

SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 15 FEBRUARY 2018

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SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 15 FEBRUARY 2018

1. Declaration of Opening

The Shire President Cr SA Strange declared the meeting open at 1.10pm.

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

President	Cr SA Strange
Deputy President	Cr R Rajagopalan
Councillors	Cr IS Dolton
	Cr NC Kilminster
	Cr BJ Waight
	Cr MK Thornton
	Cr PG Negri
Chief Executive Officer	Mr DRS Mollenoyux
Deputy Chief Executive Officer	Ms CJ Dunn
Executive Support Officer	Mrs MJ Schilling (minute taker)
Manager of Finance	Mrs JL Bow (2.04pm to 2.49pm)
Manager of Works & Services	Mr G Casley (1.40pm to 2.47pm)
Environmental Health Officer	Mr J Goldacre (1.41pm to 2.00pm)
Apology	Cr MJ Royce
Leave of Absence	Cr SBV Buller

3. Declarations of Interest

In accordance with Section 5.65 of the Local Government Act 1995 the following disclosures of **Financial** interest were made at the Council meeting.

Date	Name	Item No	Reason
15.02.18	Cr R Rajagopalan	12.4.3	Rents space at Medical Centre
15.02.18	Mr DRS Mollenoyux	12.4.4	Client of Applicant

In accordance with Section 5.65 of the Local Government Act 1995 the following disclosures of **Closely Association Person and Impartiality** interest were made at the Council meeting.

Date	Name	Item No	Reason
15.02.18	Cr PG Negri	12.4.3	Daughter employed at Medical Centre

In accordance with Section 5.60B and 5.65 of the Local Government Act 1995 the following disclosures of **Proximity** interest were made at the Council meeting.

Date	Name	Item No	Reason
15.02.18	Cr R Rajagopalan	12.4.3	Rents space at Medical Centre

4. Response to Previous Public Questions Taken on Notice

Nil

5. Public Question Time

Nil

6. Petitions/Deputations/Presentations/Submissions

Nil

7. Applications for Leave of Absence

Nil

8. Announcements by Presiding Member

9. Confirmation of Minutes

Ordinary Meeting of Council held on Thursday 14 December 2017.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 18 – 9.1

Moved: Cr Waight

Seconded: Cr Thornton

That the minutes of the Ordinary Meeting of Council held Thursday 14 December 2017 be confirmed as a true and correct record.

Carried 7/0

10. Status Report

Presentation of Status Report for December 2017 Resolutions

ITEM	RESOLUTION / ACTION REQUIRED	RESPONSIBLE OFFICER	RESPONSE OR STATUS
<p>Resolution December 17 – 12.1.1 Bruce Rock Animals, Environment, and Nuisance Amendment Local Law 2016</p>	<p>1. To approve the proposed Shire of Bruce Rock Animals, Environment and Nuisance Amendment Local Law 2018 for advertising as presented in ATTACHMENT 12.1.1 – B;</p> <p>2. To give Statewide and local public notice and stating that:</p> <p>I. The Shire of Bruce Rock propose to make the Shire of Bruce Rock Animals, Environment and Nuisance Amendment Local Law 2018;</p> <p>II. The purpose of the proposed Shire of Bruce Rock Animals, Environment and Nuisance Amendment Local Law 2018 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</p> <p>III. The effect of the proposed Shire of Bruce Rock Animals, Environment and Nuisance Amendment Local Law 2018 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> <p>3. To have copies of the proposed Shire of Bruce Rock Animals, Environment and Nuisance Amendment Local Law 2018 made publicly available for inspection or to be obtained at any place specified in the Notice as required by Law;</p> <p>4. To invite public submissions about the proposed Shire of Bruce Rock Animals, Environment and Nuisance Amendment Local Law 2018 to be addressed to the Chief Executive Officer of the Shire of Bruce Rock before the close of business on the 14th day of February 2018 for consideration;</p> <p>5. To provide a copy of the proposed Shire of Bruce Rock Animals, Environment and Nuisance Amendment Local Law 2018 and Notice to the Hon. Minister for Local Government and the Chief Health Officer; and</p> <p>6. To direct the Chief Executive Officer to prepare and execute the requirements of these resolutions and to prepare a report to Council</p>	<p>EHO</p>	<p>All points actioned, Item to Council to adopt at the February 2018 meeting.</p>

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	detailing submissions from the community and the relevant government departments recommending any required or invited changes to the proposed Shire of Bruce Rock Animals, Environment and Nuisance Amendment Local Law 2018 at the first most practicable Ordinary or Special Meeting of Council following the conclusion of the public advertising period.		
Resolution December 17 – 12.3.3 Acceptance of Audit Report	That Council receives the Audit Report and accompanying Management Letter for the year ended 30 June 2017.	MOF	Letter to Minister advising of outcomes from Management letter also sent.
Resolution December 17 – 12.3.4 Acceptance of 2016-17 Annual Report	That Council; 1. accepts the Annual Report for 2016-17 including the Audited Financial Report for period ended 30 June 2017, as circulated and that local public notice of its availability be given as soon as practicable; and 2. holds the 2016-17 Annual Meeting of Electors in the Supper Room of the Bruce Rock Shire Hall on 2nd February 2018, commencing at 4.00pm.	MOF	Annual Financial Statement lodged with Department of Local Government.
Resolution December 17 – 12.4.3 Ordinary Council Meeting Schedule 2018	That Council endorses the schedule of Ordinary Council Meeting dates for 2018, pending any variation to the scheduled December 2018 meeting. And Give public notice of the meeting schedule for the Ordinary Meetings of Council for 2018.	DCEO	The dates have been advertised and Public Notice given.
Resolution December 17 – 12.5.1 Extended Leave of Absence Request – Cr S Buller	That Council write to the Minister for Local Government seeking to approve a Leave of Absence for Cr Simon Buller for the Ordinary Council Meetings from the 16th February 2018 up to and including the 21st June 2018.	CEO	Response to CEO received from David Templeman MLA approving Cr Buller's leave of absence
Resolution December 17 – 12.5.2 Funding Request from Leeuwin Adventures	That Council declines to fund \$1,000 towards a parent and child attending the Parent Project Voyage in March 2018 and continue to focus on youth funding at a more local level.	CEO	Letter sent advising of Council's decision.
Resolution December 17 – 12.5.3 Local Government Act 1995 Review Consultation Paper	That Council provides feedback to the Chief Executive Officer on the comments provided in relation to the Minister's questions outlined in the Department of Local Government's Consultation Paper on the Local Government Act 1995 Review. And The Chief Executive Officer prepares a submission in response to the	CEO	Response ready for submission to Department pending any variations prior to close of submissions on the 8th March 2018.

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	Local Government Act Review, with the final response to be compiled and submitted prior to the close of the submission period on the 8th February 2018.		
Resolution December 17 – 12.5.4 Rental Accommodation	That staff engage an appropriate consultant to prepare a Housing Needs Analysis focusing on Rental Accommodation for the Shire.	CEO	Awaiting quotations from consultants.
Resolution December 17 – 13.1 Application for Planning Development Approval for a commercial kitchen building with dining, two road side advertisements and an ablution additional Lot 26889 Wogarl Road Bruce Rock.	<p>1. To accept in principle, the Development Applications for a commercial kitchen building with dining, two road side advertisements and a ablution addition located at Lot 26889 Wogarl Road Bruce Rock submitted by Mr & Mrs F & T Juhas as presented in Attachments 12.1.2 A;</p> <p>2. The Development Application is to be advertised for a minimum of 14 days as required under Schedule 2 Part 8 Clause 64 of the Planning and Development (Local Planning Schemes) Regulations 2015 inviting public comment on the Development Application as presented in Attachments 12.1.2 A to be addressed to the Shire office for the attention of the Chief Executive Officer of the Shire of Bruce Rock. and</p> <p>3. That the Development Application will after 14 days advertising and at the next practicable Ordinary Council Meeting, be submitted to Council for consideration of any received public submissions and for a resolution on the Development Application so made.</p>	EHO	All points actioned, Item to Council to adopt at the February 2018 meeting.

Status Report

Ongoing items as at February 2018

ITEM	RESOLUTION / ACTION REQUIRED	RESPONSIBLE OFFICER	RESPONSE OR STATUS
<p>Resolution August 16–13.1.10 Duplicate Road Name – Buller Road</p>	<p>Council resolved to request that Buller Road outside of the town site be renamed to Buller North Road, and the Buller Road within the gazetted town site be renamed to Buller St.</p>	<p>MOF</p>	<p>Letter sent to the Geographic Names Committee seeking approval of name change as agreed by Council. Council has been contacted by Landgate to validate address and duplicate road names will be addressed once process is completed by Landgate.</p>
<p>Resolution Nov 16 – 13.3.3 Population Dispersion – Recognition of Town Sites</p>	<p>That Council rejects the proposed removal of Shackleton as a recognised town site under the WA Grants Commission Population Dispersion – Disability Factor and provides a written response outlining the businesses, services, housing, population, distance and other contributing factors.</p>	<p>CEO</p>	<p>Letter and supporting data sent to WA Grants Commission objecting to the proposal. Additional information was requested around expenditure on Shackleton town site, this has been provided.</p>
<p>Resolution Nov 16 – 16.1 Nomination for OAM</p>	<p>That John Schnaars be nominated for an order of Australia Medal to recognise the contribution he has made as a volunteer to various veteran’s organisations and causes, particularly, Honouring Indigenous War Graves Inc. (HIWC).</p>	<p>CEO</p>	<p>Nomination submitted.</p>
<p>Resolution March 17 - 11.5.2 CEACA – Sale of Land for Independent Living Units</p>	<p>That in accordance with section 3.58 of the Local Government Act Council resolves to dispose of Lots 26,27,28, 56 and 57 Butcher Street, Bruce Rock to the Central East Aged Care Alliance (CEACA) Inc. under the following terms; a) At no cost, as the land is Council’s in-kind contribution to the CEACA Independent Living Unit’s project; b) All outgoings including rates, insurance and utilities to be paid by CEACA.</p>	<p>CEO</p>	<p>Advice given to CEACA on the transfer of land, awaiting CEACA response with details to complete documentation.</p>

