

SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 18 DECEMBER 2018

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SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 18 DECEMBER 2018

1. Declaration of Opening

The Shire President Cr SA Strange declared the meeting open at 2.34pm.

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

President	Cr SA Strange
Deputy President	Cr R Rajagopalan
Councillors	Cr AR Crooks
	Cr IS Dolton
	Cr KP Foss
	Cr NC Kilminster
	Cr PG Negri
	Cr MK Thornton
	Cr BJ Waight
Chief Executive Officer	Mr DRS Mollenoyux
Deputy Chief Executive Officer	Mr A O’Toole
Executive Assistant	Mrs MJ Schilling
Environmental Health Officer	Mr J Goldacre (3.02pm to 3.21pm)
Manager of Works & Services	Mr G Casley (2.57pm to 3.29pm)

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

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
18.12.18	Darren Mollenoyux	12.5.3	Item in regard to CEO Performance Review KPI’s.

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

4. Response to Previous Public Questions Taken on Notice

5. Public Question Time

6. Petitions/Deputations/Presentations/Submissions

Anthony Quahe and Neil Hartley – Presentation from Civic Legal on Reg 17 services offered and a briefing on Project Aware.

7. Applications for Leave of Absence

8. Announcements by Presiding Member

9. Confirmation of Minutes

Ordinary Meeting of Council held on Thursday 15 November 2018.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 9.1

Moved: Cr Rajagopalan

Seconded: Cr Waight

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

Carried 9/0

10. Status Report

Presentation of Status Report for November 2018 Resolutions

ITEM	RESOLUTION / ACTION REQUIRED	RESPONSIBLE OFFICER	RESPONSE OR STATUS
<p>Resolution November 18 – 12.1.1 Request to occupy a caravan at the Co-operative Bulk Handling (CBH) facility accommodation area No 19A (Lot 5) Lethlean Street, Bruce Rock for three months during harvest period</p>	<p>That Council resolves to grant approval to Mr Andrew Hooker and wife to camp in the caravan owned by Mr A Hooker at the Co-operative Bulk Handling (CBH) facility accommodation area located at No 19A (Lot 5) Lethlean Street, Bruce Rock for three months effective from this resolution date with the following conditions:</p> <ol style="list-style-type: none"> 1. This approval is to be effective from the date of this Council resolution and not to exceed three months in a 12-month period; 2. This approval is to remain valid only during 2018 harvest period and into 2019 whilst Mr A Hooker and/or his wife are employed by CBH and with CBH approval of the site manager or relevant CBH authority and have full unimpeded access to the CBH accommodation amenities as required; and 3. Council reserves the right to revoke this approval for any matter deemed to be not in keeping with the application made to Council or any other matter Council deems to be valid for revoking this approval. 	<p>EHO</p>	<p>Completed. Letter sent to Mr A Hooker.</p>
<p>Resolution November 18 – 12.3.3 Budget Amendments – Roads Funding Allocations</p>	<p>That Council resolves to amend the 2018-19 Budget to reflect the increase in funding received from the Western Australian Local Government Grants Commission and Main Roads to the following accounts;</p> <ol style="list-style-type: none"> i. GL 032300 - INCOME WALGGC – Local Roads, increase to \$353,966 ii. GL 121307 - INCOME Main Roads – Direct Grant, increase to \$174,681 iii. GL 121317 – INCOME Main Roads – Special Projects Funding WALGGC, increase to \$130,065 iv. Job BR007 – EXPENSES Babakin South East Rd - \$15,100 v. Job RR045 – EXPENSES Cumminin Rd - \$3,200 vi. Job J12153 – EXPENSES Changeover Roller - \$183,812 	<p>MOF</p>	<p>Changes have been made in Budget.</p>
<p>Resolution November 18 – 12.4.2 Shire of Bruce Rock Business Continuity Plan</p>	<p>That Council adopt the Shire of Bruce Rock Business Continuity Plan</p>	<p>DCEO</p>	<p>The BCP has now been incorporated in the Shire’s plans for maintaining services during emergencies.</p>

<p>Resolution November 18 – 12.5.1 CEO Annual Leave Request</p>	<p>1. Approve the annual leave of the Chief Executive Officer, Darren Mollenoyux for the period commencing on Monday 24th December 2018 to Friday 18 January 2019 inclusive.</p> <p>2. Appoint the Deputy Chief Executive Officer, Alan O’Toole as the Acting Chief Executive Officer for the period from Tuesday 2nd January 2018 to Friday 18 January 2019 inclusive and that Alan is paid at higher duties, equivalent to the current CEO, during this period.</p>	<p>CEO</p>	<p>Payroll Officer provided with appropriate documentation. Alan O’Toole formally received correspondence on his Acting CEO details.</p>						
<p>Resolution November 18 – 12.5.3 St John Ambulance WA - Sponsorship Request</p>	<p>That Council declines to make a donation to St John Ambulance WA for their Annual Regional Seminar in 2019.</p>	<p>CEO</p>	<p>Correspondence sent advising of Councils decision.</p>						
<p>Resolution November 18 – 12.5.4 Request for Elected Member Training</p>	<p>That Council approves Cr Rajagopalan to undertake the Diploma of Local Government;</p> <p>And,</p> <p>That it is intended that stage one be undertaken in the 18/19 Financial Year with the remaining stages to be carried out in the 19/20 Financial Year with any remaining modules in 20/21.</p> <p>Individual timeframes may vary dependant on availability of training at a local level.</p>	<p>CEO</p>	<p>Cr Rajagopalan has been advised in writing of Council’s decision.</p>						
<p>Resolution November 18 – 13.1 Sale of Lots 226, 227, 228 Butcher St, Bruce Rock</p>	<p>1. In accordance with section 3.58 of the Local Government Act Council authorises the Chief Executive Officer to give local public notice of its intention to dispose of the following lots to Bruce Rock Engineering for the amounts stated below;</p> <table border="0" data-bbox="600 959 1330 1066"> <tr> <td>106 (Lot 226) Butcher St, Bruce Rock</td> <td>\$3,000 plus GST</td> </tr> <tr> <td>108 (Lot 227) Butcher St, Bruce Rock</td> <td>\$3,000 plus GST</td> </tr> <tr> <td>110 (Lot 228) Butcher St, Bruce Rock</td> <td>\$3,000 plus GST</td> </tr> </table> <p>2. That at the conclusion of the advertising period an item be presented to the December 2018 Ordinary Meeting of Council to consider any submissions, prior to the execution of the transfer of land documentation.</p>	106 (Lot 226) Butcher St, Bruce Rock	\$3,000 plus GST	108 (Lot 227) Butcher St, Bruce Rock	\$3,000 plus GST	110 (Lot 228) Butcher St, Bruce Rock	\$3,000 plus GST	<p>CEO</p>	<p>Item will be presented to Council for decision at the December 2018 Ordinary Council Meeting.</p>
106 (Lot 226) Butcher St, Bruce Rock	\$3,000 plus GST								
108 (Lot 227) Butcher St, Bruce Rock	\$3,000 plus GST								
110 (Lot 228) Butcher St, Bruce Rock	\$3,000 plus GST								

Status Report

Ongoing items as at October 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>Address matching ½ completed by Landgate. Slow process going through addresses one by one. Will look into duplicate road names once process of updating addresses is completed.</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>The CEO is currently liaising with GROH on this matter. The CEO will provide a verbal update at the December 2018 Council Meeting.</p>
<p>Resolution December 17 – 12.5.4 Rental Accommodation</p>	<p>That staff engage an appropriate consultant to prepare a Housing Needs Analysis focusing on Rental Accommodation for the Shire.</p>	<p>CEO</p>	<p>The CEO is still seeking a consultant for Housing Needs Analysis for Bruce Rock.</p>
<p>Resolution Mar 18 – 12.5.6 Request for BMX Track</p>	<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 That Council staff investigate the options available and potential required</p>	<p>CEO</p>	<p>The CEO and CDO are working on this between other priority projects.</p>

