

SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 19 APRIL 2018

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SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 19 APRIL 2018

1. Declaration of Opening

The Shire President Cr SA Strange declared the meeting open at 1.13pm.

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 MK Thornton
	Cr PG Negri
	Cr MJ Royce
Chief Executive Officer	Mr DRS Mollenoyux
Deputy Chief Executive Officer	Ms CJ Dunn
Executive Support Officer	Mrs MJ Schilling
Manager of Finance	Mrs JL Bow (1.50pm to 2.34pm)
Apology	Cr BJ Waight
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
19.04.18	Cr Rajagopalan	12.4.3	Rents Room at Medical Centre

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
19.04.18	Cr Negri	12.4.3	Daughter is employed by 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
19.04.18	Cr Rajagopalan	12.4.3	Rents Room at Medical Centre

4. Response to Previous Public Questions Taken on Notice

Nil

5. Public Question Time

Nil

6. Petitions/Deputations/Presentations/Submissions

E-Rotary Club of Western Australia
Bill Ivory (President)
Steve Coady (President-elect)
Kero O’Shea (Secretary)

7. Applications for Leave of Absence

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 7.1

Moved: Cr Rajagopalan
Seconded: Cr Thornton

That Cr Royce be granted Leave of Absence for the Ordinary Meeting of Council to be held on 17 May 2018.

Carried 7/0

8. Announcements by Presiding Member

Nil

9. Confirmation of Minutes

Ordinary Meeting of Council held on Thursday 15 March 2018.

Works and Services Meeting held on Thursday 15 March 2018.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 9.1

Moved: Cr Dolton
Seconded: Cr Royce

That the minutes of the Ordinary Meeting of Council held Thursday 15 March 2018 be confirmed as a true and correct record.

Carried 7/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 9.2

Moved: Cr Rajagopalan
Seconded: Cr Dolton

That Council receives the minutes of the Works and Services Meeting held Thursday 15 March 2018.

Carried 7/0

10. Status Report

Presentation of Status Report for March 2018 Resolutions

ITEM	RESOLUTION / ACTION REQUIRED	RESPONSIBLE OFFICER	RESPONSE OR STATUS
<p>Resolution Mar 18 – 12.1.1 Planning Development Approval for a commercial kitchen building with dining, two road side directional & advertisement signs and ablution addition at Lot 26889 Wogarl Road Bruce Rock – Attachment 12.1.1 endorsement</p>	<p>To endorse the Planning Application documents provided in Attachment 12.1.1 for record keeping purposes and to authorise the Chief Executive Officer to stamp and sign each page and undertake the required administration of the documents.</p>	<p>EHO</p>	<p>To be completed 6th April 2018.</p>
<p>Resolution Mar 18 – 12.3.3 Adoption of the 2017/18 Budget Review</p>	<p>That Council adopt the Budget Review as presented including the variations for the period 1st July 2017 to 30th June 2018 and amend the budget accordingly.</p>	<p>MOF</p>	<p>Budget Review sent to Department of Local Government.</p>
<p>Resolution Mar 18 – 12.3.4 Adoption of Fees & Charges – Casual Hire of Amphitheatre</p>	<p>1. Adopt a new fee and charge for the use of the amphitheatre for group fitness per session of \$12.00 (including GST); and 2. Give public notice of 7 days of the intent to adopt the new fee and charge.</p>	<p>MOF</p>	<p>Fee has been advertised.</p>
<p>Resolution Mar 18 – 12.4.3 Compliance Audit Return 2017</p>	<p>That Council adopt the Compliance Audit Return, as attached, for the period 1 January 2017 to 31 December 2017, in accordance with the Local Government (Audit) Regulations 1996.</p>	<p>DCEO</p>	<p>Adopted and submitted to Department of Local Government, Sport and Cultural Industries.</p>
<p>Resolution Mar 18 – 12.5.1 Hospital Residence – Lot 425 Bean Road, Bruce Rock</p>	<p>That Council defer a decision on Tender 2.2018-18 New Hospital Residence until 17th May 2018 due to the funding being withheld by the Memorial Auxiliary Committee and write to each tenderer to advise of the situation.</p>	<p>CEO</p>	<p>Tenderers advised of Council's decision to defer.</p>
<p>Resolution Mar 18 – 12.5.2 Community Workshop</p>	<p>That Council considers the information gathered from the Community Workshop with Peter Kenyon on the 26th February 2018. 2. That Council provides the summarised information back to the community, to enable them to proceed with any actions that they wish to proceed with. 3. That Council acknowledges the top eight priorities raised by the community;</p>	<p>CEO</p>	<p>Advertising of outcomes have occurred. Discussion with Caroline Robinson to assist with establishing a Progress Committee.</p>

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	<ol style="list-style-type: none"> 1) Establishment of a Local Progress Association 2) Community Owned Roadhouse 3) Tourism Strategy 4) Development of Youth Leadership (15-30-year old's) 5) CBD Revitalisation Strategy 6) Volunteer Development 7) Buy Local Strategy 8) Accommodation Strategy <p>4. That Council supports the establishment of a Bruce Rock Progress Association to assist the drive and delivery of the communities desired outcomes/projects. Which would include one Councillor representative to assist with communication and dialogue between the Association and Council.</p>		
Resolution Mar 18 – 12.5.3 Support for Community Engagement Video	That Council declines to make a financial contribution of \$500 towards the Community Engagement Video project being undertaken by the Local Government Authority Community Engagement Network Group.	CEO	Group informed of Council's decision to decline support.
Resolution Mar 18 – 12.5.4 Southern Wireless - Digital Farm Grants	That Council declines to support the project proposal from South West Wireless to submit an application to the Department of Primary Industries and Development Digital Farm Grants.	DCEO	Crisp Wireless has been notified that we are supportive of the project but decline to contribute funding for this application.
Resolution Mar 18 – 12.5.5 Strategic Community Plan – Public Comments	<ol style="list-style-type: none"> 1. That Council considers the public submission/s that were received relating to its Strategic Community Plan. 2. That Council adopts the Shire of Bruce Rock Strategic Community Plan 2017-2027 with any changes that it deemed appropriate from public submission. 	CEO	Plan is currently with the publisher who is making final changes before final print.
Resolution Mar 18 – 12.5.6 Request for BMX Track	<p>That Council staff undertake initial consultation with key groups to ascertain the best location and wants/needs of the youth for the establishment of a BMX track within Bruce Rock town site. With further information to be presented to Council on the insurance and compliance matters that may be associated with the establishment of a track and its location. And</p> <p>That Council staff investigates the options available and potential required area for any future expansion of the Bruce Rock Caravan Park located on Reserve 24756 and report details back to Council for consideration.</p>	CEO	Due to workload this has not been actioned. It is envisaged that this will occur in late April 2018.