<p>Resolution September 17 – 13.1.2 Provision of Housing for GROH</p>	<p>That Council approves the Chief Executive Officer to investigate floor plans and building costs for a four bedroom, two-bathroom residence to be constructed at 118 Curlew Drive, Bruce Rock to be leased to GROH for teaching staff; and The proposal be presented back to Council for approval prior to progressing to stage 2 of the process set out by GROH.</p>	<p>CEO</p>	<p>Initial discussions have been held to progress Council’s decision.</p>
<p>Resolution November 17– 12.1.1 Holiday House Planning Development Application Lot 22538 Hines Hill Road, Bruce Rock</p>	<p>1. To waive the Development Application submission requirements as permitted by subclause 63(2) being subclauses 63(1)(a)(viii)(ix), 63(1)(b), 63(1)(c) and 63(3) of Part 8 of the Planning and Development (Local Planning Schemes) Regulations 2015 for this Development Application for a Holiday House on Lot 22538 Hines Hill Road, Bruce Rock by virtue they are deemed not reasonably required for this Development Application as assessed by the reporting Environmental Health Officer-Authorised Officer; and</p> <p>2. To approve this Planning Development Application as submitted by Ms Kylie Whitehead for the use of one existing farm dwelling for the purpose of a ‘Holiday House’ as defined in the Planning and Development (Local Planning Schemes) Regulations 2015 on Lot 22538 Hines Hill Road, Bruce Rock and as described in Attachments 12.1.1 – A, B and C with the following condition:</p> <p>I. That any roadside advertising and/or directional signage for the Holiday House is done in accordance with the Shire of Bruce Rock Local Planning Scheme No 3 incorporating Amendment No 3 and any State Regulation, Code and Policy dealing with such matters for roadside advertising and/or directional signage.</p> <p>Council provide the following Advice Notes:</p> <p>I. A Food Act 2008 Registration of a food business is required to cover the provision of food for the Holiday House as applicable. The EHO-AO can assist with this endeavour;</p> <p>II. The apparatus for the treatment of sewerage pursuant to the Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974 will need to be inspected to ensure it meets Regulatory requirements especially as it was built in the 1970s and a Building Permit is required. The EHO-AO can assist with this endeavour;</p> <p>III. A Building Permit is required as the present ‘Class’ of the building as</p>	<p>EHO</p>	<p>Completed – EHO to monitor and liaise with applicant to ensure conditions and advice of resolution as required are completed.</p>

	<p>defined in the Building Act 2011 is a Class 1A dwelling and the proposed DA for a Holiday House means the Class will need to change to a Class 1B – ‘...a boarding house, guest house or hostel that has a floor area less than 300 m², and ordinarily has less than 12 people living in it’; Consultation with the Shire of Bruce Rock and/or private Building Surveyor practitioners is advised; and</p> <p>IV. Should the accommodation of the Holiday House exceed 6 persons who are not normal residents then registration as a Lodging House pursuant to the Shire of Bruce Rock Health Local Law 2016 will be required. The EHO-AO can assist with this endeavour.</p>		
<p>Resolution November 17– 12.1.3 Burnt Building on Lot 376 corner of Johnson Street and Latham Street Bruce Rock</p>	<p>1. To authorises the Chief Executive Officer to write to Ms M Kristensen being the Owner of the Premises located at Lot 376 corner of Johnson and Latham Streets Bruce Rock as shown in Attachment 12.1.3 A & B requesting that the untidy disused materials inside of the burnt Premises as specified in the letter are removed to make the site no longer untidy in appearance, and</p> <p>2. In the event the Owner does not make the Premises tidy within a reasonable period of time as requested in the letter specified in resolution 1. the Chief Executive Officer is authorised by Council to service Notice pursuant to Section 3.25(1) of the Local Government Act 1995 directing the owner to have the untidy disused materials as specified in the Notice removed and appropriately disposed of from the burnt Premises located at Lot 376 corner of Johnston and Latham Streets Bruce Rock to make the Premises no longer untidy.</p>	<p>EHO</p>	<p>Correspondence sent advising owner to clean up property within a reasonable time period. Letter obtained by EHO and CEO signed. M Kristensen spoke to EHO & CEO to give commitment. Notes taken to that effect.</p>
<p>Resolution November 17– 12.5.4 Dunstal Street Redevelopment</p>	<p>1. Approves the Dunstal Street redevelopment as per plans submitted by Ecoscape for the Curlew Drive Entry Statement and staff will investigate wall designs including Noonegin Estate.</p> <p>2. Approves the Dunstal Street redevelopment as per plans submitted by Ecoscape for the Caravan Park Entry Statement and staff investigate wall designs.</p> <p>3. That prior to approval Council seeks amendment of Bruce Rock Recreation Centre entry statement design that has been prepared by Ecoscape.</p> <p>4. That fencing options that have been recommended by Ecoscape be</p>	<p>CEO</p>	<p>CEO and CDO working on Council’s request for variations and will then present to the working group for feedback prior to presenting to Council. It is intended to be presented to the February Ordinary Meeting of Council.</p>

	considered and that a final proposal and costings for the fencing be presented to Council for consideration and inclusion in the 2018/2019 financial year.		
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OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 18 – 10.1

Moved: Cr Rajagopalan

Seconded: Cr Kilminster

That Council receives the Status Reports as presented.

Carried 7/0

11. Regional Reports

Mr DRS Mollenoyux left the Council Chambers at 1.40pm.

Mr G Casley entered the Council chambers at 1.40pm.

Mr J Goldacre entered the Council Chambers at 1.42pm.

Mr DRS Mollenoyux returned to the Council Chambers at 1.42pm.

Officers' Reports

11.1. Environmental Health Officer

Agenda Reference and Subject:

12.1.1 Application for Planning Development Approval for a commercial kitchen building with dining, two road side directional & advertisements signs and an ablution addition at Lot 26889 Wogarl Road Bruce Rock – Post advertising.

File Reference:

A1001335

Reporting Officer:

Mr Julian Goldacre, Environmental Health Officer – Authorised Officer

Disclosure of Interest:

Nil

Summary

That Council resolves to approve the Development Application for a commercial kitchen building with dining, two road side advertisements and an ablution block located at Lot 26889 Wogarl Road Bruce Rock.

Background

At the Ordinary Council Meeting held on the 14 December 2017 Council resolved the following in regards to the late agenda item presenting the Application for Development Approval for a new commercial café kitchen, alfresco dining, two road side advertisements and an ablution block on Lot 26889 Wogarl Road Bruce Rock:

Resolution **OCM Dec 17 – 13.1**

Moved: Cr Rajagopalan, Seconded: Cr Negri

THAT Council resolves:

1. To accept in principle, the Development Applications for a commercial kitchen building with dining, two road side advertisements and an ablution addition located at Lot 26889 Wogarl Road Bruce Rock submitted by Mr & Mrs F & T Juhas as presented in Attachments 12.1.2 A;
2. The Development Application is to be advertised for a minimum of 14 days as required under Schedule 2 Part 8 Clause 64 of the *Planning and Development (Local Planning Schemes) Regulations 2015* inviting public comment on the Development Application as presented in Attachments 12.1.2 A to be addressed to the Shire office for the attention of the Chief Executive Officer of the Shire of Bruce Rock. and
3. That the Development Application will after 14 days advertising and at the next practicable Ordinary Council Meeting, be submitted to Council for consideration of any received public submissions and for a resolution on the Development Application so made.

Carried 8/0

Comment

The item presented to Council at the OMC on the 14 December 2017 titled '13.1 Application for Planning Development Approval for a commercial kitchen building with dining, two road side advertisements and an ablution addition at Lot 26889 Wogarl Road Bruce Rock' was sufficiently detailed for the proposed development application to gain Councils in principle support. The statutory requirements for the Development Application was to advertise for a minimum of 14 days. The Chief Executive Officer signed the prescribed form for the 'Notice of public advertisement of planning proposal' and this was made publicly available with copies of the Development Application; the schedule of advertising is listed below:

- Shire of Bruce Rock webpage – 15 December 2017 till the 23 January 2018;

- Shire of Bruce Rock library and outside Notice Boards and front customer counter - 15 December 2017 ongoing;
- The Roctel:
 - Edition 70, page 17 dated 21 December 2017;
 - Edition 71, page 14 dated 4 January 2018;
 - Edition 72, page 8 dated 11 January 2018; and
 - Edition 73, page 14 dated 18 January 2018.

The advertising period concluded on the 18 January 2018. At the time of writing this agenda no submissions from the public or elsewhere were received by the Shire of Bruce Rock Office for the Chief Executive Officer and Acting Chief Executive Officer consideration.

There were two minor amendments to the originally submitted Development Application forms shown in **Attachment 12.1.1** where one of the MYOLA road-side directional & advertisements signs is proposed to be repositioned to the North side on the Quairading – Bruce Rock Road. This amendment is minor in nature and has the full support of the landowner as detailed in the letter from Mr A and Mrs B Currie in **Attachment 12.1.1**. Furthermore, through discussions with the chosen Building Surveyor by the applicant the number of toilets required may exceed the proposed two toilets therefore an amendment to the toilet plans is made to have as many toilets available as required to meet Building Code of Australia requirements. The amount of toilets would not be excessive and is deemed a reasonable and minor amendment, more so as toilets are a Class 1A structure and a Building Permit is not required although the compliance with the Building Code still is as well as compliance with the Development Standards for accessibility.

