



Shire of Bruce Rock

Minutes Ordinary Council Meeting

15th MAY 2014

ORDINARY COUNCIL MEETING

1.30pm, 15 May 2014

**Council Chambers,
Johnson Street, Bruce Rock**



SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 15th MAY 2014

TABLE OF CONTENTS

TABLE OF CONTENTS	2
1. Declaration of Opening	3
2. Record of Attendance / Apologies / Leave of Absence (Previously Approved)	3
3. Response to Previous Public Questions Taken on Notice	3
4. Public Question Time	3
5. Petitions / Deputations / Presentations / Submissions	3
6. Applications for Leave of Absence	3
7. Environmental Health Officer Information Report.....	4
7.1 EHO Information Report	4
7.1.1 Lease Arrangements – Lot 338 Farrall Street, Bruce Rock – JR & ML Ashmore	6
7.1.2 Alternate Power Supplies – Recreation Centre, Aquatic Centre & Hydro Pool.....	8
7.1.3 Local Planning Scheme – Over height Outbuilding – Lot 38 Butcher Street.....	10
7.1.4 Residential Land Subdivision – Naming of Road	12
8. Manager of Works & Services Information Report	14
8.1 Works Information Report	14
9. Announcements by Presiding Member	16
10. Confirmation of Minutes	16
11. Status Report.....	17
12. Officers’ Reports	23
12.1 Manager of Finance	23
12.1.1 Statement of Financial Activity	23
12.1.2 List of Payments	24
12.1.3 CEO’s Contract	25
12.1.4 Preparation for 2014/15 Annual Budget	27
12.1.5 Community Budget Requests	29
12.2 Deputy Chief Executive Officer	31
12.2.1 Bush Fire Policy Amendment	31
12.2.2 Staff Appraisals	36
12.3 Chief Executive Officer	37
12.3.1 WALGA Annual General Meeting.....	37
12.3.2 Merredin College – Chaplaincy Support	38
12.3.3 Uniting Church Building	39
13. WEROC Report	42
13.1 WEROC Council Meeting April 2014	42
14. New Business of an urgent nature introduced by discussion of the meeting.	44
15. Confirmation and receipt of Information Bulletin.....	44
16. Closure of Meeting.....	44

SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 15th MAY 2014

1. Declaration of Opening

The Shire President, Cr Strange, opened the meeting at 1.26pm on Thursday 15TH May 2014, welcoming all members and officers present.

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

Shire President	Cr SA Strange
Deputy President	Cr IS Dolton
	Cr DA Heasman
	Cr MK Thornton
	Cr R Rajagopalan
	Cr JJ Gmeiner
	Cr NR Buegge
	Cr MM Foss
Chief Executive Officer	Mr DRS Mollenoyux
Deputy Chief Executive Officer	Miss TL Olsson
Manager of Finance	Mrs JL Bow (1.34pm to 2.58pm)
Leave of Absence (Previously Approved)	Nil
Apologies	Cr MJ Royce

3. Response to Previous Public Questions Taken on Notice

Nil

4. Public Question Time

Nil

5. Petitions / Deputations / Presentations / Submissions

Nil

6. Applications for Leave of Absence

Cr MJ Royce has put in an Application for Leave of Absence for the June 2014 Ordinary Council Meeting.

COUNCIL DECISION

Resolution May 14-6.1

Moved: Cr Heasman

Seconded: Cr Rajagopalan

That application for leave of absence is approved for Cr Royce for the Ordinary Council Meeting to be held on the 19th June 2014.

Carried 8/0

7. Environmental Health Officer Information Report

Agenda Reference and Subject:	7.1	EHO Information Report
File Reference:		
Reporting Officer:		John Mitchell, Environmental Health Officer
Disclosure of Interest		Nil

RESIDENTIAL LAND SUBDIVISION

The EHO has contacted the officer in Western Australian Planning Commission (WAPC) and there has been no approach by the Honourable Jim Chown regarding the proposed rail crossing.

The signed ODP was returned to WAPC on 5 May 2014 and the subdivision with a road access through the Recreation Centre. Final consent should be received by the Council meeting.

Once final consent is received the matter will be referred to LandCorp for scheduling and advice.

INDUSTRIAL LAND SUBDIVISION

Purchase orders and payments have been made to commence the project.

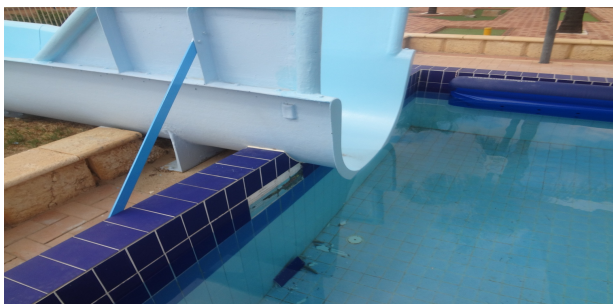
Prestart meetings have been held on site as required by Water Corporation policy. Earthworks for the water provision will commence on Tuesday 6th May 2014 with an expected completion date of Friday 9th May 2014.

I can give no definitive date as to when power will be available and have asked the questions of Western Power.

SLIDE POOL

There has been a tile failure (14 loose/drummy large hole in wall) which will be addressed when the pool closes.

A detailed report will be provided when available.



MAINTENANCE OF COUNCIL BUILDINGS

The power disconnection to the tennis club building has not been resolved and a further request for the power to be placed into the meter board installed recently has been sent. Once the works are complete the ACM will be removed and the project handed off to the Works Manager for completion of the demolition.

The following tasks have been commenced or completed: -

- a) The majority of dwellings and public buildings within the town of Bruce Rock have had gutters and downpipes cleaned;

- b) Minor maintenance to campers kitchen, machinery museum, museum gutters, drainage at Doctors house, minor repairs at Doctors house and removal of the internal partitions within the DSR office have been completed;
- c) A substantial component of the housing repair list prepared at Budget time 2013 is now complete – replacement sheet panels, ceilings, painting of dwellings;
- d) Works to the industrial units – doors, locks, holes in walls and failed awnings have been commenced;
- e) All smoke detectors have been serviced and batteries replaced;
- f) Works to shower bases and leaking problems are to commence next;
- g) Replacement AC's for the CRC have been ordered;
- h) Improvements to the change rooms at the Rec Centre have been completed.
- i) A new shed is being installed for the dwelling at 60 Dampier Street;
- j) Works to remove the old ablutions and build a new facility at the Shackleton hall will commence on or around the 12th May 2014.

HYDROTHERAPY POOL

The pool manager and EHO are resolving a difficulty at the hydropool in that the chemigem is dosing incorrectly and requires the system to be closed down as too much chlorine is present. We have been unable to source the fault and are now replacing components e.g. liquid chlorine, cleaning probes in 20% HCL solution as the next best approach.

The pool has been properly cleaned of all built up matter and the chemigem has been submitted to the manufacturer as the probe appears to be malfunctioning

MATERIAL SAFETY DATA SHEETS (MSDS) – OCCUPATIONAL HEALTH

I have almost completed the review of MSDS for the workplace. It is a requirement of the OSH Act 1984 that the review occurs every five years and includes an assessment of each hazardous product used. This is the time consuming component as the form must be copied into Adobe when completed and filed with the MSDS.

I have requested that staff when purchasing any product require the provision of an MSDS when the product is purchased.

BUDGET PREPARATION

I have commenced the inspections of Council owned properties and the majority of effort over the next month will be into completing the costing's and forward program.

Correspondence has been sent to some tenants requesting clean ups and agreed duties be attended to e.g. lawn and garden improvements, reductions in the number of animals and addressing insanitary matters.

BK117 – Ford Ranger Utility

The vehicle was damaged on the 26/04/2014 when my wife collided with the gate post at my home in Merredin. Damage was caused to the rear driver's door, quarter panel and tray body. The vehicle has been repaired and traded.

COUNCIL DECISION

Resolution May 14-7.1

Moved: Cr Thornton Seconded: Cr Buegge

That Council receives the Environmental Health Officer Information Report.

Carried 8/0

Agenda Reference and Subject:

7.1.1 Lease Arrangements – Lot 338 Farrall Street, Bruce Rock – JR & ML Ashmore

File Reference:

A435

Reporting Officer:

John Mitchell, Environmental Health Officer

Disclosure of Interest

Nil

Summary

Report seeks Council input into the continued lease of lots 437 – 439 Farrall Street by JR Ashmore and recommends that Council suggests conditions to the continued lease arrangements.