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<p>Resolution Mar 18 – 12.5.8 E-Rotary Request for Sponsorship</p>	<p>That Council approves sponsorship of \$570 for two Bruce Rock Youth to attend the Rotary RYPEN Youth Development Camp in 2018.</p>	<p>CEO</p>	<p>E-Rotary WA informed of Council's support and representatives will join Council for afternoon tea at April 2018 meeting.</p>
<p>Resolution Mar 18 – 12.5.9 Medical Centre Review</p>	<p>That Council considers the presentation from Dr Chow and makes recommendations to the Chief Executive Officer of any actions that are determined.</p>	<p>CEO</p>	<p>Item to be presented at the April meeting.</p>
<p>Resolution Mar 18 – 12.5.10 Dunstal Street Redevelopment</p>	<p>That Council considers the options for entry statement walls at the Bruce Rock Recreation Centre entrance, Caravan Park Entrance and Curlew Drive Entrance.</p>	<p>CEO</p>	<p>Initial works have commenced and fence contract awarded.</p>
<p>Resolution Mar 18 – 12.5.11 Hockey Turf Lighting Project and Surrounds Update</p>	<p>1. Council submits a CSRFF grant application for a power upgrade to the Bruce Rock Recreation Centre and for the supply and installation of lighting to the hockey turf for the round closing in September 2018. 2. That Council considers the Bruce Rock Hockey Club's request for a contribution of \$17,500 towards the purchase of a turf sweeper/cleaner and if approved a budget variation be made to purchase in the 2018/19 financial year.</p>	<p>CEO</p>	<p>Letter sent to Hockey Club advising of Council's decisions.</p>
<p>Resolution Mar 18 – 12.5.12 Review of Local Laws Outcome Report</p>	<p>1. That the Shire of Bruce Rock adopt the report of the review of the local laws under S3.16 of the Local Government Act 1995 and note that no community submissions were received in respect to the following local laws:</p> <ul style="list-style-type: none"> • Activities on Thoroughfares and Trading in Public Places Local Law 2004; • Dogs Local Law 2005; • Parking and Parking Facilities Local Law; • Local Law Relating to the Management and Control of Bruce Rock Cemetery 2004; • Local Laws Relating to Fencing; • Local Government Property Local Law; and • Local Government Model By-laws Removal and Disposal of Obstructing Animals or Vehicles No 7. <p>2. That the Shire of Bruce Rock determine that the outcome in respect to each local law is as follows:</p>	<p>CEO</p>	<p>Referred back to Consultant.</p>

	<p>a. Shire of Bruce Rock Activities on Thoroughfares and Trading in Public Places Local Law 2004 be amended as outlined in the report;</p> <p>b. Shire of Bruce Rock Dogs Local Law 2005 be amended as outlined in the report;</p> <p>c. Shire of Bruce Rock Parking and Parking Facilities Local Law not be amended due to the minimal nature of the amendments;</p> <p>d. Shire of Bruce Rock Local Government Property Local Law be amended as outlined in the report;</p> <p>e. Shire of Bruce Rock Local Law Relating to the Management and Control of Bruce Rock Cemetery 2004 be amended as outlined in the report;</p> <p>f. Shire of Bruce Rock Local Laws Relating to Fencing be amended as outlined in the report;</p> <p>g. Shire of Bruce Rock Local Government Property Local Law be amended as outlined in the report; and</p> <p>h. Shire of Bruce Rock Local Government Model By-laws (Removal and Disposal of Obstructing Animals or Vehicles) No 7 be further reviewed to determine whether existing local laws or legislation may satisfy the purpose and effect of the local law.</p>		
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Status Report

Ongoing items as at April 2018

ITEM	RESOLUTION / ACTION REQUIRED	RESPONSIBLE OFFICER	RESPONSE OR STATUS
Resolution August 16–13.1.10 Duplicate Road Name – Buller Road	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.	MOF	Council has been contacted by Landgate to validate address and duplicate road names will be addressed once process is completed by Landgate.
Resolution March 17 - 11.5.2 CEACA – Sale of Land for Independent Living Units	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.	CEO	Advice given to CEACA on the transfer of land, awaiting CEACA response with details to complete documentation.
Resolution September 17 – 13.1.2 Provision of Housing for GROH	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.	CEO	Initial discussions have been held to progress Council’s decision.
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	Liaising with Access Housing to seek consultation for Housing Needs Analysis for Bruce Rock.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 10.1

Moved: Cr Rajagopalan

Seconded: Cr Negri

That Council receives the Status Reports as presented.

Carried 7/0

11. Regional Reports

Agenda Reference and Subject:	11.1 WALGA Zone Meeting March 2018
File Reference:	1.6.5.6
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest	Nil

Summary

Council is asked to receive the minutes from the previous WALGA Great Eastern Zone Meeting.

Background

The last Great Eastern Zone Meeting was held on the 1st March 2018 at the Kellerberrin Recreation Centre.

Comment

To encourage the improved awareness and promote a better understanding by all Councillors it is recommended that WALGA Zone minutes be read and received by Council.

The following items from the minutes are drawn to Councillors attention;

8.2 Local Government Agricultural Freight Group (Attachments)

In providing the minutes from the meeting the LGAFG's Executive Officer has requested that the GECZ give consideration to providing feedback on the issues detailed below.

- *Movement of Agricultural Machinery*
 - *The LGAFG seeks comment from Zones on the Heavy Vehicle Agricultural Pilot Authorisation 2017. The authorisation does not apply to the movement of agricultural vehicles exceeding 6 metres in width or 40 metres in length. In these instances, an accredited Heavy Vehicle Pilot would be required. As many agricultural implements now exceed 6 metres in width the LGAFG has recommended that an abbreviated Heavy Vehicle Pilot License training course be established for agricultural pilots accompanying agricultural vehicles exceeding 6 metres in width or 40 metres in length.*
 - *The LGAFG has resolved to requested clarification as to the requirements regarding the movement of agricultural vehicles in convoy. The current Agriculture Machine Operational Guidelines state that "A maximum of two Agricultural Machines may travel in convoy with one another when accompanied by pilot vehicles, unless otherwise specified on the permit". To assist in discussions comments from Zones on these requirements.*
- *Harvest Mass Management Scheme*
 - *For the last two harvests special arrangements have been in place under the Harvest Mass Management Scheme to allow access by RAV combinations to paddocks on roads that have not been approved on the respective RAV networks. The LGAFG has resolved to invite representatives from Main Roads Heavy Vehicle Services to its next meeting to discuss arrangements for the Harvest Mass Management Scheme for the 2018/2019 harvest and review of the Scheme. In preparing for the meeting the LGAFG invites comments from the Zones on the operation of the Harvest Mass Management Scheme in their respective region and on the special access arrangements approved for the 2016/2017 and 2017/2018 harvests.*
- *Road User Cost Recovery*
 - *The LGAFG has requested that attention is drawn to WALGA's Road User Charging Policy.*
 - *Current concessional loading (AMMS) access requires each transport operator to obtain, from each local government they travel through, a local road access letter. It has been pointed out that this arrangement is cumbersome, that few operators actually request the letter and that*

it does not address the issue of recouping maintenance costs associated with AMMS access. To assist in formulating approaches to government on this issue feedback the LGAFG seeks feedback for the Zones.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 11.1.1

Moved: Cr Dolton
Seconded: Cr Thornton

That Council gives in principal support to the Harvest Mass Management Scheme as outlined by WALGA and supports the proposal of an online pilot vehicle training program.

Carried 7/0

8.4 Healthy Wheatbelt

Cr Rhonda Cole, Cr Ram Rajagopalan, Cr Eileen O’Connell (Deputy)

No meetings held during the period.

Zone Meeting Comment:

Meeting delegates expressed concern over a number of health-related issues. In particular, the Shires of Bruce Rock and Cunderdin, expressed concern over the withdrawal of services or closure of facilities within their communities. Concern was also expressed by Member Councils about the lack of sufficient mental health services across the Wheatbelt.

It was agreed that Healthy Wheatbelt should be reactivated and look to advocate on the Zone’s behalf. The Executive Officer was requested to arrange a meeting of Health Wheatbelt as soon as practicable.

It was also agreed that Member Councils would provide the Executive Officer with any issues of concern so that they can be discussed by Healthy Wheatbelt when it meets.

A full copy of the minutes has been provided to Councillors.

Consultation Nil
Statutory Implications Nil
Policy Implications Nil
Financial Implications Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Civic Leadership

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

Voting Requirements Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 11.1.2

Moved: Cr Royce
Seconded: Cr Rajagopalan

That Council received the minutes of the WALGA Great Eastern Zone Meeting held on the 1st March 2018 in Kellerberrin.