Mr and Mrs F & T Juhas seek Development Approval from Council after public advertising for a commercial kitchen, dining, two road-side directional & advertisements signs and ablutions as required to service the number of reasonably expected patrons all located on Lot 26889 Wogarl Road Bruce Rock and is detailed below and shown in **Attachment 12.1.1**:

- The proposed building to accommodate the indoor dining and alfresco dining is 6 metres wide by 12 meters long (72m²) incorporated with approximately 110m² of dining area when including the appurtenant outside dining areas already approved. The building is to be built against the existing café building previously approved at the November 2017 Ordinary Meeting of Council (Resolution OCM Nov 17 – 12.1.2.) This existing building will be converted into a commercial kitchen and servery with the dividing wall panels between the two buildings removed and glass sliding doors fitted to deal with weather events;
- The construction of a steel framed and clad ablution building to accommodate extra toilet pans, hand wash basins and urinals as required to service the number of reasonably expected patrons; and
- Each of the two road-side directional & advertisements signs are proposed to be located one on the Myola farm property (Lot 26889) near the Totadgin and Wogarl Roads 'T' junction and one on Lot 30 of the property of Mr A and Mrs B Currie on the Bruce Rock – Quairading Road; the owner has given permission for this sign to be located on the property.

The applicants have listed the requested waivers permitted by Council to approve under subclause 63(2) of the *Planning and Development (Local Planning Schemes) Regulations 2015*. In consultation with the Environmental Health – Authorised Officer the waivers requested are deemed not pertinent to the Development Application and are detailed below:

Clause 63. Accompanying material (requested to be waived by the applicant for Council consideration)

- **(1)(a)(iii)** - 'height' – deemed not relevant due to remoteness and having little to no impact on other existing or proposed developments;
- **(1)(a)(iv)** - no structures to be removed of a substantial nature;
- **(1)(a)(ix)** - there will be no open storage or trade display areas not already approved by Council;
- **(1)(a)(x)** - there is no proposed open space and landscaping above and beyond what is inherently broadacre farming acreage;
- **(1)(c)** - the local government of Bruce Rock does not require any specialist studies for this development due to the minimal impact of the development if any at all;

- **(1)(d)** - the local government of Bruce Rock does not reasonably require any further plans or information for this development application;
- **(3)** - There are no heritage sites, building or the like related to this development application

Statutory Environment

Planning and Development Act 2005;

Planning and Development (Local Planning Schemes) Regulations 2015; and

Shire of Bruce Rock Local Planning Scheme N°3 (incorporating Amendment N° 3)

Policy Implications

Nil.

Financial Implications

Development Application fee received in for \$147 based on applicant's declaration of costs for development not to exceed \$50,000. The flow on for other approvals will be the *Building Act 2011* Building Permit fees of approximately \$97.70 (certified) and the registration of a food business pursuant to the *Food Act 2008* which requires an inspection is \$104.50.

Voting Requirement

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 18 – 12.1.1

Moved: Cr Thornton

Seconded: Cr Rajagopalan

1. To waive the Development Application requirements as permitted by subclause 63(2) being subclauses 63(1)(a)(iii) 'height', 63(1)(a)(iv)&(ix)&(x), 63(1)(c)&(d) and 63(3) of Part 8 of the Planning and Development (Local Planning Schemes) Regulations 2015 for this Planning Development Application submitted by Mr and Mrs F & T Juhas for a café as detailed in Attachment 12.1.1 by virtue they are deemed not reasonably required by the reporting Environmental Health -Authorised Officer;
2. To approve the Planning Development Application submitted by Mr and Mrs F & T Juhas as detailed in Attachment 12.1.1 for:

(i) the construction of a steel framed and clad with concrete floor building to accommodate a commercial kitchen being 6 metres wide by 12 meters long being 72m² in area;

(ii) The construction of a steel framed and clad ablution building to accommodate extra toilet pans, hand wash basins and urinals as required to service the number of reasonably expected patrons; and

(iii) Two road-side directional & advertisements signs of 0.9m² each to be located one on the Myola farm property (Lot 26889) near the Totadgin and Wogarl Roads 'T' junction and one on Lot 30 of the property of Mr A and Mrs B Currie on the Bruce Rock – Quairading Road.

That the Shire of Bruce Rock Chief Executive Officer is authorised by Council to execute the required documentation for this Development Approval.

Council provides the following Advice Notes for the consideration of the applicants being:

(i) That the two MYOLA directional and advertising signage will need to comply with Main Roads WA signage requirements on or appurtenant to Main Roads WA roads and Shire of Bruce Rock roads and both should be consulted on these requirements;

(ii) A Food Act 2008 Registration of the new kitchen food business will be required. The proposed kitchen and servery is required by the Food Act 2008 to meet the fit-out requirements of the Food Standards Code 3.2.3 'Food premises and equipment'; the EH-AO can assist with this endeavour and the applicants are encouraged to seek compliance advice; and

(iii) The requirements of the Building Act 2011 to enable the Shire of Bruce Rock to issue the Building Permit is required for the new kitchen and dining building. Consultation with the Shire of Bruce Rock and/or private Building Surveyor practitioners is advised.

The above Advice Notes relate to matters the Shire of Bruce Rock deals with regularly and is not intended to be extensive in nature; the applicants need to undertake all due diligence of other statutory and regulatory matters with other entities as required.

Carried 7/0

Agenda Reference and Subject:

12.1.2 The Making of the Shire of Bruce Rock Animals, Environment and Nuisance Amendment Local Law 2018.

File Reference:

Reporting Officer:

Mr Julian Goldacre, Environmental Health Officer – Authorised Officer

Disclosure of Interest:

Nil

Summary

That Council resolves to endorse the recommended changes that do not substantially change the nature, quality, substance and intent of the proposed Shire of Bruce Rock Animal Environment and Nuisance Amendment Local Law 2018. That Council Resolves to ‘Make’ the Shire of Bruce Rock Animal Environment and Nuisance Amendment Local Law 2018 and authorises the Shire of Bruce Rock Seal to be affixed to three copies of the Shire of Bruce Rock Animal Environment and Nuisance Amendment Local Law 2018 which is then to be signed by the Shire President and the Chief Executive Officer; the Chief Executive Officer is to then undertake to progress the made Shire of Bruce Rock Animal Environment and Nuisance Amendment Local Law 2018 to Gazettal and facilitate all required documentation as required after Gazettal.

Background

At the Ordinary Council Meeting held on the 14 December 2017 Council resolved (Resolution OCM Dec 17 – 12.1.1) to adopt the *proposed* Shire of Bruce Rock Animals, Environment and Nuisance Amendment Local Law 2018 (Local Law) and carry out the necessary advertising concluding on the 13 February 2018. From the 15 December 2017 the proposed Local Law was advertised locally on the Shire of Bruce Rock website, Shire of Bruce Rock library and Office Notice Boards and in the Wednesday edition of the West Australian weekend newspaper published on the 16 December 2017 on page 117. After the West Australian advertisement was published both the Hon. Minister for Local Government and the Chief Health Officer on behalf of the Hon. Minister for Health were both sent copies of the Local Law for their consideration.

Comment

The Environmental Health-Authorised Officer consulted with the Environmental Health Directorate and the Department of Local Government, Sport and Cultural Industries Legislation Officers (DLGSCI). Discussions were to determine correct layout, text, definitions and to better understand suggested inclusions and modifications as well as removal of some text with or without replacement text fitting for the purpose of the Local Law. An email was received from the DLGSCI with suggested comments as well as a letter from the Dept of Health Environmental Health Directorate and are presented in **Attachment 12.1.2 – (C)**. The EH-AO has prudently given all consideration to advice and assistance raised through diligent discussions with persons in the DLGSCI and the DoHWA to ensure the Local Law has been prudently scrutinised. This consultation has resulted in the EH-AO to provide four proposed inserts, modifications and deletions and are shown in ‘Table 1 Schedule of proposed Amendments to the Shire of Bruce Rock Animals, Environment and Nuisance Local Law 2016’ to identify and explain the proposed changes:

Table 1: Schedule of proposed Amendments to the *Shire of Bruce Rock Animals, Environment and Nuisance Local Law 2016*:

Modified/Removed/Added/Replaced	Clause	Reason
Added	1.4 (1) Interpretation: insert the definition “ Association has the meaning given to it in the <i>Associations Incorporation Act 2015</i> ;”	The <i>Associations Incorporation Act 2015</i> defines ‘association’ to ‘...includes society, club, institution or body;’ and is thus more inclusive and not limited to the term ‘club’.
Removed & Added	1.4 (1) Interpretation: Amend the definition for an ‘ affiliated person ’ by removing the word ‘club’ and inserting the word “association” where mentioned.	The use of the word ‘club’ for poultry and pigeon is limiting by fact the <i>Associations Incorporation Act 2015</i> defines ‘association’ to ‘...includes society, <u>club</u> , institution or body;’ and is thus more inclusive and not limiting.
Added	1.4 (1) Interpretation: insert the definition “ <i>Qualified person</i> is a person who holds either the Item 1 License or an Item 4 License as prescribed in ‘Table 131 – Licensees and entitlements’ of the <i>Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995</i> .”	Defines the parameters of the expression ‘qualified person’ used in clause 3.9 to remove any potential ambiguity by referencing the <i>Ozone Protection and Synthetic Greenhouse Gas Management Regulations 1995</i> which deals with the required licensing and types of licenses for refrigerant gas removal from refrigerators, ice chests, ice boxes, trunks, chests or other similar articles.
Removed & Added	3.9: Remove completely clause 3.9 and replace with - “3.9 Disposing of disused refrigerators or similar containers A person shall not place, leave or dispose of a disused refrigerator, ice chest, ice box, trunk, chest or other similar article having a compartment which has a capacity of 0.04 cubic metres or more on any land without first arranging for the removal of any refrigerants by a qualified person, and - (a) removing every door and lid and every lock, catch and hinge attached to a door or lid; or (b) rendering every door and lid incapable of being fastened.”	Amends the statutory error identified by the Joint Standing Committee on Delegated Legislation ensuring suitable controls in the Local Law to require ‘suitably qualified person’ for refrigerant removal. The subclauses have been restructured with the reference to a ‘qualified person’ merged into the wording of clause 3.9 before the two subclauses which are an ‘or’ subclause differentiation and it could be conceived, however unlikely it is determined so, to be linked to the following ‘or’ subclause and thus to remove any potential confusion.

