

SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 20 NOVEMBER 2014

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SHIRE OF BRUCE ROCK

MINUTES– ORDINARY MEETING 20 NOVEMBER 2014

1. Declaration of Opening

The Shire President, Cr Strange, opened the meeting at 1.07pm on Thursday 20th November 2014, welcoming all members and officers present.

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

President	Cr SA Strange
Deputy President	Cr IS Dolton
Councillors	Cr MK Thornton
	Cr JJ Gmeiner
	Cr NR Buegge
	Cr DA Heasman
	Cr R Rajagopalan
	Cr MM Foss
	Cr MJ Royce
Chief Executive Officer	Mr DRS Mollenoyux
Deputy Chief Executive Officer	Miss CJ Dunn
Manager of Finance	Mrs JL Bow
Manager of Works and Services	Mr D Holland (1.07pm-1.35pm)

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

Nil

7. Environmental Health Officer Report

Agenda Reference and Subject:	7.1.1	Lease 338 Farrall Street Bruce Rock - Request for Comment from Department of Lands
File Reference:	A435	
Reporting Officer:	John Mitchell, Environmental Health Building Officer	
Disclosure of Interest	Nil	

Summary

Report recommends supporting the new lease arrangements from Department of Lands to JR Ashmore for Lot 337 and 338 Farrall Street, Bruce Rock providing the lessee fences the property to reduce the risk to public and the potential non compliance for disused materials lying on the property.

Background

A request to provide comment on the renewal of the lease from the Department of Lands to Mr Ashmore has been received. As Council is aware the Section 3.25 Local Government Act notice has been enforced and the property improved but the condition reverts regularly to a high risk matrix and becomes unsightly.

Comment

Lot 337 and 338 Farrall are used for storage point of Wy Worry Transport however at times the premise has an accumulation of materials that the local government has determined are disused. These materials include a sedan motor vehicle, old truck bodies on insecure frames, old tyres, bales of hay which are commencing to rot, 1000l containers of fertiliser (product turned), pipe, metal, scrap metal and the like.

The lots are open to the public and pose a risk to young children and older people that may take a short cut through the property.

Previously Council has granted permission to fence the lots using 1.8m colorbond fencing materials to reduce the risk and the condition of the property which is located in a residential zone.

Consultation

There has been no consultation.

Statutory Implications

Council should consider the risk to public from unbalanced and poorly maintained vehicles and product on site and determine the appropriate action. In this instance it is recommended that the need for fencing form a requirement of a new lease.

Policy Implications

There are no policy implications to Council.

Financial Implications

There are no financial implications to Council.

Strategic Implications

There are no strategic implications to Council.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution November 14-7.1.1

Moved: Cr Thornton Seconded: Cr Gmeiner

That Council advise the Department of Lands (ref 02209-1992 Job No. 130161) that the renewal of the lease is supported providing the lots 337 and 338 Farrall Street Bruce Rock are fenced to prevent public access as the risk to injury is considered high.

Carried 9/0

Agenda Reference and Subject:	7.1.2	Litter Act 1979 – Infringement Notice Issued Mr John Karra 32 Westral Street, Bruce Rock
File Reference:	5.2.2.4	
Reporting Officer:		John Mitchell, Environmental Health Building Officer
Disclosure of Interest		Nil

Summary

Report recommends that Council proceed with legal action against Mr Karra for the offence of littering pursuant to s23 of the Litter Act 1979.

Background

An infringement notice for littering was issued to Mr John Karra of 32 Westral Street for allegedly depositing litter (white plastic shopping bags with general waste etc.) on Bruce Rock Merredin Road on or around early June/July 2014.

An inspection of Council's records indicates that as at 13 November 2014 the infringement remains unpaid.

Comment

The costs of commencing legal action are unknown however are estimated at least \$2,500.00 + officer's time to attend Court in Northam.

There have been no new incidents since the matter was investigated.

The cost of prosecution should not be a decision why the action should not be taken.

Consultation

Ranger – George Ward;
CornerStone Legal – Simon Steenhof;

Statutory Implications

Council may resolve to continue with the matter or determine that the infringement notice be withdrawn pursuant to the provisions of the Litter Act 1979.

Policy Implications

Nil

Financial Implications

Unknown – to use an old adage – how long is a piece of string. Previous legal action taken by the Shire of Bruce Rock cost more than the value of the building to be demolished and achieved little other than compliance some six years later when the building was relinquished.

Strategic Implications

Nil

Voting Requirements

Simple Majority

Officer Recommendation

That the Infringement Notice issued on Mr John Karra of 32 Westral Street Bruce Rock be provided to Council's Solicitors for consideration of legal action pursuant to the provisions of the Litter Act 1979.

Council decision varies to the Officer's Recommendation due to Council choosing to withdraw the Infringement Notice. If Mr John Karra re-offends, an Infringement Notice will be issued and will not be withdrawn.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution November 14-7.1.2

Moved: Cr Heasman Seconded: Cr Rajagopalan

That the Building Surveyor write to Mr Karra advising him of Council's disappointment in his actions. On this occasion the fee will be waived, however any future infringements will be taken to court.