Background

Advice has been received from the Department of Lands that the lease for lots 338 and 339 expires in September 2014. As Council has raised issues with the lease arrangements the opportunity to provide comment is offered.

Lots 437 – 439 Farrall Street are used by Why Worry Transport as a depot and have been the subject of a Section 3.25 Local Government Act Notice to remove disused materials and the like from the unfenced lots by the Shire of Bruce Rock.

Despite best efforts the site is cleaned and then within a short period there are more materials, feed grain, and the like within the development.

Comment

As the site has been used for many years as a trucking depot there may exist a non conforming use pursuant to the Planning & Development Act 2005. There are no records with the Shire to indicate that a formal consent to the operation as a trucking depot was granted.

In 2013 Council consented to a screen fence around the lots to alleviate the visual pollution of the development. These works have not been completed.

It is suggested that Council respond to the request with the comments relating to the fencing of the lots and the requirements of the lease to maintain the lots to a clean condition free from disused and dilapidated materials.

An example is the 1000l fertiliser containers which because there was no way to dispose of the product it has sat on site for over a year.

Consultation

Consultation has occurred with the Department of Lands. An order has been placed on Mr Ashmore and regular meetings occur. Mr Ashmore believes that to an extent the inspections are unwarranted as it is a trucking depot. I have explained that the location is residential and as such the operation must not be detrimental to the area.

Regular inspections of the Depot have determined that the site does get cleaned up and then an accumulation of materials occurs and a further site visit resolves the unsightly and disused materials matters.

Statutory Implications

There is no lease over lot 337 Farrall Street which is owned by the Department of Housing. The use is therefore not approved. Correspondence has been sent to the Department advising of the condition and the lack of lease arrangements.

Policy Implications

There are no policy implications.

Financial Implications

There are no financial implications to the Shire of Bruce Rock.

Strategic Implications

4.1 – Provide good strategic decision making, governance, leadership and professional management;
4.1.3 – Deliver services that meet the current and future needs and expectations of the community, whilst maintaining statutory compliance; 4.1.3.6 Continue to deliver services to the community in a safe and responsible manner.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution May 14-7.1.1

Moved: Cr Thornton Seconded: Cr Rajagopalan

That the Department of Lands be advised that Council seeks for the lease arrangements with Mr Ashmore (Why Worry Transport of Lot 338 339 Farrall Street Bruce Rock), to include the following: -

- a) That lots 337, 338 and 339 are to be fenced using 1.8m colorbond/galvanised fence panels to screen the depot from the surrounding predominantly residential area;**
- b) That there is a requirement to maintain the site free from vermin harbourage and products that encourage vermin harbourage; and**
- c) Not to store materials/product on site for periods exceeding seven days.**

Carried 8/0

J Bow entered Council Chambers 1.34pm

T Olsson left Council Chambers at 1.34pm and returned 1.38pm

Agenda Reference and Subject:

7.1.2 Alternate Power Supplies – Recreation Centre, Aquatic Centre & Hydro Pool

File Reference:

2.4.1.9

Reporting Officer:

John Mitchell, Environmental Health Officer

Disclosure of Interest

Nil

Summary

Report recommends that the Shire of Bruce Rock accept the tender from Solargain to provide Solar PV Systems to the Recreation Centre, Aquatic Centre and the Hydrotherapy pool buildings.

Background

At the April 2014 Council meeting this item was raised for advice and for subsequent inclusion into the May 2014 agenda for a resolution.

Comment

There is anecdotal evidence and Sydney Morning Herald newspaper reports from December 2013 till now suggesting that the renewable energy tariff may be reduced or removed after June 30th 2014. Copies of these articles append.

Solar Gain advise that the Small Scale Technology Certificates for this project amount to \$54,094 which would require Council's commitment to increase from \$95,970 to over \$150,000.

To avail of the incentive Council must take the offer up and have a signed sales order in place relatively quickly.

Through discussions with Mrs Jen Bow, Manager of Finance, it is advised that the proposed funding from Macquarrie Bank as per Agenda Item in April, is not valid as the proposal from Macquarie Bank was a mortgage. Consideration needs to given, should Council wish to proceed with the proposal, how the solar panels will be funded. Based on the quoted figures Council can opt for

1. Pay outright using Council's own funds - \$95,970
2. Use funds acquired through raising a debenture with the Western Australian Treasury Corporation over 5 years – indicative rates on the 9th May is 3.43%pa Semi Annual Compounding being \$21,111 per annum
3. Take up an operating lease, a quote has been sourced by Alleasing and the lease payments would be based on 5 years at quarterly instalments being \$20,950 per annum

Below is a simplified list of how much the project will cost in total.

Pay outright	\$ 87,245
WATC Loan	\$ 105,557
Alleasing Operating Lease	\$ 105,002

Consultation

WALGA, CEO, EHO, MOF

Statutory Implications

WALGA is exempt from the public tender process if preferred suppliers are used.

Policy Implications

WALGA Preferred Contract

Financial Implications

- a) Amend the 2013/14 Budget by Capital Expenditure \$87,245;
- b) Amend the 2013/14 Budget By Capital Income \$95,970, Capital Expenditure by \$87,245 and include in the 2014/15 Budget Debenture Repayments of \$21,111; or
- c) Increase operating expenditure for 2013/14 Budget by one quarterly payment \$5,238, and ensure 2014/15 onwards Budget includes operating expenditure of \$20,950 for lease payments

Should the purchase of the Solar panels be by Loan funds – Council will be able to claim input tax credit of \$8,725 (Therefore net cost to Council will be \$96,832)

Strategic Implications

3.2 Our environment is protected, 3.2.2 Plan for water conservation, reuse, and ef..., 3.2.2.3 Investigate alternative energy solutions for the Shire as well as information for households and businesses.

Voting Requirements

Absolute Majority

Officer Recommendation

- 1) That the Shire of Bruce Rock accept the offer from Solar Gain to install a solar PV system to the Recreation Centre, Aquatic Centre and the Hydrotherapy Pool building at a cost of \$87,245 inclusive of SSTC's and exclusive of GST;
- 2) That the purchase of the Solar PV systems be funded by one of the following means:
 - a) Council own funds;
 - b) Debenture from Western Australian Treasury Corporation; or
 - c) An operating lease.

Council Decision varies from Officer Recommendation due to Council decided to fund the project by raising a loan through the Western Australian Treasury Corporation.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution May 14-7.1.2

Moved: Cr Heasman Secoded: Cr Foss

- 1)That the Shire of Bruce Rock accept the offer from Solar Gain to install a solar PV system to the Recreation Centre, Aquatic Centre and the Hydrotherapy Pool building at a cost of \$87,245 inclusive of SSTC's and exclusive of GST;
- 2)That the purchase of the Solar PV systems be funded by raising a debenture from Western Australian Treasury Corporation.

CARRIED BY ABSOLUTE MAJORITY 8/0

Agenda Reference and Subject:

7.1.3 Local Planning Scheme – Over height Outbuilding –
Lot 38 Butcher Street

File Reference:

A2492

Reporting Officer:

John Mitchell, Environmental Health Officer

Disclosure of Interest

Nil

Summary

Report recommends that the application to erect a 91m² x 3.5m plate height and 4.2m apex height outbuilding on Lot 38 Butcher Street, Bruce Rock be approved.

Background

An application to erect a 13m x 7m x 4.2m apex height outbuilding on lot 38 Butcher Street has been received. There is currently no policy relating to outbuildings in place. A draft policy has been advertised for public comment.

The application appends.

Comment

The applicant seeks to store a bus within the outbuilding.

Council is currently considering the policies to be adopted with the Local Planning Scheme No.3 of which – Outbuildings Policy is about to be advertised for public comment.

This proposed policy is a derivative of the old policy adopted pursuant to the Town Planning Scheme No. 1 which was adopted in 2006. That policy permitted a single area of unattached outbuilding at 94m² and wall height of 3.0m.

As Council has not yet adopted the new policy the provisions of the R Codes 2013 apply. The R Codes permit 60m² or 10% of lot area whichever is the lesser; wall height of 2.4m and do not exceed a ridge height of 4.2m.

Lot 38 Butcher is 1012m² in size.

Consultation

There is no requirement for community or neighbour consultation. The matter is brought to Council as the Policy is not yet adopted.

Statutory Implications

A local planning policy cannot exceed the requirements of the Residential Design Codes. The latest version, 2013, permits a maximum apex height of 4.2m within the residential zones for single storey development.

Clause 2.4 of the R Codes permits the decision maker, where a proposal does not meet the “deemed to comply” provisions, to exercise judgement to determine the proposal.