The above Table 1 details have been inserted into the Local Law and are shown in red text in **Attachment 12.1.2 – (A)** to assist in understanding their position and intent. Furthermore, the principle *Shire of Bruce Rock Animals, Environment and Nuisance Local Law 2016* has had the proposed amendments merged in red text to show how it will be read in an easy to follow manner and is presented in **Attachment 12.1.2 – (B)**. The changes are deemed to be not a significant change to the proposed Local Law with other changes limited to simple formatting.

No public comments were received in response to the advertising of the Local law at the time of writing this agenda and should a response/s be received then this agenda will be amended to reflect this in keeping with due public consultation.

The procedure now is for Council to consider 'Making' the Shire of Bruce Rock Animals, Environment and Nuisance Amendment Local Law 2018 and to authorise the signatures of the Shire President and Chief Executive Officer done in the presence of the affixing the Shire of Bruce Rock Seal onto the Local Law. When signed and sealed one original copy of the Local Law is to be sent to the Chief Health Officer for consent along with two copies. When the consent has been granted and the Local Law when returned to the Shire of Bruce Rock is to be Gazetted by the State Law Publishers. When Gazetted the Local Law is presented to the Hon. Minister for Local Government; Heritage; Culture and the Arts and also to the Chief Health Officer. Local public notice of title and summary of purpose and effect of the Gazetted Local Law is also required. The Joint Standing Committee on Delegated Legislation of the WA Parliament is then provided with the 'Explanatory Memorandum' of the Local Law along with copies of the Local Law as Gazetted within 10 days of gazettal or as reasonably negotiated.

Provided the Local Law survives the scrutiny of the Joint Standing Committee on Delegated Legislation, the Shire of Bruce Rock will have a clear and present Shire of Bruce Rock Animal Environment & Nuisance Amendment Local Law 2018.

Statutory Environment

Health (Miscellaneous Provisions) Act 1911;

Local Government Act 1995; and

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

Policy Implications

Nil.

Financial Implications

Gazettal costs estimated at up to \$300.

Voting Requirement

Absolute Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 18 – 12.1.2

Moved: Cr Dolton

Seconded: Cr Thornton

1. To endorse for inclusion into the Shire of Bruce Rock Animal Environment and Nuisance Amendment Local Law 2018 the changes presented by the Environmental Health - Authorised Officer as presented in 'Table 1';

2. To Make the Shire of Bruce Rock Animal Environment and Nuisance Amendment Local Law 2018 as presented in Attachment 12.1.2 – (A);

3. To Authorise the affixing of the Shire of Bruce Rock Seal in the presence of the Shire President and the Chief Executive Officer who are also authorised by Council to each sign the Shire of Bruce Rock Animal Environment & Nuisance Local Law 2016; and

4. Authorise the Chief Executive Officer to carry out the procedure of Gazettal and to complete the administrative functions required for presentation to the Joint Standing Committee on Delegated Legislation of the Western Australia Parliament of the of the Shire of Bruce Rock Animal Environment and Nuisance Amendment Local Law 2018.

CARRIED BY ABSOLUTE MAJORITY 7/0

Mr J Goldacre left the Council Chambers at 2.00pm and did not return.

11.2. Manager of Works & Services

Agenda Reference and Subject:	12.2.1 Works & Services Information Report
File Reference:	
Reporting Officer:	Glenn Casley, Manager of Works & Services
Disclosure of Interest:	Nil

Town & Gardening Crew

- Street sweeping done-Bruce Rock.
- Shackleton Flood issues completed, new pipes and drains constructed.
- Bridges on Shackleton – Kellerberrin Rd completed. Bridge numbers 5237 and 5238.
- All crossovers and kerbing fixed from Sted Scheme works. (Private Works)
- Shackleton tidied up and mowed.
- Kwolyin camp site cleaned.
- Apex Park tidied.
- Memorial park, Amphitheatre and Sculpture Park mowed and cleaned.
- Private Works Landmark – Shed Pad.
- Caravan Park mowed and tidied up.
- Cemetery cleaned up.

Construction Crew

- Old Beverly Rd – Reconstruction and re-seal completed. RRG funding.
- Yarding Ardath Rd Reconstruction is well under way and should be completed by mid-February. (R2R Funding)
- Upcoming works - Two Blackspot Projects Muntadgin Rd intersection and Jackovich Rd intersection.

Workshop

- BK 1018 – Dual Cab Truck – 30,000km service.
- BK 053 – Forklift – New Tyres fitted.
- BK 02 – Isuzu Ute - 30,000 km service.
- BK 025 – Isuzu Truck – New radiator fitted.
- BK 010 – Isuzu Ute - 40,000 km service.
- BK 510 – Cat Grader – 4000 Hr. service.
- BK 08 – Isuzu Ute– 60,000 km service.
- BK 9353 – Side Tipper - replace pins, bushes, brake drums, wheel bearings, shoes and slack adjusters.
- BK 9375 – Side Tipper – fix lights, new mudguards and hydraulic hoses.
- BK 237 – Sign Truck – fit new exhaust and clean out fuel tank.
- 25 License inspections completed.

Mrs JL Bow entered the Council Chambers at 2.04pm.

Rec Centre

- Oval mowed.
- Rec Centre tidied up.
- Sprinkler test carried out on oval.
- Fixing reticulation in garden beds.
- Banks of oval whipper snipped and sprayed for weeds and caltrop.
- Cricket wicket mowed and prepped for cricket.
- Cricket oval marked out.

Vehicles/Machinery Changeover

- There has been no machinery or vehicles bought or changed over this month.

Dams

Dam	Current	Capacity
Railway Dam	25,000kl	32,000kl full
Negri Dam Rear	16,000kl	115000kl full
Negri Dam Front	6,000kl	15000kl full
Rec Centre Dam	20,000kl	23000kl full
Turkeys Nest	30,000kl	43000kl full

WANDRRA Update

- Works are progressing very well. Myself, Core Business and Leeuwin Civil went for a tour of the completed works so far, the second week of January. The work done by Leeuwin Civil is above standard.
The Shire has now signed off on 11 of our affected roads and with the way works are proceeding, everything should be finished by Mid-March.

Shackleton Flooding Issues

- Works have been completed in Shackleton to fix the flooding issues east of town, two new 750mm pipes have been placed across Shackleton – Kellerberrin Rd and a drain running out into the paddock behind CBH to direct the water away from town and down into the salt lake.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 18 – 12.2.1

Moved: Cr Dolton
Seconded: Cr Waight

That the Manager of Works and Services report be received.

Carried 7/0

12.3 Manager of Finance

Agenda Reference and Subject:	
	12.3.1 Statement of Financial Activity
File Reference:	8.2.6.2 Financial Reporting
Reporting Officer:	Jennifer Bow, Manager of Finance
Disclosure of Interest	Nil

Summary

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

Background

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

Comment

The financial statements for the month ending 31st December 2017 and 31st January 2018 are attached to the agenda.

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 2017/18 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 OCM Feb 18 – 12.3.1

Moved: Cr Rajagopalan

Seconded: Cr Thornton

That the Statements of Financial Activity for the month ending 31st December 2017 as presented be received.

Carried 7/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 18 – 12.3.2

Moved: Cr Negri

Seconded: Cr Thornton

That the Statements of Financial Activity for the month ending 31st January 2018 as presented be received.

Carried 7/0

Agenda Reference and Subject:

12.3.2 List of Payments

File Reference:

8.2.3.3 Accounts Payable (Creditors)

Reporting Officer:

Jennifer Bow, Manager of Finance Mike Darby, Senior Finance

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 months of December 2017 and January 2018.

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 2017/18 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 OCM Feb 18 – 12.3.2

Moved: Cr Dolton

Seconded: Cr Rajagopalan

Officer Recommendation:

That Council endorse the list of payments from the:

- 1. Municipal Account consisting of;**
 - a. EFT voucher numbers EFT12477 to EFT12686 totalling \$1,137,362.10**
 - b. Cheque number 23700 to 23722 totalling \$388,717.06**
 - c. Trust Cheque number 1903 – 1904 totalling \$700.00**
 - d. Wages payments totalling \$383,882.23 and**
 - e. Credit Card payments totalling \$1,251.58**

With all payments totalling \$1,910,661.40 for the months of December 2017 and January 2018.

Carried 7/0

Agenda Reference and Subject:

12.3.3 Adopt F1.7 – Petty Cash Policy

File Reference:

2.3.1.1 Policy Manual

Reporting Officer:

Jennifer Bow, Manager of Finance

Disclosure of Interest:

Nil

Summary

To introduce a new policy to oversee the use of petty cash.

Background

Council's auditors AMD identified in the Financial Management Review that Council did not have a policy to oversee the use of petty cash.

Comment

Petty cash is held to make small purchases that would otherwise be unnecessary or unviable to be processed by Accounts Payable.

The Financial Management regulations specifically state that the local government must develop procedures for the authorisation and payment of accounts.

All the procedures for the use of petty cash are detailed in the policy.

Consultation

Acting CEO & MOF

Statutory Implications

Local Government Act 1995 and Local Government (Financial Management) Regulation 1996.

Policy Implications F1.7 – Petty Cash Policy

Financial Implications

Enables staff to make small purchases that would be unnecessary or viable to be processed through Accounts Payable.

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 OCM Feb 18 – 12.3.3

Moved: Cr Rajagopalan

Seconded: Cr Waight

That Council adopt policy number F1.7 – Petty Cash Policy to oversee the use of petty cash.

Carried 7/0

Agenda Reference and Subject:

12.3.4 Adopt F1.8 – Timely Payment of Creditors Policy

File Reference:

2.3.1.1 Policy Manual

Reporting Officer:

Jennifer Bow, Manager of Finance

Disclosure of Interest:

Nil

Summary

To introduce a new policy regarding the timely payment of creditors.

Background

This policy outlines the guidelines that staff are to follow to ensure that creditors and suppliers are paid within 30 days from when either the invoice or the goods and services have been received.

Comment

This policy has been developed regarding the timely payment of creditors.

Creditors are paid in a fortnightly cycle currently. This process does ensure regular payment of creditors and also ensures that discounts are taken advantage of when offered by suppliers.