	<p>area for any future expansion of the Bruce Rock Caravan Park located on Reserve 24756 and report details back to Council for consideration.</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> <ol style="list-style-type: none"> a. Shire of Bruce Rock Activities on Thoroughfares and Trading in Public Places Local Law 2004 be amended as outlined in the report; b. Shire of Bruce Rock Dogs Local Law 2005 be amended as outlined in the report; c. Shire of Bruce Rock Parking and Parking Facilities Local Law not be amended due to the minimal nature of the amendments; d. Shire of Bruce Rock Local Government Property Local Law be amended as outlined in the report; 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; f. Shire of Bruce Rock Local Laws Relating to Fencing be amended as outlined in the report; g. Shire of Bruce Rock Local Government Property Local Law be amended as outlined in the report; and h. Shire of Bruce Rock Local Government Model By-laws (Removal and Disposal of Obstructing Animals or Vehicles) No 7 be further reviewed to 	<p>CEO</p>	<p>Referred back to Consultant and will be making arrangements to align with proposed Standing Orders Local Laws.</p> <p>Will proceed with currently reviewed Local Laws and await Act Review outcomes in regard to Standing Orders.</p> <p>Quotes are being received with process to start in early 2019.</p>

	determine whether existing local laws or legislation may satisfy the purpose and effect of the local law.		
Resolution July 2018 – 12.3.4 STED Scheme	<p>That Council agrees to provide a financial subsidy to property owners within the STED Scheme area to connect to the STED Scheme within 3 years from the date the Water Corporation deems the Scheme operational, subject to the following;</p> <p>a. The subsidy to be paid will be;</p> <p>i) \$1,000 for the owners of residential or commercial properties;</p> <p>ii) \$1,250 for the owners of residential properties that are registered Seniors with the Shire under the Pensioner Rebate Scheme; or</p> <p>iii) \$1,500 for the owners of residential properties that are registered pensioners (including Seniors with Commonwealth Senior Health Cards) under the Pensioner Rebate Scheme.</p> <p>b. Council will only subsidise one connection per rateable assessment;</p> <p>c. Adopt the new policy regarding connections to the STED Scheme;</p> <p>d. The subsidy will be payable direct to the plumber after the works have been completed and the invoice issued to the property owner and a copy provided to the Shire Administration Office.</p> <p>e. Council will provide appropriate sand or fill for the decommissioning of the land owner’s leach drains.</p>	MOF	Waiting for Water Corporation to advise STED is operational. Application form also still be to developed.
Resolution Sep 2018 – 12.3.4 Rates – Sale of Land	<p>That Council pursuant to Section 6.64(1) (b) of the Local Government Act 1995 proceed to sell the properties listed hereunder which have rates in arrears for 3 or more years, and recover from the proceeds of sale the outstanding balances which total \$48,799.74;</p> <p>Assessment A434 Assessment A463 Assessment A484 Assessment A539 Assessment A580 Assessment A591 Assessment A654 Assessment A698</p>	MOF	Property owners have been notified and process has commenced. Advertisements have been placed in the West Australian and on Notice Board.
Resolution Sep 2018 – 12.5.2 Acceptance of Gifted Land – Shackleton District Club Inc Lot	<p>That Council accept Lot 26, 27 & 28 Mills Street, Shackleton as gifted by the Shackleton District Club Inc.</p> <p>And</p>	CEO	The CDO has responded to the Shackleton Bowling Club and the Shackleton District Club to

Shire of Bruce Rock – MINUTES 18 December 2018

26,27 & 28 Mills Street, Shackleton WA	That Council accept the financial implications of the cost to Transfer the Land from the Shackleton District Club Inc and the Shire of Bruce Rock.		commence the change of ownership process.
Resolution Sep 2018 – 13.1 2019/20 CSRFF Application	<ol style="list-style-type: none"> 1. That the application for the Installation of lighting at the Bruce Rock Synthetic Hockey Turf Facility for the 2018/19 Community Sports Infrastructure Grants Program for \$88,242.18 ex gst be submitted to the Australian Sports Commission. 2. That if the application for the Installation of lighting at the Bruce Rock Synthetic Hockey Turf Facility is successful Council will commit a 1/3rd contribution; and 3. That Council make provision in the 2018/19 budget for the contribution of \$88,242.18 ex gst 	CEO	The CSRFF application has been submitted and is anticipated that the outcomes will be known in Feb/March 2019.
Resolution Sep 2018 – 13.2 2019/20 Community Sport Infrastructure Grant	<ol style="list-style-type: none"> 1. That the application for the Installation of lighting at the Bruce Rock Synthetic Hockey Turf Facility for the 2018/19 Community Sports Infrastructure Grants Program for \$88,242.18 ex gst be submitted to the Australian Sports Commission. 2. That if the application for the Installation of lighting at the Bruce Rock Synthetic Hockey Turf Facility is successful Council will commit a 1/3rd contribution and make a budget provision on \$88,242.18 ex gst in the 2018/19 financial year. This will need to be a budget amendment at time of review. 	CEO	The grant application has been submitted with the outcome scheduled to be announced in November 2018.
Resolution Sep 2018 – 12.2.2 Review of Fixed Standpipes	That Council endorses the proposed changes to access and classification of each standpipe as outlined in the “Water Corporation Fixed Standpipes” spreadsheet.	MOWS	<p>MOWS will provide an update to Council at the October OCM.</p> <p>Water Corporation has provided info and frequently asked questions sheet for public promotion prior to implementation in March 2019.</p> <p>New information is supplied in the MOWS report.</p>

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 10

Moved: Cr Kilminster

Seconded: Cr Foss

That the status report be moved.

Carried 9/0

11. Regional Reports

Agenda Reference and Subject:	11.1 CEACA Annual General Meeting November 2018
File Reference:	CEACA
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest	Nil

Summary

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

Background

The 11-member Councils of the Central Eastern Aged Care Alliance (CEACA) held a meeting on Wednesday 14th November 2018 at the Merredin Regional Community and Leisure Centre.

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 Chief Executive Officer provided a verbal update on CEACA at the Ordinary Council meeting on the 15th November 2018 and outlined the following points;

- Election of Office Bearers and Executive Committee

Consultation	Nil
Statutory Implications	Nil
Policy Implications	Nil

Financial Implications

Should any unexpected expenditure occur at the Bruce Rock sites then Council may be required to make a financial contribution.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Community

Goal 7 – Community are engaged and have a healthy lifestyle

- 7.1 Encourage and help facilitate the administration of the planned CEACA units
- 7.3 Continue to work towards achieving the strategies of the Age Friendly Community Plan

Governance

Goal 12 – Council leads the organisation in a strategic and flexible manner

- 12.2 Continue to build our voice and strategic projects within our regional groupings

Voting Requirements

Simple majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 11.1

Moved: Cr Waight

Seconded: Cr Rajagopalan

That Council receives the minutes and endorses the actions and resolutions of the CEACA Minutes from the Annual General Meeting held on the 14th November 2018 at the Merredin Regional Community and Leisure Centre.

Carried 9/0

Mr A O'Toole left the Council Chambers at 2.53pm.

Agenda Reference and Subject:

11.2 CEACA Meeting November 2018

File Reference:

CEACA

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

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

Background

The 11 member Councils of the Central Eastern Aged Care Alliance (CEACA) held a meeting on Wednesday 14th November 2018 at the Merredin Regional Community and Leisure Centre.

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 Chief Executive Officer provided a verbal update on CEACA at the Ordinary Council meeting on the 15th November 2018 and provided an overview of the meeting. The following items are highlighted for Councillors attention;

8.4 Rewriting the CEACA Constitution

The meeting addressed the finalisation of the CECA Constitution Review and with some minor alterations required and taking into consideration the GST implications recently raised the following resolution was made;

1. *That a working group be established to finalise the rewriting of the CEACA Constitution, with the working group to be chaired by Gary Shadbolt, the Acting CEACA Chair, and having the following membership:*
 - *Mr Darren Mollenoyux, CEO Shire of Bruce Rock;*
 - *Mr John Nuttall, CEO Shire of Mt Marshall; and*
 - *The CEACA Executive Officer to provide research and administrative support.*
2. *That the Working Group be authorised to finalise, with assistance from lawyers Kott Gunning, the new CEACA Constitution.*
3. *That in finalising a new CEACA Constitution the working group include the following:*
 - *Insertion of a clause that will allow CEACA to operate as a registered charity; and*
 - *Insertion of a clause that will protect CEACA's "foundation members".*
4. *Arrangements be made for a Special General Meeting of CEACA be to be held ahead of the first CEACA Committee Meeting for 2019, at which time adoption of the new CEACA Constitution will be considered.*

A meeting of the working group is currently being arranged.