Carried 9/0

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

- Peter town crew has completed the following works;
 - Construction of new house pad at Collier St
 - Earthworks for new units at the Caravan Park
 - Repairs to water pipe breakages at the Aquatic Centre
 - The last of the foot paths for 2014/15
 - The crew will now start on the drainage at the police station which should take them to the Christmas break.
- The gardening crew have been involved in the general maintenance and clean up works around town and our out centres. They have also been doing a lot of fire prevention works in town and the outer towns this month.

Construction & Maintenance Crew

- The construction crew has completed the Ardath Bin Access and some works related to the grain being taken out of Ainsworth.
- The crew has completed the shoulder works at Bruce Rock –Corrigin Rd ready for the seal to be completed before Christmas.
- They have also started on Anderson Rd re-gravel.
- Colin will start on the Naremben Rd when he returns doing the shoulders and trees, the crew will start the topping up of the gravel and milling when he returns after Christmas.
- The maintenance crew has been shoulder grading and should finish the last road in the next few weeks.

Workshop

- Campbell and Jamie have been doing minor and major servicing that is overdue. They are also doing repairs that have been put off while the team has been maintenance grading.
- Break downs this month have only been minor and are age related break downs.

Rec Centre

- Damien is now doing general maintenance around the centre ready for the cricket session, he has also been doing a lot of work getting the pumps working in the Water Corp dam and Negris dam.
- Staff members have also been investigating the lighting situation for the cricket night games, which has been taking some time to sort out.

Grain Freight Works

- We have now completed the works on the Ardath bin access from Corrigin Rd, I am now waiting on MRWA to get back to me to start the intersection works on Old Beverley and Babakin Rd.

Vehicles

- I will be advertising for the two dual cab truck that are in this year's budget, I hope to have them by the time the crews come back from leave in the new year. **I would like to ask council if these vehicles are to come to council for a decision, or officers to decide on the purchase.**
- I have asked for quotes from Holden dealers for the replacement of BK09 (doctors vehicle) with a station wagon as discussed with council, the trade vehicle will be advertised first then if no offer is made will be sent to auction.

Employees

- I have advertised for two new employees, one gardener and one plant operator, these will be advertised in the local papers around the district, these will close on the 8th December.

COUNCIL DECISION

Resolution November 14-8.1

Moved: Cr Dolton Seconded: Cr Rajagopalan

That the Manager of Works and Services information bulletin for November be received.

Carried 9/0

Agenda Reference and Subject:

8.2 Construction of Eujinyn South Rd

File Reference:

Reporting Officer:

Manager of Works & Services, David Holland

Disclosure of Interest

Cr Heasman

Cr Heasman declared an interest and left the Council Chambers at 1.29pm.

Summary:

Council needs to consider the proposed construction works on Eujinyn South Rd, in front of M & H Heasman's residence.

Background:

Council previously received application under Council Policy "O1.4 Dust Suppression Treatment of Unsealed Roads" from M & H Heasman for works on the Eujinyn South Road.

This was approved and accepted in line with Council Policy during the 2014/15 budget deliberations.

Comment:

I have been advised by the applicant that they would like to seek a change the of treatment option for the dust suppression in front of their residence.

Council has budgeted for 250m of two coat emulsion seal, they would like to trial the Base Bind treatment from Fulton Hogan, which we are doing on Depot Rd.

To justify the recommendations, the CEO and I suggest the following information,

- The price of undertaking a complete seal versus an inexpensive way of suppressing the dust.
- If the trial is a success, it will provide an alternative option for the future treatment for problem areas, at a reduced cost.

Consultation:

Darren Mollenoyux (CEO)
David Holland (MOWS)
Applicant M Heasman

Statutory Implications

Nil

Policy Implications:

I refer to council policy No: O1.4, Dust suppression Treatment of Unsealed Roads.

I have researched for council's consideration and approval quote received for the above project.

Financial Implications:

The budget provision of \$32,994 was estimated to complete this project, the treatment will cost council \$7,600 to purchase.

Strategic Implications:

1.2.1 Advocate and provide for an integrated transport network.

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 AND COUNCIL DECISION

Resolution November 14-8.2

Moved: Cr Royce

Seconded: Cr Buegge

- 1. That council approve trialling the base bind treatment on Eujinyn South Road, for 250m in front of M & H Heasman's.**
- 2. That in accordance with council policy the resident pay, for base works as per original quote.**
- 3. If the resident is unhappy with the trial they pay half the cost for the section of road to be sealed.**

Carried 8/0

Mr D Holland left the Council Chambers at 1.35pm and did not return.

Cr Heasman returned to the Council Chambers at 1.36pm.

9. Announcements by Presiding Member

Nil

10. Confirmation of Minutes

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution November 14-10.1

Moved: Cr Gmeiner Seconded: Cr Foss

That the minutes of the Ordinary Meeting of Council held Thursday 16th October 2014 be confirmed as a true and correct record.

Carried 9/0

11. WEROC Report

Agenda Reference and Subject:	11.1 WEROC Council Meeting October 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 22nd October 2014 at the Shire of Yilgarn.