Carried 7/0

Agenda Reference and Subject:

11.2 WEROC Council Meeting February 2018

File Reference:

1.6.9.1

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

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

Background

The last WEROC Council Meeting was held on Wednesday 28th February 2018 at the Shire of Bruce Rock.

Comment

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

A copy of the minutes has been provided to Councillors for information.

Consultation	Nil
Statutory Implications	Nil
Policy Implications	Nil
Financial Implications	Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Civic Leadership

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

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

4.1.3.3 – Develop an enterprising approach to our infrastructure projects.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 11.2

Moved: Cr Thornton

Seconded: Cr Royce

That Council receives the minutes of the WEROC Council Meeting held on Wednesday 28th February 2018 at the Shire of Bruce Rock Council Chambers.

Carried 7/0

Agenda Reference and Subject:

11.3 Wheatbelt Communities Meeting February 2018

File Reference:

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

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

Background

The Wheatbelt Communities Inc. held their Committee Meeting on the 28th February 2018 at the Shire of Bruce Rock.

Comment

To assist with the Councillors continued understanding and updates on Wheatbelt Communities and its associated projects, the minutes will be presented for receiving after each Meeting.

A copy of the minutes has been provided to Councillors for their information.

Consultation Nil

Statutory Implications Nil

Policy Implications Nil

Financial Implications Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Civic Leadership

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

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

4.1.3.3 – Develop an enterprising approach to our infrastructure projects.

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 11.3

Moved: Cr Negri

Seconded: Cr Kilminster

That Council receives the minutes and endorses the actions and resolutions of the Wheatbelt Communities Inc. Meeting held on the 28th February 2018 at the Shire of Bruce Rock.

Carried 7/0

Agenda Reference and Subject:

11.4 CEACA Meetings Feb/March 2018

File Reference:

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is asked to receive the minutes from the previous CEACA Meetings.

Background

The 11-member Councils of the Central Eastern Aged Care Alliance (CEACA) held the following meetings in February / March 2018;

Special Executive Meeting held via Teleconference on 27th February 2018

Special Committee Meeting held in Merredin on 26th March 2018

General Meeting held in Merredin on 26th March 2018

Comment

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

The Special Committee Meeting of CEACA was held to specifically address the “Adoption of a New Constitution for the Central East Aged Care Alliance Inc.”.

A copy of the minutes has been provided to Councillors.

Consultation	Nil
Statutory Implications	Nil
Policy Implications	Nil
Financial Implications	Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

- 1.3.1 – Determine service requirements and delivery options in the areas of children, youth, families and seniors.
- 1.3.1.3 - Participate in local and regional aged care accommodation options, selecting the best practice for the Shire, coupled with appropriate and complimentary health, recreation and community service.

Voting Requirements

Simple majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 11.4

Moved: Cr Thornton
Seconded: Cr Royce

That Council receives the minutes and endorses the actions and resolutions of the CEACA Minutes from the following meetings;

- **Special Executive Meeting held via Teleconference on 27th February 2018**
- **Special Committee Meeting held in Merredin on 26th March 2018**
- **General Meeting held in Merredin on 26th March 2018**

Carried 7/0

12. Officers’ Reports

12.1. Environmental Health Officer

Agenda Reference and Subject:	12.1.1 Applications by S&K Hunter & Mrs D Anderson of Bruce Rock town site requesting Council permission to keep roosters.
File Reference:	A44 & A20303
Reporting Officer:	Mr Julian Goldacre, Environmental Health Officer – Authorised Officer
Disclosure of Interest:	Nil

Summary

That both Mrs Dee Anderson at 31 Butler Street and Mr Shane and Mrs Kylie Hunter at 30 Farrall Street have Council consent for the keeping of roosters on their properties. Conditions being for a three-month trial using the low roofed coop to prevent crowing with the roosters to be housed in said coop between the hours of 7pm and 7am. The Environmental Health & Authorised Officer will report back to Council for a review of the rooster keeping activity approval.

Background

On the 19 of February 2018 the Environmental Health & Authorised Officer (EH&AO) contacted a resident in the Bruce Rock townsite who complained about roosters in their area and are there laws regarding this? The EH&AO explained that the *Shire of Bruce Rock Animals, Environment and Nuisance Local Law 2016* (Local Law) did require persons to have Council approval to keep roosters in the townsite boundaries in the district of Bruce Rock. The EH&AO explained on review that there was no record of any such approvals on file for the properties alleged to be keeping roosters along Butler and Farrall Streets in Bruce Rock. The EH&AO gave a commitment that the matter would be investigated.

On the 20 February 2018 at 6.32AM the EH&AO conducted a street survey for rooster activity and none was observed. The Chief Executive Officer said that earlier that morning he could hear roosters so another earlier survey was planned. On the 21 February 2018 at 5.34AM the EH&AO conducted another street survey and identified roosters on two properties with one rooster on a property exhibiting ‘fog-horn leg-horn’ vocal crowing capacity in no uncertain terms. Over the next few days the EH&AO spoke to the residents of the identified three properties with roosters and explained the Local Law requirement for Council approval and should they apply for such approval it would be conditional. The EH&AO explained the best way forward to resolve the matter and wrote to each rooster owner with the available options to move forward on the issue of keeping roosters.

Comment

The Local Law regarding keeping roosters and other types of poultry is as follows:

2.7 Roosters, geese, turkeys and peafowl

Except on land in a rural zone or with the prior written permission of the local government, an owner or occupier of premises shall not keep any of the following—

- (a) roosters;
- (b) geese;
- (c) turkeys; or
- (d) peafowls.

Also the modified penalty for keep such poultry without local government consent is \$150. Whilst a penalty provision is an option the Shire of Bruce Rock will always seek to work with people to arrive at a mutually beneficial outcome on any matters of concerns before issuing a penalty as a last resort.

The EH&AO wrote letters to the persons confirmed with roosters being Mr Shane & Mrs Kylie Hunter of 36 Farrall Street, Mrs Dee Anderson of 31 Butler Street and Mr R and Mrs G Rowling of 30 Farrall Street, all in the townsite of Bruce Rock, to give the following options regarding the roosters being:

Option 1:

Surrender the roosters to the Shire of Bruce Rock Ranger Service who will take the roosters to the animal refuge the Ranger Service operates in York;

Option 2:

Remove the roosters to a new location outside of the gazetted townsite boundaries of Bruce Rock such as a Rural property; Or

Option 3:

- Write to the CEO of the Shire of Bruce Rock requesting permission to keep roosters to be presented to Council;
- In the letter detail how many roosters are planned to be kept;
- Have letters of support with signatures of surrounding neighbors and people in the area where it would be reasonable to think they could be effected by the crowing of roosters; and
- Commitment given to construct a low roof rooster cage/coop which will prevent the rooster from craning its neck to crow and keep the roosters in such cage/coop in the evenings, during the night and early morning and letting out after 7am (system used by the EH&AO over the years as handed down by Aboriginal Elder Kevin at Wyalkatchem).

The technique used by Kevin the Aboriginal Elder in Wyalkatchem where his grandfather and father would keep roosters at night in low roof coops to prevent them craning their necks and crowing has in the EH&AO experience worked effectively when properly implemented being the townsites of Wyalkatchem, Kununoppin, and Dudinin.

