

SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 16 June 2016

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SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 16 JUNE 2016

1. Declaration of Opening

The Shire President, Cr Strange, opened the meeting at the Bruce Rock Council Chambers at 1.31pm on Thursday 16 June 2016 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 NR Buegge
	Cr SBV Buller
	Cr DA Heasman
	Cr PG Negri
	Cr R Rajagopalan
	Cr MJ Royce
	Cr MK Thornton
Chief Executive Officer	Mr DRS Mollenoyux
Deputy Chief Executive Officer	Ms CJ Dunn
Manager of Finance	Mrs JL Bow

3. Response to Previous Public Questions Taken on Notice

Nil

4. Public Question Time

Question from Mrs Pam Thwaite:

Mrs Thwaite: I wrote a letter to the Shire on 23 May regarding significant amount of water under the house and have not yet received a response. Could an engineer meet at some stage to recommend some kind of intervention such as a higher kerb or storm water drain on Miller St.

The CEO, Mr DRS Mollenoyux gave a response that the Manager of Works and Services is aware of the problem and looking into possible resolutions. Once his investigations are finalised, and a plan of action has been decided on – he will send a written response to Mrs Thwaite outlining the intended actions.

5. Petitions / Deputations / Presentations / Submissions

Nil

6. Applications for Leave of Absence

Nil

7. **Environmental Health Reports**

Agenda Reference and Subject:	9.1.1 EHO Monthly Report – June 2016
File Reference:	7.1
Reporting Officer:	Environmental Health Officer
Disclosure of Interest	Nil

Summary

That Council accept the Environmental Health Officer report for the activities done in the month of April and May 2016.

Background

The Environmental Health Officer (EHO) will present to Council a report on activities done for the month of March for information and statutory recording purposes.

Comment

Shire of Bruce Rock health Local Law 2016:

At the Ordinary Meeting of Council held in May 2016 the Shire of Bruce Rock health Local Law 2016 was 'made'. This Health Local Law is currently awaiting the Shire Seal and the signatures of the Shire President and the Chief Executive Officer. When the Health Local Law is signed and sealed it will be sent to the Executive Director for Public Health who will sign to consent to the Health Local Law. Gazettal of the Health Local Law will occur when the Shire of Bruce Rock receives back the fully signed Health Local Law. Cost for Gazettal is estimated at \$3,713 for a Special Gazette and when gazetted a further \$500 to advertise a Notice in the Western Australian newspaper to announce the 'making of the Shire of Bruce Rock Health Local law 2016'. After gazettal copies will be furnished to the Joint Standing Committee on Delegated Legislation of the WA Parliament along with an 'Explanatory Memorandum' of the local law within 10 days of Gazettal

Shire of Bruce Rock Animals, Nuisance and Environment Local Law 2016:

At the Ordinary Meeting of Council held in May 2016 the Shire of Bruce Rock Animals, Nuisance and Environment Local Law 2016 (Law) was resolved on to re-advertise. Re-advertising requirement was due to significant changes made to the original Law in order to accommodate the activity of broadacre farming practices. Advertising was done in the weekend edition of the West Australian newspaper on the 21-22 of May 2016. Notices were placed on public notice boards and the website updated to reflect the changed Law. Both the Hon. Minister for Local Government and the Executive Director for Public Health were sent copies for their consideration. The closing date for all submissions is Friday the 15 of July 2016. It is expected that the Law will be presented to Council at the July Ordinary Meeting of Council to 'make' the Law.

Waste Water Reuse:

The Chief Executive Officer and EHO are working with Water Corp to reword the binding Waste Water Reuse Agreement. Issues at hand are clause that make the local government of Bruce Rock 'indemnify' the Water Corp from liability with a recent draft capping liability to \$50,000 thus should a claim be made who pays the balance of any compensation? Officers are working with the local government insurer legal personnel who are expected to meet with Water Corp lawyers to come to a mutual arrangement with the clauses of concern.

31 Dampier Street:

Despite the efforts of the Shire of Bruce Rock to assist the owner of the house located at 31 Dampier St towards dwelling house maintenance, storm water management and apparatus for the treatment of sewerage issues identified in September 2015 little effort has been made as discovered during a recent inspection. Notices will now be served, as explained to the owner should works not be done back in September 2015. As the matter is a sewerage disposal issue the house will be, should the Notices not be carried out, made unfit for habitation.

Kwolyin camp site:

With the assistance of the Shire Ranger service an infringement Notice was served and issued to a person who had stayed at the Kwolyin camp site for greater than three months without Council approval. Investigations revealed that the Kwolyin camp site as defined under the *Caravan Parks and Camping Grounds Act 1995* cannot be occupied by caravans, recreational vehicles and camper for greater than 3 nights in any 28 day period. The works manager has ordered signed to notify persons staying at Kwolyin that the maximum permitted stay is three nights in any 28 day period. The person who had overstayed did explain that the tow vehicle was waiting on parts to be supplied and gave his word that he would vacate the site. In the event the site is vacated the EHO said the infringement would be applied for to the CEO to be rescinded.

Consultation

Mr D Mollenoyux CEO
Ms C Dunn DCEO

Statutory Implications

Health Act 1911
Local Government Act 1995
Shire of Bruce Rock Health Local Laws 2007
Caravan Parks and Camping Grounds Act 1995

Policy Implications

Nil

Financial Implications

Local laws gazettal is estimated to be \$6,100.

Strategic Implications

Good governance of persons in the district on matters of environmental health and waste.

Voting Requirements

Simple majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution June 16 - 7.1

Moved: Cr Thornton

Seconded: Cr Buegge

That Council accept the Environmental Health Officer report for the months of April and May 2016.

Carried 9/0

8. Manager of Works and Services Information Report

Agenda Reference and Subject:	8.1 Works and Services Information Report
File Reference:	
Reporting Officer:	Glenn Casley, Manager of Works and Services

Town and Gardening Crew

- Construction of new Disabled toilet at the depot is complete
- Drainage work in town complete
- Slashing around town and our other towns will be starting on the 13th June
- New culverts put in along Barr St to stop houses getting flooded
- New street sweeper has been around town and done a great job
- Fixing water problem in back lane
- Gardeners busy weeding, spraying and tidying up town
- Trees being pruned along all footpaths
- First Aid course was held and 6 outside staff attended
- New garden bed at shire office, but is going to be rectified

Construction Crew

- Maintenance Grading is well under way
- Curlew Drive is under way and earthworks will be finished by the 15th June
- Traffic Management course was held and 6 staff attended
- Spraying of road verges is completed but will need to do again as they are coming back thicker than before

Workshop

- BK 512-Grader-Fix air leak and valve
- BK 6556-Weld major cracking in main boom-look at replacing this yr
- BK851-new tray being made to turn into a sign and guide post truck
- BK 9355- Fix hydraulic hoses and ram on door
- BK 638- Warranty recall ,air compressor issues
- BK 604-Warranty recall, new turbo
- BK 6375-new tyres and adjust the brakes
- BK 029-new brush replaced

Rec Centre

- Consultant has asked for some more info regarding the retic system for the oval, which has been sent back and hopefully we will have a cost to replace retic on the oval
- Have started to get costs for the earthworks for new Hockey Pitches
- Damien, Ashleigh and Darren have been looking at places for the new hockey pitch

Refuse site

- Going to get the gardeners out there to do some spraying
- Needs to be tidied up around the entrances to the tyre and asbestos holes as there's weeds and mess everywhere

9. Announcements by Presiding Member

The CEACA grant for 20m to construct aged-care housing has reached the cabinet for final consideration.

10. Confirmation of Minutes

Ordinary Meeting of Council held on Thursday 19 May 2016.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution June 16 –10.1

Moved: Cr Rajagopalan

Seconded: Cr Thornton

That the minutes of the Ordinary Meeting of Council held Thursday 19 May 2016 be confirmed as a true and correct record.