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 6.1 WDC – Central East Sub Regional Economic Strategy
WEROC member Councils have ongoing concerns with Central East Sub Regional Strategy and have made the following resolution;

That WE-ROC write to the CEO of the Wheatbelt Development Commission (with a copy to the Commission's Chair) expressing concern at the fact that within the Central East Sub-Regional Economic Strategy the Shire of Yilgarn is rated as being marginal with respect to agricultural production and that future economic drivers for the Shire, which forms a third of the central eastern Wheatbelt, are not identified.

- Item 6.3 Wheatbelt Regional Children's Services Plan
Following the release of the Draft Wheatbelt Regional Children's Services Plan I raised concern to Regional Development Australia in relation to the validity and accuracy of the data that the document is based on. I raised these concerns with the WEROC Executive Officer, who prepared an item for the WEROC Council meeting.

WEROC Members have an ongoing concern with the statistics and data that is being used in various reports on the Wheatbelt and have made the following resolution;

That the Executive Officer write to the Department of Local Government and Communities requesting details on the source(s) for statistics used in preparing the Wheatbelt Regional Children's Services Plan.

In addition I arranged a meeting with Bruce Rock District High School, Bruce Rock Daycare and myself to meet with Regional Development Australia. This meeting occurred on the 28th October and we were able to relay our concerns direct to Glenice Bachelor who is finalising the report.

- Item 6.4 CEACA – Development of Business Case
In continuing to develop the CEACA Business Case for Independent Living Units the following was resolved at the WEROC Council meeting;

1. *That WE-ROC:*
 - a) *write to the Minister for Regional Development seeking the immediate release of the guidelines and templates for applying for funding through the Growing our South Program (also known as the Southern Investment Scheme);*
 - b) *write to the Wheatbelt Development Commission seeking further and more detailed information on the Small Value Grants Program that will be delivered as part of the Creating Age Friendly Communities Project to be administered by the Wheatbelt Development Commission and released as part of the release of the Audit Toolkit that is also being developed as part of this project. Information should also be sought on the workshops to be held to showcase the toolkit in late November-December 2014;*
 - c) *write to the Minister for Regional Development seeking his support in having the Department of Regional Development release the guidelines for the Wheatbelt Regional Grant Scheme without delay;*
 - d) *write to both the Minister for Social Services and the Assistant Minister for Social Services outlining the work of CEACA and the need for aged housing and associated support services across the central and eastern Wheatbelt;*
 - e) *seek meetings with the Ministers for Housing and Local Government and Communities (or their departmental representatives) to outline the work of CEACA and the need for aged housing and associated support services across the central and eastern Wheatbelt;*
 - f) *Seek a meeting/meetings of CEACA as soon as practicable with a view to CEACA resolving:*
 - *to work independently to complete its business case, engaging a consultant to complete the business case as quickly as possible;*
 - *to prepare an application for funding through the Commonwealth's recently announced National Stronger Regions Fund; and*
 - *to properly fund the completion of the business case.*
 - g) *WE-ROC suggest that two meetings of CEACA be held, with the first being held in the week beginning Monday 3 November 2014 and the second on Thursday 27 November 2014 either before or after the meeting of the Great Eastern Country Zone scheduled for that day.*
 - h) *seek further meetings with Mr Rick Wilson MP, Ms Melissa Price MP, Senator Chris Back and Senator Dean Smith as soon as the CEACA business case is completed.*
2. *That the WE-ROC Executive be granted delegated authority to undertake those tasks associated with the completion of the CEACA business case and the preparation of any funding application associated with attracting funds for the construction of aged housing as provided for in the CEACA business case.*

Item 6.6 Governance Models to Enhance Collaboration within WEROC

In finalising the Wheatbelt Communities governance model WEROC Council made the following resolution;

1. *That the final draft of the proposed Wheatbelt Communities Constitution be forwarded to the NEWROC Council for information and seeking their notional support.*
2. *That WE-ROC approve the current clause 9.2 in the proposed Wheatbelt Communities Constitution which reads:*

“Any member who has their membership suspended or terminated shall have the right to appeal against such suspension or termination by presenting their case to a Special

General Meeting called for such purpose and the decision of the Special General Meeting shall be final”.

3. *That WE-ROC approve the current clause 16.8 in the proposed Wheatbelt Communities Constitution which reads:*

“All questions other than Special Resolutions shall be decided by a majority of votes, but if there is an equality of votes, the question shall be deferred for consideration at the next meeting of the Committee”.

4. *That the WE-ROC Executive be granted delegated authority to undertake those tasks associated with establishment of the proposed incorporated body Wheatbelt Communities.*
5. *That the first meeting of Wheatbelt Communities Inc be held on Thursday 27 November 2014.*

Council has already appointed its delegates and we are required to have two delegates attend the meeting on the 27th November to sign the document.

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.

4.1.3.3 – Develop an enterprising approach to our infrastructure projects.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution November 14-11.1

Moved: Cr Thornton Seconded: Cr Dolton

That Council receives the minutes of the WEROC Executive Meeting held on Wednesday 22nd October 2014 at the Shire of Yilgarn.