8.6 Appointment of Independent Chair

The process for the appointment of an independent chair was addressed at the meeting with the following resolution being made;

That:

1. *The Working Group to oversee the appointment of an Independent Chair for CEACA be reconvened, with its terms of reference being to call for applications, conduct interviews and make a recommendation to the CEACA Committee for the appointment of an independent Chair of CEACA; and*

2. *The Working Group's membership, being Gary Shadbolt as CEACA's Acting Chair, Quentin Davies, Stephen Strange and the CEACA Executive Officer to provide research and administrative support.*

A further update on this process was received on the 12th December advising that Expressions of interest will be advertised early in 2019 and it is envisaged that an appointment will be recommended to the February 2019 CEACA Meeting. ***The Shire President may wish to make further comment on this matter.***

8.6 Implications of GST for the CEAC Housing Project

As previously advised to Council this matter was raised and clarification been sought. The meeting received the update and resolved as follows;

1. That the Central East Aged Care Alliance Inc (CEACA) engage Deloitte Tax services Pty Ltd to:
 - a) Prepare a '153-B' agreement between the Shire of Merredin and CEACA, thereby enabling the Shire of Merredin to act as an agent for CEACA for GST purposes and validate its historical claim of input tax credits for third party costs; and
 - b) Prepare an application on CEACA's behalf to obtain charitable status.
2. That, prior to the implementation of Parts 1a and 1b of the resolution, Deloitte Tax Services Pty Ltd be requested to provide CEACA with a costing for undertaking the work detailed in Parts 1a and 1b.

A copy of the minutes has been provided to Councillors.

Consultation	Nil
Statutory Implications	Nil
Policy Implications	Nil

Financial Implications

Should any unexpected expenditure occur at the Bruce Rock sites then Council may be required to make a financial contribution.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Community

Goal 7 – Community are engaged and have a healthy lifestyle

- 7.1 Encourage and help facilitate the administration of the planned CEACA units
- 7.3 Continue to work towards achieving the strategies of the Age Friendly Community Plan

Governance

Goal 12 – Council leads the organisation in a strategic and flexible manner

- 12.2 Continue to build our voice and strategic projects within our regional groupings

Voting Requirements

Simple majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 11.2

Moved: Cr Dolton

Seconded: Cr Foss

That Council receives the minutes and endorses the actions and resolutions of the CEACA Minutes from the Special Committee Meeting held on the 14th November 2018 at the Merredin Regional Community and Leisure Centre.

Carried 9/0

Mr G Casley entered the Council Chambers at 2.27pm.

Mr A O'Toole returned to the Council Chambers at 2.59pm.

Agenda Reference and Subject:

11.3 WALGA Zone Meeting November 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 29th November 2018 via teleconference.

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;

7.2 Draft Ambulance Strategy

The Draft Country Ambulance Strategy (the Draft Strategy) was developed by the WA Country Health Service (WACHS) in 2018, in order to address the future strategic direction of country ambulance service delivery in WA. The Draft Strategy was released for general consultation on September 28, and comments close on December 10.

Consultation to develop the Draft Strategy included widespread regional engagement over six weeks with representatives from WACHS, the Kimberley Ambulance Service, St John Ambulance, Royal Flying Doctor Service, Local Government, the Department of Health and other relevant parties across seven country regions and the Perth metropolitan area.

Initial findings from consultation found that the WA ambulance operates with the lowest funding per capita and also spends the least per capita. Stakeholder consultation revealed that greater support for volunteers was required, including:

- *Administrative support for Sub-centres*
- *Access to training, provision of nationally recognised formal training*
- *Investment in improved technology, particularly communication systems*
- *Greater sub centre financial support*
- *Increased clinical support.*

Strategic themes were identified through further consultation, and these formed the pillars of the strategy: Policy and system; Timely Access; Patient Safety; System Coordination; Sustainable and Skilled Workforce and Value for Money.

A range of targets were developed for the pillars, leading to 19 recommendations. These are listed on page 11 and 12 of the Draft Strategy, and on pages 36-61 of the full version. A number of these recommendations include the development of measurable performance indicators for various aspects of service, although it is not made clear whether this expectation is placed only on the paid workforce, or also on volunteers.

Local Government representatives of the Great Eastern Country Zone have expressed concerns at some of the recommendations of the Draft Strategy, particularly those recommending the inclusion of measurable performance indicators in contracts.

As consultation on the Draft Strategy closes on December 10, it is unlikely that there is sufficient time for the Zone to prepare a detailed submission. An alternative approach involves individual Local Governments within the Zone contacting agencies within their area that should have input into the draft, and encouraging them to respond. Local Governments can also publish the advertised link for public comment in their weekly notes to their residents. It is a public document so individual members of the public are encouraged to have input.

That the Great Eastern Country Zone Councils contact agencies within their area that should have input into the draft, and encourage them to respond. Additionally, Local Governments publish the advertised link for public comment in communications with their residents, and encourage residents to submit their own comments.

In addition to feedback through the Zone Council staff provided feedback for a joint response through WEROC. The link and promotion was also promoted by Council staff via Facebook. I would assume that the Bruce Rock St John Sub Centre would have also completed a survey or made a submission.

7.3 Container Deposit Scheme

Implications for the Zone

The draft Customer Service Standard only includes flexible refund points for 4 locations within the Zone (Shires of Bruce Rock, Cunderdin, Kellerberrin and Merredin), the other 12 Local Governments do not have a refund point allocated. No permanent refund points are located in the zone.

The “flexible” refund points are currently defined as:

Flexible refund points are intended to meet the requirements of smaller or fluctuating populations and could be provided on a part time, seasonal, mobile, or event based (pop-up) basis.

The draft Standard DWER does not include any reference to minimum opening hours / days for the permanent or flexible points.

For the Zone to ensure equitable access for all residents to the Scheme it is suggested that all Local Governments be guaranteed, as a minimum, one flexible refund point which is open 16 hours each two week period, including at least 8 hours at weekends (this is the same as the NSW Container Deposit Scheme). There would be nothing to prevent the refund points being open additional hours to improve community access and convenience.

These refund points provide potential opportunities for Local Government to co-locate refund points at landfills or transfer stations, communities groups or charities and for local businesses.

The meeting resolved the following;

That the Great Eastern Country Zone requests that:

- 1. All Local Governments be guaranteed, as a minimum, one flexible refund point in their area.*
- 2. A flexible access point should be defined as a refund point which, as a minimum, is open 16 hours each two week period, including at least 8 hours at weekends*

9.3 Review of WALGA State Council Agenda

5.1 Proposed Removal by Main Roads WA of the “Letter of Approval” Restricted Access Vehicle Operating Condition

WALGA Recommendation

That WALGA:

1. Opposes withdrawal of the “Letter of Approval” Restricted Access Vehicle Operating Condition until an acceptable alternative is developed;
2. Supports the position that Local Governments not use provision of the Letter of Authority to charge transport operators to access the Restricted Access Vehicle network;

3. Supports the development of standard administrative procedures including fees and letter formats; and
4. Supports the practice of Local Governments negotiating maintenance agreements with freight owners/ generators in cases where the operations are predicted to cause extraordinary road damage.

ZONE COMMENT:

There has been widespread concern from country Local Governments on Main Roads proposal to withdraw the “Letter of Approval” Restricted Access Vehicle Operating Condition (CA07 condition).

The recommendation is in line with feedback received for country Local Governments. Zone supports the WALGA Recommendation.

Additional Comment from CEO

This condition code (CA07) only applies if the Council has requested it to be imposed and included within their Shire.

14 Meeting Date Schedule for 2019

The schedule of meetings was adopted at the meeting, however since the minutes have been distributed I have contact Tony Brown to advise that there is a clash of dates with our Council Meeting (and other Council’s) on the 21st March 2019. An alternative has now been set for Monday 18 March 2019.

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 2017-2027

Governance

Goal 12	Council leads the organisation in a strategic and flexible manner
12.2	Continue to build our voice and strategic projects within our regional groupings

Voting Requirements Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 11.3

Moved: Cr Thornton

Seconded: Cr Crooks

That Council receives the minutes of the WALGA Great Eastern Zone Meeting held on the 29th November 2018 via teleconference.

Carried 9/0

Agenda Reference and Subject:

11.4 WEROC Executive Meeting Minutes November 2018

File Reference: 1.6.9.1 WEROC Meetings and Agendas

Reporting Officer: Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest Nil

Summary

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

Background

The last WEROC Council Meeting was held on Wednesday 28th November 2018 at the Westonia Council Chambers.

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.

The following items are highlighted for Councils attention;

5.1 Review of the Local Government Act 1995

In deciding how best to develop WE-ROC's submission the Executive Officer sought comment from the WE-ROC CEOs. At the time of preparing the meeting agenda only the Shires of Merredin and Yilgarn had provided comment on the review. The Shire of Kellerberrin advised that the matter would be considered when Council met in December. The Executive Officer had not received any advice from either the Shires of Bruce Rock or Westonia at the time of preparing the agenda item. ***It should be noted that the Bruce Rock CEO advised the Meeting that the Shire of Bruce Rock would be more likely to be addressing the review in February 2019 to formalise a response by the 31st March 2019 deadline.***

To gauge the Executive's views on the most important areas to cover in WE-ROC's submission the Executive Officer has taken the Act review survey developed by the Department of Local Government, Sport and Cultural Industries (DLGSC) as a starting point for discussion.