Carried 9/0

Works & Services Meeting held on Thursday 19 May 2016

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution June 16 –10.1

Moved: Cr Rajagopalan

Seconded: Cr Heasman

That the minutes of the Works & Services Meeting held on Thursday 19 May 2016 be received.

Carried 9/0

11. Regional Meeting Reports

Agenda Reference and Subject:	11.1 WEROC Executive Meeting May 2016
File Reference:	1.6.9.1
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest	Nil

Background

The last WEROC Executive Meeting was held on Wednesday 25th May 2016 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.

Summary

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

The following item is highlighted for Councillor's interest;

Item 5.1 Development of a WEROC App

Go2Events have been engaged to prepare a WEROC App to assist with Tourism and Local awareness of what we have to offer and other tourist and visitor information. Stephen Peacock from Go2Events held a workshop with staff during the day to ascertain what we wanted from the app and how to proceed in gathering the information and details.

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.

4.1.2.1 – Continue to provide governance that is professional and fiscally responsible and in the best interests of the community.

4.1.3.3 – Develop an enterprising approach to our infrastructure projects.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution June 16 –11.1

Moved: Cr Royce

Seconded: Cr Buegge

That Council receives the minutes of the WEROC Executive Meeting held on Wednesday 25th May 2016 at the Shire of Bruce Rock.

Carried 9/0

12. Status Report

Presentation of Status Report for May 2016 Resolutions

ITEM	RESOLUTION / ACTION REQUIRED	RESPONSIBLE OFFICER	RESPONSE OR STATUS
Resolution May 16 –13.1.1 Duplicate Road Name – Buller Road	That Council retains Buller Road outside of the town limit and renames the Buller Rd in town. That public consultation be carried out on the proposed change of the Buller Road within the town limits.	MOF	Letters to residents advising of decision with survey.
Resolution May 16 –13.1.5 Community Budget Request for 2016-17; Ardath Tennis Club	That Council: Corresponds with Ardath tennis club that we will assist them in applying for a small grant and will match a third of the funding.	MOF	Item to come back to Council as CSRFF Small Grants are for amounts of \$2500 and over.
Resolution May 16 –13.1.6 Community Budget Request for 2016-17; Babakin PS P&C	That Council declines the funding request of \$400 towards the cost of installing goal posts at the Babakin Primary School.	MOF	Advised
Resolution May 16 –13.1.7 Community Budget Request for 2016-17; Bruce Rock Ag Society	That Council: 1. supports the funding request of \$8,000 towards entertainment for the 2017 Bruce Rock and Districts Agricultural Society Show; and 2. includes an allocation of \$8,000 in the 2016-17 Annual Budget.	MOF	Advised
Resolution May 16 –13.1.8 Community Budget Request for 2016-17; Bruce Rock Swim Club	That Council corresponds with swim club that we will assist them in applying for a small grant and will provide the funding required.	MOF	Item to come back to Council as Council’s asset and Club already funded shed.
Resolution May 16 –13.1.9 Community Budget Request for 2016-17; Bruce Rock Golf Club	That Council: 1. supports the funding request of \$5,000 towards installation of split systems at the Butcher Community Centre (Bruce Rock Golf Club); and 2. includes an allocation of \$5,000 in the 2016-17 Annual Budget.	MOF	Advised
Resolution May 16 –13.1.10 Community Budget Request for 2016-17; Bruce Rock Men’s Shed	That Council: 1. supports the proposal put forward by the Men’s Shed subject to a grant; and 2. helps apply for funding.	MOF	Advised and CEO has met with reps and will provide update at meeting.
Resolution May 16 –13.1.11 Community Budget Request for 2016-17; Bruce Rock Playgroup	That Council declines the funding request of \$1,500 towards installation of a fixed playground at the Bruce Rock Playgroup, Butcher Street, Bruce Rock; but offer minor in-kind help for sand.	MOF	Advised that Council can assist with sand.

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<p>Resolution May 16 –13.1.12 Community Budget Request for 2016-17; Bruce Rock Seniors Assoc</p>	<p>That Council: 1. declines the proposed bitumising of the front car park at the Bruce Rock Seniors Building in Dampier Street, Bruce Rock; and 2. include some maintenance provision to fill the potholes and level with gravel.</p>	<p>MOF</p>	<p>Advised will include project in Budget deliberations but light fixed as maintenance.</p>
<p>Resolution May 16 –13.1.13 Community Budget Request for 2016-17; Bruce Rock St Johns</p>	<p>That Council leave this on the table until June when further information is available.</p>	<p>MOF</p>	<p>Waiting for more quotes.</p>
<p>Resolution May 16 –13.1.14 Community Budget Request for 2016-17; Shackleton Progress Assoc</p>	<p>That Council demolish the building and remove the debris.</p>	<p>MOF</p>	<p>Advised that will demolish building.</p>
<p>Resolution May 16 –13.1.15 Community Budget Request for 2016-17; St Mary’s Church</p>	<p>That Council: 1. supports the request to remove 2 trees located on the St Mary’s church block Club; and 2. includes an extra allocation of \$1,000 in the Tree Pruning budget of 2016-17 Annual Budget.</p>	<p>MOF</p>	<p>Advised included in Budget deliberations and will be confirmed when budget adopted.</p>
<p>Resolution May 16 –13.2.3 Adoption of Amended Fees and Charges – 12 Buller Rd</p>	<p>That Council adopt the weekly rental fee of \$190 for the house located at 12 Buller Road, Bruce Rock, effective immediately.</p>	<p>DCEO</p>	<p>Fee adopted and advertised. 12 Buller Road is currently rented.</p>
<p>Resolution May 16 –13.3.1 WALGA 2016 Local Government Convention</p>	<p>That Council appoints Cr Stephen Strange and Cr Ian Dolton as voting delegates and Cr Rajagopalan and Cr Royce as proxy voting delegates at the WA Local Government Association AGM to be held on 3 August 2016.</p>	<p>CEO</p>	<p>Nomination Form for voting delegates submitted.</p>
<p>Resolution May 16 –13.3.2 Council Housing</p>	<ul style="list-style-type: none"> • That Council obtains a market valuation on 12 Buller Street, Bruce Rock with and resolves to advertise it for sale via private sale process in 2016/17, with Council undertaking the advertising. • That the funds from the sale of the property be placed into Council’s housing reserve for future staff housing stock. • That Council makes budget provision \$460,000 in 2016/17 for the construction of a residence at the new residential subdivision. • That the first new residence constructed at the residential subdivision be allocated to the position of the CEO. 	<p>CEO</p>	<p>To be actioned as part of 2016/17 Budget.</p>

Status Report

Ongoing items as at 19 May 2016

ITEM	RESOLUTION / ACTION REQUIRED	RESPONSIBLE OFFICER	RESPONSE OR STATUS
<p>Resolution July 15-7.1 Local Planning Scheme No. 3 – Proposed Amendment 1 – Grouped Dwelling – Rural Area “D” Use and Rezoning Lots 26-31 Butcher Street, Bruce Rock to Residential</p> <p>Resolution August 15-7.1 Local Planning Scheme No. 3 Amendment One – Lots 26 – 31 Butcher Street and Grouped Housing in Rural Zone</p>	<p>That the Shire of Bruce Rock resolves to amend table one of Local Planning Scheme No.3 to permit grouped housing within the rural zone as a “D” use and to outline conditions under which a grouped dwelling may be approved within the rural zone & to rezone lots 26 – 31 Butcher Street to “residential”.</p> <p>That the proposed amendment be provided to the Western Australian Planning Commission and the Environmental Protection Authority for consideration prior to public comment periods.</p> <p>That the Shire of Bruce Rock Local Planning Scheme No.3 amendment 1 be sent to the Environmental Protection Authority for assessment pursuant to Section 81 of the Act and advertised in accordance with Division 3 of Part 5 of the Planning and Development Act 2005.</p> <p>That the amendment be submitted to Council at the completion of the advertising period for further consideration.</p>	<p>BS</p>	<p>CEO held meeting with Ian Schell on 12 Aug 15. Request sent to Town Planner to commence amendments.</p> <p>Advised that will have to wait 15 working days until we hear from EPA, so cannot move forward until then.</p>
<p>Resolution July 15-7.2 Local Planning Scheme No. 3 – Application for second dwelling</p>	<p>1) That the application from Christopher James Butler of PO Box 5 Bruce Rock to place a second dwelling on Location 15329, Yarding Ardath Road Bruce Rock be consented to with the following footnote: - Footnote to applicant: The applicant is advised that Council will not support the establishment of a third or subsequent dwelling on Location 15329, and that the new dwelling is to be self-sufficient in terms of its services including its own septic system, power supply,</p>	<p>BS</p>	<p>Item will be presented at the December 2015 Council Meeting.</p> <p>Have received EPA response and the next stage is commencing.</p> <p>John Mitchell is preparing an advertisement for the newspaper and a letter to WAPC before end of week.</p>