Carried 9/0

12. Status Report

Presentation of Status Report for October Resolutions

ITEM	RESOLUTION / ACTION REQUIRED	RESPONSIBLE OFFICER	RESPONSE OR STATUS
<p>Resolution Oct 14-7.1.2 Local Planning Scheme – WA Planning Commission 150733 Lot 9448/15891 Powell/Cumminin Rd Ardath</p>	<p>That the Western Australian Planning Commission be advised that the Shire of Bruce Rock has no objection to the subdivision of lots 9448 and 15891 Cumminin & Powell Roads Ardath in accordance with the plans received within application 150733 and that as advised the boundary setbacks on the dwelling and sheds from external boundaries exceeds 20m.</p>	<p>BS</p>	<p>Correspondence sent to WA Planning Commission on 25 October 2014 advising of Council’s approval.</p>
<p>Resolution Oct 14-7.1.3 Building Maintenance – Lot 13, # 42 Johnson Street Bruce Rock</p>	<p>That quotations be sought for all recommendations in the Engineer’s report on the Community Resource Centre Façade and that quotations and further information be presented to Council for consideration.</p>	<p>BS</p>	<p>Further research is being undertaken.</p>
<p>Resolution Oct 14-8.2 Land Requirement Lot 14506 Babakin North Road</p>	<p>Council at its meeting of 16 October 2014 concurred to the dedication of the land, the subject of Main Roads’ Drawings 1460-043, as road under section 56 of the Land Administration Act.</p>	<p>MOWS</p>	<p>Currently with Main Roads WA for processing.</p>
<p>Resolution Oct 14-13.2.1 Valuation of 95 Noonajin Road</p>	<p>That the house be sold through an agent with offers above \$345,000. The minimum accepted price was agreed on.</p>	<p>DCEO</p>	<p>Will Morris from Elders has been signed on as the agent. Marketing on the property should commence from this week.</p>
<p>Resolution Oct 14-13.2.2 Risk Management Presentation</p>	<p>1. Council adopts the Risk Management Governance Framework and Shire of Bruce Rock Risk Report as presented; and 2. That the Council adopts the “Risk Management Policy” for incorporation as an official policy of the Council at Item O1.6 of the Policy Manual.</p>	<p>DCEO</p>	<p>The framework has been adopted and Risk Management Policy is now included in the Policy Manual.</p>
<p>Resolution Oct 14-13.2.3 December Council Meeting & Function</p>	<ul style="list-style-type: none"> • Council approves the Shire Office trading hours over the Christmas period and carries out extensive advertising of the trading hours and emergency contact details; and • That Council accept the final invitation list for the Christmas function to be held on Thursday 18 December 2014 and that advertising be called for the catering. 	<p>DCEO</p>	<p>Advertising of Shire office hours over the Christmas period to commence from Thursday 20 November. Invitations have been sent out for the Christmas function. One tender was received by 3’s Good Company.</p>

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<p>Resolution Oct 14-13.3.1 Location of New WEROC R4R Residence</p>	<p>That Council constructs the new WEROC Royalties for Regions residence at 13 Collier Street, Bruce Rock.</p>	<p>CEO</p>	<p>Notification has been sent to Department of Regional Development advising of new location.</p>
<p>Resolution Oct 14-13.3.3 Provision of Health Services MOU</p>	<p>That Council endorses the ROE Regional Environmental Health Services Scheme (to be known as ROEHealth) “Memorandum of Understanding” and “Operational Guidelines”, as presented.</p>	<p>CEO</p>	<p>Scheme has now commenced with Julian Goldacre commencing as Council’s EHO. Julian is in Bruce Rock every Tuesday and every second Thursday.</p>
<p>Resolution Oct 14-13.3.6 Eastern Wheatbelt Education Network of Schools – Truancy Support</p>	<p>That Council supports the Eastern Wheatbelt Education Network of School’s campaign to reduce truancy levels in the region; and That Council staff erect the provided signage and senior management implement procedures in line with those requested where students will be asked to leave Council premises during school hours, unless they have a school leave pass.</p>	<p>CEO/DCEO</p>	<p>Council Policy and direction has been implemented at Shire Office and Aquatic Centre.</p>

Status Report

Ongoing items as at 16 October 2014

ITEM	RESOLUTION / ACTION REQUIRED	RESPONSIBLE OFFICER	RESPONSE OR STATUS
<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 Gillham 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 Gillham, response was provided at February 2012 Council meeting.</p> <p>Final notice sent to Mr Gillham advising that Council will not be extending the lease past 31 Dec 2014.</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;</p>	<p>EHO</p>	<p>Information conveyed to Water Corporation December 2013.</p>