In response to the letters Mr R and Mrs G Rowling advised that they no longer had a rooster on their property (**ATTACHMENT 12.1.1** - No more rooster) despite having done so for the last 20 years with no issue. Both Mr S & Mrs K Hunter (**ATTACHMENT 12.1.1** – S&K Hunter keep Rooster letter) and Mrs D Anderson (**ATTACHMENT 12.1.1** – Dee Henderson keep Rooster letter) have made submissions for keeping their roosters which they have also both kept for many years with no issue. The two applications to keep roosters is summarised below:

- **ATTACHMENT 12.1.1** – Dee Anderson keep Rooster letter – States that the roosters on her property is a comfort to her husband who gets out to watch the roosters. The maximum number of roosters wished to be kept is numbered at 15 roosters although this would be the result of hatchlings and that the roosters would be removed over time to a lesser amount. There is a commitment to place the roosters in a low coop to prevent craning of the necks and prevent the rooster from crowing. The roosters are used as part of the fox prevention strategy. The neighbours have been spoken to and support the keeping of roosters and a list of signatories (ten) is provided in the attachment.
- **ATTACHMENT 12.1.1** – S&K Hunter keep Rooster letter – States that they have a stock of show birds' quality poultry for poultry shows and are very committed to this activity and actively involved in supporting shows where birds can be presented. There is a commitment to place the roosters in a low coop to prevent craning of the necks and prevent the rooster from crowing. The neighbours have been spoken to and support the keeping of roosters and a list of signatories (sixteen) is provided in the attachment.

With the commitment given by Mrs Dee Anderson and Mr S & Mrs K Hunter to keep their roosters from crowing and the support provided by the surrounding neighbours it is prudent to grant approval

for the keeping of roosters although conditions will need to be set. The conditions for keeping roosters will be that the roosters are to be kept in a low roof coop to prevent the craning of necks to crow and that no further complaints regarding rooster crowing between the hours of 7pm and 7am are formally made to the Shire of Bruce Rock. From the EH&AO experience most people when asked about the crowing roosters say they have no issue with the crowing during the day but not when the crowing is at night and early mornings. The keeping of roosters in both applicant's cases is to be trialled for three months to determine that no rooster keeping issues arise.

Statutory Environment

Health (Miscellaneous Provisions) Act 1911;

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

Local Government Act 1995;

Policy Implications Nil.

Financial Implications Nil.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 12.1.1

Moved: Cr Kilminster

Seconded: Cr Royce

- 1) To grant permission in writing to be implemented by the Chief Executive Officer to both Mrs Dee Anderson at 31 Butler Street and Mr Shane and Mrs Kylie Hunter at 30 Farrall Street for the keeping of roosters on their properties with the following conditions –
- 2) All roosters in the care and/or ownership of both Mrs Dee Anderson at 31 Butler Street and Mr Shane and Mrs Kylie Hunter at 30 Farrall Street are to be kept in low roofed coop/s of a height that effectively prevents the roosters to crane their necks to crow between the hours of 7pm and 7am;
- 3) That the maximum number of roosters being 15 applied for by Mrs Dee Anderson at 31 Butler Street is to accommodate a short term maximum number due to hatchlings and will be reduced to a manageable number that will not cause nuisance and/or be unable to be effectively managed not to be a nuisance;
- 4) That the permission to keep roosters is to remain valid for the trial period of three months dated from the date of this Council meeting unless revoked by Council should substantiated formal complaint/s be made regarding the keeping of roosters and/or that condition (1) of this resolution is not being reasonably adhered to.
- 5) That the Environmental Health & Authorised Officer is to report back to Council on the outcome of the three-month trial period and to determine if the roosters can be kept on the properties.

Carried 7/0

12.2. 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 in Bruce Rock townsite.
- Street sweeping done Ardath, Babakin and Shackleton
- Tree pruning along footpaths
- Memorial Park cleaned up
- Amphitheatre and Sculpture Park mowed and tidied up
- Farrall Crt units tidied up
- McDonald Crt units tidied up
- Weeds on road verges in town chipped and sprayed
- Rec centre entrance commenced
- Private works for Transtruct
- Bridge works on the Yarding-Ardath Rd

Construction Crew

- Belka East Rd re sheet complete
- Muntadgin Rd and Jackovich Rd intersections sealed, just need tidying up to be complete
- Hines Hill reseal completed
- Works on new carpark and road entry at rec centre well under way
- Next jobs, Babakin South East Rd Re sheet and Treherne's Rd re sheet
- Private works filling in contour banks on 3 farms
- Quick summer grade on two school bus route roads to keep them safe

Workshop

- BK 024 – UD truck, replace ad blue pump and injectors
- BK 051 – EHO car, 25,000km service
- BK792 – Gardeners ute, 70,000km service
- BK 604 – Crew Cab truck, safety recall and 70,00km service
- BK 638 – Patching truck, safety recall and 70,000km service
- BK 011 – Multi tyre roller, replace door glass and repair air con
- BK 602 – John Deere grader, 250 hr service and fix blade hydraulic fault
- BK 062 – 8 Tonne truck, repair tailgate
- BK 237 – 8 Tonne truck, replace drive belts and fix up fuel problem
- BK 6700 – Bobcat, tighten air con compressor and replace belt
- 30 license inspections completed

Rec Centre

- Oval mowed
- Works on rec centre garden reticulation
- Works around rec centre managers house
- Oval sprayed for black beetle and spider mite
- Oval marked out for football
- Rec Centre surrounds cleaned
- Clean up around North side playground ready for sealing

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

The construction crew will rip the top sides of the walls and top of banks to close the cracks up and compact everything down again. These works will be completed once Colin has finished at the rec centre.

WANDRRA Update

Leeuwin Civil will be back on the 17th of April for 5 days to finalise their works with the drainage and then that will be the flood damage works completed. There will be a bit of sealing work on Foss Rd and Shackleton-Kellerberrin Road that needs to be done and Bitutek will tidy these areas up the next time I have them in the area for Leeuwin. This will be in the next 2 weeks.

COUNCIL DECISION

Resolution OCM Apr 18 – 12.2.1

Moved: Cr Thornton

Seconded: Cr Rajagopalan

That the Manager of Works and Services report be received.

Carried 7/0

Mrs C.J Dunn left the Council Chambers at 1.47pm.

Mrs C.J Dunn returned to the Council Chambers at 1.47pm.

Mrs JL Bow entered the Council Chambers at 1.50pm.

Mr DRS Mollenoyux left the Council Chambers at 1.51pm.

Mr DRS Mollenoyux returned to the Council Chambers at 1.53pm

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

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 March 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 Apr 18 – 12.3.1

Moved: Cr Thornton

Seconded: Cr Rajagopalan

That the Statements of Financial Activity for the month ending 31st March 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:

Summary

List of payments made since the last ordinary Council meeting.

Background

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

Comment

Following is a list of payments made from Council's Municipal and Trust Accounts and also payments made with the CEO's credit card for the month of March 2018.

If you have any queries regarding the list of payments, please advise prior to the meeting to enable staff to seek relevant information.

Consultation

Nil

Statutory Implications

s.6.10 Local Government Act 1995

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

Policy Implications

Nil

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 Apr 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 EFT12764 to EFT12874 totalling \$536,829.87**
 - b. Cheque number 23734 to 23746 totalling \$48,592.86**
 - c. Trust Cheque number 1907 totalling \$20,000.00**
 - d. Wages payments totalling \$188,411.40 and**
 - e. Credit Card payments totalling \$823.12**

With all payments totalling \$793,834.13 for the month of March 2018.

Carried 7/0

Mrs CJ Dunn left the Council Chambers at 2.10pm.

Mrs CJ Dunn returned to the Council Chambers at 2.12pm.

Agenda Reference and Subject:	12.3.3 Community Budget Requests
File Reference:	8.2.7.2 Annual Budget – Requests for Consideration
Reporting Officer:	Jennifer Bow, Manager of Finance
Disclosure of Interest:	Nil

Summary

Community groups were sent a letter regarding submissions for consideration for the 2018/19 budget.