That:

- 1. The Executive Officer circulate the consolidated LG Act survey questions document used in preparing Agenda Item 5.1 (Review of the Local Government Act 1995); and*
- 2. Member Councils submit to the Executive Officer a completed survey before 31 December 2018.*

5.2 Ongoing Development of WEROC App and Website

At the WE-ROC Council Meeting held Wednesday 24 October 2018 the ongoing development of the WE-ROC App and website was considered with the meeting noting the report provided by the Executive Officer.

The meeting also agreed that the Executive Officer would research the Agreement/Contract between WE-ROC and Go2Guides to ascertain whether there are any ongoing commitments in relation to the development of the WE-ROC App in order for this to be referred to the next Executive Meeting to allow discussion on the future of the WE-ROC App.

A presentation was received from Go2Guides and lengthy discussion was held by the WEROC Executive with the following resolution being carried;

That WE-ROC seek a project brief, implementation plan and costing from go2GUIDES to market the WE-ROC App as means to attract visitors to the region.

5.3 Australian Local Government Association Election Initiative Summary

During the Australian Local Government Association (ALGA) President's address to the WALGA Annual General Meeting, Mayor David O'Loughlin made reference to the ALGA Federal Election Initiatives titled "All Politics is Local – 12 ways to deliver for Australian communities".

The document outlines the policy initiatives to "provide every council and federal member with the opportunity to deliver tangible outcomes to every community in Australia".

The paper was briefly discussed at the September WE-ROC Executive Meeting at which time it was resolved as shown below:

That the WE-ROC Executive "workshop" the issues detailed in the ALGA Federal Election Initiatives publication titled "All Politics is Local – 12 ways to deliver for Australian communities" to determine whether any of the issues are ones WE-ROC should advocate on ahead of the next Federal election.

The ALGA website has an advocacy kit available for Councils across Australia to use in raising matters of importance to them and their communities ahead of the Federal Election. These resources can be used by WE-ROC once issues have been identified.

The WEROC Executives reviewed the document topics and made the following resolution;

That the Executive Officer write to all Federal Members of Parliament and the major political parties seeking their support for initiatives outlined in the ALGA Federal Election Initiatives titled "All Politics is Local – 12 ways to deliver for Australian communities". Specifically, WE-ROC should seek support for the following issues:

The Secondary Freight Network Project;

- Work on the National Highway, emphasis on the need for further work on the Great Eastern Highway;
- Roads to Recovery funding;
- Increased FAGs funding;
- Funding for health-related issues, including GPs, nurses, nurse practitioners and aged care packages;
- Blackspot funding;
- Funding for the replacement of aging infrastructure;
- Emergency Management – specifically for changing to the rules so that in rearing damaged roads etc LG can rebuild a road, bridge or whatever to withstand the next event rather than just replacement which will lead to another failure the next time an event occurs;
- LG/WE-ROC Support for ALGA's climate change policy;
- Alternate power generation eg localised power generation through solar panel "farms" or wind farms; and
- Any issues related to life within rural and remote WA.

In addition to supporting WEROC's actions addressing the "All Politics is Local – 12 ways to deliver for Australian communities" document does Council wish to undertake any additional actions as an individual Council?

5.6 The Country Ambulance Strategy

Following information gathered from the October 2018 WEROC Council Meeting and the November 2018 WEROC Executive Meeting, the WEROC Executive Officer prepared a submission on the Country Ambulance Strategy. A copy of the WEROC submission has been provided to Councillors.

5.7 Access to Instructors for Training & Assessment for HR and HC Licenses

The Shire of Bruce Rock CEO raised concern at the October 2018 WEROC Council Meeting as to the lack of Access to Instructors for Training & Assessment for HR and HC Licenses with the recent withdrawal of this service to some WEROC Shires. This matter was brought back to the WEROC Executive with further updates and options. The following resolution was made;

That WE-ROC investigate the potential to engage Heavy Vehicle Training to conduct training courses and licencing testing across the WE-ROC communities.

6.1 Payment of Exgratia Rates by CBH

Raymond Griffiths provided further information on his radio interview regarding the Shire of Kellerberrin's call for CBH to make a greater financial contribution than is currently the case with the exgratia rates payments made for CBH's wheat bins across the Shire.

Greg Powell commented that the Shire of Merredin was developing a new policy that would cover the issue of CBH's financial contribution to the Shire. Specifically, the policy would look at CBH having to make a contribution to the roads it uses in carting grain.

The Shire President may wish to also expand on this at the Council Meeting.

Council may wish to make a recommendation or provide some direction to staff to undertake work in this area?

6.4 Wheatbelt to Goldfields Sports Trail

The Executive Officer advised that Paul Rosair of Naja Business Consulting Services had contacted her to see whether WE-ROC was interested in developing a business case for the development a Wheatbelt to Goldfields Sports Trail. To assist in discussions on this project Paul Rosair has provided information on the project plus a capability statement for Naja Business Consulting Services, with both documents forming attachments to the minutes.

The meeting resolved as follows;

That Naja Business Consulting Services be requested to prepare a costing to develop a business case for the development of a Wheatbelt to Goldfields Sports Trail. CARRIED 3/2

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

Consultation	Nil
Statutory Implications	Nil
Policy Implications	Nil

Financial Implications

The future direction of the WEROC App may have a financial impact on Council, however at this stage until a direction is resolved either way, the amount is not known.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

- Goal 12 Council leads the organisation in a strategic and flexible manner
12.2 Continue to build our voice and strategic projects within our regional groupings

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 11.4

Moved: Cr Thornton

Seconded: Cr Rajagopalan

- 1. That Council receives the minutes of the WEROC Council Meeting held on Wednesday 28th November 2018 at the Westonia Council Chambers.**
- 2. That the Chief Executive Officer advises the WEROC Executive Officer that the Shire of Bruce Rock will not be completing the Local Government Act Review Survey and endorsing a submission until its Ordinary Council Meeting on the 21st February 2019.**

Carried 9/0

Mr J Goldacre entered the Council Chambers at 3.02pm.

12. **Officers' Reports**

12.1. Environmental Health Officer

Agenda Reference and Subject:

12.1.1 EHO Information Bulletin November 2018

File Reference:

Reporting Officer:

Julian Goldacre, Environmental Health Officer

Disclosure of Interest

Nil

Summary

To accept the Environmental Health Officer Information Bulletin for the period of November 2018 for activities undertaken.

Background

The Environmental Health Officer will provide a report of activities undertaken during the preceding Month inclusive of Deputised and Delegated functions. This Information Bulletin will cover the month of November 2018.

Comment

- The outcomes of the Ordinary Meeting of Council held September 2018 was carried out by the EHO being:
 - Delivering correspondence to Mr Hooker at the CBH site detailing Council approval for a stay of up to three months dated from the Council meeting in a caravan located at the CBH accommodation facility with conditions.
- The EHO used Delegated Authority (Resolution OCM Sep 17 – 12.1.2) to undertake an amendment to the name of the Proprietors at the Shackleton Store for a Registered Food Premises. The new owners have been liaising with the EHO on possible changes to what the Store can offer and to date the discussions have been positive and constructive;
- Concerns regarding mosquitoes at the Shackleton townsite resulted in a Public Health Education roll out assisted by the Shackleton Post office to alert persons on best practice to protect themselves with the 'fight the bite' information. Further education was also rolled out through the local media to identify from the EHO experience the biggest cause of mosquito breeding sites being rainwater tanks. Feedback during the EHOs travels has found people have been reading the information and considering their options which is positive;
- The EHO has been liaising with the Deputy Chief Executive Officer, Ranger Service, and the Anglican Church representatives regarding disused materials on church property in Shackleton. The person in ownership has been identified and continues to be liaised with and encouraged the removal of the disused materials before a Notice is contemplated being the last resort and in consultation with the Anglican Church representatives;
- Western Power has been in contact with the Shire of Bruce Rock and referred to the EHO regarding Western Power infrastructure upgrades. Western Power has identified redundant power supply to the Sports Oval and will be removing the power poles and wires. The EHO enquired if this would be a development obstruction and Western Power said 'No' due to the fact if the land was developed the applicant would be required to put in underground power therefore a saving to a developer by not having to remove the poles and wires themselves. Furthermore, Western Power advised that they intended to upgrade the power supply to the Bowling Club building and were referred to the Committee President for discussion; the EHO did ask if this would incur a cost to the Bowling Club and Western

Power said 'No'. Of interest is that electrical infrastructure up to and including the electrical meter is owned and maintained by Western Power, whatever the electrical meter is attached to is the responsibility of the owner which can be a house, wall, post or the like;