Larger invoices are held until their due date to ensure cash management.

Consultation

Acting CEO & MOF

Statutory Implications

Local Government Act 1995 and Local Government (Financial Management) Regulation 1996.

Policy Implications F1.8 – Timely Payment of Creditors Policy

Financial Implications

Ensures that invoices are paid for in a timely manner.

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 OCM Feb 18 – 12.3.4

Moved: Cr Kilminster

Seconded: Cr Rajagopalan

That Council adopt policy number F1.8 – Petty Timely Payment of Creditors policy.

Carried 7/0

Mr G Casley left the Council Chambers at 2.47pm and did not return.

Mrs JL Bow left the Council Chambers at 2.49pm and did not return.

12.4 Deputy Chief Executive Officer

Agenda Reference and Subject:	12.4.1 Dunstal Street Redevelopment
File Reference:	
Reporting Officer:	Catherine Dunn Deputy Chief Executive Officer
Disclosure of Interest:	Nil

Summary

Council is asked to consider the final plans that EcoScape have prepared for the redevelopment of Dunstal Street and subsequent entries to Council facilities as per changes at the November 2017 Council Meeting.

Background

To ensure a consistent and uniformed approach to the redesign of the Bruce Rock Recreation Centre Entry, Curlew Drive Entry and Caravan Park Entry Council agreed to engage a landscape designer to prepare a Redevelopment Plan for Dunstal Street Bruce Rock.

Following onsite meetings with Council staff Patrick Jordan of Ecoscape Australia has prepared some designs for Council’s consideration.

Comment

It is requested that Council consider the changes made to the entrance of the Recreation Centre L1-3 as per recommendations passed at the November meeting of Council.

Consultation

Patrick Jordan, Landscape Architect from Ecoscape Australia
 Ashleigh Waight, Community Development Officer
 Damien Bow, Rec Centre Manager
 Geoff Wilkins, Parks & Gardens Leading Hand

Statutory Implications Nil

Policy Implications Nil

Financial Implications

Whilst this project will be a staged approach Council already has budget provision for the following components involved with the Dunstal Street Redevelopment;

Caravan Park Entry	\$8,000
Fence between Caravan Park and Aquatic Centre Carpark	\$9,200
Curlew Drive Entry	\$20,000
Recreation Centre Entry Statement	\$20,000

Other associated works such as the new internal roads at the recreation centre are budgeted separately.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Environment

3.1.1A – A functional mix of open space

3.1.1.1 – Conserve open spaces, natural vegetation and bushland

3.2.1 – Mitigate the Shire of Bruce Rock’s environmental footprint

3.2.2 – Plan for water conservation, reuse and efficiency

Social

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

1.1.2.2 – Promote the community to take a proactive role in improving the aesthetics of each town

1.2.1.6 – provide cycle and pedestrian network, ensuring accessibility for all, throughout the Bruce Rock Townsite

Economic

2.2.1.2 – Promote, maintain and enhance the caravan park accommodation units and RV Friendly status to increase visitors and tourists to the Shire

Shire of Bruce Rock Aged Friendly Communities Plan

- Improved accessibility to local businesses

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 18 – 12.4.1

Moved: Cr Rajagopalan

Seconded: Cr Kilminster

That Council approves the amendments to the Bruce Rock Recreation Centre entry statement design that has been prepared by Ecoscape.

Carried 7/0

Agenda Reference and Subject:

12.4.2 Donation Request War Memorials

File Reference:

1.3.4.2 Vietnam Veterans Group

Reporting Officer:

Catherine Dunn Deputy Chief Executive Officer

Disclosure of Interest:

Nil

Summary

A request has been made of Council to make a financial contribution towards a new war memorial in Bruce Rock that is specifically for Vietnam Veterans as well as those who have served in Afghanistan, and Timor.

Background

The Bruce Rock War Memorial currently includes seven memorials. These include: Australian Red Cross, Salvation Army, thank our Angels, Korean Malayan and Indonesian, All Serving Defence personnel, National Service, Female Serviceman.

There is currently no memorial for Vietnam Veterans.

We have received a letter (attached) from Mr John Schnaars from Honouring Indigenous War Graves Incorporated, stating that he was approached by a lady at the last Back to the Bush Reunion, who told him that a number of the Veterans said they would not return if a memorial was not established for the Vietnam Veterans.

Mr Schnaars has put together a design that will recognise not only Vietnam Veterans, but also Afghanistan, Timor and other service personnel groups on one memorial. He is seeking

Mr Schnaars has approached the Shire previously for permission to erect memorials and donations towards the cost. The most recent was in June 2014, for donations of \$1,000 each for memorials recognising the Red Cross and Salvation Army. This was agreed upon by the Shire and budgeted for, but did not go ahead in that year. It was revisited in April 2016 when the Shire donated \$2,000 towards them.

Comment

Mr Schnaars is seeking permission to place the memorial and requesting a donation towards the memorial of \$2000-\$3000. He has also suggested that perhaps the Shire could promote the memorial and request donations from others.

Mr Schnaars has not suggested a location for the memorial- this would be up to the Shire.

If the Shire agreed to donate, the cost would be during the next financial year. As such it will be included in the 2017/18 budget.

Council is asked to confirm its commitment to the project and resolve to make budget provision in 2017/18.

Consultation

John Schnaars from Honouring Indigenous War Graves

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Budget Provision would be required in the 2017/18 financial year.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Social

1.3.1.4 – Maintain and protect heritage

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 18 – 12.4.2

Moved: Cr Rajagopalan

Seconded: Cr Kilminster

That Council gives permission for a memorial recognising Vietnam Veterans and other service personnel to be placed and will make a budget provision of \$2,000 towards a memorial in the 2017/18 financial year, pending funding received from other organisations and donors.

CARRIED BY ABSOLUTE MAJORITY 7/0

Council meeting adjourned for afternoon tea at 3.00pm.

Council meeting resumed at 3.18pm with all Councillors and Staff present.

Cr R Rajagopalan left the Council Chambers at 3.19pm.

Agenda Reference and Subject:

12.4.3 Medical Centre Review

File Reference:

4.1.3.17 Medical Centre Public Health & Building

Reporting Officer:

Catherine Dunn Deputy Chief Executive Officer

Disclosure of Interest:

Cr R Rajagopalan (Financial & Proximity)

Cr Negri (Closely Associated Persons)

Summary

To present a review of the Medical Centre costs and performance.

Background

Council asked that a review of the Medical Centre costs and performance be undertaken.

The current scope was as follows.

1. Obtain revenue and expense costings from similar Shires/ Medical Centres. These include Corrigin, Narembeen, Kununoppin and Quairading.
2. Obtain detail of service hours to the community for above, including weekly hours, weeks of leave and whether a locum is sourced when the current Doctor is on leave.
3. Obtain patient numbers for each of the above medical centres (if the information is available).
4. List other services available at other medical centres and discuss with the Medical Centre Managers whether this increases/decreases patient numbers to the Doctor.
5. Include any feedback from the community engagement around the SCP process with regards to the Medical Centre.
6. Discuss the findings of steps 1-5 with the Bruce Rock Medical Centre Practice Manager and Dr Caleb Chow to obtain their feedback on comparisons with other Shires. Include a list of services provided which cost the Shire.
7. Present the results to Council for feedback. We are progressing with stages 1-5 and hope to organise a meeting with the Practice Manager and Doctor shortly.

Comment

The review report has been attached and will be presented at the Council Meeting.

Consultation

Other Regional Medical Centres

Dr Caleb Chow

Mrs Sam Aurisch (Practice Manager)

Darren Mollenoyux- CEO

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Review of budget

Mrs M Schilling left the Council Chambers at 3.44pm.

Mrs M Schilling returned to the Council Chambers at 3.46pm

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Social

1.4.2 A high standard of health services to address the needs of all sectors of the community.

Civic Leadership

4.1.2 – Manage the organisation in a responsible and accountable manner

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 18 – 12.4.3

Moved: Cr Kilminster

Seconded: Cr Waight

That Council receives the report on the Medical Centre Review.

Carried 6/0

Mrs NC Kilminster left the Council Chambers at 4.43pm

Mrs NC Kilminster returned to the Council Chambers at 4.43pm.

Cr R Rajagopalan returned to the Council Chambers at 4.43pm.

Mr BJ Waight left the Council Chambers at 4.43pm.

Mr DRS Mollenoyux left the Council Chambers at 4.44pm.

Mr BJ Waight returned to the Council Chambers at 4.44pm.

Agenda Reference and Subject:

12.4.4 Request to use Amphitheatre and Gym

File Reference:

Reporting Officer:

Catherine Dunn Deputy Chief Executive Officer

Disclosure of Interest:

Mr DRS Mollenoyux – Financial

Summary

Request to use amphitheatre and gym

Background

We have received two letters from Mrs Vad Brownley regarding a request to use the gym and amphitheatre for private classes.

The first letter, received in September, was a request for using the Gym located at the aquatic centre. As the gym is not an appropriate size for group sessions, she requested being able to use the lawn area at the aquatic centre to run group sessions and boot camps.

Mrs Vad Brownley has also suggested using the Bruce Rock Amphitheatre as an alternate venue. If this were the case she has requested she be given permission to store some items in the room behind the stage.

Mrs Vad Brownley would have her own professional indemnity insurance.
Her two letters have been attached.

Comment

Although the pool has the space to host a group exercise class there are issues with supervision and liability, as well as an entry fee. As Mrs Vad Brownley has stated she does not require gym equipment for group sessions anyway, the amphitheatre would be just as suitable.

In addition, there is more available storage space at the amphitheatre. The gym does not have a lot of excess space and a storage cage, while not overly large, would reduce what space is available.

Another point to consider is whether having a group class would deter other gym members from using the gym at that time. Although not specifically using the gym equipment, there is a possibility that other gym users may assume the gym is also being used for the class. As the gym is open to all members, this would not be a desirable outcome. This would not be an issue at the amphitheatre.

