reporting Officer:

Alan O’Toole, Deputy Chief Executive Officer

Author:

Alan O’Toole, Deputy Chief Executive Officer

Disclosure of Interest:

Nil

Attachments:

Item 11.4.6 Attachment A – Letter from Ride Alongside

Summary

Council is asked to consider a request from the “Ride Alongside” 5-day Cycling Event to provide a venue for a one night stopover in Bruce Rock. “Ride Alongside” is a charity whose purpose is to raise awareness about Post-Traumatic Stress Disorder (PTSD) and other mental health conditions affecting front line emergency service responders.

Background

The Shire was recently visited by Rob Seaman, one of the organisers of Ride Alongside, advising that this year’s event is scheduled to take place between 11-15 May, and involves a 580km bicycle ride from York to Collie via Hyden, stopping at Quairading, Bruce Rock, Naremben, Kondinin, Kulin, Wickepin, Narrogin and Williams along the way. As the ride starts in York, the first scheduled overnight stop is in Bruce Rock, and Rob was enquiring whether the Shire has any facilities which could host the riders and their entourage numbering around 26 people. The ride will be self-sufficient in terms of food, bedding etc. and simply needs a place in which to rest overnight.

Ride Alongside is a not-for-profit incorporated association registered with the Department of Mines, Industry Regulation and Safety, and is governed by the Associations Incorporation Act 2015 (WA). The 2020 Ride Alongside event holds appropriate insurances to cover the event, including \$20 million public liability and personal accident insurance. The ride is an awareness event and not a fundraiser, and the great majority of riders are serving or former emergency services first responders. Riders are participating in the event in their own time and taking leave from their jobs to do so.

Comment

This is not the first time that the Shire has supported the Ride Alongside event, having previously accommodated the participants in the Recreation Centre Change Rooms on a previous ride. If Council approves the recommendation it is proposed that the same venue is utilised by Ride Alongside as they will be in Bruce Rock on Monday 11 May, which is not a night when the Change Rooms are used by any of the Shire’s sporting clubs.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Risk Implications

Risk: That the Ride Alongside Event is not supported by Council and therefore does not stay in Bruce Rock.		
Likelihood	Consequence	Rating
Unlikely	Moderate	Moderate
Action / Strategy		
The Ride Alongside Event is a positive community engagement which promotes and supports the mental health and well-being of emergency service workers and volunteers. By offering the accommodation to support this event it will help to bring this awareness to the Bruce Rock Community.		

Financial Implications

Council does not have a budget provision for this type of request, however there is minimal cost involved in allowing the event to use the Recreation Centre Change Rooms. Some preparation beforehand e.g. cleaning may be necessary, and a small amount afterwards, although Ride Alongside have committed to cleaning up after themselves. There will also be minimal additional power and water usage for the evening that they stay.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Community

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

Voting Requirements

Simple Majority

Officer Recommendation

That Council considers the request to support the Ride Alongside event on 11th May 2020 by providing free use of the Bruce Rock Recreation Centre Change Rooms overnight to accommodate the riders and their support staff.

Council decision varied to Officer Recommendation to approve or decline the request.

COUNCIL DECISION

Resolution OCM Feb 20 – 11.4.6

Moved: Cr Foss

Seconded: Cr Kilminster

That Council approves the request to support the Ride Alongside event on 11th May 2020 by providing free use of the Bruce Rock Recreation Centre Change Rooms overnight to accommodate the riders and their support staff.

Carried 9/0

11.5 Chief Executive Officer

Agenda Reference and Subject:

11.5.1 Citizen Ceremony Dress Code

File Reference:

1.3.2.2 Citizenship Ceremonies

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Author:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest:

Nil

Attachments:

Item 11.5.1 Attachment A – Proposed Citizenship Ceremony Dress Code Policy

Summary

Council is asked to adopt a Dress Code for Citizenship Ceremonies as per the Australian Government's changes to the Australian Citizenship Ceremonies Code.

Background

Council received a letter from the Minister of Immigration and Citizenship advising as follows;

I am pleased to announce the publication of a new version of the Australian Citizenship Ceremonies Code, which will take effect from the date of this letter. Key changes are outlined below:

- Local government councils must ensure ceremonies are conducted in accordance with the Australian Citizenship Ceremonies Code. This includes a requirement to hold a citizenship ceremony on Australia Day (January 26). Councils that conferred citizenship on less than 20 people in the previous year are exempt from this requirement.
- Federal Members of Parliament, if attending a citizenship ceremony, should read the Minister's message; and
- Individual councils are to establish a Dress Code for ceremonies, to reflect the significance of the occasion, and provide a copy of their Dress Code to the Department of Home Affairs.

Comment

With the new Citizenship Ceremonies Code now in place Council is required to adopt a Dress Code for Australian Citizenship Ceremonies.

The Citizenship Ceremonies Code outlines the following in relation to the Dress Code;

"Dress Code

The attire of attendees at Citizenship Ceremonies should reflect the significance of the occasion.

A Dress Code is to be set by individual councils.

Councils must provide a current copy of their Dress Code to the Department of Home Affairs."

The proposed Dress Code for Citizenship Ceremonies is attached for Council's consideration.

Consultation

Melissa Schilling, Executive Assistant has attended the training around Citizenship Ceremonies.

Statutory Implications

- Australian Citizenship Act 2007
- Australian Citizenship Regulation 2016
- Australian Citizenship Ceremonies Code

Policy Implications

Creation of a new policy

Risk Implications

Risk: Council is required to adopt a Dress Code for Citizenship Ceremonies to meet legislative requirements and uphold Council’s reputation.		
Likelihood	Consequence	Rating
Likely	Moderate	Moderate
Action / Strategy		
This item has been evaluated against the Shire of Bruce Rock’s Risk Management Procedure’s Risk Matrix. The perceived level of risk is considered to be “Medium” risk and will be managed by specific monitoring and response procedures.		