	<p>water connection etc. 2) That the administration commence a planning amendment to LPS 3 to remove the “X” use from the rural zone for grouped dwelling, caretaker dwelling & residential building and replace it with a “D” use symbol.</p>		
<p>Resolution July 15-14.1 Proposal for Electronic Scoreboard</p>	<p>1. That Council provides in principle support for the electronic scoreboard, as outlined by Bruce Rock Community Services Limited. 2. Prior to Council making a final commitment to the project, Council holds a meeting with all stakeholders to assess viability. 3. That Council makes budget provision of \$15,000 in the 2015/16 budget for contribution towards the provision of an electronic scoreboard to be located at the Bruce Rock Recreation Centre.</p>	<p>CEO</p>	<p>Letter sent to Bruce Rock Community Bank (Bendigo Bank) advising of Council’s views. Bruce Rock Community Bank made a presentation at the Shire and Sporting Clubs meeting. Awaiting update from Bendigo Bank</p>
<p>Resolution December 15-7.1 Proposed Health Local Law 2016</p>	<p>That Council pursuant to Section 3.12 of the Local Government Act 1995: 1. Adopts the proposed Shire of Bruce Rock Health Local Law 2016 for advertising; 2. Gives Statewide public notice and stating that: I. The Shire of Bruce Rock propose to make the Shire of Bruce Rock Health Local Law 2016; II. The purpose of the proposed Shire of Bruce Rock Health Local Law 2016 is to provide for the regulation, control and management of day to day public health matters within the Shire of Bruce Rock; and III. The effect of the proposed Shire of Bruce Rock Health Local Law 2016 is to establish various health standards and requirements which people living and working within the Shire of Bruce Rock must observe. A copy of the proposed local law may be inspected or obtained at any place specified in the notice;</p>	<p>EHO</p>	<p>Currently being processed.</p>

	<p>Submissions about the proposed local law may be made to the Shire before the day specified in the notice, being not less than 8 weeks after the notice is given;</p> <p>3. Provides a copy of the proposed local law and notice to the Hon. Minister for Local Government and the Executive Director of Public Health; and Directs the Chief Executive Officer to prepare a report to Council detailing submissions from the community at the first Council meeting following the closure of the designated submissions period</p>		
<p>Resolution December 15-7.2 Proposed Animals, Environment and Nuisance Local Law 2016</p>	<p>That Council pursuant to Section 3.12 of the Local Government Act 1995:</p> <ol style="list-style-type: none"> 1. Adopts the proposed Shire of Bruce Rock Animals, Environment and Nuisance Local Law 2016 for advertising; 2. Gives Statewide public notice and stating that: <ol style="list-style-type: none"> I. The Shire of Bruce Rock propose to make the Shire of Bruce Rock Animals, Environment and Nuisance Local Law 2016; II. The purpose of the proposed Shire of Bruce Rock Animals, Environment and Nuisance Local Law 2016 is to provide for the regulation, control and management of animals and the prevention of environmental damage and nuisances within the Shire of Bruce Rock; and III. The effect of the proposed Shire of Bruce Rock Animals, Environment and Nuisance Local Law 2016 is to establish the requirements with which any person keeping animals, or undertaking activities that have the potential to impact the environment or create nuisance must comply. <p>A copy of the proposed local law may be inspected or obtained at any place specified in the notice; and</p>	<p>EHO</p>	<p>Currently with Department for processing.</p>

	<p>Submissions about the proposed local law may be made to the Shire before the day specified in the notice, being not less than 8 weeks after the notice is given.</p> <p>3. Provides a copy of the proposed local law and notice to the Hon. Minister for Local Government and the Executive Director of Public Health; and</p> <p>4. Directs the Chief Executive Officer to prepare a report to Council detailing submissions from the community at the first Council meeting following the closure of the designated submissions period.</p>		
<p>Resolution February 16 – 8.1 Recreation Centre reticulation consultant</p>	<p>That Council engages a reticulation consultant to review and design a reticulation system for the Recreation Centre Oval, which is to be funded out of the budget allocation for turf and reticulation maintenance in the 2015/16 budget.</p>	<p>MOW&S</p>	<p>Noted for Manager of Works & Services to investigate.</p>
<p>Resolution March 16 – 13.1.4 Duplicate Road Name – Buller Road</p>	<p>That Council considers the request from the Geographic Names Committee to alter rename one of the ‘Buller Roads’ in Bruce Rock however requests that the Buller Road within the town boundaries be renamed to ‘Buller Street’.</p> <p>If Council agrees to considering a change of name that it commences the community consultation process in accordance with the guidelines set out by the Geographic Names Committee.</p>	<p>MOF</p>	<p>The Manager of Finance will present an update at the May 2016 Council meeting.</p> <p>Letters to residents in Buller Road advising of Council’s decision.</p>
<p>Resolution March 16 – 13.2.1 Community Crop</p>	<p>Council considered the applications received and awarded the cropping rights for the Bruce Rock Community Crop, (located adjacent to the airstrip) to the Bruce Rock football club for 5 years. The lease term is to be from 1 March 2016 to 28</p>	<p>DCEO</p>	<p>Letter sent to Football Club notifying them they were awarded the cropping rights.</p> <p>The lease has now been signed.</p>

	<p>February 2021. The lease will include stipulations relating to the following:</p> <ul style="list-style-type: none"> -that the lease include the responsibility for the land to be handed back in a fit state, soil testing and chemical/fertiliser requirements and the lease to be reviewed and advertised six months prior to expiry. -that farm machinery is not allowed on the Bruce Rock airstrip. 		
Resolution March 16 – 14.3 Hockey Turf Project	<p>That the various options for the placement of the hockey turf be re-pegged; and</p> <p>That two members from each affected sporting club are invited to attend the next Council meeting at 11am.</p>	CEO	This will be discussed with sporting clubs and presented at June 2016 Council Meeting.
Resolution March 16 – 12.1 Revised Mosaic Project	<p>That Council approve the revised plan subject to:</p> <ul style="list-style-type: none"> - a sample mosaic to be brought before Council and - costings are put to Council for presentation at the next budget. 	CEO	Letter sent to Mrs Beverly Buller advising of Council's decision.
Resolution April 16 - 13.2.5 Quarry Tender	<p>That Council consider the tender received and award the tender to Neil Mcwhirter from Mining and Drilling Services Pty Ltd. This is subject to a successful reference check and past reference history.</p> <p>That the rent option agreed on is the flat rate option ex GST.</p>	DCEO	Final lease has been drafted and is with Mining and Drilling Services for comment.