As the gym and pool are public facilities, the Shire needs to consider whether it is happy to let a section be cordoned off for what is essentially a private, for profit business, or whether the Shire should create a fee and charge for this in the future.

With regards to one-on-one gym sessions, it is recommended to allow Mrs Vad Brownley the use of the gym for her business provided that both she and her client have a current gym membership. While Mrs Vad Brownley may still be profiting from this, there is little difference between two friends going to the gym together and supporting each other through exercises. It would also be another service that is available in town.

Consultation

Nil

Statutory Implications

Nil

Policy Implications Nil

Financial Implications

Nil.

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

Simple Majority

Officer Recommendation

That Mrs Vad Brownley's:

- i.) request to use the Bruce Rock Amphitheatre for group fitness classes be supported;
- ii.) request to use the lawn at the Bruce Rock Aquatic Centre be denied, in favour of using the amphitheatre year-round; and
- iii.) her request to conduct one-on-one sessions at the Bruce Rock gym be supported provided that both she and her client have paid for valid gym memberships.

Council decision differed to Officer Recommendation to incorporate a fee charge and 2-month trial.

COUNCIL DECISION

Resolution OCM Feb 18 – 12.4.4

Moved: Cr Kilminster

Seconded: Cr Rajagopalan

That Mrs Vad Brownley's:

- i.) **request to use the Bruce Rock Amphitheatre for group fitness classes be supported; 2-month free trial – adopt fee at Budget Review**
- ii.) **request to use the lawn at the Bruce Rock Aquatic Centre be denied, in favour of using the amphitheatre year-round; and**
- iii.) **her request to conduct one-on-one sessions at the Bruce Rock gym be supported provided that both she and her client have paid for valid gym memberships.**

Carried 7/0

Mrs NC Kilminster left the Council Chambers at 4.52pm.

Mr DRS Mollenoyux returned to the Council Chambers at 4.52pm.

Mrs NC Kilminster returned to the Council Chambers at 4.54pm.

Agenda Reference and Subject:

12.4.5 Digital Farm Grants

File Reference:

Reporting Officer:

Catherine Dunn Deputy Chief Executive Officer

Disclosure of Interest:

Nil

Summary

To provide information on the Digital Farm Grants released by the Department of Primary Industries and Development

Background

The “Digital Farm” grants program is a \$5 million State Government initiative under the Royalties for Regions, State Agricultural Telecommunications Infrastructure Improvement Fund.

The objective of the Program is to improve connectivity for agricultural businesses in regional Western Australia to support the widespread adoption of digital farm technologies. Grants of up to \$500,000 are available on a matching dollar for dollar basis for approved projects that seek to provide fast, reliable, affordable and scalable internet access to farm businesses.

The Grant closes on the 13 April 2018.

In addition, NEWROC has recently been successful in its Building Better Region’s Fund application for a Telecommunications Solution which provides wireless coverage over the majority of NEWROC. This includes farmland as well as the town sites. The total project cost was approximately \$989,909. This covered the data centre at Merredin and 11 repeater stations. This was significantly lower than the NBN Technology Choice price quoted to get a fixed wireless tower to Bruce Rock. The NEWROC project was conducted in partnership with South West Wireless.

Adam Edwards at the Department of Primary Industries and Regional Development confirmed in a phone conversation that the replicating the South West Wireless/ NEWROC project would be an eligible project under the grant guidelines.

Comment

I have since spoken to Jeremy Devenish and Leigh Ballard from South West Wireless via phone who are interested in expanding the project to Bruce Rock, Kellerberrin and Narembeen.

As the sub-centre which feeds off the NBN at Merredin has already been built under the NEWROC project, this would not be a cost to expanding the program. On a high level, the costs are estimated at approximately \$100,000 per wireless tower. A project to expand the towers to Bruce Rock, Kellerberrin and Narembeen would need approximately 13 towers. Of this four would be in the Bruce Rock Shire. There would be some crossover between towers in the Bruce Rock, Narembeen and Kellerberrin Shire regarding properties covered (ie. some Narembeen properties will be covered by a Bruce Rock tower and some Bruce Rock properties would be covered by a Narembeen tower). This would be expected to cover the entirety of the Bruce Rock Shire.

Under the Digital Farms grant, applicants must put 50% towards the cost of the project. The proposal created by Southern Wireless is that each Shire would be responsible for funding the towers in their Shire. This would mean that the total cost apportioned to Bruce Rock would be \$400,000, of which half of which would be covered by the grant, leaving the Shire to find \$200,000.

It is not yet clear whether Southern Wireless would bear some of those costs. In addition, to get the Wireless Feed to the Shire of Bruce Rock, a wireless tower also needs to be placed in the Shire of

Merredin. Merredin are receptive to this, however, if Merredin were not to participate, the average cost per tower would increase slightly.

If the project were to go ahead, South West Wireless would be the lead applicant for the grant and would seek letters of support from the Shires involved as well as from landholders within the Shire.

The discussion around this project is still in the early stages. A meeting will be arranged with Leigh Ballard of South West Wireless to go over the project in further detail within the next two weeks so that a more detailed proposal can be put forward. If the Shire were to go ahead, a detailed proposal would be brought to the March meeting for budget approval.

Consultation

Adam Edwards – Department of Primary Industries and Regional Development
Leigh Ballard – South West Wireless

Statutory Implications Nil

Policy Implications Nil

Financial Implications

Budget Provision would be required in the 2018/19 financial year.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Economic

2.1.3 – Advocate for the technological infrastructure necessary to support and expand business.

Voting Requirements Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 18 – 12.4.5

Moved: Cr Dolton

Seconded: Cr Thornton

That Council provides in principle support to progressing the project to a cost analysis stage with the Shire of Kellerberrin, Shire of Narembeen and Shire of Merredin.

Carried 7/0

Agenda Reference and Subject:

12.4.6 Community Strategic Plan

File Reference:

2.5.1.1 Strategic Community Plan

Reporting Officer:

Catherine Dunn Deputy Chief Executive Officer

Disclosure of Interest:

Nil

Summary

The Local Government (Administration) Regulations 1996 explains that the “Plan for the Future” referred to in Section 5.56 of the Local Government Act 1995 is made up of the 10-year Strategic Community Plan and a 4-year Corporate Business Plan.

This report seeks Council’s approval for the adoption of the Shire of Bruce Rock’s Strategic Community Plan 2017-2027.

Background

All Western Australian Local Governments are required to prepare a “Plan for the Future” for their district Under Section 5.56 (1) of the Local Government Act 1995. The “Plan for the Future” comprises the following two key strategic documents which a Local Government is required to have regard for when forming its annual budget.

Strategic Community Plan - Council’s principal 10-year strategy and planning tool. It is the principal guiding document for the remainder of the Shire’s strategic planning as community engagement is central to this plan.

Corporate Business Plan – Council’s 4-year planning document. The core components of this Plan include a 4-year delivery program, aligned to the Strategic Community Plan and accompanied by 4-year financial projections.

Development of the Strategic Community Plan and Corporate Business Plan is undertaken in accordance with the Integrated Planning and Reporting Framework and Guidelines. An essential element of the Integrated Planning and Reporting process is to enable community members and stakeholders to participate in shaping the future of the community and in identifying issues and solutions. It is designed to articulate the community’s vision, aspirations, outcomes and priorities for the future of the district.

The Strategic Community Plan and the Corporate Business Plan are informed by several other key plans and processes. The connection between the community and the Shire’s Strategic Plans, Annual Budget and Corporate documents developed to guide the Shire in delivering services to the community are show in the diagram below. The term of each key plan is shown in blue circles.

The plan must be reviewed at least once every four years and a desktop review should be carried out every two years.

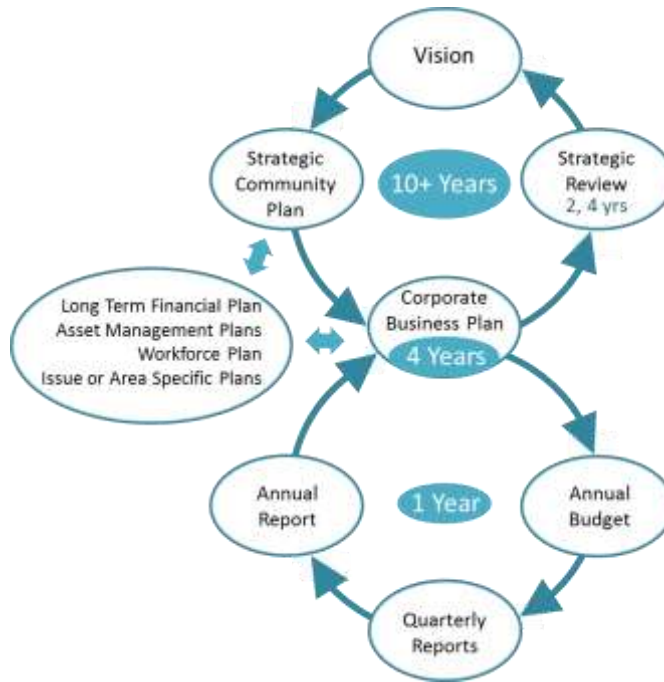


Diagram: Integrated Planning and Reporting Cycle

Department of Local Government and Communities

Integrated Planning and Reporting Framework and Guidelines, September 2016

Comment

Council engaged Caroline Robinson, Solum Wheatbelt Business Solutions to conduct a full review of the Shire of Bruce Rock’s Strategic Community Plan that complies with Section 19C and 19DA of the Local Government (Administration) Regulations 1996. Caroline has conducted an extensive community engagement program and sought to obtain the community’s priorities for the future as well as obtaining feedback in relation to Council’s services and facilities.