- The Aquatic facility filters were inspected and one super chlorinated as part of the start-up testing results and have been determined to require the filter media be replaced as part of the required servicing intervals and will be costed and prepared for budget during the mid-year and/or 2019-2010 review. The water testing of the swimming pool's water has achieved good results;
- The works to the pool slide stairs is ongoing with the provision of non-slip surface tactile tiles for the stairs by St Johns is greatly appreciated. Specialised fasteners are now required and are being ordered. As the stairs are near serviceable life a request for quotation has been investigated to upgrade the stairs (pending budget approval) to a fully metal material of similar design although with a roof to keep the sun off;
- The applications for the apparatus for the treatment of sewerage for both CEACA projects finally were approved. The EHO undertook a comprehensive explanation (multiple times) to the water Unit staff that there will be no issues on the proposed design based on the EHO's eleven years of active service duty on the front line of Regional local governments on such endeavours;
- Preparation for the new recycle and rubbish collection dates calendar for 2019 is ongoing. Discussions with the CEO to ensure seasonal bin pick up for Kwolyin camp site, Ardath tennis club, and Bruce Rock golf club has been prepared and delivered to the waste contractor and the recycling requirements given to Avon Waste;
- Western Australian container deposit scheme (CDS) – The EHO at the request of the CEO reviewed the documentation provided by WALGA and the Department of Water and Environmental Regulation (DWER) concerning the CDS. The legislation to establish a CDS has been recently introduced into State Parliament and is expected to start in early 2020, aiming to reduce littering and encourage recycling throughout the State. The CDS will provide a \$0.10 cent refund for all eligible beverage containers including soft drink cans and bottles, bottled water containers and flavoured milk cartons. The returned containers must be recycled or reused.

The Bruce Rock townsite was successful in being listed for a 'Flexible Refund Point' (FRP) in the released document 'Customer service standards for collection network'. The FRP intends to '*...meet the requirements of smaller or fluctuating populations and could be provided on a part time, seasonal, mobile, or event based (pop-up) basis*'. Therefore, Bruce Rock would not have a permanent CDS so would have to save up eligible containers and wait for when the CDS operator is in town to collect bottles for a refund the duration and occurrence of visits will be based on demand and profitability for the entity collecting the Containers. Even Merredin is listed as a 'flexible refund point' although may get a more regular service due to population density.

Of interest is how the CDS is being set up which is of concern such as the Regulation is done concurrently with the procurement of the company to provide the CDS operation at the direction of the Dept while waiting for clarity on the Regulatory. When appointed the company will be responsible for the capital set up which is stated '*The analysis indicates that the largest cost element is CDS infrastructure – the collection network – at around \$220 million. This cost assumes a level of access consistent with the recommended minimum service standards outlined in this document*'. Yet the whole program is quoted as: '*A cost benefit analysis undertaken by Marden Jacobs Associates indicates that over 20 years the scheme would have a net present value of \$152 million and a cost-benefit ratio of 1.37*'.

The EHO asked for clarification for the costing provided and eventually received the following response: – '*The cost benefit ratio of \$1.37 indicates that for every dollar spent there is a return of \$1.37. The cost of the collection network that you refer to is only one of a number of costs associated with the CBA.*

There are also costs to local government associated with the clean-up of litter, for example, which can be reduced with the implementation of the CDS. The net present value of \$152 million represents the net present worth of the project after considering costs and benefits over a 20-year period'.

It is important to consider the costings and seek clarity as at this point in time there is no funding provided by the State Government for the CDS endeavour, and the success for the CDS is dependent on the CDS provider being able to make the business model work, i.e. 'to make money'. The legislation will make it incumbent on the CDS provider to recycle all collected containers therefore disposal is not an option even if recycling capability is limited or non-existent in Western Australia. Whilst foreign countries still accept 'clean' recyclables, the CDS can be a gatekeeper to ensure deposited containers are suitable for recycling thus being able to be sent to countries requiring clean materials.

The EHO will monitor and report regarding the evolution of the CDS to keep the CEO and Council abreast of developments as they come to hand.

Consultation

Mr D Mollenoyux Chief Executive Officer;
Mr A O'Toole Deputy Chief Executive Officer;
Mr R Belton, Program Officer, Strategic Policy and Programs DWER;
Ms H Squire, Waste Management Specialist, WALGA;
Ms Maria Hann, Administration & Property Co-ordinator, Anglican Diocese of Perth; and
Ms K Spark and Ms J Taylor, WA Contract Ranger Services.

Statutory Implications

Health (Miscellaneous Provisions) Act 1911;
Food Act 2008;
Local Government Act 1995;
Building Act 2011; and
Waste Avoidance and Resource Recovery Act 2007.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Goal 12.3 – 10 Year Outcome 'meeting all levels of compliance'

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 12.1.1

Moved: Cr Foss
Seconded: Cr Crooks

To receive the Environmental Health Officer's Information Bulletin for the period of November 2018.

Carried 9/0

Mr J Goldacre left the Council Chambers at 3.22pm and did not return.

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

- Hughes Road bridge completed. (Will have full costing at next meeting)
- Street Sweeping completed in Bruce Rock, Ardath, Shackleton and Babakin
- Drain to Turkeys Nest tidied up
- 4 private works jobs completed
- Slashing of blocks in town to make them compliant with fire break requirements
- Footpaths raked and blown
- Signs moved at Johnson St and Swan St intersection for better visibility
- Memorial Park, Amphitheatre and Sculpture Park mowed and tidied up
- Cemetery cleaned up and sprayed for ants
- Caravan Park mowed and tidied up
- Footpath Maintenance around town, (fixing broken parts of the footpath network around town)

Construction Crew

- Yarding- Ardath and Stranger Road intersection is now sealed,
- Next project will be Perkins Road re sheet (R2R \$53,500) Roads to Recovery
- Sippee Rd Blackspot and Eujinynd Rd North has started

Workshop

- BK08, Isuzu ute - 90000 km service
- BK51, Subaru - 50000 km service
- BK6556, backhoe - 1000hr service
- BK9282, float - replace spring back air valve
- BK377, bus - repair rear wheel chair ramp
- BK650, Hino Prime Mover - replace fuel pressure switch (going into limp mode)
- BK2, DCEO Car - 45000 km service
- BK09, Doctors Car - 60000 km service
- Fit up tyres
- 30 vehicle inspections

Rec Centre

- Oval Mowed
- Wicket prepared for cricket matches
- Sorting out pump at Curries Dam
- Oval sprayed with Wettasoil and a light feed of fertiliser
- Electrical box has been fixed for lighting tower
- Cladding for Rec Centre wall has started
- Fixing water fountain

Vehicles/Machinery Changeover

The utes will be advertised in January and February 2019, will be asking for quotes for new vehicles from country and Perth suppliers.

Brian and I will travel to Perth to look at some second-hand trucks for his service vehicle, and hopefully have that before the Christmas break

Dams

Dam	Current	Capacity
Railway Dam	14,500kl	32,000kl full
Negri Dam Rear	9,000kl	115000kl full
Negri Dam Front	4,500kl	15000kl full
Rec Centre Dam	19,000kl	23000kl full
Turkeys Nest	24,000kl	43000kl full

Regional Fixed Standpipe update

Some new information has been sent through in regards to the Shire's standpipes. I have added the information to Council below and have attached the new Frequently Asked questions as well.

Free Community Standpipe' - In the FAQ document I provided, this explains that we are providing installation and administration costs free of charge, but the Shire would still have to pay the Standard Infrastructure Contribution (SIC or headworks charge) applicable for a new 20mm or 25mm service. I have attached the Standard Infrastructure Contributions (SIC) information relating to 20mm and 25mm meters and the relevant section is highlighted in orange. The SIC is only payable on a brand-new service, but is not applicable if downgraded to a Community standpipe size. I apologise that I had not explained it more clearly at the meeting.

Downgrading any meter size – If a local government decide to downgrade existing meters (this can be to any meter size or downgraded to the new Community standpipe size of 20 or 25mm), it is offered 100% free – no headworks charges are applicable.

Decommissioning – all standpipes that local governments want to have decommissioned will be carried out with Water Corporation covering 100% of costs.

I have also attached an updated version of the FAQ document as we have received further feedback from other visitations and have adjusted this document to reflect those comments. The two key questions and responses that have changed are outlined below:

- Can contractors working on Local Government projects access a Local Authority standpipe if required as part of the project?**
 Contractors working on Shire projects are permitted to use locked LA standpipes, thereby minimising the volumetric costs incurred by Local Government.
 Contractors are not entitled to use an LA standpipe for other commercial purposes. They will need to access a Commercial standpipe from the 1 July 2019.
- Can Local Government still obtain a concessional rate for any water taken from a Commercial standpipe for Shire purposes?**
 Yes, but there will now be a requirement to provide evidence of the volume taken and a control will need to be in place (no honour systems acceptable to obtain concessional claim).
 Local Government will need to submit a Claim form via the Water Corporation website to obtain the concessional rate from a Commercial standpipe.
 This option available from 1 July 2019.