COUNCIL DECISION

Resolution June 16-12.1

Moved: Cr Dolton

Seconded: Cr Buller

That 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:	8.2.6.2 Financial Reporting
Reporting Officer:	Jennifer Bow, Manager of Finance
Disclosure of Interest	Nil

Summary

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

Background

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

Comment

The financial statement for the month ending 31 May 2016 is available for download from the website.

Consultation

Chief Executive Officer
Deputy Chief Executive Officer
Manager of Finance
Manager of Works and Services
Senior Finance Officer and other staff.

Statutory Implications

r. 34 Local Government (Financial Management) Regulations 1996

Policy Implications

Nil

Financial Implications

Comparison of actual year to date to the 2015/16 Budget (Budget Review Figures)

Strategic Implications

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 June 16 –13.1.1

Moved: Cr Thornton

Seconded: Cr Rajagopalan

That the Statements of Financial Activity for the month ending 31 May 2016 as presented be received.

Carried 9/0

Agenda Reference and Subject:

13.1.2 List of Payments

File Reference:

8.2.3.3 Accounts Payable (Creditors)

Reporting Officer:

Jennifer Bow, Manager of Finance, and
Jacqui Cook, Senior Finance Officer

Disclosure of Interest

Nil

Summary

List of payments made since the last ordinary Council meeting.

Background

As the Chief Executive Officer has been delegated the authority to make payments from the municipal and trust funds, a list of payments made is to be presented to Council each month. Also in accordance with Finance Policy Number F1.1, included is a list of payments made with the CEO's credit card.

Comment

Following is a list of payments made from Council's Municipal and Trust Accounts and also payments made with the CEO's credit card for the month of May 2016.

Consultation

Nil

Statutory Implications

s.6.10 Local Government Act 1995

r.13(1) Local Government (Financial Management) Regulations 1996

Policy Implications

Nil

Financial Implications

Payments must be made in accordance with 2015/16 Budget

Strategic Implications

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 June 16 –13.1.2

Moved: Cr Thornton

Seconded: Cr Negri

That Council endorse the list of payments from the:

- 1. Municipal Account consisting of;**
 - a. EFT voucher numbers EFT 10398 to EFT 10558 totalling \$695,746.10**
 - b. Cheque number 23490 to 234502 totalling \$40,334.39**
 - c. Wages payments totalling \$213,969.95**
 - d. Credit Card payments totalling \$1,350.43 and**
 - e. Petty Cash payments totalling \$226.90**
 - 2. Trust Account consisting of Cheque numbers 1869 to 1871 totalling \$2,499.86;**
- With all payments totalling \$954,127.63 for the month of May 2016.**

Carried 9/0

Agenda Reference and Subject:

	13.1.3 Community Budget Requests for 2016-17
File Reference:	8.2.7.2 – Annual Budget – Requests for Consideration
Reporting Officer:	Jennifer Bow, Manager of Finance
Disclosure of Interest	Nil

Summary

Two items have been brought back to Council for further discussion.

Background

The Ardath Tennis Club asked for assistance with replacing the shade sail at the Ardath Tennis Club.

The Bruce Rock Amateur Swimming Club Inc. requested that the Shire consider replacing the lane ropes at the swimming pool.

Comment

Staff acted on Council's resolution however when researching grant opportunities available to the Ardath Tennis Club for this item, they found that there is a minimum amount of \$2,500 that can be applied for with the Department of Sport and Recreation CSRFF Small Equipment Grants.

Therefore, this item has been brought back to Council for further consideration. The Ardath Tennis Club have been requested to provide a quotation for the works required however at the time of preparing the budget, it had still not yet been received.

COUNCIL DECISION

Resolution May 16 –13.1.5

Moved: Cr Heasman

Seconded: Cr Rajagopalan

That Council:

Corresponds with Ardath Tennis Club that we will assist them in applying for a small grant and will match a third of the funding.

Carried 9/0

Staff also acted on Council's resolution for the Bruce Rock Amateur Swimming Club but when staff were re-reading the Swimming Club's application, they did state that they could consider assisting towards the cost of the lane ropes. However they also stated that they have just put all their excess funds towards building a storage shed which they have done entirely by fundraising for the past four years.

The lane ropes are the Shire's property as they were purchased as part of the upgrade of the Aquatic Centre in 2001. They have also been stored outside during the pool season without a cover and have weathered badly. The Pool Manager has advised that they have sharp edges and are dangerous to pool users. There are also wires sticking out of the tensioners which is also dangerous.

They could be replaced utilising the Department of Sport and Recreation's Community Pool Revitalisation Program which is aimed at maintaining and upgrading infrastructure, improving pool facilities (including development of new programs) and purchasing new equipment. Council is eligible for this annual funding of \$32,000 for expenditure at the pool.

Council are asked to further consider these two requests with the extra information that has been provided.

COUNCIL DECISION

Resolution May 16 –13.1.8

Moved: Cr Royce

Seconded: Cr Buegge

That Council

Corresponds with swim club that we will assist them in applying for a small grant and will provide the funding required.

Carried 9/0

Consultation

Chief Executive Officer
Deputy Chief Executive Officer
Manager of Finance, and
Aquatic Centre Manager

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Approximately \$1,200 but Ardath Tennis Club is waiting on quote
Approximately \$4,000 excluding freight, spindle and cover for 5 lane ropes and tensioning mechanisms

Strategic Implications

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

Voting Requirements

Simple Majority

Officer Recommendation

That Council

- i. supports/declines the funding request of \$1,200 towards the cost of replacing the shade sail at the Ardath Tennis Club;
- ii. includes an allocation of \$1,200 in the 2016-17 Annual Budget.
- iii. Supports/declines the request to replace the lane ropes at the Aquatic Centre; and
- iv. Includes an allocation in the 2016-17 Annual Budget.

The Officer's Recommendation differs to Council's decision as Council suggested Ardath Tennis Club should contribute 50% of the cost. The previous resolutions relating to these matters were rescinded.

COUNCIL DECISION

Resolution June 16 –13.1.3.1

Moved: Cr Rajagopalan

Seconded: Cr Buegge

That the following resolution is rescinded:

Resolution May 16 –13.1.5

That Council corresponds with Ardath Tennis Club that we will assist them in applying for a small grant and will match a third of the funding

CARRIED BY ABSOLUTE MAJORITY 9/0

COUNCIL DECISION

Resolution June 16 –13.1.3.2

Moved: Cr Rajagopalan

Seconded: Buegge

That the following resolution is rescinded:

Resolution May 16 –13.1.8

That Council corresponds with swim club that we will assist them in applying for a small grant and will provide the funding required.

CARRIED BY ABSOLUTE MAJORITY 9/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution June 16 –13.1.3.3

Moved: Cr Buegge

Seconded: Cr Rajagopalan

That Council

- i. supports the funding request to contribute to the cost of replacing the shade sail at the Ardath Tennis Club for an amount up to \$600 (with a minimum of 50% of the cost to be funded by Ardath Tennis Club)**
- ii. includes an allocation of \$600 in the 2016-17 Annual Budget.**
- iii. Supports the request to replace the lane ropes at the Aquatic Centre; and**
- iv. Includes an allocation in the 2016-17 Annual Budget.**

Carried 8/1

13.2 Deputy Chief Executive Officer

Agenda Reference and Subject:

13.2.1 Catering of Council Meals

File Reference:

Reporting Officer:

Catherine Dunn, Deputy Chief Executive Officer

Disclosure of Interest

Summary

Council has received an offer for Council's meals to be catered.

Background

The previous contract with Kumanka Creations expired in in April 2016.

This was advertised prior to the March and April Council meeting however, no acceptable submissions were received.

The following was resolved at the April Council meeting:

COUNCIL DECISION

Resolution April 16 - 13.2.2.2

Moved: Cr Heasman

Seconded: Cr Buller

That Council has the staff prepare finger food for the majority of meals and a caterer is approached for the occasional catered meals.