<p>Resolution Feb 14-7.1.6 Provision of Sewer to Bruce Rock Town-site</p>	<p>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>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>Awaiting outcome from survey.</p> <p>The Hon Mia Davies will be announcing her decision by the end of September 2014.</p> <p>No announcement has been made at time of this report, CEO has written to Minister for Water.</p>
<p>Resolution Mar 14-7.1.1 Budget – Light Industrial Land Development Strange & Dampier Street Final Costings</p>	<p>a) That the Light Industrial Land project to provide power and water to lots 435, 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;</p> <p>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..</p>	<p>EHO</p>	<p>Purchase Orders have been issued, contacted the Water Corporation, signed, set up meetings with WC requested.</p> <p>Works have been completed.</p> <p>Valuations are currently being undertaken.</p>
<p>Resolution June 14-7.1.2 Food Act & Health Act Matters Lot 7 Johnson Street, Bruce Rock</p>	<p>1) That Council endorses the actions of the Chief Executive Officer and Environmental Health Officer in invoking the provisions of Section 140 of the Health Act 1911 and performing the works of engagement of an engineer to assess the structural integrity of the veranda for Lot 7 Johnson Street Hotel premise over the Council footpath.</p> <p>2) That the owner of Lot 7 Johnson Street, Bruce Rock be advised that the repairs for the veranda are to be completed within three months of this advice to him i.e. no later than 30 September 2014 or restricted access to the Hotel premise from the corner of Johnson Street and Bath Street will be prevented.</p>	<p>EHO</p>	<p>Correspondence sent to Lawyers, RGL, owner & Licensee advising of Council's decisions in relation to Lot 7 Johnson Street, Bruce Rock.</p> <p>Works have been completed to allow the verandah/footpath to be re-opened.</p>

<p>Resolution July 14-7.1.1 Dividing fences act 1961 – Request for assistance – Asbestos dividing fence 47 Railway Parade Bruce Rock</p>	<p>That the owner of 47 Railway Parade Bruce Rock be advised that Council will as its component of the fence replacement remove the damaged asbestos fence if the fence is replaced and will cut the two trees down on 45 Railway Parade Bruce Rock if the development of additional sleeping units occurs; and That the administration adds the costs of the removal of the trees and fence within the 2014-2015 draft budget.</p>	<p>EHO</p>	<p>Mrs Harder has now contacted staff and advised that they are ready to commence works. Council staff will remove old fence and trees in the coming weeks.</p>
<p>Resolution Aug 14-7.1.1 Premise Condition – R15497 Op Shop – Johnson Street, Bruce</p>	<p>That the Administration seek the views of the volunteers of the Op Shop, 12 Johnson Street, Bruce Rock regarding the future of the op shop and advising of the deteriorating condition of the building.</p>	<p>CEO</p>	<p>Research into ownership/ lease agreement has commenced. Commenced arrangements for initial discussion with op shop representatives.</p>
<p>Resolution Aug 14-7.1.2 Recreation Centre – Acoustic Ceiling & Storeroom Ceiling</p>	<ul style="list-style-type: none"> • That the proposed design of the acoustic ceiling panels as shown on Wayne’s Design and Drafting Plan Job No. 14007 dated July 2014 for the Recreation Centre Club premise be accepted; • That the acoustic panels be offset from walls by 600mm; • That the product installed as ceiling acoustic panel be Rockfon MP700/40; • That the proposed suspended ceiling to be installed in the store room area is accepted by Council. 	<p>NRMO/CEO</p>	<p>The NRMO is carrying out research into acoustic panel system. The storeroom ceiling has been completed. Acoustic panels have now been installed and we have received positive feedback on the noise reduction.</p>
<p>Resolution Aug 14-13.3.1 Shire Administration Centre Upgrade</p>	<p>That Council endorses the concept sketch for the upgrade of the Shire Administration Centre and that the Chief Executive Officer requests final design plans and obtains quotations for the works required.</p>	<p>CEO</p>	<p>Final floor plans have been completed and quotes will now be obtained. Information and costings will be presented at the December meeting.</p>

<p>Resolution Sep 14-7.1.1 - Litter Act 1979 – Infringement Notice – John Karra, 30 Westral St, Bruce Rock – Alleged Unauthorised Disposal Bruce Rock-Merredin Rd</p>	<p>That Mr Karra be advised that Council does not accept his reasons for the unauthorised littering on the Bruce Rock Merredin Road on or around the 15 June 2014, that the provisions of the Infringement Notice 0202 issued on 3 July 2014 are enforceable and that unless payment is received by 30 September 2014 that the matter will be referred to Council’s solicitors for action.</p>	<p>EHO/BS</p>	<p>Correspondence was sent to Mr Karra advising of Council’s decision.</p> <p>The EHO will present an item to the November 2014 Council meeting.</p>
<p>Resolution Sep 14-13.2.1 - Synthetic Hockey Turf – CSRFF Application</p>	<p>That the application from the Shire of Bruce Rock and Bruce Rock Hockey Club for the funding of an uncompromised synthetic hockey surface and surrounds through the CSRFF program be submitted to the Department of Sport and Recreation as Council’s highest ranked priority.</p> <p>and</p> <p>That if the grant application is successful Council make Budget provision of \$405,168 (excluding GST) in the 2015/2016 financial year for the installation of an uncompromised synthetic hockey surface and surrounds.</p>	<p>CEO</p>	<p>Application submitted to Department of Sport & Recreation prior to close of submissions. A decision is expected in February 2015.</p>
<p>Resolution Sep 14-14.1 - Bruce Rock Ladies Group – Building Request</p>	<p>That Council investigate on behalf of the Bruce Rock Ladies Group for a suitable premise to be rented.</p>	<p>CEO</p>	<p>The CEO will provide an update at the Council meeting.</p>

COUNCIL DECISION

Resolution November 14-12.1

Moved: Cr Thornton

Seconded: Cr Dolton

Council receives the Status Reports, as presented.