The proposal exceeds the minimum size allocations set by the R Codes however are under the proposed limits to be set by Council under the proposed local planning policy. In addition the R Codes ridge height is not exceeded and the proposal will not impose a detrimental view on the street.

Policy Implications

There is no current policy applicable however the Council is considering a planning policy for outbuildings and this proposal will fit within that proposed policy.

Financial Implications

Application fees of \$147.00 are still to be paid.

Strategic Implications

There are no strategic implications

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution May 14-7.1.3

Moved: Cr Dolton Seconded: Cr Foss

That the proponent be advised that Council will provide Local Planning Scheme consent for a 91m² x 3.5m wall height x 4.2m ridge height out building to be constructed on Lot 38 Butcher Street, Bruce Rock providing all procedures for approval are followed.

Carried 8/0

Agenda Reference and Subject:

7.1.4 Residential Land Subdivision – Naming of Road

File Reference:

3.1.4.5

Reporting Officer:

John Mitchell, Environmental Health Officer

Disclosure of Interest

Nil

Summary

Report requests the Council provide a name for the new road to be constructed to service the residential land development on location 26240.

Background

Western Australian Planning Commission has advised that the proposed subdivision will receive consent in May 2014. A component of the process requires the Council to recommend a road name to the Committee for consideration.

Comment

A review of the webpage applicable to the Geographic Names Committee shows the following considerations in choosing an appropriate name: -

Aboriginal languages currently or formerly identified with the general area,
Pioneers of the State or area,
Citizens who have made a significant community contribution,
War casualty lists and thematic names (eg nautical, sporting etc),
and
Ethnic and gender diversity is encouraged.

Alternatively, names characterised as follows are to be avoided:

Given/first names,
Corrupted,
Unduly cumbersome or difficult to pronounce names,
Obscene, derogatory, racist, or discriminating names, or
Company or commercialised names (unless in an historical context).

Consultation

There is no register of available names with the Shire of Bruce Rock. In discussions with the CEO the name Curlew Drive was suggested.

Statutory Implications

The chosen name must meet the requirements of the Names Committee and be approved by that Committee. It is suggested that two names be provided.

Policy Implications

There are no policy implications.

Financial Implications

There are no financial implications.

Voting Requirements

Simple Majority

Officer Recommendation

That the street to service the residential subdivision be called: -

Council decision varies to Officer Recommendation as Council stated the Street names to be given to the residential subdivision.

COUNCIL DECISION

Resolution May 14-7.1.4

Moved: Cr Gmeiner Seconded: Cr Buegge

That the street to service the residential subdivision be called Curlew Drive and the second alternative to be Sandalwood Drive.

Carried 7/1

8. Manager of Works & Services Information Report

Agenda Reference and Subject:

8.1 Works Information Report

File Reference:

Reporting Officer:

Manager of Works & Services, David Holland

Disclosure of Interest

Nil

Town & Gardening Crew

- The town crew are currently installing culverts for the grain freight route on Shackleton - Kellerberrin Rd and R2R works for the construction crew.
- The Town Foreman has been carrying out minor works around town and has completed the pad and footings for the toilet block at Shackleton.
- Once the culverts are completed the town crew will be constructing the foot path on Dampier St, this should take them to the end of the financial year.
- The gardening crew have been involved in the general maintenance and clean up works around town and our out centres. This has involved a lot of street tree pruning.

Construction Crew

- The construction crew have started on the Bruce Rock East Road, completing one set of culverts and will be ready for the milling very soon. The crew will then go onto the access road for Ardath which is part of the grain freight works. This will take them to the end of the financial year.
- The Maintenance crew have been out onto some of the roads that have had some moisture after the rain. They have completed the works on Perkins Road and if the rain continues will start the maintenance program for the financial year.

Workshop

- Gary & Jamie have carried out general machinery maintenance and have all of the machines up and running with only a small amount of break downs this month.
- Brian has been busy with installing and cleaning the bowl for the new concrete truck, he has also been around town doing the sweeping of the town streets.

Employees

- Nola our gardener has resigned, we have an ad in the paper and hope to fill the position soon.
- Brian Mellet, after having three months long service leave has made up his mind and after 29 years with the Council has tendered his resignation and has retired from work completely. We wish him well in his retirement.
- Senior management have varied meal breaks in accordance with the Award for all outside workers. There will be a morning tea break at around 9:30am and a half hour lunch break that can be taken between 12pm and 1pm depending on work load, but this time must be taken. Therefore their working day will be from 7:00am and 3:30pm.

Rail/ Road Interface Agreement

- On Friday the 11th April, I attended the Rail/ Road Interface meeting at Wickepin, the meeting was attended by CEOs and delegates from PTA, Brookfield, WALGA and the Department of Rail Safety.

The purpose of the meeting was to discuss the concerns of Local Government with regard to the wording of some parts of the agreement.

- I have attached the minutes of the meeting and recommend council waits for the updated agreement to be forwarded, before making a decision on the agreement.

Grain Freight Works

- The contractor has started work on the Babakin North Rd, they have completed the clearing and most of the widening required, they should start topping up and milling on Monday the 12th of May, the completion of project will be in the first or second week of June.

Requests from motorists

- Council officers have been asked by some resident if Council could look into putting up a stop sign at the intersection of Bath St and Johnson St, there has been concerns of near misses at this intersection.

COUNCIL DECISION

Resolution May 14-8.1

Moved: Cr Buegge

Seconded: Cr Foss

That Council receives the Manager of Works and Services Information Report.

Carried 8/0

Cr Thornton left Council Chambers at 2.00pm and returned at 2.02pm.

9. Announcements by Presiding Member

ANZAC Service.

WALGA State Council visited Bruce Rock, spoke briefly with them about amalgamations, Local Government reform and the achievements of the Wheatbelt.

President discussed LG reform.

10. Confirmation of Minutes

Ordinary Meeting of Council held on Thursday 17th April 2014

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution May 14-10.1

Moved: Cr Thornton Seconded: Cr Gmeiner

That the minutes of the Ordinary Meeting of Council held Thursday 17th April 2014 be confirmed as a true and correct record.

Carried 8/0

11. Status Report

Presentation of Status Report for April 2014 Resolutions

ITEM	RESOLUTION / ACTION REQUIRED	RESPONSIBLE OFFICER	RESPONSE OR STATUS
<p>Resolution Apr 14-7.1.1 Landfill Site – Contractors Fees and Charges</p>	<p>That Council considers the proposed amendments to the contract for the maintenance of the Bruce Rock Landfill site.</p>	<p>EHO</p>	<p>Copy provided to Mr Fuchsbichler for review on 30th April 2014.</p>
<p>Resolution Apr 14-7.1.2 Application for over height garage – Lot 42, 74 Butcher Street, Bruce Rock</p>	<p>That the proponent be advised that Council will provide Local Planning Scheme consent for a 90m2 x 3.6m wall height x 4.2m ridge height out building, and the removal of the existing garage on lot 42 Butcher Street, Bruce Rock once plans of sufficient detail are received at the Administration.</p>	<p>EHO</p>	<p>Advise provided to applicant 30th April 2014.</p>
<p>Resolution Apr 14-7.1.3 Local Planning Policy – Outbuildings on Residential Land</p>	<p>That the draft policy – Outbuildings be advertised in accordance with the requirements of Clause 2.4 of the Shire of Bruce Rock Local Planning Scheme No.3 and that at the end of the submission period that the matter be brought back to Council for determination.</p>	<p>EHO</p>	<p>Advertised set to paper 5th May 2014.</p>
<p>Resolution Apr 14-7.1.4 Stormwater Management Programs</p>	<p>That Council note the proposed actions to address and improve stormwater collection and controls within the town of Bruce Rock.</p>	<p>EHO</p>	<p>Jen Bow MFC is not to handle this task.</p>
<p>Resolution Apr 14-7.1.5 Alternative Power Supply</p>	<p>That quotations be called to provide solar PV systems to the Recreation Centre, Aquatic Centre and the Hydrotherapy pool building and that the matter be further discussed at the May 2014 meeting of Council.</p>	<p>EHO</p>	<p>An item will be presented at May 2014 meeting.</p>
<p>Resolution Apr 14-8.2 Purchase of BK2 & BK 123</p>	<p>That council consider the replacement of these two vehicles, 1) By re-quoting and looking into other vehicles of the same configuration, 2) Giving the person expressing interest in BK2 the first option to purchase the vehicle out right.</p>	<p>MOW&S</p>	<p>Have asked companies to re-quote on BK123. BK2 will be sold to person expressing interest and new vehicle will be purchased when new DCEO is appointed.</p>