Carried 9/0

A submission has since been received from the district club at a cost of \$35 per head. This would include a main meal and a dessert.

Comment

The cost is the same as the previous contract with Kumanka Creations.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

\$35 per head – approximately \$300-\$350 per month, Estimated \$3,000 annual cost.

Strategic Implications

Civic Leadership

4.1.2 Manage the organisation in a responsible and accountable manner

Voting Requirements

Simple Majority

Absolute majority required to rescind prior motion

Officer Recommendation

That Council accepts/declines the Bruce Rock Clubs submission to cater Council meals, and that this be for 10 meals over a 12 month period from July 2016 to July 2017 (excluding the months of December and January).

Council chose to rescind the prior resolution relating to Council meals.

COUNCIL DECISION

Resolution June 16 –13.2.1

Moved: Cr Dolton

Seconded: Cr Royce

That the following resolution is rescinded:

Resolution April 16 - 13.2.2.2

That Council has the staff prepare finger food for the majority of meals and a caterer is approached for the occasional catered meals.

CARRIED BY ABSOLUTE MAJORITY 9/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution June 16 –13.2.1

Moved: Cr Dolton

Seconded: Cr Royce

That Council accepts the Bruce Rock Clubs submission to cater Council meals, and That this be for 10 meals over a 12 month period from July 2016 to July 2017 (excluding the months of December and January).

Carried 9/0

Agenda Reference and Subject:

13.2.2 Request to Keep 3 Dogs

File Reference:

5.2.1.6

Reporting Officer:

Catherine Dunn, Deputy Chief Executive Officer

Disclosure of Interest

Summary

Council is asked to consider an application to keep more than two dogs at a property within the Shire under Council’s Local Laws relating to the Keeping of Dogs.

Background

Council has received an application from Denice Houston to keep three dogs at 84 Butcher St, Bruce Rock. The three dogs details are as follows;

	Breed	Microchipped	Age	Sex	Sterilised
1	Labrador X foxhound	Y	10	F	N
2	Labrador X foxhound	Y	10	F	N
3	English Staffordshire	Y	14	M	N

Mrs Houston made the following request in her letter;

“I Denice Houston am asking permission to keep on my premises of 84 Butcher St my third dog, a male English Staffordshire aged 14 years.”

Mrs Houston, came in to register her dogs, but as she had more than two we are unable to register the third dog until permission is given by Council.

Comment

After liaising with the ranger and in accordance with Council’s Dogs Local Laws it is recommended that Council accepts the application with the following conditions;

- The fence and gates around the property must be maintained and remain secured condition to contain the dogs at all times.
- All dogs to be microchipped and registered with the local government.
- That once the dog passes away, further permission to keep multiple dogs is not automatically granted. Any further applications to keep multiple dogs must be applied for prior to obtaining the dog.

There have been no recorded complaints against the dogs.

Consultation

WA Contract Ranger Services

Statutory Implications

Shire of Bruce Rock Dogs Local Law 2005

3.2 Limitation on the number of dogs

- (1) This clause does not apply to premises which have been -
- (a) licensed under Part 4 as an approved kennel establishment; or
 - (b) granted an exemption under section 26(3) of the Act.

Dog Act 1976 – Section 26 Limitations as to Numbers

- (3) Where by a local law under this Act a local government has placed a limit on the keeping of dogs in any specified area but the local government is satisfied in relation to any particular premises that the provisions of this Act relating to approved kennel establishments need not be applied in the circumstances, the local government may grant an exemption in respect of those premises but any such exemption –
- (a) may be made subject to conditions, including a condition that it applies only to the dogs specified in the exemption; and
 - (b) cannot authorise the keeping in or at those premises of –
 - (i) more than 6 dogs that have reached 3 months of age; or
 - (ii) a dog under that age unless it is a pup of a dog whose keeping is authorised by the exemption; and
 - (c) may be revoked or varied at any time.

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 June 16 –13.2.2

Moved: Cr Rajagopalan

Seconded: Cr Thornton

That the application to home a third dog at 84 Butcher Street, Bruce Rock be approved with the following conditions: -

a) The dogs housed are –

	Breed	Microchipped	Age	Sex	Sterilised
1	Labrador X	Y	10	F	N
2	Labrador X	Y	10	F	N
3	English Staffordshire	Y	14	M	N

b) The fence and gates around the property must be maintained and remain secured condition to contain the dogs at all times.

c) All dogs to be microchipped and registered with the local government.

2) That if any of the above animals become deceased, the keeping of additional dogs will not be allowed unless an application is approved by council prior to obtaining a third dog.

3) That the applicant be advised that the Shire of Bruce Rock reserves the right to revoke this approval in accordance with section 26(3)(c) of the Dog Act should any of the above conditions not be met, or any complaints or nuisance resulting from the keeping of three dogs on the property are received.

Carried 9/0

Agenda Reference and Subject:

13.2.3 Staff Appraisals

File Reference:

1.1.6

Reporting Officer:

Catherine Dunn, Deputy CEO

Disclosure of Interest

Nil

Summary

Council is asked to receive a report on significant changes arising from performance appraisals for 2016.

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 2016/2017 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 AND COUNCIL DECISION

Resolution June 16 –13.2.3

Moved: Cr Thornton

Seconded: Cr Royce

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

Carried 9/0

Agenda Reference and Subject:

13.2.4 Shire President's Stamp

File Reference:

Reporting Officer:

Catherine Dunn, Deputy Chief Executive Officer

Disclosure of Interest

Nil

Summary

Use of Shire President's stamp in May 2016.

Background

Nil

Comment

As per Council's policy, the Shire President's stamp has been used during the month of May 2016 as follows:

- WALGA Honour Nomination
- Community Crop Lease – Bruce Rock Football Club

Consultation

Nil

Statutory Implications

Council Policy

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Corporate Governance

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution June 16 –13.2.4

Moved: Cr Thornton

Seconded: Cr Buller

That Council endorse the use of the Shire President's stamp during May 2016.

Carried 9/0

13.3 Chief Executive Officer

Agenda Reference and Subject:

13.3.1 Proposed Road Closure – Kokerbin Hill

File Reference:

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

The Department of Parks and Wildlife, Central Wheatbelt District is proposing to close the access road around the Kokerbin Hill within the Kokerbin Nature Reserve.

Background

Council has received a letter in February 2015 from the Department of Parks and Wildlife regarding the access road around Kokerbin Hill, stating:

“The Department Invites the Shire of Bruce Rock to make comment on a proposal by Parks and Wildlife, Central Wheatbelt District to close the access road around Kokerbin Hill within the Kokerbin Nature Reserve R11043.

Parks and Wildlife in conjunction with the Shire of Bruce Rock some time ago identified the need for management action at the reserve aimed at providing a quality recreation experience for day users and campers external to the reserve.

The existence of a degraded track around the granite rock is in an unsatisfactory condition for the associated visitation to the area. In the interest of public safety, protection of culturally significant sites and the protection of the reserves flora and fauna including significant stand of inland Wandoo sp, Parks and Wildlife are proposing the closure of the track by means of ripping and planting.”

At its Ordinary meeting held on the 19th February 2015 Council made the following resolution;

That Council considered the proposed closure of the access road around Kokerbin Hill within the Kokerbin Nature Reserve R11043, and declines the proposal by the Department of Parks and Wildlife for the following reasons:

- retain as a firebreak around the area;***
- retaining an access road in case of emergency; and***
- retaining access for those physically unable to view and access the rock.***

The CEO wrote and advised the Department of Council’s objects and subsequently Departmental staff made a presentation to Council at the April 2015 meeting. The Department of Parks and Wildlife were advised that Council’s objections still remained.

Comment

In May 2016 we received a response a written response to Council’s objections. The Department of Parks and Wildlife have now advised as follows;

“Thank you for your letter dated the 3rd March 2016, regarding the proposed road closure in Kokerbin Nature Reserve (Reserve Number 11043).