Carried 9/0

13. Officers' Reports

13.1 Manager of Finance

Agenda Reference and Subject:

13.1.1 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 31 October 2014 is presented to council.

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 November 14-13.1.1

Moved: Cr Rajagopalan Seconded: Cr Royce

That the Statements of Financial Activity for the month ending 31 October 2014 as presented, be received.

Carried 9/0

Agenda Reference and Subject:

13.1.2 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 AND COUNCIL DECISION

Resolution November 14-13.1.2

Moved: Cr Thornton Seconded: Cr Dolton

That Council endorse the list of payments from the Municipal Account consisting of EFT voucher numbers EFT8286 to EFT8468; cheque number 23227 to 23253; totalling \$844,014.68.

Carried 9/0

13.2 Deputy Chief Executive Officer

Agenda Reference and Subject:	13.2.1 Hydrotherapy Pool – Access for the Mobility Impaired
File Reference:	1.3.7.2
Reporting Officer:	Catherine Dunn, Deputy Chief Executive Officer
Disclosure of Interest	NIL

Background

The Bruce Rock Hydrotherapy pool is often used for the purpose of injury management and rehabilitation, or injury prevention for the elderly. As a result, it is used by a number of people who are mobility impaired.

The Hydrotherapy Pool has three main points of entry:

1. The motorised chairlift;
2. Hand railing at the deeper steps; and
3. Graduated, shallower steps without a hand railing.

Currently the motorised chair lift is inactive due to the motor for the chair being broken. The cost of a new motor is approximately \$9,500. It may be possible to source a second hand motor at a cost of \$5,000-\$6,000 although this may take time and is unlikely. A second hand motor would also have no warranty period if it breaks.

We have also received a letter from Olga Ward, the part-time doctor which has been attached. She noted the following:

‘the majority of patients could probably get into the pool without a chair lift if there were secure rails to hang onto at the steps into the pool...I attend the Riverton Leisureplex and we only need to use the chair lift for wheelchair clients. The rest of the patients walk into the pool using the steps even after joint replacement surgery or with significant post-stroke impairments. They do, however, have a good secure rail to hang onto.’

We looked at options for installing stairs. There is a company based in Victoria which sells Easy Ladders (see attached product sheet). These are essentially removable stairs made to individual specification for pool access. As these are made in the US and freighted to Australia, the estimated cost is around \$6,600. This could be reduced to closer to \$5,000 if the steps are sent by ship. The stairs are customised to requirements however may limit the amount of available pool space.

A third option is installing a pneumatic lift into the pool as was the case when the pool was originally built.

The hydrotherapy pool was built in the late 1995. It was re-fibreglassed in January 2006 at a cost of approximately \$6000. Based on an assumed 10 year life of the fibreglass, this expenditure will be required again in 2016. The cost of running the pool over the last three financial years was \$30k, \$35k and \$28k respectively. This takes into account salaries for the cleaner and Aquatic Centre Manager (water testing), gas, electricity and general maintenance. Since introducing a pay-per-use system of \$4 for the general public and \$2 for pensioners in the previous financial year, it has generated \$821 in income. This equated to an average of 30 visits per month.

Comment

With the above information in mind, Council is asked to provide staff with advice as to the future direction of the hydrotherapy pool. In particular, advice is sought with regards to their preferred option on the immediate issue of addressing the access issues for mobility impaired.

The current identified options are:

1. Replace the motor to the chair lift;
2. Purchase removable stairs;
3. Pneumatic lift; and
4. Provide no additional access.

In the case of options 1-3 being selected, Council will need to pass a budget amendment resolution for up to \$10,000.

Consultation CEO, MOWS, Aquatic Centre Manager

Statutory Implications Nil

Policy Implications Nil

Financial Implications Possible amendment to budget
New motor: \$9,500
Removable stairs: \$6,600
Pneumatic lift: Quote not received.

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2013-2023

Social

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

Civic Leadership

4.1.2 Manage the organisation in a responsible and accountable manner.

Voting Requirements

Absolute Majority

Officer Recommendation

Council considers the above information and provide staff with guidance as to the future direction of, and access to, the hydrotherapy pool.

Council decision differs to the Officer's Recommendation as Council has chosen to purchase a new motor for the chairlift.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution November 14-13.2.1

Moved: Cr Foss

Seconded: Cr Gmeiner

1. That a new motorised chairlift is purchased for the hydro pool; and
2. That we amend the budget by \$9,500 for the motorised chairlift to be replaced.

Carried by absolute majority 9/0

13.3 Chief Executive Officer

Agenda Reference and Subject:	13.3.1 CEO Annual Leave Request
File Reference:	Personnel
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest	Darren Mollenoyux

Summary

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

Background

The Chief Executive Officer is seeking 20 days annual leave commencing on Monday 5th January 2015 and resuming on Monday 2nd February 2015. It is a requirement that an Acting Chief Executive Officer be appointed during this period of absence.

Comment

January is generally a quiet time and there is no Council meeting, majority of works crew is on leave so it is an ideal period for the Chief Executive Officer to take annual leave.