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

<p>COUNCIL DECISION Resolution OCM Feb 20 – 11.5.1</p> <p>Moved: Cr Kilminster Seconded: Cr Rajagopalan</p> <p>That Council adopts the proposed “Dress Code for Citizenship Ceremonies”, as presented.</p> <p style="text-align: right;">Carried 9/0</p>
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Agenda Reference and Subject:

11.5.2 WALGA Honours Program 2020

File Reference:

1.3.9.5 WALGA

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Author:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest:

Nil

Attachments:

Nil

Summary

Council is asked to consider nominations for eligible Councillors or staff for the 2020 WALGA Association Honours Program.

Background

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

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

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

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

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

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

Awards will be presented to recipients at a ceremony held at the Local Government Convention in August 2020.

A copy of the policy and criteria for nominations is available via the following link;

<https://walga.asn.au/Policy-Advice-and-Advocacy/Governance-and-Organisational-Services/Local-Government-Honours>

Comment

Council needs to consider and recommend any nominations for the 2020 honours program.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Risk 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 COUNCIL DECISION

Resolution OCM Feb 20 – 11.5.2

Moved: Cr Rajagopalan

Seconded: Cr Waye

That Council not make any nominations for the 2020 WALGA Association Honours Program.

Carried 9/0

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

13. **Confidential Items**

Agenda Reference and Subject:	13.1 CEO Contract Extension Request
File Reference:	Personnel
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Author:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest	Darren Mollenoyux, Chief Executive Officer
Attachments	<i>Nil – Presentation to be made at Meeting</i>

COUNCIL DECISION

Resolution OCM Feb 20 – 13.1

Moved: Cr Rajagopalan

Seconded: Cr Kilminster

That in accordance with Section 5.23(2) of the Local Government Act 1995, the meeting is closed to the members of the public for this item as the following sub-section applied:

(b) the personal affairs of any person;

Carried 9/0

COUNCIL DECISION

Resolution OCM Feb 20 – 13.1

Moved: Cr Rajagopalan

Seconded: Cr Foss

That in accordance with Section 5.23(2) of the Local Government Act 1995, the meeting be reopened to the members of the public.

Carried 9/0

COUNCIL DECISION

Resolution OCM Feb 20 – 13.1

Moved: Cr Rajagopalan

Seconded: Cr Waye

1. That Council reviews Mr Darren Mollenoyux's presentation and request for a contract extension for the position of Chief Executive Officer with the Shire of Bruce Rock.
2. That Council offers Mr Darren Mollenoyux a contract extension of 5 years to period ending 8 February 2026. That Council continues negotiations with the CEO as to the terms of the contract.
3. That the contract document and any requested variations be provided to John Phillips Consulting for review and updating, prior to final adoption by Council including improved wording ensuring data usage is covered under mobile phone usage.

CARRIED BY ABSOLUTE MAJORITY 9/0

Agenda Reference and Subject:

13.2 Rent Accrued While Employee on Leave Without Pay

File Reference: 8.2.7.1 Annual Budget

Reporting Officer: Jennifer Bow, Manager of Finance

Author: Jennifer Bow, Manager of Finance

Disclosure of Interest Nil

Attachments Nil

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 20 – 13.2

Moved: Cr Rajagopalan

Seconded: Cr Kilminster

That in accordance with Section 5.23(2) of the Local Government Act 1995, the meeting is closed to the members of the public for this item as the following sub-section applied:

(b) the personal affairs of any person;

Carried 9/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 20 – 13.2

Moved: Cr Rajagopalan

Seconded: Cr Kilminster

That in accordance with Section 5.23(2) of the Local Government Act 1995, the meeting be reopened to the members of the public.

Carried 9/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 20 – 13.2

Moved: Cr Rajagopalan

Seconded: Cr Kilminster

That Council waive the outstanding rent owed for the residential rental property located at 39 Westral Street, Bruce Rock.

CARRIED BY ABSOLUTE MAJORITY 9/0

Agenda Reference and Subject:

13.3 Allocation of DCEO's Duties While on Leave

File Reference:

1.1.1.2 Deputy Chief Executive Officer

Reporting Officer:

Jennifer Bow, Manager of Finance

Author:

Jennifer Bow, Manager of Finance

Disclosure of Interest

Nil

Attachments

Nil

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 20 – 13.2

Moved: Cr Rajagopalan

Seconded: Cr Kilminster

That in accordance with Section 5.23(2) of the Local Government Act 1995, the meeting is closed to the members of the public for this item as the following sub-section applied:

(b) the personal affairs of any person;

Carried 9/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 20 – 13.2

Moved: Cr Rajagopalan

Seconded: Cr Kilminster

That in accordance with Section 5.23(2) of the Local Government Act 1995, the meeting be reopened to the members of the public.

Carried 9/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 20 – 13.2

Moved: Cr Foss

Seconded: Cr Crooks

That Council authorises changes to the following policies;

a. Policy 2.1 – Signatories on Council Accounts, to add the role of Acting Deputy Chief Executive Officer and to authorise this position to be a signatory on the bank accounts and to be authorised for electronic banking and be issued with a token; and

b. Policy 2.2 – Signing Purchase Orders, to add the role of Acting Deputy Chief Executive Officer and to authorise this position to sign purchase orders up to \$5,000 for items included in the budget.

Carried 9/0

14. Closure of Meeting.

The Shire President, Stephen Strange thanked everyone for their attendance and declared the meeting closed at 5.24pm.

These minutes were confirmed at a meeting on 20 February 2020.

Cr Stephen Strange
Shire President
20 February 2020