The following feedback to your letter relating to the points raised is provided below;

- **Council believes the road should be retained to act as a firebreak for the reserve and also enable access for fire emergencies –**
The department will install unlocked gates to dissuade the public from travelling on non-dedicated roads. Access for emergencies such as bushfires can still occur. Signage will be installed to guide the public to points of interest.

- **Council considers that the track should also be improved/maintained to enable access for those who are physically unable to walk around this side of the rock and enjoy the area; and by closing the access road it also prohibits people from parking on that side of the rock which is easier to climb for the elderly or those who are not as physically able to walk all the way around then climb the rock and return –**

One option being considered is extending the walk trail to the summit via the shortest route from the south side of the rock. If people cannot physically walk the trail then access through the gate access will allow them to reach the summit on a restricted basis.

Council is aware that the access road is in poor condition and this matter has been discussed by Council during the recent upgrade and works associated with the Granite Way project.

This road is not a gazetted road and the land belongs to the Department.

Consultation

Vaughn Smith, Wheatbelt Branch for Department of Parks and Wildlife

Statutory Implications

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Environment

3.1.1.1 – Conserve open spaces, natural vegetation and bushland

3.1.2 – Preserve and protect local ecology and biodiversity

2.1.2.3 – Protect and enhance our natural walk and drive trails

Voting Requirements

Simple Majority

Officer Recommendation

That Council considers the response from the Department of Parks and Wildlife regarding closure of the access road around Kokerbin Hill within the Kokerbin Nature Reserve R11043.

Council's decision varies t the Officer's recommendation as they have decided to accept the suggestion but require that the road is maintained in a firebreak condition.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution June 16 –13.3.1

Moved: Cr Dolton

Seconded: Cr Buegge

That Council accept the Department of Parks and Wildlife's proposal regarding the unlocked gates and walk trail on the track around Kokerbin Hill, however, the road must be maintained in a condition that meets the requirement of a firebreak.

If this is agreed then the Shire would be willing to undertake the grading maintenance at cost price to the Department of Parks and Wildlife.

Carried 9/0

Agenda Reference and Subject:

13.3.2 Roe Tourism – Television Promotion

File Reference:

1.3.10.2

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is asked to consider a request from ROE Tourism seeking involvement and financial support for a television series feature on Wheatbelt (Pathways to Wave Rock).

Background

The Roe Tourism Association has written to Council seeking involvement and financial support towards the production of a Television Series which would include a segment on the Wheatbelt and Pathways to Wave Rock. Their production costs are around \$40,000 and ROE Tourism is seeking \$5,714 from each Council.

ROE Tourism has provided the following information from the producers;

“with the four previous WA series’ we haven’t had a Wheatbelt presence and I’m keen to try and have the region involved this time, and am open to your suggestions of how we could bring this together as a ‘drive-trail’ storyline.

The OUR TOWN WA series in summary:

- To be broadcast throughout the state via Channel 7 (metro) and GWN Prime (regional) from November this year.*
- Series’ major aim is to promote why people should visit, live, play, work, study and invest in the towns/cities of Western Australia.*
- The project will be produced by VISAGE Productions – we are a WA based production company who will be utilizing the skills of a WA based production team for this series.*
- The program is built from a successful model that has been in production in Western Australia over three previous series’ and more recently via a Queensland focussed series, which has just completed airing.*
- The 10 episode, 30 minute program will be packaged as an entertaining and informative look at some of the regional towns and cities (and near Perth metro towns) that have made their mark in WA, towns that have gathered plenty of history over the years, as well as looking at what the towns have planned for the future.*
- Each of the 10 weekly episodes will focus on a particular town/city, and the surrounding region. Feature stories will cover subjects relating to tourism, regional and economic development and industry and commercial growth, stories built around ‘positive’ community relationships and partnerships. The content is endless, as long as it’s a positive story.*
- The program will feature the many companies and organisations that are helping the area move forward, for the betterment of themselves and for the community, and provides an ideal opportunity for the town and business operators in the region to feature their product to an extensive audience.*
- Each participant will also have unlimited access to the final edited story, as well as the raw footage, which can be further promoted through other promotional mediums such as television commercials, websites and social media (conditions apply).*

From a funding POV, our target for each episode is to raise \$40,000 ex GST, and I’m open to any thoughts you may have in bringing a ‘Pathways to Wave Rock’, or similar episode together. I see a joint-collaboration between the Shires involved for starters (each put in funds), one option I’m talking to other episode destinations about, which has been received positively. Each 30 minute episode ends

up being 22 minutes after commercials breaks, which, after opening and closing graphics, commercial break play-offs and Presenter links throughout the region, ends up being 20 minutes of designated-region content.

As you are no doubt aware, for state-wide coverage on Channel 7 and GWN, social media coverage, four ready-made segmented stories (four segments per episode) with an option to edit together as one package as part of the overall cost, as well as access to the raw footage, including drone footage (conditions apply), the cost would be expensive, so this is a great investment considering what you receive for \$40,000. This entire episode would be a stand-alone 'Pathways to Wave Rock' feature and I'd be happy to discuss how we could edit the package together so you can on-use as a video promotion (20 minutes duration)."

Comment

Council has already committed to various areas of Tourism for 2016/17 and the following expenditure on tourism is as follows;

Council's own Tourism specific expenditure (brochures etc)	\$2,000
Central Wheatbelt Visitors Centre	\$ 2,977
Wheatbelt Central Map & Guide Reprint	\$ 1,000
Bruce Rock CRC	\$ 4,000
ROE Tourism	\$ 2,500
ROE Tourism Executive Officer	<u>\$ 2,500</u>
TOTAL (excluding own brochures & materials)	\$14,977

Consultation

Ashleigh Waight, Community Development Officer

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Council does not currently have budget provision for the requested proposal, however this could be assessed and included in the 2016/17 budget.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Social

1.1.2.2 – Continue to enhance lifestyle qualities for all residents.

Economic

2.2.1 – Strengthen the capacity and integration of tourism in the Shire of Bruce Rock

2.2.1.1 – Find ways to help tell the Shire of Bruce Rock story eg tourism

2.2.1.5 – Continue to support the objectives of ROE Tourism, the Central Wheatbelt Visitors Centre and local tourism businesses and services.

Voting Requirements

Absolute Majority

Officer Recommendation

That Council considers the request for involvement and financial contribution towards the ROE Tourism proposal for television series feature on Wheatbelt (Pathways to Wave Rock).

Council's decision varies to the Officer's Recommendation as Council have chosen to decline the funding request.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution June 16 –13.3.2

Moved: Cr Rajagopalan

Seconded: Cr Heasman

That Council declines the request for involvement and financial contribution towards the ROE Tourism proposal for television series feature on Wheatbelt (Pathways to Wave Rock) due to the amount of funds already committed to tourism.

Carried 9/0

The meeting was adjourned for afternoon tea at 2.51pm.

The meeting resumed with all Councillors and staff returned at 3.16pm.

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

Agenda Reference and Subject:	14.1 Local Planning Scheme No. 3 – Application for second dwelling
File Reference:	Ass File – Lot 16262 adjacent to the Merredin—Bruce Rock Rd Mr & Mrs Andrew & Helen SHEARING
Reporting Officer:	Catherine Dunn, Deputy Chief Executive Officer
Disclosure of Interest	Nil

Summary

Report recommends that the application to erect a 468m², 4 bedroom, 2 bathroom, steel framed, steel rooved dwelling on Location 16262, Merredin – Bruce Rock Road, Bruce Rock be approved.