I have held discussions with the Shire President and the Deputy CEO, Catherine Dunn and I am confident that Catherine is capable and suitable to be appointed as Acting CEO during this period. In addition the Manager of Works and Services will be working during this period to handle any works and services matters that may arise.

Consultation

Shire President
Deputy Chief Executive Officer

Statutory Implications

Local Government Act 1995

In particular:

5.36. *Local government employees*

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

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

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

5.39. *Contracts for CEO and senior employees*

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

Policy Implications Nil

Financial Implications

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

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Civic Leadership

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

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution November 14-13.3.1

Moved: Cr Foss

Seconded: Cr Dolton

- 1. Approve the annual leave of the Chief Executive Officer, Darren Mollenoyux for the period commencing on Monday 5th January 2015 and resume on Monday 2nd February 2015.**
- 2. Appoint the Deputy Chief Executive Officer, Catherine Dunn as the Acting Chief Executive Officer for the period from Monday 5th January 2015 until Sunday the 1st February 2015 and that Catherine is paid at higher duties during this period.**

Carried by absolute majority 9/0

Agenda Reference and Subject:

13.3.2 Local Business Townscape Development

File Reference:

1.3.11.3

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Cr Buegge

Cr Buegge declared an interest and left the Council Chambers at 2.47pm.

Summary

Council is asked to consider the applications received for the 2014 Local Business Townscape Development Grant.

Background

To encourage local businesses to enhance the appearance and accessibility to their premises Council has budgeted for Local Business Townscape Development Grants in 2014.

Comment

Two applications were received for the 2014 round;

- **Brownley's Plumbing and Gas, 2-4 Johnson St, Bruce Rock**
Repair and paint exterior walls of the building, install new signage, repair cladding and entrance access. Total project works \$6,457, seeking Council grant \$3,000
- **Bruce Rock Ag Supplies, 37 Dunstall St, Bruce Rock**
Improve entrance and carpark by grading, filling and sealing customer carpark and yard. Total project works \$6,164, seeking Council grant \$3,000

Both applications meet the requirements of the guidelines.

The maximum per application is \$3,000.

A full copy of the applications has been provided to Council.

Consultation Nil

Statutory Implications Nil

Policy Implications

As per guidelines established under the Shire of Bruce Rock Local Business Townscape Grants 2014.

Financial Implications

Budget Provision of \$10,000 has been made for 2014/15 to cover the Local Business Townscape Development Grants.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Economic

2.1.1 – Actively support and develop local and new business

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution November 14-13.3.2

Moved: Cr Rajagopalan Seconded: Cr Royce

That Council approves the allocation of the following Local Business Townscape Development Grants for 2014;

- **Brownley's Plumbing and Gas, 2-4 Johnson St, Bruce Rock**
Repair and paint exterior walls of the building, install new signage, repair cladding and entrance access. Allocation of \$3,000
- **Bruce Rock Ag Supplies, 37 Dunstall St, Bruce Rock**
Improve entrance and carpark by grading, filling and sealing customer carpark and yard. Allocation of \$3,000

Carried 8/0

Cr Buegge returned to the Council Chambers at 2.54pm

The meeting adjourned at 2.55pm for afternoon tea.

The meeting resumed at 3.11pm with all Councillors and staff returned.

Agenda Reference and Subject:	13.3.3 CEACA – Heads of Agreement
File Reference:	1.6.5.11
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest	Nil

Summary

Council is asked to provide in principle support for the CEACA and Access Housing “Heads of Agreement” to work towards the CEACA housing model.

Background

In collaboration with WEROC (5) and NEWROC (6) Councils the Shire of Bruce Rock has been progressing the CEACA project which involves the construction and management of 211 independent living units across the 11 Shires for aged care housing.

WEROC has also been progressing the formation of an incorporated body (Wheatbelt Communities Inc) to administer Royalties for Regions projects, CEACA and other future initiatives that may arise. The incorporated body will have less legislation to deal with for the construction of the units as well as less compliance than if a Regional Council was to be created and it will also have the added advantage of being able to enter into legal arrangements in its own right.

Comment

In progressing the CEACA project an opportunity has been identified to partner with Access Housing Australia Pty Ltd in relation to the ongoing management and development of the units.

Access Housing is a not-for-profit company with the objective of increasing the supply of affordable housing with the management expertise in relation to management of rental housing and development programs.

In order for formalise the arrangements between CEACA and Access Housing a Heads of Agreement document has been developed (Attachment 15.4A) which details the basis under which both parties will progress the CEACA project. While the document may require amendment following the establishment of Wheatbelt Communities Inc., Council’s support is sought to enter into the Agreement with Access Housing.

Consultation

WEROC Council
 WEROC Executive
 Access Housing

Statutory Implications Nil

Policy Implications Nil

Financial Implications Nil at this time

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

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

- 1.3.1.3 - Participate in local and regional aged care accommodation options, selecting the best practice for the Shire, coupled with appropriate and complimentary health, recreation and community service.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution November 14-13.3.3

Moved: Cr Thornton Seconded: Cr Dolton

That Council provides in principle support to the Heads of Agreement document between CEACA and Access Housing Australia Pty Ltd.