A summary of Caroline’s community engagement is below: -

Total number of consultations:

- 48 Survey respondents
- Random phone calls to ratepayers across all parts of the Shire (21) answering a series of set questions
- Meetings held with community leaders (170 of local clubs and associations separate to online and hard copy survey
- Business owners in town site separate to any other consultation (13)
- Business Advisors to the district (4) outside of the Shire of Bruce Rock
- Shire Councillors one on one meetings (4) plus attending Council workshops
- Outside Works Crew meeting (14)
- Administration Staff meeting (6)
- Community members that have been approached or have approached C Robinson informally to discuss forward planning (in person and phone) separate to all other groups above (19) e.g. Bruce Rock Agricultural Show
- Councillor workshop

Based on the above community engagement of 146 (15.6 of total population) Caroline Robinson has developed the draft Strategic Community Plan which sets out the vision for the Shire of Bruce Rock’s future and captures the community’s aspirations and values. A copy of the draft Strategic Community Plan 2017-2027 is attached.

The 2017-2027 Community strategic Plan has been developed on what we can achieve in the first two years and four years of the new plan with longer broader 10-year outcomes also included. The plan would

be to reset the short-term goals, Council Strategy and Measurement of Performance every two years whilst still having a 10-year outlook in accordance with the required regulations.

The plan is a clear departure from the 2013-2023 plan which focused on the four areas of Social, Economic, Environment and Civic Leadership. Whilst these core areas are the Shire focus the review is a reset to enable achievable goals to be realised in a 2-year period whilst still focusing on the longer-term outcomes.

Council Priorities: -

- I. Improving the economic and financial return on Shire owned or managed infrastructure, services and ultimately the Shire's financial position
- II. Improving the economic return of Shire led projects to businesses within the Shire
- III. Improving the level of community commitment and leadership in local projects and IV. therefore, investing in the capacity of our people
- IV. Ensuring our investments return a social, economic and environmental benefit (s).

The adoption of the Strategic Community Plan 2017-2027 will have a direct impact on the Corporate Business Plan. The Corporate Business Plan will require a full review to ensure that it is in line with the objectives within the Strategic Community Plan 2017-2027. This review will commence upon the adoption of the Strategic Community Plan and will be presented to Council for adoption in April 2018

Other plans that will be reviewed include: -

- Long Term Financial Plan;
- Asset Management Plan;
- Forward Capital Works Plan;
- Workforce Plan; and
- Risk Management Plan.

It is anticipated that the above plans will be presented to Council for adoption over the next few months. In accordance with the Local Government (Administration) Regulations 1996 Section 19D, Council is required to give public notice on the adoption of the Strategic Community Plan and its availability for inspection.

Consultation

Darren Mollenoyux – CEO

Jennifer Bow – Manager of Finance

Caroline Robinson, Solum Wheatbelt Business Solutions

Statutory Implications

Local Government Act 1995, Section 5.56.

Section 5.56(1) and (2) of the Local Government Act requires that each local government is to “plan for the future of the district”, by developing plans in accordance with the Regulations. The Local Government Administration Regulations 1996 were amended to require each local government to adopt a Strategic Community Plan and a Corporate Business Plan.

Local Government (Administration) Regulations sections: -

19C – Strategic community plans, requirements for (Act s.5.56)

19D – Adoption of plan, public notice of to be given

Policy Implications

Nil

Financial Implications

Future expenditure to meet the Strategic Community Plan objectives.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Civic Leadership

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 OCM Feb 18 – 12.4.6

Moved: Cr Thornton

Seconded: Cr Waight

- 1. Endorses the Shire of Bruce Rock Strategic Community Plan 2017-2027 for presentation to the public.**
- 2. Undertake local public advertising by putting the plan out to the public for final comment with the intention to adopt the plan at the March 2018 Ordinary Meeting of Council.**

Carried 7/0

12.5 Chief Executive Officer

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

Agenda Reference and Subject:	13.1	Application by the Shackleton and Districts Club to permit camping on the Shackleton sports oval for the weekend of the 17 th March 2018 for the ‘Rib-Fest’ 2018 event.
File Reference:	A679	Shackleton and Districts Club
Reporting Officer:		Julian Goldacre, Environmental Health Officer – Authorised
Disclosure of Interest:		Nil

Summary

That Council resolves to permit camping at the Shackleton oval located on Lot 224 and Lot 368 Mills Street Shackleton on the weekend of the 17 March 2018 with the conditions being the Shackleton and Districts Club Inc (Club) are to be the custodians, as is so reasonably practical, to ensure amenities, water, rubbish collection is provided, no fires are to be lit and damage to the oval is repaired to the satisfaction of the Council.

Background

The Club proposes to hold a ‘Rib-Fest’ at the Shackleton and Districts Club premises on the weekend of the 17 March 2018 as stated in the correspondence received by the Bruce Rock Shire by email on the 12 February 2018 (**ATTACHMENT 12.1.3**). As part of the Club strategy to promote overnight options for patrons and to promote the region generally the Club manager has requested the use of the Shackleton oval to permit persons to camp overnight after the Rib-Fest event.

Comment

Historically the use by the Club to accommodate patrons with overnight camping options has proven popular. To date the Oval has been approved by Council for camping use in 2015, 2016 and 2017 for previous ‘Rib-Fest’ and ‘Shacktober’ events. Through discussions with the Club Manager Mr Brian McConnell has revealed that no issues to have occurred whilst the Oval was camped on and feedback from campers has been positive.

Mr B McConnell details in **ATTACHMENT 12.1.3** that amenities will be made available to persons choosing to camp being access to the portable toilets and handwashing facilities. The Rib-Fest is planned to attract up to 300 persons and it is uncertain how many would decide to stay over although was a popular option for previous events.

The local government of Bruce Rock being the custodian of the Shackleton oval can permit persons though a written document authorised by Council for approval to stay up to 3 nights in any 28-day period. Mr B McConnell is requesting of Council permission to permit overnight camping on the Oval thus facilitating options for persons choosing to camp over. With the responsibility shown by the Club to offer persons attending the event the camping option and the good results from previous Club events it is considered judicious that Council consider the granting of such permission.

It is recommended that Council does condition the Oval use with the following:

- i. That amenities being toilets and hand basins are to be made available during the times that persons are camped at the Shackleton oval located on Lot 224 and Lot 368 Mills Street Shackleton;
- ii. That the Shackleton oval located on Lot 224 and Lot 368 Mills Street Shackleton is to be made clean of any litter by the 20 March 2018 and any damage to the oval caused by persons camping is repaired by the Club to the satisfaction of Council by the 30 March 2018 or by another date so requested by the Club and agreed to by the Chief Executive Officer;

- iii. That potable water is to be made available by the Club to persons choosing to camp at the Shackleton oval located on Lot 224 and Lot 368 Mills Street Shackleton; and
- iv. The Club is to ensure that camp fires are not permitted during the times that persons are camped at the Shackleton oval located on Lot 224 and Lot 368 Mills Street Shackleton.

Statutory Environment

Caravan Parks and Camping Grounds Act 1995.

Policy Implications

Nil.

Financial Implications

Nil.

Voting Requirement

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 18 – 13.1

Moved: Cr Waight

Seconded: Cr Rajagopalan

THAT Council resolves to:

Authorise the Chief Executive Officer to give written approval to the Shackleton and Districts Club Inc to permit camping on the Shackleton oval located on Lot 224 and Lot 368 Mills Street Shackleton during the 'Rib-Fest' 2018 event on weekend of the 17 of March 2018 with the following conditions:

- 1. That the management and staff of the Club are to be the custodians, as reasonably practicable, for persons so choosing to stay at the Shackleton oval located on Lot 224 and Lot 368 Mills Street Shackleton are to ensure:**
- 2. That amenities being toilets and hand basins are to be made available during the times that persons are camped at the Shackleton oval located on Lot 224 and Lot 368 Mills Street Shackleton;**
- 3. That the Shackleton oval located on Lot 224 and Lot 368 Mills Street Shackleton is to be made clean of any litter by the 20 March 2018 and any damage to the oval caused by persons camping is repaired by the Club to the satisfaction of Council by the 30 March 2018 or by another date so requested by the Club and agreed to by the Chief Executive Officer;**
- 4. That potable water is to be made available by the Club to persons choosing to camp at the Shackleton oval located on Lot 224 and Lot 368 Mills Street Shackleton; and**
- 5. The Club is to ensure that camp fires are not permitted during the times that persons are camped at the Shackleton oval located on Lot 224 and Lot 368 Mills Street Shackleton.**

Carried 7/0

Agenda Reference and Subject:

13.2 Budget Amendment

File Reference:

Reporting Officer:

Catherine Dunn, Deputy Chief Executive Officer

Disclosure of Interest

Nil

Summary

To approve the deletion of a B2 rated Independent Living Unit from the CEACA project.

Background

Since mid-October last year CEACA has been working to secure funding for its seniors housing project. It has been a very busy and often stressful time as CEACA has worked to ensure the future of the project. During this time CEACA has met with the Minister for Regional Development, Hon Alannah MacTiernan MLC, and responded to her many requests for additional information to support the continuation of the project.

The Minister requested that CEACA achieve a total of \$6 million in savings from the overall project budget. This would have significantly affected the overall integrity of the project.

After several weeks of discussions with Access Housing Australia (as project manager for the housing project) and Pindan Contracting (the successful tenderer) CEACA responded to the Minister's requests by way of letter on 12 January 2018. Following receipt of this letter the Minister, through her office and the Department of Primary Industry and Regional Development, sought additional information. This was provided.

The Minister has accepted the proposals presented by CEACA in its correspondence of 12 January. In her letter to Graham Lovelock, as CEACA's Chair, dated 29 January 2018, the Minister advised that she is happy for the CEACA Seniors Housing Project to proceed.

For Bruce Rock this means one less unit than in the original plan reducing the total number of units from nine to eight.

On 13th February 2018 correspondence was received from Ralton Benn from Access Housing regarding which unit Bruce Rock would like deleted from the project.

Comment

In order to achieve the cost saving promised to the project, the unit that needs to be removed from Bruce Rock's portion of CEACA units needs to be a Platinum (B2) rated unit.

The differences between Platinum units and Gold units are as follows:

- Platinum level provides the highest level of access on the Liveable Housing Australia index and suits tenants requiring wheelchair access
 - o Comes with hand rails
- Gold level provides the next highest level of access, 850mm wide doorways and wider corridors to allow the entry of ambulance stretchers
 - o Comes with wall structure to allow application of hand rails
- Both provide the same level of access to and from the units

Bruce Rock has a B2 unit scheduled to be built at each site.