Background

Mr and Mrs Andrew and Helen Shearing has presented to the Shire of Bruce Rock an application to erect a 468m², 4 bedroom, 2 bathroom, steel framed, steel rooved dwelling on Location 16262, Merredin – Bruce Rock Road, Bruce Rock for a building permit. Lot 16262 has an existing dwelling on site. Pursuant to the Shire of Bruce Rock Local Planning Scheme N^o 3 (Scheme) Table 1 Zoning Table a second dwelling is not permitted. Notwithstanding the previous the application also came with a letter signed on behalf of Andrew & Helen Shearing by TR Homes Ms Johanna Ptaschek ‘Prestart, Shire and Client Liaison’ officer stating that the existing dwelling will be demolished within 24 months.

Comment

Only a single dwelling is permitted within a location in the rural zone.

The Scheme does not permit a second dwelling, employee quarters grouped dwellings, residential building or a park home on a rural lot.

Table 1 – Zoning Table of the Scheme lists three types of dwelling as defined in the Residential Design Codes (R Codes). These three types include;

- a) a single house
- b) a grouped dwelling, and
- c) a multiple dwelling.

A **single house** is a house on a lot when it is the *only* house on that lot.

When a second house is built on a lot, both houses become **grouped dwellings**.

A **multiple dwelling** is where all, or part, of a dwelling is over another dwelling (ie flats, units etc) - but this is not part of this discussion.

The Department of Planning (through the WA Planning Commission) opposes the permissibility of grouped dwellings in a rural type zone as it would open the door for two or more dwellings on a lot. This may permit the establishment of, let’s say, 50 dwellings on a rural lot. Although this is probably an exaggeration, it demonstrates the potential for a rural lot to host the development of an urban environment in a rural area. The potential consequence of this is an increase in demand for urban services, amenities and facilities that may prove to be unsustainable in the longer term.

As a result the Scheme prohibits the establishment of a grouped (second) dwelling on location 16262.

Whilst the literal reading of the Scheme is a good start in this assessment the broader and long term view must be taken into consideration. As previously mentioned Mr & Mrs Andrew & Helen Shearing

have supplied correspondence via Ms Johanna Ptaschek of TR Homes stating the existing dwelling will be demolished; although signed on behalf of Mr & Mrs Andrew & Helen Shearing the Shires Environmental Health Officer Mr J Goldacre contacted Mr A Shearing regarding the septic application was told the intention was to demolish the existing house *or* maybe turn into an office which by definition is not a dwelling and would be permitted under the Scheme. In light of correspondence received and advice given by Mr A Shearing the Council can now look at the 'intent' of the Scheme as well as other factors as presented further in this Item.

The provisions of the R Codes do however permit the establishment of an ***ancillary dwelling*** (ie a second dwelling!) providing certain requirements are met. However the maximum sized dwelling permitted is 70m² which is half the size of a standard 3 bedroom dwelling (an ancillary dwelling used to be referred to as a granny flat).

Clause 5.5 permits the standards to be varied providing it is not a development for which the Residential Design Codes applies. As the intent of the Scheme as it currently stands now and the information received from the applicants there is reasonable grounds by which the Council can approve a second dwelling on the subject land under the Scheme with appropriate conditions given. Provided the provisions of the Scheme clauses and this resolutions conditions are met as applicable it is the Officers view that the second dwelling can be approved by the Council.

Attachment 1 shows the location of the existing farm house complex on the subject land.

Further information is provided to Council to further assist in supporting the proposed resolution. In a previous agenda item by the late Mr John C Mitchell it was considered that the placement of staff quarters or a second dwelling on a farm was not an unexpected development within a rural location and the placement of the dwelling for staff or family purposes should be permitted. The following resolutions were passed based on that reasoning.

The following resolution, July 15-7.1 was passed in July 2015.

- 2) *That the administration commence a planning amendment to LPS 3 to remove the "X" use from the rural zone for grouped dwelling, caretaker dwelling & residential building and replace it with a "D" use symbol.*

In August 2015, the following resolution N^o 15-7.1 was passed:

*That the Shire of Bruce Rock Local Planning Scheme No.3 amendment 1 be sent to the Environmental Protection Authority for assessment pursuant to Section 81 of the Act and advertised in accordance with Division 3 of Part 5 of the Planning and Development Act 2005.
That the amendment be submitted to Council at the completion of the advertising period for further consideration.
Carried 9/0*

As shown in resolution 15-7.1 it is Councils intent to allow grouped dwellings on rural land.

Future Such Proposals:

Advice indicates that it was not Council's intent to restrict developments within the rural zones to the extent shown in the Scheme now. Currently in Western Australia a mining application would seek to establish more dwellings than the Scheme would permit and the Council may not even be consulted as the application would be processed through the Department of Minerals and Petroleum.

There is no solution in the short term and as recommended in July and August 2015 that Council initiated an amendment to the Scheme to permit two dwellings on a rural location with an option,

under special situations, for a third dwelling on a rural location for staff and ancillary family accommodation with is acceptable to Council.

Consultation

Mr D Mollenoyux Chief Executive Officer;
Mr P Bashall PlanWest Planning Consultant;
Mr J Goldacre Environmental Health Officer; &
Ms Johanna Ptaschek TR Homes 'Prestart, Shire & Client Liaison' officer.

Statutory Implications

The provisions of the Shire of Bruce Rock Local Planning Scheme N^o 3 and the objectives of the zones apply. As the use class is specifically listed within the zoning table Council must adhere to the scheme and refuse the application, yet, as presented to Council the intent is to demolish the existing dwelling or perhaps turn into an office for which conditions on approval can be levied to ensure this si the case and acknowledges the intent of the Scheme.

Policy Implications

There are no policy implications.

Financial Implications

Planning fees in accordance with the Planning & Development Regulations have been paid.

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution June 16 –14.1.1

**Moved: Cr Heasman
Seconded: Cr Rajagopalan**

1) That the application from Mr Andrew and Mrs Helen Shearing of PO Box 79 Bruce Rock to place a second dwelling on Lot 16262, Merredin—Bruce Rock Rd Bruce Rock be consented to with the following conditions:

I. That the existing dwelling on Lot 16262 is demolished to the satisfaction of Council by the end of the month of June 2018;

II. That in the occurrence before the requirement of Council resolution condition 'I.' that Mr Andrew and Mrs Helen Shearing make the decision to convert the existing dwelling into an 'office' that an application for a building permit is provided to Council for a change of building class and in the event the building permit application is approved the existing building being the previous dwelling can remain and failing an application for a building permit to change the building class the existing dwelling is demolished forthwith; &

Should Councils Shire of Bruce Rock Local Planning Scheme No 3 'amendment No 1' be successful and Mr Andrew and Mrs Helen Shearing make the decision before the end of June 2018 to keep the existing dwelling that an application for planning consent to keep the existing dwelling be provided to Council for consideration pursuant to the terms of the proposed amended Shire of Bruce Rock Local Planning Scheme No 3, should the amendment No 1 be successful and Council can exercise this option.

Carried 9/0

Agenda Reference and Subject:

14.1.2 Synthetic Hockey Turf Location

File Reference:

1.3.8.7

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council needs to determine the final location for the Bruce Rock Hockey Club synthetic hockey turf and accept the CSRFF Funding Agreement from the Department of Sport and Recreation.

Background

At the September 2015 Ordinary Meeting of Council the following resolution was made;

- 1. That the application for the Bruce Rock Hockey Club Stage 1 to fund an uncompromised synthetic hockey surface and surrounds for the 2016/17 CSRFF program be submitted to the Department of Sport and Recreation, noting that it is 1/5th of the project.*
- 2. That if the Bruce Rock Hockey Club's 2016/17 CSRFF application for Stage 1 is successful Council will commit above the standard 1/3rd contribution and make a budget provision on \$219,190 in the 2016/17 financial year.*

The application has been successful and Council is required to accept the Department of Sport and Recreation Funding Agreement for CSRFF grant in the 2016/17 financial year.