Background

Staff have commenced preparations for the 2018/19 budget and were keen to get requests for consideration to be submitted early for costings and evaluation.

Comment

Community groups in the Shire were sent a letter requesting submissions for budget considerations. Nine considerations were received.

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

Consultation CEO, CDO, MOF, MOWS and Community Groups

Statutory Implications Nil

Policy Implications Nil

Financial Implications Projects will be included in the 2018/19 budget.

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2013-2023

Social

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

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

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

Civic Leadership

4.1.3 Manage the organisation in a responsible and accountable manner

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

Voting Requirements Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 12.3.3

Moved: Cr Rajagopalan

Seconded: Cr Thornton

That Council reviews and ranks in order of deemed importance the following projects in the 2018/19 budget, subject to funds available and budget adoption.

Carried 7/0

Agenda Reference and Subject:

12.3.4 Budget Amendment – WANDRRA Funding

File Reference:

8.2.7.1 Annual Budget

Reporting Officer:

Jennifer Bow, Manager of Finance

Disclosure of Interest:

Nil

Summary

To amend the 2017-18 Budget to reflect the contribution required by the Shire towards WANDRRA funded projects.

Background

The extreme weather event experience by WA in January and February 2017 was declared a WANDRRA funded event by the Commonwealth and State Governments.

The 2017-18 Budget does not reflect that Council is required to make a contribution towards the repairs of the damage to the road network infrastructure in accordance with the WANDRRA guidelines.

Comment

The 2017-18 Budget does not reflect that Council is required to make a contribution towards the repairs of the damage to the road network infrastructure in accordance with the WANDRRA guidelines. The guidelines state that Councils must contribute 25% of the expenditure up to a maximum contribution of \$153,400 (this is the same for most neighbouring shires in the Wheatbelt). After Council has contributed \$153,400, 100% of the costs are fully recoverable under WANDRRA.

Core Business Australia has been contracted by the Shire of Bruce Rock to assist with the claiming of funding from WANDRRA. The expenditure is as follows;

Expenditure to Date			
Supplier	Year	Amount	Total
Core Business Australia	16-17	\$43,909.16	
	17-18	\$157,266.90	\$201,176.06
Leeuwin Civil	17-18	\$920,885.90	\$920,885.90
			\$1,122,061.96

The claims being submitted to Main Roads were initially slow to be paid, however, the last two claims have been approved for payment and invoices have been submitted to Main Roads for reimbursement.

Reimbursement of Expenditure by WANDRRA			
Claims to Main Roads	Total Claim	Council's Contribution	Amount Paid
Claim 1	\$31,837.35	\$7,959.34	\$23,878.01
Claim 2	\$348,122.60	\$87,030.65	\$261,091.95
Claim 3	\$210,586.86	\$52,646.72	\$157,940.14
	\$590,546.81	\$147,636.71	\$442,910.10

Leeuwin Civil have almost finalised their works on the flood damaged roads and should be finished by mid-April.

In order to adequately reflect the contribution required by Council, staff have suggested the following amendments to the 2017-18 Budget. Council paid Core Business Australia \$43,909.16 in 2016-17 which can be deducted from the \$153,400.

Contribution under WANDRRA by Council	\$153,400.00
Invoices paid to Core in 16/17	(\$43,909.16)
Contribution towards WANDRRA in 2017-18	\$109,490.84

Therefore, the amendment to 2017-18 Budget is;

Removal of FC134 – Construction of Footpath (Noonajin Rd)	\$43,650.00
Reduction in GL 071208 - Contributions to STED Scheme Connections	\$65,840.84
Total Amendment to Budget - GL 121210	\$109,490.84

This amendment will not affect the final position as the amendment is a reallocation of expenditure.

Consultation

CEO, DCEO, MOWS & MOF

Statutory Implications

Local Government Act 1995 s.6.8

6.8. Expenditure from municipal fund not included in annual budget

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
- (b) is authorised in advance by resolution*; or
- (c) is authorised in advance by the mayor or president in an emergency.

** Absolute majority required.*

(1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government —

- (a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and
- (b) pursuant to subsection (1)(c), it is to be

Policy Implications NIL

Financial Implications

An amendment to expenditure of \$109,490.84 in the 2017-18 Budget is required to reflect the financial contribution required towards the WANDRRA flood damage repairs.

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 Apr 18 – 12.3.4

Moved: Cr Rajagopalan

Seconded: Cr Royce

That Council amend the 2017-18 Budget to reflect the financial contribution required of \$109,490.84 towards the WANDRRA funding for repairs to flood damaged roads by;

- i. Removal of job FC134 – Construction of Footpath (Noonajin Rd) (\$43,650);**
- ii. Reduction of GL 071208 - Contributions to STED Scheme Connections (\$65,840.84).**
- iii. And Increase allocation to Flood Damage GL 121210 by \$109,490.84.**

CARRIED BY ABSOLUTE MAJORITY 7/0

Agenda Reference and Subject:

12.3.5 Write off Sundry Debtors

File Reference:

8.2.3.2 Accounts Receivable

Reporting Officer:

Jennifer Bow, Manager of Finance

Disclosure of Interest:

Nil

Summary

To write off sundry debtors that are deemed uncollectable.

Background

These debts were incurred by various debtors and are for private works, rent and vehicle removal.

Comment

Council's auditors, AMD have identified that there are several outstanding sundry debtors that are uncollectable. These debts should be written off as bad debts.

A confidential listing will be provided to Council at the meeting.

Consultation

CEO, MOF & SFO

Statutory Implications

Local Government Act, section 6.12 (c) gives the Council the authority to write off any amount of money.

Policy Implications

Recovery of Sundry Debtors Policy

Financial Implications

Will be disclosed at the Council meeting.

Strategic Implications

Nil

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 12.3.5

Moved: Cr Rajagopalan

Seconded: Cr Thornton

That Council write off the sundry debtors as detailed.

Carried 7/0

Mrs JL Bow left the Council Chambers at 2.34pm and did not return.

12.4 Deputy Chief Executive Officer

Agenda Reference and Subject:

12.4.1 Shire President's Stamp

File Reference:

Reporting Officer:

Melissa Schilling, Executive Support Officer

Disclosure of Interest

Summary

Use of Shire President's stamp in September 2017

Background

Nil

Comment

As per Council's policy, the Shire President's stamp has been used during the month of March 2018 as follows:

- 2017 Compliance Return
- Amendment to Health Local Law

Consultation

Nil

Statutory Implications

Council Policy

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Corporate Governance

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 12.4.1

Moved: Cr Royce

Seconded: Cr Thornton

That Council endorse the use of the Shire Presidents Stamp during March 2018.

Carried 7/0

Agenda Reference and Subject:

12.4.2 Shire Seal

File Reference:

Reporting Officer:

Melissa Schilling, Executive Support Officer

Disclosure of Interest

Summary

Use of Shire Seal in September 2017.

Background

Nil

Comment

As per Council's policy, the Shire Seal has been used during the month of March 2018 as follows:

- Grant of Easement 6 Buller Road

Consultation

Nil

Statutory Implications

Council Policy

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Corporate Governance

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 12.4.2

Moved: Cr Kilminster

Seconded: Cr Rajagopalan

That Council endorse the use of the Shire Seal during March 2018.

Carried 7/0

Cr R Rajagopalan left the Council Chambers at 2.37pm.