RAV Rating Update

All of the Shire's roads are now rated Rav 4 bar Erikin South Rd and Buller Rd. I have requested Buller Rd be assessed so trucks can use it heading north out on to Doodlakine Road but not south as I don't think this will get passed because of where the road ends and the line of site issue with the corner.

FESA Building Update

To do with the fencing around the FESA Building, I have been down and marked out an area that is quite substantial and should be big enough for their needs. It is far enough away from the corner to worry about people and their line of sight coming up to the intersection of Dunstall and Osborne St. The dimensions are 10m x 23.3 m x 26 m. The estimated cost for this will be \$ 7,500 and there is \$7,800 allocated in the budget.

There will be an onsite visit prior to Council meeting to determine if Council wishes to proceed with the proposal.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 12.2.1

Moved: Cr Dolton

Seconded: Cr Thornton

That the Manager of Works and Services report be received.

Carried 9/0

Mr G Casley left the Council Chambers at 3.29pm and did not return.

Council adjourned at 3.29pm for Afternoon Tea.

Council returned to the Council Chambers at 3.45pm with all staff and Councillors present.

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 30th November 2018 are available on the website for download.

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 2018/19 Budget

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

Goal 12 Council leads the organisation in a strategic and flexible manner

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 12.3.1

Moved: Cr Rajagopalan

Seconded: Cr Negri

That the Statements of Financial Activity for the month ending 30th November 2018 as presented be received.

Carried 9/0

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 2.3, 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 November 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 2018/19 Budget

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

Goal 12 Council leads the organisation in a strategic and flexible manner

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 12.3.2

Moved: Cr Thornton

Seconded: Cr Foss

That Council endorse the list of payments from the:

- 1. Municipal Account consisting of;**
 - a. EFT voucher numbers EFT13650 to EFT13765 totalling \$372,320.81**
 - b. Cheque number 23851 to 23860 totalling \$27,438.82**
 - c. Trust Cheque 1915 to 1919 totalling \$500**
 - d. Wages and Superannuation payments totalling \$271,749.86 and**
 - e. Credit Card payments totalling \$641.23**
- With all payments totalling \$672,009.49 for the month of November 2018.**

Carried 9/0

Agenda Reference and Subject:

12.3.3 Acceptance of 2017/18 Audit Report

File Reference:

8.2.6.2 Annual Financial Statements

Reporting Officer:

Jennifer Bow, Manager of Finance

Disclosure of Interest:

Nil

Summary

The Audit Committee has recommended that Council adopts the Audit Report for the year ended 30 June 2018.

Background

At the completion of the annual audit, the auditor prepares an Audit Report and a Management Letter outlining any areas or issues that Council needs to address.

Comment

The Audit Committee received the Audit Report and Management Letter for the year ending 30th June 2018.

At the time of the agenda going out, the Audit Report had not been received however staff have received a draft audit report and have been advised by a representative of the Office of the Auditor General that there will be no changes to the Audit Report which is expected to be received on Friday 14th December 2018. A copy will be forwarded to Councillors once it has been received by the office.

Consultation

Chief Executive Officer
Deputy Chief Executive Officer
Manager of Finance
Office of the Auditor General
AMD Auditors

Statutory Implications

Audit Report - *Local Government Act 1995 s. 7.9 and Local Government (Audit) Regulations 1996 r.9 & 10.*

Management Letter - Section 7.9 & 7.12A of *Local Government Act 1995 s7.9 & 7.12A and Local Government (Audit) Regulations 1996 r.9 & 10.*

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

Goal 12 - Council leads the organisation in a strategic and flexible manner

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 12.3.3

Moved: Cr Thornton

Seconded: Cr Waight

That Council receives the Audit Report and accompanying Management Letter for the year ended 30th June 2018.

Carried 9/0

12.4 Deputy Chief Executive Officer

Agenda Reference and Subject:

12.4.1 Shire Seal

File Reference:

Reporting Officer:

Alan O'Toole, Deputy Chief Executive Officer

Disclosure of Interest

Nil

Summary

Use of Shire Seal in November 2018.

Background

Nil

Comment

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

- Land Transfer – Shackleton bowling Green Lot 26,27,28

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 Dec 18 – 12.4.1

Moved: Cr Kilminster

Seconded: Cr Crooks

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

Carried 9/0

Agenda Reference and Subject:

12.4.2 Acceptance of 2017/18 Annual Report

File Reference:

Annual Meetings

Reporting Officer:

Alan O’Toole, Deputy Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is asked to accept the Annual Report for the period ending 30th June 2018 and set a date for the Annual Electors Meeting.

Background

The Annual Report for the financial year ending 30 June 2018 is to be provided to Councillors for their consideration and acceptance. The Audited Financial Statements and the Independent Audit Report are also included in the Annual Report.

Comment

Following the acceptance of the Annual Report, Council is required to give public notice of the availability of the Annual Report as soon as practicable. It is also a requirement that a General Meeting of Electors is to be held on a day set by Council not more than 56 days after acceptance of the Annual Report, with 14 days local public notice of the meeting being given. The last day that the Annual Electors Meeting could be held is Tuesday 12th February 2019.

Consultation

CEO, DCEO & MOF

Statutory Implications

The Local Government Act 1995 Section 5.53 advises that the Annual Report is to contain the following:

- a) A report from the President;
- b) A report from the Chief Executive Officer;
- c) An overview of the plan for the future of the district made in accordance with Section 5.56, including major initiatives that are proposed to commence or continue in the next financial year,
- d) The Financial Report of the financial year;
- e) Such information as may be prescribed in relation to the payments made to employees;
- f) The Auditor’s report for the financial year;
- g) Such other information as may be prescribed;
- h) Key Performance Indicators from the Strategic Community Plan 2017-27.

Policy Implications

Nil

Financial Implications

Nil

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2017-2027

Governance

- Goal 10 Our organisation is well positioned and has capacity for the future
Goal 12 Council leads the organisation in a strategic and flexible manner

Voting Requirements

Absolute Majority

Officer Recommendation

That Council;

1. Accepts the Annual Report for 2017-18 including the Audited Financial Report for period ended 30 June 2018, and that local public notice of its availability be given as soon as practicable; and
2. Holds the Annual Meeting of Electors before 12th February 2019.

Council decision differed to the Officer Recommendation to include a time of 4.00pm.

COUNCIL DECISION

Resolution OCM Dec 18 – 12.4.2

Moved: Cr Rajagopalan

Seconded: Cr Waight

That Council;

- 1. Accepts the Annual Report for 2017-18 including the Audited Financial Report for period ended 30 June 2018, and that local public notice of its availability be given as soon as practicable; and**
- 2. Holds the Annual Meeting of Electors on the 12th February 2019 at 4.00pm.**

CARRIED BY ABSOLUTE MAJORITY 9/0

Agenda Reference and Subject:

12.4.3 Update to the Communications and Social Media Policy

File Reference:

2.3.1.1 Policy Manual

Reporting Officer:

Alan O’Toole, Deputy Chief Executive Officer

Disclosure of Interest

Nil

Summary

WALGA have recently released additional guidelines to assist Elected Members in dealing with possible abuse, harassment or bullying they may experience when using Social Media. These have been incorporated into the existing “Communications and Social Media” Policy, and Council is requested to consider and endorse the updated Policy which, if adopted, will be incorporated into the Council’s Policy Manual.

Background

As the area of communications via Social Media continues to develop, WALGA have addressed this by updating their guidance and advice to include direction on responding appropriately if Elected Members experience abuse or harassment online. In addition, the national Local Government Association, ALGA, have included concerns regarding this matter into a submission to the Regional Telecommunications Independent Review Committee, which will then report to the Commonwealth Government.

Comment

The proposed updated policy is attached. Section 5 of this Policy includes a variety of responses that Elected Members may take if encountering abuse online. Please note: the responses noted in the Policy are for consideration – it is not a recommendation that all are undertaken.

Consultation

CEO
WALGA Governance Template

Statutory Implications

Local Government (Rules of Conduct) Regulations 2007
State Records Act 2000 - SRC Standard 8 – Managing Digital Information

Policy Implications Nil

Financial Implications Nil

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2017-2027

Governance

Goal 10 Our organisation is well positioned and has capacity for the future
Goal 12 Council leads the organisation in a strategic and flexible manner

Voting Requirements Absolute Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 12.4.3

Moved: Cr Kilminster

Seconded: Cr Dolton

That Council adopts the updated “Communications and Social Media Policy” for incorporation as an official Policy of the Council at Item 3.6 of the Policy Manual.