Shire of Bruce Rock –Minutes 15th May 2014

<p>Resolution Mar 14-12.2.1 Bush Fire Advisory Committee</p>	<p>That; 1. The minutes of the Bruce Rock Bush Fire Advisory Committee meeting held on the 14th March 2014 be received, and 2. The following committee resolutions be adopted: a. Mr Ian Dolton be elected as the Chief Bush Fire Control Officer for the Shire of Bruce Rock, b. Mr Don Heasman be elected as the Deputy Chief Bush Fire Control Officer for the Shire of Bruce Rock, and c. Mr Darren Mollenoyux and Tamara Olsson be Officers responsible for weather readings and issue of burning permits.</p>	<p>DCEO</p>	<p>To be gazetted.</p>
<p>Resolution Apr 14-12.2.2 Adoption of the 2013/14 Budget Review</p>	<p>That Council adopt the Budget Review as attached including the variations for the period 1st July 2013 to 30 June 2014 and amend the budget accordingly.</p>	<p>DCEO</p>	<p>No further action required 2013/14 Budget Review.</p>
<p>Resolution Apr 14-12.3.2 CEACA Housing Business Case Proposal</p>	<p>That Council provides in principal support to the CEACA Business Case for Aged Housing in Bruce Rock and the partnering local governments.</p>	<p>CEO</p>	<p>Update will be provided at Council Meeting.</p>

Status Report

Ongoing Items as at 15th May 2014

ITEM	RESOLUTION / ACTION REQUIRED	RESPONSIBLE OFFICER	RESPONSE OR STATUS
<p>Resolution Nov12-7.1.4 Road Resumption, dedication and maintenance Lot 248 Dunstall Street</p>	<p>1. That the Council of the Shire of Bruce Rock agrees to relinquish a portion of Lot 248 Dunstall Street (the Recreation Centre) as shown on the attached sketch plan for the purposes of providing road access to the landlocked lot 26240 on the condition that Lot 26240 is subdivided in accordance with the Outline Development Plan submitted for consent to the Western Australian Planning Commission;</p> <p>2. That the Shire of Bruce Rock requests the Honourable Minister for Lands to create the road reserve as shown on the sketch plan, through Lot 248 Dunstall Street to provide access to the residential lots to be created within Lot 26240 Bruce Rock Merredin Road, Bruce Rock; and</p> <p style="margin-left: 40px;">a) Council advises that the road created is the responsibility of the Shire of Bruce Rock to maintain;</p> <p style="margin-left: 40px;">b) The Shire of Bruce Rock indemnifies the Minister for lands, pursuant to Section 56(4) of the Land Administration Act 1997 in an amount equal to the amount all costs and expenses reasonably incurred in considering and granting this request; and</p> <p style="margin-left: 40px;">c) The road is requested to be named (deliberately left blank for Council input – no admin resolution required).</p> <p>3. That if the provisions of Clause 56 of the Land Administration Act 1997 are not applicable for this type of application that the Council of the Shire of Bruce Rock requests the Honourable Minister consider this request pursuant to Clause 59(1)(b) and will comply with the provisions of Clause 59(2) & 59(3) with the notations relevant to indemnity, responsibility of maintenance and construction and the street name to apply.</p> <p>That Council resolve to, pending all avenues being exhausted for the subdivision access across the railway line, create an alternative entrance road option to the new subdivision from Dunstal Street, to link with the current road on the eastern boundary of the oval, and widen the existing access road to accommodate the increase in traffic.</p>	<p>EHO</p>	<p>In hand & Progressing</p> <p>Requests from ALCAM assessment issued, RFQ classes 13/8/2013. EHO to present late item to Council to appoint a consultant.</p> <p>Letter to Minister October 2013, seeking meeting to resolve decision of PTA to not approve either location – No response as at 12.12.13.</p> <p>CEO, EHO, MWS & Cr Heasman met with representatives from PTA & Brookfield’s on 30/01/2014. An update will be provided at Council Meeting.</p> <p>The Hon Jim Chown has contacted the President , CEO & EHO and has requested that Land corp & WAPC to hold the application whilst he resolves. (as at11.3.2014)</p>

Shire of Bruce Rock –Minutes 15th May 2014

<p>Resolution Feb 14-7.1.4 Rail Crossing Proposal Shire of Bruce Rock</p>			<p>Engineer completing road design and preparing info for MOWS to cost.</p>
<p>Resolution Feb13-7.1.6 Local Government Act 1995 – Application to Lease Council Lands – Lot 437, 76 Dampier Street, Bruce Rock</p>	<p>That Council agrees to lease Lot 439 Dampier Street to Daly International, on behalf of Ericsson representing NBN Co Limited for \$4,000 plus GST per annum with the condition that the provision of water and power infrastructure, land maintenance (e.g. bushfire control) and advertising costs is at the lessee's expense.</p>	<p>EHO</p>	<p>8/08/2013 – Awaiting quotations for works 9/12/2013 – Unofficial advice received that NBN roll out cancelled.</p>
<p>Resolution Nov 13-12.3.5 Quarry Lease</p>	<p>That Council advise Mr Frank Gillham of Midlands Mining and Development Pty Ltd that it declines his request for financial assistance to perform a blast at the quarry site leased from the Shire of Bruce Rock. And That Council offer Mr Gilliam of Midlands Mining and Development Pty Ltd the option of relinquishing his lease from the Shire of Bruce Rock.</p>	<p>CEO</p>	<p>Letter sent to Mr Gilliam, response was provided at February 2012 Council meeting.</p>
<p>Resolution Dec 13-7.1.2 Health – Infill Sewerage Program – Town of Bruce Rock</p>	<p>1) That Council confirms its commitment to the provision of a grey water STED system to the town of Bruce Rock; 2) That Council enters into discussions with the Honourable Minister for Water that Council in regards to council's co-contribution towards the STED project; 3) That Council seeks to convey the information to the public via a letter drop (Letter contents the known issues, the health concerns, town development restrictions, costs to owners of properties and costs to the community to achieve the infrastructure provide a simple yes no more information component for support for the infrastructure and include a request to attend a public meeting to resolve any concerns raised),invitation to a public meeting and a display within the front foyer area of Council; 4) That the date for the public meeting relating to the provision of a STED sewerage system in the town of Bruce Rock be determined at the February 2014 Council Meeting anticipating that the meeting will be held in March 2014; 5) That Council does not seek to increase irrigation areas beyond those agreed with the Water Corporation until the system is installed and proven operational, however that as a contingency any excess will be utilised on fairways at the Bruce Rock golf club.</p>	<p>EHO</p>	<p>Information conveyed to Water Corporation December 2013. New report to Council February 2014.</p>