Agenda Reference and Subject:

12.4.3 Medical Centre Review (Confidential)

File Reference:

4.1.3.17 Medical Centre Public Health & Building

Reporting Officer:

Catherine Dunn Deputy Chief Executive Officer

Disclosure of Interest:

Cr Negri, Cr Rajagopalan

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

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Mar 18 – 12.4.3.1

Moved: Cr Dolton

Seconded: Cr Royce

That Council:

Close the Meeting to members of the public to deal with matters of a confidential nature .

CARRIED BY ABSOLUTE MAJORITY 6/0

Summary

To follow up on the findings of the Medical Centre Review presented to Council in February.

Background

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

This was completed in late 2017, early 2018 with the results presented to Council at the February 2018 Ordinary Council Meeting.

At the March 2018 Council Meeting Dr Chow conducted a brief presentation to Council to put forward his perspective in person.

Following the presentation of the Medical Centre Review Document, and Dr Chow's presentation, Council provided some guidance to senior staff as to how they would like the medical centre progress but no resolution was put forward at that time.

Comment

The review report has been attached again for Councillor's reference.

We have sought clarity with the Practice Manager Sam Aurisch about the percentage of patients who have their bloods done who are also attend the local practice versus patients who attend other nearby practices. This information will be provided at the meeting.

In addition, while the Shire has no direct input into the management of the practice it does subsidise the practice to an extent through the provision of support staff, plant and equipment. As such the Shire may like to seek assurances of minimum weekly service hours.

To ensure there is no double up between services at the hospital, the medical practice and other services at the medical centre, it may be prudent to hold an annual meeting with the CEO, DCEO, Practice Centre Manager and Hospital HSM to discuss current service provision to the community. This would include any overlap of services, whether any private services offer are jeopardising future provision of free or subsidised services by the Health Department and any identified needs within the community.

Staff hours were deemed appropriate for the current service provision with other allied health services also at the centre. Although it is recommended that we review our fee structure for allied health services for the 2018/19 budget to ensure we are getting a reasonable cost recovery if extra hours are required by staff.

In addition, it was identified that as it is a building primarily used during the day, there is scope to reduce the electricity bill by putting solar panels on the building. During the last financial year, the annual power bill was over \$8,000. Solar panels would be an initial investment but the costs could be recovered over 5-7 years if reasonable savings are made. Further investigation will be completed in this area.

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

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 Apr 18 – 12.4.3.2

Moved: Cr Dolton

Seconded: Cr Royce

That Council endorses the Bruce Rock Medical Centre Review and supports the key recommendations from the confidential review document.

Carried 6/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Mar 18 – 12.5.7.3

Moved: Cr Royce

Seconded: Cr Dolton

That Council:

Reopen the Meeting to members of the public to deal with matters of a confidential nature.

CARRIED BY ABSOLUTE MAJORITY 6/0

Cr R Rajagopalan returned to the Council Chambers at 2.53pm.

Agenda Reference and Subject:

12.4.4 Fee Waiver Request Social Basketball

File Reference:

4.1.3.17 Bruce Rock Recreational Centre

Reporting Officer:

Catherine Dunn Deputy Chief Executive Officer

Disclosure of Interest:

Nil

Summary

To present a request to Council to waive the fee to hire the indoor courts.

Background

In October 2017 we received a letter from Malene Vad Brownley discussing their intention to trial a social basketball competition in early 2018 and requesting the fee for using the outside netball/basketball courts be waived.

The competition was to run for 10 weeks from Thursday 8 February. It was a mixed children's competition from 5pm-6pm, followed by a sausage sizzle, and then an adult's competition following from 6.30-7.30pm.

As there was not a fee or charge for hiring the outside courts in place. It was proposed that those involved in the social basketball trial be informed that they will not be charged for the initial trial, however, if it becomes an annual competition, there would be a fee charged in future years. This was communicated to Mrs Vad Brownley.

There was an issue however, with changing over the outdoor courts from netball hoops to basketball courts. While this can be done, the cost to the Shire is significant as it requires specialised equipment hire to reach the hoops. At the time of the discussion in October, this had not been considered. Instead, we have allowed the social basketball competition to be played on the inside court.

We have recently received a letter from Mr Liam McKenzie (attached) requesting a fee waiver for the remainder of the competition of the inside basketball courts.

Comment

The Shire did not initially intend to charge a fee to the social basketball players as there was no fee and charge in place at the time for the outside courts. It was however, considered, that if the social basketball was successful and continued, that a fee would need to put in place for evening hire of the courts. This was to account for the cost of running outside lights. It was considered reasonable to re-assess this at the time of completing the 2018/19 budget.

As noted above, there was an issue with changing over the outdoor courts from netball hoops to basketball courts. While this can be done, the cost to the Shire is significant as it requires specialised equipment hire to reach the hoops which was estimated to be approximately \$2000-\$3000. Since this was not considered earlier, we have been allowing the social basketball competition to be played on the inside court.

The usual hire for the inside court is \$13 hour. There are some cleaning costs associated with the use of the court but not significant.

Given the initial arrangement could not be followed through, and the cost to the Shire to use the indoor court is less than the outside court, it would not be considered unreasonable to grant a waiver of the hire fee for the remainder of the social basketball season. A waiver for sporting groups is not normally offered, but nor is it against the fee waiver policy.

The social basketball season is due to finish this week. The letter from Mr McKenzie was received the week of the March Council meeting and was not received in time for this to be put on the March agenda. If Council were to agree to a waiver, correspondence would be sent to the Social Basketball Organiser noting that it is only for the trial period and will not be granted for any future social basketball seasons.

Consultation Darren Mollenoyux- CEO

Statutory Implications Nil

Policy Implications Waiving of fees
Instead of bringing each request to Council, the following guidelines are first followed in regards to the waiver request:

- Where the fee or charge involves both direct revenue and expense for the Shire, the request be refused. An example of this would be the caravan park chalets, where waiving the accommodation fee would result in \$0 revenue for the Shire, however the cleaners would still be required – resulting in a net loss to the Shire. The Shire Hall has been explicitly excluded from this as the cleaning costs may vary by situation.
- Where the request is made by a profit making entity or by a group trying to profit from the event, the request be refused.
- If the request is for an individual or non-profit group holding a charitable event or non-profit event for the benefit of the community, the request be considered.
- For the purposes of this policy, a non-profit event is considered to be an event where all of the funds raised go to a registered charity and would not include local fundraising events for sporting or other community interest clubs.

Financial Implications

\$13 per week for the duration of the social competition (income) (\$130 total)
Cost of cleaning the indoor courts.

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
4.1.2 – Manage the organisation in a responsible and accountable manner

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 12.4.4

Moved: Cr Rajagopalan

Seconded: Cr Kilminster

That the fee for hiring the indoor courts of \$13 per hour be waived for the inaugural social basketball competition season running from the 8th February 2018 to 12 April 2018 only.

Carried 7/0

Agenda Reference and Subject:	12.4.5 Fee Waiver Request Rotary Club
File Reference:	
Reporting Officer:	Catherine Dunn Deputy Chief Executive Officer
Disclosure of Interest:	Nil

Summary

To present a request to Council to provide a group discount for a fundraising event involving a stop at the Bruce Rock Caravan Park.

Background

We have recently received an email (attached) from Mr Angelo Carletto, Tour Co-ordinator for a Rotary Tour supporting the Royal Flying Doctor Service and Rural Mental Health Research. This requested whether they could get a group discount at the caravan park at our ‘most competitive rate’ as any savings go directly to the fundraising efforts.

Comment

We do not usually offer a group discount to Caravan Clubs that stay at the park. However they are not usually non-profit events.

Under our ‘Waiving of fees policy’ the request may be granted as it is a non-profit group holding a charitable event.

The request does not involve the chalets which involve extra cleaning. Any cleaning costs would not be expected to be significant.