Access Housing suggestion was that B2 unit from 56-57 Butcher St be the one to be removed from the project. This proposal is to Delete Unit 2 & bring Unit 1 east to the middle of the lot to allow Unit 2 to be built on the Western portion of the lot in the future.

An alternative option is to remove the unit from the lot of 6 units at 26-28 Butcher St. This would leave five units in one location and three at the other. This may even up the appearance of the units and leave the other two units less isolated from the others. From previous discussions, I have understood that this is Council's preferred option. At this site the B2 rated unit is also Unit 2.

Another factor to consider is that there will only be one wheelchair accessible unit remaining. However as both Butcher St sites have adequate footpath infrastructure to the location, there is no discernible benefit by having a wheelchair accessible unit in location as opposed to the other.

Discussions with Ralton Benn from Access Housing have indicated that the remaining eight lots in Bruce Rock will be built in the same stage of the project. As a result, removing a unit from one site, over the other will not affect the overall completion date of the remaining B2 unit.

Consultation

Darren Mollenoyux - CEO

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Reduction to CEACA budget.

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.

Social

1.4.1 Facilitate diverse, inclusive housing options.

Voting Requirements

Simple Majority

Officer Recommendation

That as a Platinum B2 unit is the unit required to be removed to achieve the required CEACA cost savings that Council select which site they would like it removed from (either 56-57 Butcher St or 26-28 Butcher St); and

That we accept that we forfeit a Platinum B2 unit on the provision that is it is replaced with a platinum standard house should funds become available.

Councillor decision differs from Officer Recommendation as Council has chosen to remove the B2 unit from 56-57 Butcher Street.

COUNCIL DECISION

Resolution OCM Feb 18 – 13.2

Moved: Cr Dolton

Seconded: Cr Thornton

**“The Shire of Bruce Rock resolved that as a Platinum B2 unit is the unit required to be removed to achieve the required CEACA cost savings for the current CEACA ILU’s project, that Council select 56-57 Butcher St as the site they would like the unit removed from;
and**

The Shire of Bruce Rock forfeit a Platinum B2 unit on the provision that is it is replaced with a platinum standard unit when funds become available to the CEACA project.”

Carried 7/0

Agenda Reference and Subject:	13.3	Grants Commission Hearing
File Reference:		
Reporting Officer:		Catherine Dunn, Deputy Chief Executive Officer
Disclosure of Interest		Nil

Summary

To discuss any items to be raised at the WA Local Government Grants Commission Public Hearing.

Background

The WA Local Government Grants Commission is a statutory body established under the Local Government Grants Act 1978. Its principle function is the making of recommendations to the Minister for Local Government on the allocations of financial assistance grants among 138 local governments in Western Australia. The grants are the State's entitlement for financial assistance from the Commonwealth Government, paid in equal quarterly instalments for a financial year, under the Australian law, Local Government (Financial Assistance) Act 1995

The WA Local Government Grants Commission is visiting the Shire of Bruce Rock for the purposes of a public hearing at 3.30pm on Monday 12 March 2018. The hearing is expected to take approximately two hours.

The commission views the hearing as a chance for attendees to gain a better understanding of the methodology used to calculate revenue from the grants commission for local government.

Councillors and relevant staff are invited to attend.

As a part of the hearing, the Shire of Bruce Rock is invited to make a short presentation highlighting the major challenges facing the local government and any projects that are happening in the district.

Comment

As one of our largest revenue streams, it is advisable for all councillors to attend this hearing if at all possible.

In the last three years our revenue from the grants commission (including advance payments where paid) has been;

YEAR	GCP	FAGS	SPECIAL ROAD PROJECTS	TOTAL
2014/15	\$1,490,751	\$751,837	\$204,000	\$2,446,588
2015/16	\$1,501,791	\$742,304	\$248,000	\$2,492,095
2016/17	\$1,509,521	\$1,140,784	\$150,000	\$2,800,305
2017/18	\$1,517,493	\$751,626	\$0*	\$2,269,119

**Special project grants now administered through Roads to Recovery*

A reduction in the funding in the current year based on what was budgeted was due to a reduction in funding that the State received from the Federal Government based on population changes from the most recent census.

There are no conditions on how the funding is spent. The funding is divided into two parts a general-purpose component and a local roads component.

The funding provided to local governments is allocated on the basis of horizontal equalisation to ensure that each local government in the State is able to function at a standard not lower than the average standard of other local governments. All local governments are entitled to receive at least the minimum grant. That minimum grant cannot be less than 30 per cent of what the local government would receive if all grants were allocated on a per capita basis.

The balanced budget approach has been used to calculate General Purpose Grants since 1994. The grants commission calculates the equalisation requirement of each local government by assessing the revenue raising capacity and expenditure need of each local government. Five categories (called standards) have been used to calculate revenue raising ability and six categories have been used to establish expenditure need.

The equalisation requirement is the difference between the assessed expenditure need and the assessed revenue raising capacity of each local government. A range of cost adjustors have been developed by the grants commission (for example: location, population dispersion and socio-economic disadvantage) and are included in the calculation of the standards to recognise the additional costs a local government faces due to its physical or demographic characteristics.

The grants commission uses an asset preservation model for local road funding. This model is used to assess the cost of maintaining a local government's road network and takes into account annual and recurrent maintenance costs and the costs of reconstruction at the end of a road's useful life.

For the balanced budget approach (onscreen) the following factors are considered for Bruce Rock under the Disability Summary:

- Location
- Socioeconomic ranking
- Population dispersion
- Climate
- Indigenous
- Terrain
- Off road drainage
- Medical facilities.

Our position with regards to the majority of the above list cannot be argued. Location, terrain and climate are set factors. Socioeconomic ranking, and indigenous population are derived from the ABS. Population dispersion includes one townsite (presumably Shackleton).

Medical facilities and off-road drainage relate to Shire services and infrastructure.

It is suggested that medical centre costs be included in the presentation to the grants commission.

Other items to include in the grants commission highlighting changes to road usage patterns that would feed into the asset preservation grants model for local road funding. Particularly the increased volume of large trucks with the cessation of Tier 3 rail and the impact this is having on road maintenance and construction. An example to include in the presentation could be the Grain Freight Funding Received- it was deemed necessary to upgrade the Grain Freight roads as they were identified as having a higher load however as a local government we foot the bill for future maintenance of these roads, which was not considered in the one-off funding.

Consultation

Jennifer Bow – Manager of Finance

Statutory Implications

Local Government Grants Act 1978

Local Government (Financial Assistance) Act 1995 (ComLaw)

Policy Implications Nil

Financial Implications

Impact on future grant revenue.

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 OCM Feb 18 – 13.3

Moved: Cr Dolton

Seconded: Cr Negri

That the Shire:

1. Prepares a presentation for the grants commission focussing on the following items

-medical centre running costs.

-road

-any other hardships experienced and costs incurred by the Shire as a result of our location, climate, road usage and demographics.

Carried 7/0

Agenda Reference and Subject:

13.4 Amend Fees & Charges – Pool
Inspection Fee

File Reference: 8.2.7.1 Annual Budget

Reporting Officer: Jennifer Bow, Manager of Finance

Disclosure of Interest Nil

Summary

To amend the adopted fee and charge for the EHO to conduct an inspection of the barrier (fencing) to private swimming pools.

Background

The adopted fee and charge in the 2017/18 Budget was incorrectly raised as the fee for inspecting fencing around private swimming pools is set in the Building Regulations 2012.

Comment

When the fees and charges for the 2017/18 Budget were set, the fee included for the EHO to inspect private swimming pool fencing was incorrect.

The EHO has advised that the inspections must be carried out under the Building Regulations 2012 and in accordance with the Buildings Regulations, the Local Government must set the fee for each financial year but the fee is not to exceed \$58.45.

Consultation

MOF & EHO

Statutory Implications

Building Regulations 2012, Existing buildings Part 8

Private swimming pools Division 2

53. Inspection of barrier to private swimming pool

(2) A local government may, for a financial year, fix the charge to be imposed on each owner or occupier of land on which there is a private swimming pool containing water that is more than 300 mm deep, to meet the estimated cost in that financial year of carrying out the inspections mentioned in sub regulation (1), but the charge fixed —

(a) must not exceed the estimated average cost to the local government of carrying out inspections in that year; and

(b) must not exceed \$58.45.

Local Government Act 1995 s.6.16 & s.6.19

6.16. Imposition of fees and charges

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

** Absolute majority required.*

- (3) *Fees and charges are to be imposed when adopting the annual budget but may be —(a) imposed* during a financial year; and
(b) amended* from time to time during a financial year.*

** Absolute majority required.*

6.19. Local government to give notice of fees and charges

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

- (a) *its intention to do so; and*
(b) *the date from which it is proposed the fees or charges will be imposed.*

Policy Implications NIL

Financial Implications

Rental fees from residential properties are included in the annual budget.

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 OCM Feb 18 – 13.4

Moved: Cr Rajagopalan

Seconded: Cr Waight

That Council;

- 1. Amend the inspection of barrier to private swimming pool fee and charge to be \$58.45 (GST free); and**

Give public notice of 7 days of the intent to amend the adopted fee and charge.

CARRIED BY ABSOLUTE MAJORITY 7/0

14. Confidential Items

Nil

15. Confirmation and receipt of Information Bulletins.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 18 – 15.1

Moved: Cr Rajagopalan

Seconded: Cr Negri

That Information Bulletin 1 be received.

Carried 7/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Feb 18 – 15.2

Moved: Cr Thornton

Seconded: Cr Rajagopalan

That Information Bulletin 2 be received.

Carried 7/0

16. Closure of Meeting.

The Shire President, Stephen Strange thanked everyone for their attendance and declared the meeting closed at 5.54pm.

These minutes were confirmed at a meeting on 15 March 2018.

Cr Stephen Strange
Shire President
15 March 2018