CARRIED BY ABSOLUTE MAJORITY 9/0

12.5 Chief Executive Officer

Agenda Reference and Subject:	12.5.1 Sale of Lots 226,227,228 Butcher Street Bruce Rock
File Reference:	
Reporting Officer:	Darren Mollenoyux, Chief Executive Officer
Disclosure of Interest	Darren Mollenoyux, Chief Executive Officer

Summary

Following the completion of the statutory requirements Council is asked to consider Bruce Rock Engineering’s offer to purchase Lots 106, 108 and 110 Butcher Street, Bruce Rock for a workers accommodation proposal.

Background

Bruce Rock Engineering had written to Council seeking to obtain adequate and appropriately located land to potentially utilise for a staff village.

Following investigations by Council staff as to any available land that may be suitable several lots were identified and presented to Bruce Rock Engineering for consideration. The preferred site identified is located at Lot 226, 227, 228 and 229 Butcher Street, Bruce Rock, of which three lots are owned by Council and the other Lot (being 229) owned by the Department of Lands under Vacant Land.

At the Council Meeting held on the 15th November 2018 an offer from Bruce Rock Engineering was presented to purchase the below three lots for staff village, subject to town planning scheme being amended as required.

The offer received is for the following lots:

106 (Lot 226) Butcher St, Bruce Rock	\$3,000
108 (Lot 227) Butcher St, Bruce Rock	\$3,000
110 (Lot 228) Butcher St, Bruce Rock	\$3,000

Whilst located in the light industrial area the lots are zoned as residential and would meet the requirements of Bruce Rock Engineering under the Town Planning Scheme. Council has no current or foreseeable use for these lots.

A valuation was obtained on each of the three lots and presented to Council; as follows;

<u>Land Address</u>	<u>Lot Size</u>	<u>Valuation</u>
106 (Lot 226) Butcher St, Bruce Rock	1,012 sqm	\$4,500 <i>ex GST</i>
108 (Lot 227) Butcher St, Bruce Rock	1,012 sqm	\$5,000 <i>ex GST</i>
110 (Lot 228) Butcher St, Bruce Rock	1,012 sqm	\$5,000 <i>ex GST</i>

The following resolution was made at the November 2018 Ordinary Council meeting;

That Council:

- In accordance with section 3.58 of the Local Government Act Council authorises the Chief Executive Officer to give local public notice of its intention to dispose of the following lots to Bruce Rock Engineering for the amounts stated below;*

<i>106 (Lot 226) Butcher St, Bruce Rock</i>	<i>\$3,000 plus GST</i>
<i>108 (Lot 227) Butcher St, Bruce Rock</i>	<i>\$3,000 plus GST</i>
<i>110 (Lot 228) Butcher St, Bruce Rock</i>	<i>\$3,000 plus GST</i>

2. *That at the conclusion of the advertising period an item be presented to the December 2018 Ordinary Meeting of Council to consider any submissions, prior to the execution of the transfer of land documentation.*

Comment

In accordance with Section 3.58 of the Local Government Act the statutory advertising was carried out in both the West Australian Newspaper and Rock Review.

No written submissions were received in relation to notice of intention to dispose of property.

Council will also need to undertake works to realign the fence to the correct boundary for the adjoining (Council owned) factory units.

Consultation

Damion Verhoogt, Bruce Rock Engineering
Julian Goldacre, Environmental Health Officer
Valwest Pty Ltd

Statutory Implications

Shire of Bruce Rock Local Planning Scheme No3;

Local Government Act 1995 - Sect 3.58

3.58 - Disposing of property

(1) In this section —

dispose includes to sell, lease, or otherwise dispose of, whether absolutely or not;

property includes the whole or any part of the interest of a local government in property, but does not include money.

(2) Except as stated in this section, a local government can only dispose of property to —

(a) the highest bidder at public auction; or

(b) the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.

(3) A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —

(a) it gives local public notice of the proposed disposition —

(i) describing the property concerned; and

(ii) giving details of the proposed disposition; and

(iii) inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;

and

(b) it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.

(4) The details of a proposed disposition that are required by subsection (3)(a)(ii) include —

(a) the names of all other parties concerned; and

(b) the consideration to be received by the local government for the disposition; and

(c) the market value of the disposition —

(i) as ascertained by a valuation carried out not more than 6 months before the proposed disposition; or

Policy Implications

Nil

Financial Implications

Council does not have budget provision in 2018/19 for the income for sale of this land and would be required to resolve this motion as an absolute majority. The sale of property would see income of \$9,000 for sale of land in the 2018/19 financial year.

Council may potentially utilise these funds to undertake earthworks to improve the marketability of the industrial subdivision site on the corner of Noonajin Rd and Dampier Street, Bruce Rock.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Infrastructure

Goal 3: Assist the local economy to grow

3.7 – Leverage economic opportunities and development from successful local businesses

Goal 4: Workers and their families can work and reside in the Shire

4.3 – Promote existing residential land and plan for future commercial and residential land developments to meet current and future needs

Voting Requirements Absolute Majority

Officer Recommendation

That Council:

1. That there being no written public submissions and in accordance with section 3.58 of the Local Government Act Council resolves to dispose of the following lots to Bruce Rock Engineering for the amounts stated below;
106 (Lot 226) Butcher St, Bruce Rock \$3,000 plus GST
108 (Lot 227) Butcher St, Bruce Rock \$3,000 plus GST
110 (Lot 228) Butcher St, Bruce Rock \$3,000 plus GST
2. That at the conclusion of the advertising period an item be presented to the December 2018 Ordinary Meeting of Council to consider any submissions, prior to the execution of the transfer of land documentation.
3. That Council resolves to vary the 2018/2019 budget to include income of \$9,000 for the Sale of Vacant Land.
4. That Council staff undertake works for the realignment of the fence to meet the correct boundary line of 106 and 104 Butcher St, Bruce Rock.
5. That a review of the three factory unit rentals located on 104 Butcher Street, Bruce Rock be undertaken, giving consideration of the reduction in yard storage at the rear of each of the properties.

Council decision varied to Officer Recommendation to remove dot point 2 which was not relevant to the decision of Council and dot point 5 was removed to be dealt with as business of an urgent nature at this meeting.

COUNCIL DECISION

Resolution OCM Nov 18 – 12.5.1.1

Moved: Cr Thornton

Seconded: Cr Dolton

That Council:

1. That there being no written public submissions and in accordance with section 3.58 of the Local Government Act Council resolves to dispose of the following lots to Damion Michael Verhoogt as to one undivided third share and Brenton Ryan Verhoogt and Joanne Kate Horne as to one undivided third share as joint tenants and Keenan Shane Verhoogt as to one undivided third share, all care of 15 Swan St Bruce Rock WA 6418 as tenants in common for the amounts stated below;

106 (Lot 226) Butcher St, Bruce Rock \$3,000 plus GST

108 (Lot 227) Butcher St, Bruce Rock \$3,000 plus GST

110 (Lot 228) Butcher St, Bruce Rock \$3,000 plus GST

2. That Council resolves to vary the 2018/2019 budget to include income of \$9,000 for the Sale of Vacant Land.

3. That Council staff undertake works for the realignment of the fence to meet the correct boundary line of 106 and 104 Butcher St, Bruce Rock.

CARRIED BY ABSOLUTE MAJORITY 9/0

Agenda Reference and Subject:

12.5.2 Contract Extension - Senior Employee

File Reference:

Personnel

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

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 Dec 18 – 12.5.2.1

Moved: Cr Kilminster

Seconded: Cr Rajagopalan

That Council:

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

CARRIED BY ABSOLUTE MAJORITY 9/0

Mr A O'Toole left the Council Chambers at 4.14pm.

Mrs M Schilling left the Council Chambers at 4.14pm.

Summary

Council is asked to endorse the contract extension for Mr Glenn Casley as the Manager of Finance for the Shire of Bruce Rock.

Background

Glenn Casley's contract as the Manager of Works and Services expires on the 8th February 2019 and the following component of the contract outlines the renewal process.

2.2 Further Contracts

- (a) In accordance with section 5.39(4) of the Act, this Contract is renewable, and the Term may be extended, by agreement between the parties.*
- (b) Neither the Shire nor You has any obligation to agree to this Contract being renewed or to the Term being extended.*
- (c) You must, not later than 9 months before the expiry of the Term, notify the CEO in writing whether or not YOU seek a renewal of this Contract and, if so, for what term.*
- (d) Within 2 months of the CEO receiving that notification, the CEO must advise You in writing of the Shire of Bruce Rock's intention to either advertise the Position or to offer You a renewal of this Contract and, if so, on what terms.*
- (e) If there is any delay in the CEO giving You the notice in writing under clause (d), the Term is deemed to be extended for a period equal to the period of the delay, but not to exceed 12 months.*
- (f) If the CEO and You agree to an extension of the Term, then, subject to that agreement - this Contract will continue to apply unless amended in writing by the parties; and is to be read as though it refers to the extended Term.*

Mr Casley has written to the Chief Executive Officer and has sought a contract extension.