Shire of Bruce Rock –Minutes 15th May 2014

<p>Resolution Feb 14-7.1.6 Provision of Sewer to Bruce Rock Town-site</p>	<p>That Council advise the Water Corporation that the date for the public meeting to discuss and seek public input into the provision of sewer to the town of Bruce Rock be the 27 March 2014 at the Town Hall Johnson Street, Bruce Rock.</p>		<p>Meeting date at WDC arranging meeting notes etc. Request Councillor attendance</p>																								
<p>Resolution Feb 14-7.1.1 Health Act – S135 Notice – Lot 7 Johnson Street, Bruce Rock</p>	<p>1) That the First Storey veranda and western storeroom (behind the food preparation area and west of the kitchen of the Bruce Rock Hotel Lot 7 Johnson Street, Bruce Rock, as shown on the attached plan, is declared unfit for human habitation effective from 21 February 2014 and that the owner be requested to comment on repair or demolition of the areas within the notice pursuant to Sections 137 and 139 of the Health Act 1979.</p> <p>2) That the owner be advised of the decision to declare components of the Hotel unfit and seek a letter of commitment to address the issues relevant to the condition of the premise in relation to the external maintenance of the building (i.e. Health Local Law, Health Public Building Regulations 1992) within six months of the correspondence.</p> <p>3) That the Council supports the commencement of the issue of a formal prohibition notice on outstanding Food Act 2008 improvement notices issued during 2013 against the food premise – Bruce Rock Hotel Lot 7 Johnson Street, Bruce Rock in accordance with the email received from Mr Lance White with a last chance deadline in accordance with that email dated 19/02/2014.</p>	<p>EHO</p>	<p>Notice served on publican & owner; Food Act 2008 notice agreement commenced, Works to improve continuing.</p>																								
<p>Resolution Feb 14-7.1.2 Land Sale – Lot10&11 Swan Street, Noonajin Road</p>	<p>1) That Council agree that the distribution of costs for the provision of power to lots 11, 436 – 440 and 430 (bounded by Strange, Dampier Streets and Noonajin Road) be as follows: -</p> <table border="1" data-bbox="488 1133 1137 1369"> <thead> <tr> <th>Lot No.</th> <th>Area</th> <th>% Costs</th> </tr> </thead> <tbody> <tr> <td>11</td> <td>4067</td> <td>\$23,873.29</td> </tr> <tr> <td>436</td> <td>3014</td> <td>\$17,692.18</td> </tr> <tr> <td>437</td> <td>2022</td> <td>\$11,869.14</td> </tr> <tr> <td>438</td> <td>2040</td> <td>\$11,974.80</td> </tr> <tr> <td>439</td> <td>1650</td> <td>\$9,685.50</td> </tr> <tr> <td>440</td> <td>1650</td> <td>\$9,685.50</td> </tr> <tr> <td>430</td> <td>2,200</td> <td>\$12,931.59</td> </tr> </tbody> </table> <p>2) That Council agrees to reimburse Bruce Rock Engineering the sum of \$19,568.71 which was paid by Bruce Rock</p>	Lot No.	Area	% Costs	11	4067	\$23,873.29	436	3014	\$17,692.18	437	2022	\$11,869.14	438	2040	\$11,974.80	439	1650	\$9,685.50	440	1650	\$9,685.50	430	2,200	\$12,931.59	<p>EHO</p>	<p>Settlement Agent contacted; Bruce Rock Engineering agreed to cost distribution; Awaiting S.A response to arrange transfer of Title Deeds & payments to Council.</p>
Lot No.	Area	% Costs																									
11	4067	\$23,873.29																									
436	3014	\$17,692.18																									
437	2022	\$11,869.14																									
438	2040	\$11,974.80																									
439	1650	\$9,685.50																									
440	1650	\$9,685.50																									
430	2,200	\$12,931.59																									

Shire of Bruce Rock –Minutes 15th May 2014

	Engineering to Western Power to provide power to lots 11 and 439, subject to final invoice of project. 3) That the sale of Lot 10 and 11 to Bruce Rock Engineering Pty Ltd proceed on the basis of this report (Bruce Rock engineering \$100,000 + GST owing).		
Resolution Mar 14-7.1.1 Budget – Light Industrial Land Development Strange & Dampier Street Final Costings	a)That the Light Industrial Land project to provide power and water to lots 436, 437, 438, 439, 440 and 430 Bruce Rock Light Industrial lots proceed with a budget of \$195,000.00 and as communications infrastructure is available by wireless that hard line communication not be provided; b)That the quotation from Blackwell Plumbing Pty Ltd to install 107m of 100mm mains water pipe extension of \$24,490.00 + GST be accepted.	EHO	Purchase Orders have been issued, Contacted the water Corporation, signed, set up meetings with WC requested.
Resolution Mar 14-7.1.2 Local Planning Policy – Moveable Buildings – Proposal to Adopt for Advertising Purposes	That the draft policy – Moveable Buildings be advertised in accordance with the requirements of Clause 2.4 of the Shire of Bruce Rock Local Planning Scheme No.3 and that at the end of the submission period that the matter be brought back to Council for determination.	EHO	Advertised for public comment week commencing 8/04/2014

COUNCIL DECISION

Resolution May 14-11

Moved: Cr Rajagopalan

Seconded: Cr Dolton

Council receives the Status Reports, as presented.

Carried 8/0

12. Officers' Reports

12.1 Manager of Finance

Agenda Reference and Subject:

12.1.1 Statement of Financial Activity

File Reference:

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 to the budget and variance from it. It must also include explanations of any variances.

Comment The financial statement for the month ending 30th April 2014 will be presented to council as a late item.

Consultation Nil

Statutory Implications

Local Government (Financial Management) Regulations 1996, reg 34.

Policy Implications Nil

Financial Implications Nil

Strategic Implications Nil

Voting Requirements Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution May 14-12.1.1

Moved: Cr Rajagopalan Seconded: Cr Buegge

That the Statements of Financial Activity for the month ending 30th April 2014, as presented, be received.

Carried 8/0

J Bow left Council Chambers at 2.58pm and did not return.

The meeting adjourned at 2.58pm for afternoon tea.

Meeting resumed at 3.25pm with all Councillors and staff returned

Agenda Reference and Subject:

12.1.2 List of Payments

File Reference:

Reporting Officer:

Mandy Butler, Senior Finance Officer

Disclosure of Interest

Nil

Summary

List of payments since last Council meeting.

Background

As the CEO 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 F1.1, included is a list of payments made with Council's credit card.

Comment

Nil

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority

Officer Recommendation

That Council endorse the list of payments from the Municipal Account consisting of EFT voucher numbers EFT7579 to EFT7667; cheque number 23109 to 23117; totalling \$338,639.39

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution May 14-12.1.2

Moved: Cr Thornton

Seconded: Cr Heasman

That Council endorse the list of payments from the Municipal Account consisting of EFT voucher numbers EFT7579 to EFT7667; cheque number 23109 to 23117; totalling \$338,639.39.

Carried 8/0

D Mollenoyux left Council Chambers at 2.48pm

Agenda Reference and Subject:

12.1.3 CEO's Contract

File Reference:

1.1.6.6 – Salaries & Allowances Tribunal

Reporting Officer:

Jennifer Bow, Manager of Finance

Disclosure of Interest

Darren Mollenoyux

Summary

Following Council's annual submission to Salaries and Allowances Tribunal, two aspects of the CEO's contract require clarification and correction.

Background

The CEO was appointed in February 2013 and the contract was supplied by the recruitment company that assisted Council.

Comment

Staff recently completed the annual submission to the Salaries and Allowances Tribunal regarding the CEO's Remuneration Package. They found that the CEO's contract was ambiguous on the matter of leave loading and also that the value of the accommodation provided to the CEO was stated incorrectly.

With regards to leave loading, section 9.2 of the CEO's contract states that the CEO is to be paid 5 weeks annual leave but makes no comment regarding leave loading. The contract states that it is subject to the terms and conditions of the Local Government Industry Award (LGIA).

If we look to the LGIA, leave loading is to be paid to the employee, however it also states the maximum amount an employer is expected to pay is annually is \$845.25 (70% of Level 11 weekly rate). If the CEO was to be paid leave loading on the 5 weeks annual leave, it would cost Council \$1,916 per annum at his current rate.

Leave loading is not included in the Remuneration Package in Schedule 2 of the CEO's contract.

The contract would be clearer if it stated if leave loading is to apply or not.

The other matter that needs correcting is the value of the accommodation provided to the CEO. Under Schedule 3 of the Determination under Section 7A of the Salaries and Allowances Act 1975, it states that where the local government owns the property and provides it to the CEO, then it is not to be included in the Total Remuneration Package. However, for reporting purposes, the Gross Rental Value as determined by the Valuer General must be used.

Therefore, under Section 12 of Schedule 2 of the CEO's contract, Additional Remuneration Benefits, housing should be stated as a value of \$7,072 (after weekly rental of \$50 (\$2,600 annual rent) deducted). This would take the additional Remuneration Benefits to \$7,872.

Consultation

CEO & MOF

Statutory Implications

Salaries and Allowances Act 1975

Policy Implications

Nil

Financial Implications

If leave loading is included in the contract, then there will be an extra cost associated with the employment of the CEO.

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2013-2023

Civic Leadership

4.1.2 Manage the organisation in a responsible and accountable manner

4.1.3 Deliver services that meet the current and future needs and expectations of the community, whilst maintaining statutory compliance

Voting Requirements

Simple Majority

Officer Recommendation

That Council amends the CEO's contract to reflect;

- i. That leave loading is applicable/ not applicable on the 5 weeks annual leave as per section 9.2; and
- ii. That the value of the housing benefit provided to the CEO in Schedule 2 is amended to the Gross Rental Value less rent payable of \$7,872.

Council Decision varies to Officer Recommendation as Council made a decision on the leave loading being not intended as part of the contract and therefore not applicable on the annual leave.

COUNCIL DECISION

Resolution May 14-12.1.3

Moved: Cr Rajagopalan

Seconded: Cr Buegge

That Council amends the CEO's contract to reflect;

- i. That leave loading is not applicable on the 5 weeks annual leave as per section 9.2; and**
- ii. That the value of the housing benefit provided to the CEO in Schedule 2 is amended to the Gross Rental Value less rent payable of \$7,872.**

Carried 8/0

D Mollenoyux returned to Council Chambers at 2.51pm

Agenda Reference and Subject:

12.1.4 Preparation for 2014/15 Annual Budget

File Reference:

8.2.7.1 – Annual Budget

Reporting Officer:

Jennifer Bow, Manager of Finance

Disclosure of Interest

Nil

Summary

Council is required to prepare an annual budget.