Carried 9/0

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

Agenda Reference and Subject:

14.1 Late Item – Withdraw Offer to Sell Lot 326 Westral Street, Bruce Rock

File Reference: 2.4.2.1 Application to Purchase Council Land

Reporting Officer: Jennifer Bow, Manager of Finance

Disclosure of Interest Nil

Summary

Mr Brian Coogan was allocated Lot 326 Westral Street, Bruce Rock at the February 2009 Council meeting. He has advised that he no longer wishes to purchase the block.

Background

Mr Brian Coogan was planning to construct a purpose built wheelchair accessible house. He paid his deposit which has been held in Trust.

Comment

Mr Brian Coogan has now contacted Council and advised that he no longer wishes to purchase the land at Lot 326 Westral Street, Bruce Rock and would like his deposit refunded and allocated to his rates payable on his property at 3 Westral Street, Bruce Rock.

Council are asked to withdraw the original offer made to Mr Coogan and refund his deposit to finalise this matter.

Consultation CEO, MOF & SFO

Statutory Implications NIL

Policy Implications NIL

Financial Implications

The deposit has been held in Trust and a budget allocation had not been made for income to be received in 2014/15. The deposit will be refunded and allocated to his rates outstanding on 3 Westral Street, Bruce Rock (Assessment 563).

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

Voting Requirements *Simple Majority*

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution November 14-14.1

Moved: Cr Heasman **Seconded:** Cr Thornton

That Council withdraws its offer to sell Lot 326 Westral Street, Bruce Rock to Mr Brian Coogan and that his deposit is refunded and allocated to his rates outstanding on Assessment 563.

Carried 9/0

Agenda Reference and Subject:

14.2 Late Item - Budget Amendment – Purchase of Portable Ablutions

File Reference: 8.2.7.1. Annual Budget

Reporting Officer: Jennifer Bow, Manager of Finance

Disclosure of Interest Nil

Summary

The Manager of Works and Services has identified the need to purchase 2 portable ablutions which have not been budgeted for in the 2014/15 Annual Budget.

Background

In the past, Council has hired portable toilets for construction projects.

Comment

Last year, Council hired a portable toilet from the Bruce Rock VES for \$4,400 for the construction of the residence at 60 Dampier Street, which was covered by grant funding.

Occupational Health and Safety requirements now require employers to provide ablation facilities for staff working remotely. Therefore, it will be necessary to purchase 2 portable toilets.

The quote is \$2,595 per unit, totalling \$5,190. Staff are able to pick these units up from Welshpool saving on freight costs.

The costs of these units can be put against the construction of the new CLFG house in Collier Street and the Grain Freight Network.

Consultation

This matter has been discussed with relevant staff members.

Statutory Implications

Local Government Act 1995

s6.8. Expenditure from municipal fund not included in annual budget

- (1) *A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —*
- (a) *is incurred in a financial year before the adoption of the annual budget by the local government; or*
 - (b) *is authorised in advance by resolution*;* or
 - (c) *is authorised in advance by the mayor or president in an emergency.*

** Absolute majority required.*

Policy Implications NIL

Financial Implications

Amendment to the 2014/15 Budget of \$5,190

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2013-2023

Civic Leadership - 4.1.1 Develop leadership skills and behaviours that enhance the knowledge, skills and experience of the Council staff and Council.

Voting Requirements *Absolute Majority*

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution November 14-14.2

Moved: Cr Rajagopalan Seconded: Cr Buegge

That Council authorise in advance the purchase of two portable toilets at a cost of \$5,190, and amend the budget to reflect this amendment in the Budget review.

Carried by absolute majority 9/0

Agenda Reference and Subject:	14.3	Late Item - Annual Electors Meeting
File Reference:	2.1.2.2 Annual Meetings	
Reporting Officer:	Jennifer Bow, Manager of Finance	
Disclosure of Interest	Nil	

Summary

Council is asked to consider the date for the Annual Electors Meeting.

Background

The annual financial statements for 2013/14 are still with the auditors and therefore it is anticipated that the Annual Report will be presented to Council at the December 2014 meeting.

Comment

Council are required to accept the Annual Report which also contains the audited annual financial statements.

The financial statements have again taken longer to complete this year following the recent changes to the Local Government Act 1995 which require local governments to use fair value to value their assets.

Council are asked to consider a date for the Annual Electors Meeting. 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.

Therefore, if Council accepted the Annual Report at the December 2014 meeting, it will have until Thursday 14th February 2015 to hold the Annual Electors Meeting.

A formal decision by Council is not necessary until Council accepts the Annual Report.

Consultation

This matter has been discussed with relevant staff members.

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.

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

Officers Recommendation

This item is provided for Councillors information.

15. Confirmation and receipt of Information Bulletin.

COUNCIL DECISION

Resolution November 14-15.1.

Moved: Cr Buegge

Seconded: Cr Foss

That Council receives Information Bulletin 1 and 2 as presented.

Carried 9/0

16. Closure of Meeting.

The Shire President, Cr Strange, thanked everyone for their attendance and declared the meeting closed at 4.13pm.