In April 2016 Council agreed to meet with the Bruce Rock Hockey Club, Football Club and Cricket Club to discuss and finalise the final location for the new synthetic turf. At that meeting Council gave an undertaking to investigate 2 option with option 1 being on the old basketball court (this was based on the grant submission) and to determine the viability and cost difference for option 2 being on the main oval site. Council also sought written responses from all three clubs seeking the pros and cons from them for locating the new synthetic surface on the main oval.

With the responses from the three clubs and information gathered by staff a meeting was held with Council, staff and representatives of the three clubs to present all the information. In addition to the 2 options discussed staff had also identified another possible site and this was also presented at the meeting for discussion.

Comment

The following is a brief summary of the investigation;

Discussions points from original meeting held in April 2016

Option 1

New synthetic hockey turf to be situated on old basketball court area

- Considerations
 - This site is what has been approved in the grant application
 - This site has the least costs associated
 - This site has the least distribution to other current facilities
 - Concern raised over the distance from recreation centre facilities and club
 - A formal path with appropriate bollard and speed bumps could be created to link the new hockey field to the recreation centre
 - Issue with consumption of alcohol and liquor licensing

Option 2

Placement of synthetic hockey turf on main oval current hockey field area

- Considerations
- Cricket pitch relocation to football field
- Lighting structures
- Moving football oval north encroaches Curlew Drive Subdivision
- Distance between synthetic hockey field and fence with the football goals at southern end of oval
- Location of cricket practice nets
- STED sewerage treated water re-use on grassed area shouldn't be on synthetic surface (possible spray drift issues)

Outcomes from investigation into Option 2 presented at Meeting on 8th June 2016

Option 2: Proposed Hockey Turf on Main Oval Current Grassed Surface

Concerns: (Summary Collaborated from Club Letters)

- Football & Cricket Club surfaces will be compromised for Hockey club to have an uncompromised turf.
- Who is liable if players are injured on a surface that does not meet standards? E.g. cricket pitches on football field
- Insurance & Liability
- 12-18months with no cricket in Bruce Rock – might impact on Bruce Rock having a team due to weekly travel.
- Junior Cricket competition will have to travel each week.
- Cost to clubs having to utilise other surfaces in other towns during construction stage.
- Lighting on the Football oval is not suitable for Cricket T20 night games.
- Distance from the change rooms for the Cricket Club
- Losing grassed area for large community events e.g. BK Ag Show, Vietnam Veterans etc.
- More costly project

Advantages: (Summary Collaborated from Club Letters)

- Co-location of fields
- Closer to the change rooms & facilities
- Reduction to grassed area, less maintenance long term
- Reduction in the cost of reticulation replacement
- Improved viewing area of the turf from the District Club

Outcomes from Shire Investigation:

As per Council instruction staff investigated the variance in locating the new synthetic surface on the main oval site and in summary identified the following;

- Unable to light Cricket & Football of the same luminaries – New poles will have to be installed as ours are unable to hold enough lights to do both. (Cricket standards are higher than Football) – *(Advice received from Gerard Lighting)*
- Cost to upgrade lighting to LED is approx. \$300,000 for both football & cricket fields – confirmed costings cannot be carried out until a site visit occurs & a structural engineer has inspected the current poles. A halide light can be installed for approx. \$50,000.
- If hockey turf goes on the oval a power upgrade will need to be carried out to light the turf as well as the football field/Cricket pitch at the same time. *(Awaiting final report from electricians power audit)* – This cost another Shire approx. \$100,000

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- Build-up of a 40mtr extension at Southern End – Concerns that overtime the turf will sink due to compaction issues. During build up compaction will have to be done right. *(Correct soil will need to be brought in)* site soil testing of the current grassed hockey surface will need to be carried out prior to build up. – *(Advice from Tiger Turf Consultant)*
 - Cost of the 3x new cricket wickets as well as the time needed to ensure they settle before play can commence. Cost of Wickets at approx. \$39,640.00
 - Installation of new scheme water point on main oval for hand watering new cricket pitches.
 - Relocate water main & sewer line that runs along the southern end of the current field.

As stated Council staff identified a plausible third option during this process which would cost more than option 1 but not cost as much as option 2 and would address various concerns from each club and may be seen as a compromise.

Option 3

To locate the new synthetic hockey turf in the carpark area between the tennis courts and the recreation centre manager's house / shed.

For this to be viable the following would need to be considered;

- Relocate the Recreation Centre Manager's shed
- Remove the tennis hit up bumper board (determine need to replace)
- Additional fill compared
- Re-alignment of internal roads at entry to recreation grounds
- Kerbing
- Relocate Ticket box
- Remove part of gardens
 - Next to Recreation Centre Mangers shed
 - Pine trees near tennis courts
- Run power from Dunstall Street for lighting
- Modifications/additions to carparks in future budget

An estimated cost variance will be provided to Councillors.

Council is asked to determine and resolve the final location of the synthetic hockey turf taking into consideration the information provided and determining if the additional cost outside of the grant funded option 1 is validated by the benefits to the new location.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Council Policy C1.1 – Procedure for Community Grant Applications

Financial Implications

As per the grant application Council has committed \$219,190 towards the project for the 2016/17 financial year. Any additional variation / increase in costs due to alternative location would need to be added to the budget for 2016/17.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Social

1.1.2.2 – Continue to enhance lifestyle qualities for all residents

1.4.3 – 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

4.1.2.1 – Continue to provide good governance that is professional and fiscally responsible and in the best interests of the community

Voting Requirements

Absolute Majority

Officer Recommendation

1. That the new synthetic hockey turf be located at _____.
2. That Council makes budget provision of \$598,988 for the construction of a new synthetic hockey turf at the Bruce Rock Recreation grounds, with funding of \$260,000 from the Bruce Rock Hockey Club, \$119,798 from Department of Sport & Recreation and the remainder from Council.
3. That Council make budget provision of an additional \$_____ to accommodate variation of costs for the alternative site.

The Officer's recommendation differs to the Council's decision as Council have selected the "Carpark area" between the tennis courts and the Recreation Centre Manager's house as the proposed location.

COUNCIL DECISION

Resolution June 16 –14.1.2

Moved: Cr Heasman

Seconded: Cr Rajagopalan

That the new synthetic hockey turf be located at Turf Location 3 – the "Carpark area".

That Council makes budget provision of \$598,988 for the construction of a new synthetic hockey turf at the Bruce Rock Recreation grounds, with funding of \$260,000 from the Bruce Rock Hockey Club, \$119,798 from Department of Sport & Recreation and the remainder from Council.

That Council make budget provision of an additional \$75,000 to accommodate variation of costs for the alternative site.

CARRIED BY ABSOLUTE MAJORITY 9/0

Agenda Reference and Subject:

14.1.3 Old Beverley Road Intersection

File Reference:

Reporting Officer:

Disclosure of Interest

Nil

The issue of the intersection of Old Beverley Rd, North Babakin road and Eujinyn South Road was discussed as an intersection of concern. Councillors viewed this intersection on the bus tour prior to the Council meeting.

COUNCIL DECISION

Resolution June 16 –14.1.3

Moved: Cr Buegge

Seconded: Cr Dolton

That Council instructs staff to write to the manager of Wheatbelt Main Roads to seek an urgent onsite meeting and reassessment of the design of the intersection of The Old Beverley Rd, North Babakin and Eujinyn South Road as part of the Grain Freight Network.

Carried 9/0

15. Confidential Items

Nil

16. Confirmation and receipt of Information Bulletins.

OFFICER RECOMMENDATION

Resolution June 16 –16.1.1

Moved: Cr Rajagopalan

Seconded: Cr Thornton

That Information Bulletin 1 and 2 be received.

Carried 9/0

17. Closure of Meeting.

The Shire President, Stephen Strange thanked everyone for their attendance and declared the meeting closed at 5.14pm.

These minutes were confirmed at a meeting on 21 July 2016.

Cr Stephen Strange
Shire President

16 June 2016