Background

Direction is sought from Council regarding the annual budget.

Comment

Staff are requesting advice from Councillors with regards to inclusion of projects into the 2014-15 Annual Budget.

Direction is also sought regarding;

- increases to be applied to rates levied;
- increases to fees and charges;
- capital projects; and
- community projects.

Last year Council resolved to increase rates and fees and charges by 4%.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution Apr13-14.1

Moved: Cr Verhoogt

Seconded: Cr Heasman

That Council direct staff to prepare a draft budget for 2013-14 with the following increases;

1. 4% for rates;
2. 4% 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 rate to be increased as much as possible whilst remaining compliant with the Local Government Act 1995.

Carried 8/0

A draft list of fees and charges is included in the Information Bulletin which has been increased by 4%. Once Council has given staff direction, draft fees and charges will be brought to Council next month for review. Staff will ensure that they comply with s6.17 of the Local Government Act 1995 as the Department of Local Government has mentioned that they are looking closely at this area.

6.17. Setting level of fees and charges

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

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

Consultation

CEO, DCEO and MFC

Statutory Implications

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

Policy Implications Nil

Financial Implications

The 2014-15 Annual Budget will provide the direction for expenditure during the next financial year.

Strategic Implications

The budget will be compiled with all four priority areas of the Strategic Community Plan and the Corporate Business Plan in mind.

Voting Requirements Simple Majority

Officer Recommendation

That Council direct staff to prepare a draft budget for 2014-15 with the following increases;

1. 4% for rates;
2. 4% 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 rate to be increased as much as possible whilst remaining compliant with the Local Government Act 1995.

Council Decision varies from Officer Recommendation as Council directed for calculations being based on a general increase of 5% instead of 4%, and will be revisited when further Budget considerations have commenced.

COUNCIL DECISION

Resolution May 14-12.1.4

Moved: Cr Dolton

Seconded: Cr Thornton

That Council direct staff to prepare a draft budget for 2014-15 with the following increases;

- ii. **5% for rates;**
- iii. **5% for fees and charges whilst ensuring that fees and charges are set in accordance with s6.17 of the Local Government Act; and**
- iv. **Minimum rate to be increased as much as possible whilst remaining compliant with the Local Government Act 1995.**

Carried 8/0

M Thornton left Council Chambers at 2.54pm and returned at 2.56pm.

Agenda Reference and Subject:

12.1.5 Community Budget Requests

File Reference:

8.2.7.2 – Annual Budget – Requests for Consideration

Reporting Officer:

Jennifer Bow, Manager of Finance

Disclosure of Interest

Nil

Summary

Community groups were sent a letter regarding submissions for consideration for the 2014/15 Budget.

Background

Staff have commenced preparations for the 2014/15 Budget and were keen to get requests for consideration to be submitted early for costing and evaluation.

Comment

Community groups in the Shire were sent a letter requesting submission for budget considerations. Nine considerations were received, one thank you email from the Bruce Rock Netball Club and staff included one other consideration as it was a carry forward from the 2013/14 budget.

A detailed spreadsheet detailing all the requests, and officers comments will be made available to Councillors. Discussion will take place at the meeting regarding each request.

The submission from Bruce Rock St John Ambulance is seeking “in principle” support for the project.

Consultation CEO, MOF, EHO, MOWS, other staff and community groups

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Projects will be included in the 2014/15 Budget

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2013-2023

Social

1.1.2 The Shire of Bruce Rock is an attractive, connected and rewarding place to live

1.3.1 Determine service requirements and delivery options in the areas of children, youth, families and seniors

1.4.3 Provide a variety of sport, recreation and leisure services and facilities for all life stages

Civic Leadership

4.1.3 Manage the organisation in a responsible and accountable manner

4.1.3 Deliver services that meet the current and future needs and expectations of the community, whilst maintaining statutory compliance

Voting Requirements

Simple Majority

Officer Recommendation

That Council;

- i. Gives/ Does not give in principle support to the building upgrade by Bruce Rock St John Ambulance; and
- ii. includes the following projects in the 2014/15 Budget, subject to adoption;

Council Decision varies to Officer Recommendation due to Council approving some of the 2014/15 Council Budget Community Requests.

COUNCIL DECISION

Resolution May 14-12.1.5

Moved: Cr Buegge

Seconded: Cr Gmeiner

That Council;

- i. Gives in principle support to the building upgrade by Bruce Rock St John Ambulance; and**
- ii. includes the following projects in the 2014/15 Budget, subject to adoption;**

***St Mary's Church – Hire of Cherry Picker**

***Bruce Rock Playgroup – Upgrade**

***Ardath Golf Club – Repairs to building**

Carried 8/0

12.2 Deputy Chief Executive Officer

Agenda Reference and Subject:

12.2.1 Bush Fire Policy Amendment

File Reference:

Reporting Officer:

Tamara Olsson, Deputy Chief Executive Officer

Disclosure of Interest

Background

Council is requested to consider the amendment to Council Policy O1.1 Bush Fires. Amendments have been made to this policy to ensure clarity of procedures in regards to placement of Harvest and Vehicle Movement bans, and restrictions to burn-offs.

Comment

The following amendments/changes to the policy are suggested to ensure clarity of when Harvest and Vehicle Movement Bans be placed.

Insert the following statements

A Harvest Ban will only be placed within the Shire of Bruce Rock only when the weather reading on the MGM is at or above 32 or when a fire breaks out within or extremely close to the Shire of Bruce Rock.

A Harvest Ban may not be placed in advance based on forecasted weather conditions.

Amendment

Burning on Sundays & Public Holidays

From the start of the restricted burning time NO person is allowed to light a fire on a Sunday or Public Holiday.

Change to:

Burning on Sundays & Public Holidays

Prohibited Burning Times 1st November to 31st January

Restricted Burning Times: 30th September to 31st October

1st February to 15th March

Easter Break Good Friday, Saturday, Easter Sunday, and Easter Monday

ANZAC Day

During Prohibited Burning Times and Restricted Burning Times NO person is allowed to light a fire on a Sunday or Public Holiday.

No person is allowed to light a fire during the entire Easter Weekend and ANZAC Day.

Policy Implications

Amendment to Bush Fire Policy

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2013-2023

Social

1.1.2.6 Promote community services and organisations delivered by volunteers and encourage community participation in emergency services organisations

Civic Leadership

4.1.3 Manage the organisation in a responsible and accountable manner

Voting Requirements

Absolute Majority

Officer Recommendation

That the Council adopts the “Bush Fire Policy” (as amended) for incorporation as an official policy of the Council at Item O1.1 of the policy manual.

Council Decision varies to Officer Recommendation as Council decided to insert the following statements:

“Easter Break - Good Friday, Saturday, Easter Sunday, and Easter Monday and ANZAC Day”

and

“No person is allowed to light a fire during the entire Easter Weekend and ANZAC Day.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution May 14-12.2.1

Moved: Cr Dolton

Seconded: Cr Gmeiner

That the Council adopts the “Bush Fire Policy” (as amended) for incorporation as an official policy of the Council at Item O1.1 of the policy manual.

CARRIED BY ABSOLUTE MAJORITY 7/1

DEPARTMENT	OTHER - BUSH FIRES
POLICY REFERENCE	O1.1
DESCRIPTION	POLICIES RELATING TO BUSH FIRES AND BURNING IN THE SHIRE OF BRUCE ROCK
DATE	26 th April 2007

PREAMBLE Policies relating to bush fires and burning in the Shire of Bruce Rock.

OBJECTIVE To provide guidelines and policies relating to the control of bush fires and burning in the Shire of Bruce Rock.

POLICY **Bush Fire Control Officers**

Fire Control Officers for the Shire of Bruce Rock are to be Shire President, Chief Fire Officer, Deputy Chief Fire Officer, CEO, DCEO and Captains of brigades or their representatives.

Officers Responsible for Weather Readings

Officers responsible for weather readings are to be the CEO and DCEO.

Annual Meeting of Bush Fire Brigades

The Bush Fire Advisory Committee meets in October each year and brigades are encouraged to hold their AGM's prior to this meeting.

Harvest Bans

Harvest bans will be placed after tests are completed by the Fire Weather Officers or their representatives.