The booking is for 13 powered van sites. The usual fee for this is \$30 per night. For vans staying for a week we do offer a rate of \$150 which could be construed to be a ‘daily’ rate of \$21.50.

As an active community focused Rotary club they may be willing to participate in community events or fundraising efforts although this has not been explored. It has not been made clear how the savings will contribute to the fundraising effort at this stage, however assurances would be sought in writing from the organisers.

Consultation

Darren Mollenoyux- CEO

Statutory Implications Nil

Policy Implications Waiving of fees
 Instead of bringing each request to Council, the following guidelines are first followed in regards to the waiver request:

- Where the fee or charge involves both direct revenue and expense for the Shire, the request be refused. An example of this would be the caravan park chalets, where waiving the accommodation fee would result in \$0 revenue for the Shire, however the cleaners would still be required – resulting in a net loss to the Shire. The Shire Hall has been explicitly excluded from this as the cleaning costs may vary by situation.
- Where the request is made by a profit making entity or by a group trying to profit from the event, the request be refused.

- If the request is for an individual or non-profit group holding a charitable event or non-profit event for the benefit of the community, the request be considered.
- For the purposes of this policy, a non-profit event is considered to be an event where all of the funds raised go to a registered charity and would not include local fundraising events for sporting or other community interest clubs.

Financial Implications

Maximum loss of revenue of \$30*13 powered sites - \$390.

If weekly rate is offered as a discount- loss of revenue of \$110

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Social

4.1.2 – Manage the organisation in a responsible and accountable manner

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 12.4.5

Moved: Cr Thornton

Seconded: Cr Kilminster

That a discount rate of \$21.50 per night per powered site be offered to the Rotary eClub of NextGen for their stay on Mon 1 October 2018 provided any savings are donated to the RFDS or Rural Mental Health research.

and

That assurances be sought in writing to ensure any savings are donated as has been indicated in the email.

Carried 7/0

Council was adjourned for afternoon tea at 2.59pm.

Council Meeting resumed at 3.40pm with all Staff and Councillors present.

12.5 Chief Executive Officer

Agenda Reference and Subject:

12.5.1 CEACA Membership 2018/19

File Reference:

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is asked to consider the CEACA membership fees and budget consideration for 2018/19.

Background

Council has been a member of CEACA since its inception and has been working with CEACA for the new construction project of 75 new Independent Living Units throughout eleven Councils.

Unfortunately, due to Budget restraints the State Government have requested \$5 million dollars be returned to assist the state government budget. This is unfortunate though part of the process.

With the reduction the Shire's of Bruce Rock, Kellerberrin and Merredin have given up one residence each to assist with the pay back of the abovementioned funds.

In going forward and with the extension of time due to negotiation with the State Government the construction of the units has been delayed which leads to further lead times for rental income to be received for the units.

This is evident through the CEACA budget that has been presented to the CEACA Executive and subsequently to the CEACA Committee. The Executive has recommended to the committee to approve an increase in subscriptions from a total of \$14,000 last year comprising of \$10,000 Membership Fee and \$4,000 Project and activities to a General Membership Fee of \$20,000.

The Project and Activities funding has been combined with the General Membership as there is insufficient funds to allocate to this field for specific allocation.

Comment

The budget that has been presented to CEACA is attached for Council's information.

The role of CEACA is not only to building the units though to continue to monitor and progress the other six platforms within the Verso reporting which relates to services aged care.

The CEACA Executive advised the Committee that the immediate priority is to have Management Plans put in place to look after the operations of the facilities that being:

- Rent Setting Policies (Social and Other)
- How to deal with properties that are being sold.
- Management Plan

With the Shire's of Bruce Rock, Kellerberrin and Merredin forgoing a residence to assist in reducing costs there is an overpayment made by the respective Councils to the Shire of Merredin of \$60,000 (\$20,000 per unit – Construction contribution) which will need to be reimbursed back to Bruce Rock, Kellerberrin and Merredin.

Mr Ralton Benn, Accessing Housing has advised through the project Management reports that with the abovementioned handing back of funds to the State significant savings have had to be identified as well as pay back of funds to the three Councils.

Access Housing has provided the committee with information that each Council will need to provide additional funding to the program to enable the budget to balance in its current state. The additional funds required are broken up into two parts being:

1. Reimbursement of Bruce Rock, Kellerberrin & Merredin overpayment

This item was presented to the 26th March 2018 Committee Meeting with the following recommendation adopted.

That:

- 1. CEACA reimburse the Shires of Bruce Rock, Kellerberrin and Merredin \$20,000 each, being the contributions made for units which will be foregone and that CEACA's Members agree to an increase in per unit/site contribution of \$833.33 per unit; and*
- 2. The Shires of Bruce Rock, Kellerberrin and Merredin be give "first right of refusal" on any additional housing constructed through the CEACA Seniors Housing Project should funds become available to allow additional houses to be constructed.*

2. Additional Contribution by all member Councils to balance the budget as there is a current shortfall of \$24,408 with current estimates.

Therefore it is requested that each member Council allocate additional funds of \$339 per unit as an additional contribution to balance the current budget.

The comment must be made that the intention is to continually work towards seeking additional savings though with the current position of the CEACA construction project and until further consultation is held with the local communities this figure needs to be agreed to.

Council is reminded that it is only discussing the contribution to CEACA and the Expenditure associated within the Budget is for allocation by the CEACA Committee.

Consultation

CEACA Executive Officer
CEACA Membership
Shire President

Statutory Implications Nil

Policy Implications Nil

Financial Implications

CEACA Contributions

2018/2019 Budget

\$20,000 – General Membership

Additional \$339 per unit to balance the construction budget for the CEACA Project
x (No of Units) 8 = \$2,712

Total CEACA contribution = **\$22,712**

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Social

1.1.2.2 – Continue to enhance lifestyle qualities for all residents of the Shire

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

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

1.4.1 – Facilitate diverse, inclusive housing options.

Shire of Bruce Rock Aged Friendly Communities Plan

- Improved accessibility to local businesses

Voting Requirements

Absolute Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 12.5.1

Moved: Cr Negri

Seconded: Cr Rajagopalan

That Council:

- 1. Includes a \$20,000 contribution to the CEACA 2018/2019 into Council's 2018/2019 Budget.**
- 2. Includes the additional \$339 per unit, being \$2,712 to balance the construction budget for the CEACA Project into Council's 2018/2019 Budget.**
- 3. Through its CEACA Delegate advise the CEACA Executive Officer of Council's Budget allocations listed from items 1 and 2.**

CARRIED BY ABSOLUTE MAJORITY 7/0

Agenda Reference and Subject:

12.5.2 Bruce Rock CRC – Council Representative

File Reference:

1.3.11.1

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is asked to appoint a new representative on the Bruce Rock Community Resource Centre Committee.

Background

Every second year following an election Council reviews the structure for Committees, Delegates and Representatives. In October 2017 Council appointed this representative, one of which was the Deputy CEO as the Bruce Rock Community Resource Centre representative.

Comment

As Council is aware our Deputy CEO, Catherine Dunn will be commencing maternity leave in July 2018 and additionally has found it difficult to make it to the scheduled meetings due to clashing with other meetings she attends.

It is recommended that Council appoint a new representative for the Bruce Rock Community Resource Centre Committee.

Consultation

Deputy CEO, Catherine Dunn

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2013-2023

Civic Leadership

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

Voting Requirements Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 12.5.2

Moved: Cr Dolton

Seconded: Cr Thornton

That Council appoints Cr Kilminster as its representative on the Bruce Rock Community Resource Centre Committee.