32 on the McArthur Grassland Meter (MGM) is considered high by the Shire of Bruce Rock and a Harvest Ban shall be placed when a reading on the MGM is at or above 32.

When using the Kestrel Weather Meter, the following procedures to be followed;

- a) Air Temperature – The meter must be held in the hand for a minimum of one minute and exposed to the sun.
- b) Wind direction and speed – The meter must face the wind direction for at least one minute and an average wind speed must be obtained and multiplied by 1.25, and
- c) Relative Humidity – The meter must be exposed to the weather for at least one minute to obtain a proper reading.

The following are to be contacted if there is a need to place a harvest ban:

ABC Radio, Radio West, Hot FM, and the following CBH bins – Korbelka, Muntadgin, Bruce Rock, Yarding, Shackleton, Yoting, Ardath and Ainsworth.

The Harvest Ban Hotline 9061 1600 is to be updated with the placing or lifting of any bans.

An SMS will also be sent out to notifying of the placement or lifting of a ban.

When a fire (harvest related or not) breaks out within, or extremely close to, the Shire of Bruce Rock, an immediate harvest ban will be placed within the Shire of Bruce Rock.

A Harvest Ban will only be placed within the Shire of Bruce Rock only when the weather reading on the MGM is at or above 32 or when a fire breaks out within or extremely close to the Shire of Bruce Rock.

A Harvest Ban may not be placed in advance based on forecasted weather conditions.

Movement of Vehicles in Paddocks During Harvest Bans

The movement of vehicles can occur during a harvest ban if the movement is to and from a designated loading zone, tending of livestock and there are two able bodied persons and a tanker of 400L of water.

Burning on Sundays & Public Holidays

Prohibited Burning Times	1st November to 31st January
Restricted Burning Times:	30th September to 31st October
	1st February to 15th March
Easter Break	Good Friday, Saturday, Easter Sunday, and Easter Monday
	ANZAC Day

During Prohibited Burning Times and Restricted Burning Times NO person is allowed to light a fire on a Sunday or Public Holiday.

No person is allowed to light a fire during the entire Easter Weekend and ANZAC Day.

Fire Permit Procedure

All Fire Permits are to be issued from the Shire Office and no permits are to exceed 5 days. Permits can be faxed if unable to attend during office hours.

Requirements to be listed on the permit are;

- Subject to suitable weather conditions. Please check with Bureau of Meteorology in Perth for Fire Danger Rating or check www.bom.gov.au/weather/wa & go to Forecasts, Bushfire Danger & Forecast for South West Land Division for Jilbadgie or telephone 9842 2616 as cannot burn on "very high" or "extreme" rated days (r.15B(7))
- Before setting fire the permit holder shall arrange for and provide, in order to assist in keeping the fire under control and preventing it from spreading beyond the land on which the burning is to take place, at least 3 able-bodied persons who shall be constantly in attendance at the fire from the time it is lit until no burning or smouldering fuel is within 30 metres of the perimeter of the firebreak surrounding the burnt area or, if there is no such firebreak, within 30 metres of the perimeter of the burnt area (r.15B (6)).
- Notify all adjoining land owners or occupiers (r.15B (4))
- Must be equipped with adequate water supplies for duration of fire
- Must have a UHF radio that is operational
- Please read ALL accompanying conditions of permit

Firebreaks

Pursuant to the powers contained in Section 33 of the Bush Fires Act 1954, you are hereby required on or before 25th October and thereafter up to and including 15th March to have firebreaks clear of all inflammable material in accordance with the following ;

- a) Rural lands, being all land outside townsites, firebreaks are required to be –
 - 1) Not less than three metres wide for each 400Ha area inside, and within 10 metres of the external boundaries.
 - 2) Not less than three metres wide and within three metres of the perimeter of all boundaries and / or haystacks, or groups of buildings.
- b) Townsite land –
 - 1) Where the area of land is 2,000 square metres or less. All inflammable materials from the whole of the land are to be slashed, ploughed, scarified, cultivated or chemically treated so as to negate any potential fire hazard.

2) Where the area of the land is more than 2,000 square metres, a firebreak of not less than three metres in width, immediately surrounding any building or not less than three metres wide inside, along and within two metres of the external boundaries of the land is required.

c) Fuel pumps and depots – remove all inflammable material from all land where fuel drum ramps or dumps are located and where fuel drums, whether containing fuel or not, are stored to a distance of at least five metres outside the perimeter of any drum, ramp or stack of drums.

d) The Acts referred to a) to c) herein must be performed to the satisfaction of the duly authorised officer of the Shire of Bruce Rock.

e) If it is considered impracticable for any reason to clear firebreaks or to remove flammable material from the land as required by this Notice, you may apply to this Council or its duly authorised officer not later than 14 August in any year for permission to provide firebreaks in alternative positions or to take alternative action to abate fire hazards on the land.

f) The penalty for failing to comply with this Notice is a fine of \$5,000 or a prescribed penalty of \$250 on service of an infringement notice and a person in default is also liable whether prosecuted or not to pay the cost of performing the work.

Training

All Fire Control Officers are to attend the Fire Control Officers course.

The individual brigades are to encourage members to receive training (to module 3) and where possible members manning Bruce Rock Fire Brigade Units are trained to this level.

HEAD OF POWER Bush Fires Act 1954

DATE REVIEWED 19th December 2013
 15th May 2008

Agenda Reference and Subject:

12.2.2 Staff Appraisals

File Reference:

Reporting Officer:

Tamara Olsson, Deputy Chief Executive Officer

Disclosure of Interest

Summary

Council is asked to receive a report on significant changes arising from performance appraisals for 2014.

Background

Staff are required to have at least one appraisal per year, these are traditionally carried out each May. Appraisals are completed by relevant supervisors and the CEO's is carried out by Council.

Comment

Appraisals have been carried out and a confidential report on significant changes will be provided to Councillors at the meeting.

Consultation

Senior Management

Statutory Implications

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

Policy Implications

NIL

Financial Implications

Any variations or increases to wages will need to be included in the 2014/2015 budget.

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2013-2023

Civic Leadership

4.1.3 Manage the organisation in a responsible and accountable manner

4.1.3 Deliver services that meet the current and future needs and expectations of the community, whilst maintaining statutory compliance

Voting Requirements Simple Majority

Officer Recommendation

Council receives the presented report on significant changes occurring from staff performance reviews.

No resolution occurred due to the report not being presented to Council. The report will be presented to Council at its June Ordinary Council Meeting.

12.3 Chief Executive Officer

Agenda Reference and Subject:

12.3.1 WALGA Annual General Meeting

File Reference:

1.6.5.5

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is asked to nominate its voting delegates for the WA Local Government Association AGM.

Background

The WA Local Government Association Annual General Meeting will be held on Wednesday 6th August 2014 at the Perth Convention Centre. Council is requested to appoint two voting delegates for the meeting.

The Annual General Meeting will be held on the first day commencing at 1.30pm.

Comment

Traditionally Council has appointed the President and Deputy President as voting delegates.

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Financial Implications Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Civic Leadership

4.1.2 – Manage the organisation in a responsible and accountable manner.

Voting Requirements Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution May 14-12.3.1

Moved: Cr Rajagopalan Seconded: Cr Foss

That Council appoint Cr Stephen Strange and Cr Ian Dolton as voting delegates at the WA Local Government Association AGM to be held on the 6th August 2014.

Carried 8/0

Agenda Reference and Subject:

12.3.2 Merredin College – Chaplaincy Support

File Reference:

1.3.9.6

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is asked to consider providing a donation towards the Merredin College Chaplaincy service.

Background

Council has received a letter from the Principal of the Merredin College seeking Council’s consideration of a donation towards the School Chaplaincy.

The Chaplain, Mr Brett Guthrie provides pastoral care at the school and also available to students and staff at the Merredin Residential College. The Chaplaincy service also assists with mentoring students, in particular those with problems and also coordinates various activities such as transition camps and excursions.

Comment

Council has previously declined to provide a donation towards this program. Council needs to also consider that it does not provide funding to its local schools for such programs.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Council does not currently have budget provision for this request, however Council does have a general donations account.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Economic

2.3.1.1 – Continue to support Bruce Rock District High School and Babakin Primary School and associated community groups.

2.3.1.2 – Strengthen the role and use of local education providers including the school, childcare and playgroup.

Voting Requirements

Simple Majority

Officer Recommendation

That Council considers the request for a donation towards the Merredin College Chaplaincy Service.

Council Decision varies from Officer Recommendation as Council decided not to make a donation.

COUNCIL DECISION

Resolution May 14-12.3.2

Moved: Cr Rajagopalan Seconded: Cr Heasman

That Council declines to make a donation towards the Merredin College Chaplaincy Service.

Carried 8/0

Agenda Reference and Subject:

12.3.3 Uniting Church Building

File Reference:

1.3.4.8

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is asked to provide comment on its views regarding the future of the Bruce Rock Uniting Church.

Background

Council has received a letter from the Uniting Church Property Services Unit (WA) informing Council of the status of the building and the options for the building in the future. Subsequent to that letter we received a letter from the Eastern Wheatbelt Parish clarifying the wording of the letter and current status of the Bruce Rock Uniting Church. A copy of both of these letters is ATTACHED.

Comment

The building located at 29 Dampier Street was constructed in 1923 and whilst it is not heritage listed, details of the building and its history are included in Council Municipal Heritage Inventory. A copy of the extract is ATTACHED.

Several factors need to be considered;

- Does Council have a use or see a need for the building should it no longer be required?
- Does Council want another aged building that may provide ongoing maintenance?
- There is obviously local historical value for the building and how can this be preserved?

Consultation

Steve Higgins, Parish Chairman

Statutory Implications

Health and building regulations for public buildings.

Policy Implications

Nil

Financial Implications

At this stage there are no financial implications.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Social

1.1.2.2 – Continue to enhance lifestyle qualities for all residents.

1.3.1.4 – Maintain and protect heritage

Voting Requirements

Simple Majority

Officer Recommendation

That Council considers any interest in the building and provide direction on its views for the future of the building.

Council Decision differs from Officer Recommendation due to Council requiring further information.

COUNCIL DECISION

Resolution May 14-12.3.3

Moved: Cr Thornton

Seconded: Cr Gmeiner

That Council writes back to the Uniting Church Body and request them to consult with their local parish prior to Council making a decision.

Carried 8/0

Agenda Reference and Subject:	12.3.4 Donation Request Youth Parliament 2014
File Reference:	8.2.7.4
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest	Nil

Summary

Council is asked to consider a request from Lachlan Hunter for a donation towards his participation in the 2014 YMCA Youth Parliament.

Background

Bruce Rock local Lachlan Hunter has been selected as the Central Wheatbelt’s representative to participate in the 2014 Western Australian YMCA Youth Parliament. The Youth Parliament program runs for one week and provides opportunity for youth of WA to discuss the issues that matter to them.

Lachlan is seeking financial support between \$50 to \$100 to assist him with costs associated in participating in the program. A copy his letter of request and a media release by the Hon Mia Davies is ATTACHED.

Comment

Lachlan has advised that he is willing to meet with Council or other requests in return for the donation.

A suggestion may be that Council invite Lachlan to either visit prior to Youth Parliament to speak to Council and hear views and / or provide a presentation to Council following his experience.

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Financial Implications

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

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Social

1.3.1.2 – Support current and future initiatives to meet the needs of the Shire of Bruce Rock youth.

Voting Requirements Simple Majority

Officer Recommendation

That Council considers the request for a donation and if so request a presentation from Lachlan Hunter on his experience during Youth Parliament.

Council Decision varies from Officer Recommendation due to Council deciding not to make a donation.

COUNCIL DECISION

Resolution May 14-12.3.4

Moved: Cr Heaseman Seconded: Cr Buegge

That Council declines to make a donation to Lachlan Hunter.

Carried 8/0

13. WEROC Report

Agenda Reference and Subject:	13.1	WEROC Council Meeting April 2014
File Reference:	1.6.9.1	
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer	
Disclosure of Interest	Nil	

Summary

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

Background

The last WEROC Council Meeting was held on Wednesday 23rd April 2014 at the Shire of Bruce Rock.

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.

A copy of the minutes has been provided to Councillors.

The following items are highlighted for Councillors interest;

Item 5.4 WEROC Executive Contract

The WEROC Council were required to review the Executive Officer's Contract. The following resolution was made to the WEROC Council meeting;

RESOLUTION: *Moved: Mr Griffiths Seconded: Cr Truran*
That the:

1. *WE-ROC enter into a new contract with W Squared Pty Ltd T/A BHW Consulting for a two year period from 1 July 2014 to 30 June 2016;*
2. *Shire of Merredin, as the current Chair of WE-ROC, be asked to formalise a contract with BHW Consulting; and*
3. *Executive Officer rate of remuneration, effective from the 1 July 2014, be set at \$66.50 per hour, the annual expenses of office set at \$1,650.00 per annum and the project hourly rate be set at \$140.00 per hour with all other conditions remaining as at present.*

Item 5.5 2014/15 WEROC Budget

The draft was presented for consideration and in addition the direction of CEACA was also discussed. The following was resolved at the meeting;

RESOLUTION: *Moved: Cr Truran Seconded: Cr Forsyth*
That the WE-ROC Budget for 2014/2015 with a Member Subscription of \$15,500 and Consultancy and Project Reserve contribution of \$6,000 per Member Council, subject to an amendment to include an income amount in account 0500 - Central East Aged Care Alliance of \$55,000 and an expenditure amount in account 1563 - Central East Aged Care Alliance of \$55,000, be adopted.

RESOLUTION: *Moved: Mr Griffiths Seconded: Cr Truran*
That:

1. *WE-ROC write to all Councils involved in the Central East Aged Care Alliance (CEACA) requesting that each Council give consideration to making a provision of \$5,000 in their 2014/2015 budget to allow for further work on the CEACA project;*
2. *a copy of the letter from WE-ROC be forwarded to the Executive Officer of the North-East Wheatbelt Regional Organisation of Councils (NEWROC), with a request that the matter be discussed at the next meeting of the NEWROC; and*
3. *a copy of the letter from WE-ROC be forwarded to the Wendy Newman as Chair of CEACA, with a request that the matter be discussed at the next meeting of CEACA.*

Item 5.4 CEACA Business Case

The WEROC Council discussed the CEACA Business case and the direction of the project. In addition at the CEACA Meeting held on the 8th May 2014 it was agreed to form a subcommittee to work towards finalising the wording of the submission. The following resolution was made to the WEROC Council meeting;

RESOLUTION: *Moved: Mr Griffiths Seconded: Cr Truran*
That the:
1. *WE-ROC enter into a new contract with W Squared Pty Ltd T/A BHW Consulting for a two year period from 1 July 2014 to 30 June 2016;*

RESOLUTION: *Moved: Mr Griffiths Seconded: Cr Truran*
That at the next meeting of CEACA WE-ROC proposes that:
1. *a subcommittee comprising representatives of CEACA be appointed to meet with AURA Urban and Regional Alliance Pty Ltd to finalise the draft business case; and*
2. *consideration be given to a delegation travelling to Canberra to meet with Federal Members of Parliament to advocate for funding to assist with implementing the business case for age housing in the central and Eastern Wheatbelt.*

Item 5.4 Emergency Management ‘Whispr’
The WEROC Council discussed the concept of improving Emergency Management communication in the area and the ‘Whispr’ program was considered. The following resolution was made;

RESOLUTION: *Moved: Cr Forsyth Seconded: Cr Truran*
That the WE-ROC Executive meet with representatives from Telstra to determine the viability of a joint approach to the installation of “Whispr” across WE-ROC.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Council will need to make a budget provision for 2014/15 for WEROC Subscription of \$15,500, WEROC Consultancy and Project Reserve \$6,000 and CEACA Contribution of \$5,000.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Civic Leadership

4.1.2 – Manage the organisation in a responsible and accountable manner.

4.1.3.3 – Develop an enterprising approach to our infrastructure projects.

Voting Requirements Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution May 14-13.1

Moved: Cr Thornton Seconded: Cr Dolton

That Council receives the minutes of the WEROC Council Meeting held on Wednesday 23rd April 2014.

And

That budget provision be made for 2014/15 for WEROC Subscription of \$15,500, WEROC Consultancy and Project Reserve \$6,000 and CEACA Contribution of \$5,000.

Carried 8/0

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

NIL

15. Confirmation and receipt of Information Bulletin.

M Thornton left Council Chambers 5.08pm and returned 5.10pm

COUNCIL DECISION

Resolution May 14-15.1

Moved Cr Foss

Seconded Cr Buegge

That Information Bulletin 1 and 2 be received.

Carried 8/0

16. Closure of Meeting.

The Shire President, Cr Strange, thanked everyone for their attendance declared the meeting closed at 5.33pm.

These minutes were confirmed at a meeting on/...../.....

Signed

Cr Stephen Strange

Dated/...../.....