Carried 7/0

Agenda Reference and Subject:

12.5.3 WALGA Honours Program 2018

File Reference:

1.3.9.5

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is asked to consider nominations for eligible Councillors or staff for the 2018 WALGA Association Honours Program.

Background

Council has previously resolved to nominate Councillors as they become eligible for the Long and Loyal Service Award category.

The program consists of the following categories:

- Local Government Medal
- Eminent Service Award
- Long and Loyal Service Award (an elected member for 12 years or more)
- Merit Award
- Local Government Distinguished Officer Award

A copy of the policy and criteria for nominations has been included for Councillors reference.

Comment

Council needs to consider and recommend any nominations for the 2018 honours program.

Consultation

Nil

Statutory Implications

Nil

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Nil

Voting Requirements

Simple Majority

Officer Recommendation

That Council considers and nominates any eligible Councillors under the 2018 WALGA Association Honours Program.

Council decision differed from Officer Recommendation to nominate Cr Strange for an Eminent Service Award.

COUNCIL DECISION

Resolution OCM Apr 18 – 12.5.3

Moved: Cr Dolton

Seconded: Cr Royce

That Council nominates Cr Strange for the Eminent Service Award in the 2018 WALGA Honours Program 2018.

Carried 7/0

Agenda Reference and Subject:	12.5.4 Social Media Policy and Code of Conduct Clause
File Reference:	2.3.1.1
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest	Nil

Summary

WALGA is seeking sector feedback on their draft “Template Communications and Social Media Policy, Code of Conduct Clause and Elected Member Guideline.

Background

Over recent years, the sector has experienced increasing concerns arising from social media interaction with Local Government operations, specifically:

- Local Government social media use for official communications;
- Elected Member official and personal social media use;
- Employee personal social media use; and
- Community social media regarding the Local Government, its Elected Members and / or Employees.

WALGA’s Employee Relations Team provide a Template Social Media Administration Policy, relevant to Employee use, which is available through the WALGA Employee Relations Subscription.

In an effort to provide the sector with tools to more broadly address social media risks, the following draft template policy, Code of Conduct clause and guidance documents have now been compiled (accessible via the links below).

- Template Communications and Social Media Policy - Drafted to broadly address:
 - Local Government official communications, including the official use of social media;
 - Elected Member communications, including when using social media as part of their Elected Member role and personal use.
- Code of Conduct clause (social media) - New clause to be inserted in the WALGA Model Code of Conduct.
- Elected Member Personal Use of Social Media Guideline.

A copy of all of the documents has been provided on the Councillors Agenda Webpage for reference.

Comment

Whilst our Council has not had any major issues this is certainly an area that is starting to impact on the Local Government sector.

WALGA will receive feedback on the draft documents up until the Friday, 27 April 2018.

Consultation

Ashleigh Waight, Community Development Officer

Statutory Implications Nil

Policy Implications Nil

Financial Implications Nil

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2013-2023

Civic Leadership

4.1 – Provide good strategic decision making, governance, leadership and professional management

4.1.2 – Manage the organisation in a responsible and accountable manner

Voting Requirements Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 12.5.4

Moved: Cr Thornton

Seconded: Cr Rajagopalan

That Council endorses WALGA’s draft, pending any suggested feedback;

- **Template Communications and Social Media Policy**
- **Code of Conduct clause (social media) - New clause to be inserted in the WALGA Model Code of Conduct.**
- **Elected Member Personal Use of Social Media Guideline.**

Carried 7/0

Agenda Reference and Subject:

12.5.5 CEO Performance Appraisal Process

File Reference:

Personnel

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Darren Mollenoyux, Chief Executive Officer

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

(b) the personal affairs of any person;

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Mar 18 – 12.5.5.1

Moved: Cr Rajagopalan

Seconded: Cr Dolton

That Council:

Close the Meeting to members of the public to deal with matters relating to an employee.

CARRIED BY ABSOLUTE MAJORITY 7/0

Summary

Council has carried out the performance review of the Chief Executive Officer and Council is now required to recommend any amendments/variations to the contract.

Background

CEO Performance Evaluation forms were distributed to Councillors on the 15th March 2018 and each Councillor then forwarded their completed review to the Shire President for compilation and submission at the April 2018 Ordinary Meeting of Council.

Comment

As the matter deals with the Personal Affairs of the CEO, Council will meet behind closed doors to discuss the review outcomes. The President and Councillors will then present the outcomes of the review and provide comment to the Chief Executive officer.

As part of the review it is a requirement that Council give consideration to the following contract items;

7. Annual Review of Remuneration Package

Your Remuneration Package must be reviewed by the Reviewer annually

(3) In reviewing Your Remuneration Package, the Reviewer must have regard to –

- (a) Your performance;
- (b) any changes to the work value or responsibilities of the Position;
- (c) the hours worked by You, including hours in addition to normal working hours;
- (d) the condition of the market and the economy generally; and
- (e) the capacity of the Shire of Bruce Rock to pay an increase.

(4) As a result of a review of Your Remuneration Package and Performance Bonus under this clause, the Shire of Bruce Rock -

- (a) is not obliged to increase the amount of the Remuneration Package;
- (b) may increase the amount of the Remuneration Package;
- (c) must not reduce the amount of the Remuneration Package

Consultation

Shire President
Council

Statutory Implications

The review of the Chief Executive Officer is a statutory obligation required under section 5.38 and 5.39 of the Local Government Act 1995.

The Salaries and Allowances Tribunal issued a determination on the 10th April 2018 in relation to local government CEOs and Elected Members in line with its statutory requirements. This determination will take effect from 1 July 2018.

In summary, the determination provides no increase in the remuneration bands.

Local governments retain the ability to provide individual increases within their allotted band but the determination states that “each local government must satisfy itself and provide public justification for any increase within their allotted band in the current economic climate.”

Policy Implications

Nil

Financial Implications

Any variation to the remuneration package of the Chief Executive Officer will need to be considered.

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

- That the review of the Chief Executive Officer as presented by President Strange be adopted as the 2018 Annual Review of the CEO as per requirements of Section 5.38 and 5.39 of the Local Government Act 1995.
- That the Chief Executive Officer’s cash component of the contracted remuneration package be considered.
- That Council and the Chief Executive Officer agree on set Key Performance Indicators to assist in undertaking the CEO’s performance review in 2019.

Council decision differs from Officer Recommendation to engage an external consultant to carry out the 2018/19 performance review process.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 12.5.5

Moved: Cr Rajagopalan

Seconded: Cr Thornton

- That the review of the Chief Executive Officer as presented by President Strange be adopted as the 2018 Annual Review of the CEO as per requirements of Section 5.38 and 5.39 of the Local Government Act 1995.
- That the Chief Executive Officer's cash component of the contracted remuneration package be increased by 2%.
- That Council and the Chief Executive Officer agree to seek an external consultant to assist in preparing appropriate KPI's as part of the 2018/19 performance review process.

The CEO obtain quotation from qualified persons to assist in the CEO's performance review in 2018/2019 and quotes be presented at the May 2018 Council Meeting.

Carried 7/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Mar 18 – 12.5.7.3

Moved: Cr Thornton

Seconded: Cr Royce

That Council:

Reopen the Meeting to members of the public to deal with matters relating to an employee.

CARRIED BY ABSOLUTE MAJORITY 7/0

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

Nil

14. Confidential Items

Nil

15. Confirmation and receipt of Information Bulletins.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 15.1

Moved: Cr Royce

Seconded: Cr Kilminster

That Information Bulletin 1 be received.

Carried 7/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Apr 18 – 15.2

Moved: Cr Rajagopalan

Seconded: Cr Kilminster

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 5.47pm.

These minutes were confirmed at a meeting on 17 May 2018.

Cr Stephen Strange
Shire President
17 May 2018