Comment

The Chief Executive Officer and the Manager of Works and Services have held discussions regarding a proposed contract extension and conditions of employment. The CEO will inform Council at the meeting on the proposed contract term.

Consultation

Glenn Casley, Manager of Works & Services

Statutory Implications

Local Government Act 1995

5.36 . *Local government employees*

(3) A person is not to be employed by a local government in any other position unless the CEO —

(a) believes that the person is suitably qualified for the position; and

(b) is satisfied with the proposed arrangements relating to the person’s employment.

(4) Unless subsection (5A) applies, if the position of CEO of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.

(5A) Subsection (4) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.

(5) For the avoidance of doubt, subsection (4) does not impose a requirement to advertise a position before the renewal of a contract referred to in section 5.39.

5.37 . Senior employees

(1) A local government may designate employees or persons belonging to a class of employee to be senior employees.

(2) The CEO is to inform the council of each proposal to employ or dismiss a senior employee, other than a senior employee referred to in section 5.39(1a), and the council may accept or reject the CEO’s recommendation but if the council rejects a recommendation, it is to inform the CEO of the reasons for its doing so.

(3) Unless subsection (4A) applies, if the position of a senior employee of a local government becomes vacant, it is to be advertised by the local government in the manner prescribed, and the advertisement is to contain such information with respect to the position as is prescribed.

(4A) Subsection (3) does not require a position to be advertised if it is proposed that the position be filled by a person in a prescribed class.

Policy Implications

Nil

Financial Implications

This would be captured as part of the annual budget process in salaries and wages.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

Goal 10 – Our organisation is well positioned and has capacity for the future

Goal 12 – Council leads the organisation in a strategic and flexible manner

Voting Requirements

Simple Majority

Officer Recommendation

That Council endorses the contract extension of Mr Glenn Casley as the Manager of Works and Services for a further _____ year period ending on the 8th February _____.

Council Decision differed to Officer Recommendation as the CEO provided verbal recommendation on the term of the contract.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 12.5.2.2

Moved: Cr Waight

Seconded: Cr Dolton

That Council endorses the contract extension of Mr Glenn Casley as the Manager of Works and Services for a further 2-year period ending on the 8th February 2021.

Carried 9/0

Agenda Reference and Subject:

12.5.3 CEO Key Performance Indicator Variation

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;

Summary

Council is asked to consider review timeframes set and agree to any amendments to the Key Performance Indicators for the CEO's annual performance review for 2018/19 period.

Background

Council engaged John Phillips Consulting to assist in reviewing the CEO Performance Review Process and setting new KPI's for the 2018/19 review period. John Phillips Consulting held a workshop with Council and the CEO on the 23rd August 2018 to undertake the setting of KPI's and these were adopted at the September 2018 Ordinary Council Meeting.

Comment

The CEO has identified one main KPI that will not meet the set timeframes.

4. Recreation Centre Entry Statement

KPI Timeframe - Project to be completed by 20th December 2018

Comment

Council staff selected a preferred contractor to build and clad the entry walls that was significantly less cost and therefore making significant savings. The contractor has not been reliable and has missed the set deadlines causing the whole project to be delayed by a couple of months.

This matter was raised at the Dunstall Street Redevelopment Working Group Meeting and it was agreed to continue with the contractor due to the significant cost savings and that the Manager of Works & Services would continue to pursue the contractor to progress the works in a more timely manner. The contract works are now back on track and progressing well with the cladding of the entry wall to the recreation centre.

Factoring in the shutdown period during January and decisions yet to be made on lettering styles by the working group the CEO is seeking an extension on this project KPI to 30th March 2018.

The CEO will provide a verbal progress update on KPI 11 Integrated Planning and Reporting part 1 and 2 that is scheduled for December 2018.

Consultation

Ashleigh Waight, Community Development Officer
Dunstall Street Redevelopment Working Group
Glenn Casley, Manager of Works & Services

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.

In addition, the Section 4 of the CEO's contract outlines the Performance and Criteria process as well as Review and Amendment of the contract.

Policy Implications Nil

Financial Implications

This project has budget provision for the 2018/19 financial year.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

Goal 10 – Our organisation is well positioned and has capacity for the future

Goal 12 – Council leads the organisation in a strategic and flexible manner

Voting Requirements

Simple Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 12.5.3.1

Moved: Cr Thornton

Seconded: Cr Foss

That Council resolves to amend the Chief Executive Officer's KPI - focus area 4 Recreation Centre Entry Statement to a new deadline of 30th March 2019.

Carried 9/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 12.5.3.2

Moved: Cr Rajagopalan

Seconded: Cr Crooks

That Council:

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

CARRIED BY ABSOLUTE MAJORITY 8/0

Mr A O'Toole returned to the Council Chambers at 4.34pm.

Mrs M Schilling returned to the Council Chambers at 4.34pm.

Agenda Reference and Subject:

12.5.4 Ordinary Council Meeting Schedule 2019

File Reference:

2.1.2.5 Council Meetings

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is asked to consider the schedule of Ordinary Council Meeting dates for 2019.

Background

It is a requirement for Council to advertise at least once each year the dates set for Ordinary Council Meetings. The Shire of Bruce Rock holds its Ordinary Council meetings on the 3rd Thursday of each month except January.

In line with the above the 2019 schedule of Ordinary Council Meetings would be as follows;

- Thursday 21 February 2019
- Thursday 21 March 2019
- Thursday 18 April 2019
- Thursday 16 May 2019
- Thursday 20 June 2019
- Thursday 18 July 2019
- Thursday 15 August 2019
- Thursday 19 September 2019
- Thursday 17 October 2019
- Thursday 21 November 2019
- Thursday 19 December 2019

Comment

The only variation that Council may wish to consider is the April Council meeting date.

The April meeting falls on the day before Good Friday. An option may be to bring the meeting forward a day to Wednesday 17th April 2019.

Consultation

Darren Mollenoyux CEO

Alan O'Toole DCEO

Statutory Implications

Local Government (Administration) Regulations 1996 - REG 12

12. Meetings, public notice of (Act s. 5.25(1)(g))

- (1) At least once each year a local government is to give local public notice of the dates on which and the time and place at which —
 - (a) the ordinary council meetings; and
 - (b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to members of the public, are to be held in the next 12 months.

- (2) A local government is to give local public notice of any change to the date, time or place of a meeting referred to in sub regulation (1).
- (3) Subject to sub regulation (4), if a special meeting of a council is to be open to members of the public then the local government is to give local public notice of the date, time, place and purpose of the special meeting.
- (4) If a special meeting of a council is to be open to members of the public but, in the CEO's opinion, it is not practicable to give local public notice of the matters referred to in sub regulation (3), then the local government is to give public notice of the date, time, place and purpose of the special meeting in the manner and to the extent that, in the CEO's opinion, is practicable.

Policy Implications Nil

Financial Implications Nil

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

Goal 12 – Council leads the organisation in a strategic and flexible manner

Voting Requirements

Simple Majority

Officer Recommendation

That Council endorses the schedule of Ordinary Council Meeting dates for 2019, pending any variation to the scheduled April 2019 meeting.

And

Give public notice of the meeting schedule for the Ordinary Meetings of Council for 2019.

Council Decision varied to include the list of Ordinary Council Meeting Dates for 2019.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 12.5.4

Moved: Cr Dolton

Seconded: Cr Foss

That Council endorses the schedule of Ordinary Council Meeting dates for 2019 as follows.

- **Thursday 21 February 2019**
- **Thursday 21 March 2019**
- **Thursday 18 April 2019**
- **Thursday 16 May 2019**
- **Thursday 20 June 2019**
- **Thursday 18 July 2019**
- **Thursday 15 August 2019**
- **Thursday 19 September 2019**
- **Thursday 17 October 2019**
- **Thursday 21 November 2019**
- **Thursday 19 December 2019**

And

Give public notice of the meeting schedule for the Ordinary Meetings of Council for 2019.

Carried 9/0

Agenda Reference and Subject:

12.5.5 Presentation by Civic Legal – Reg 17 & Project
Aware Proposal

File Reference:

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Anthony Quahe and Neil Hartley from Civic Legal will make a presentation to Council on Reg 17 services offered and a briefing on Project Aware proposal.

Background

Regulation 17 was recently introduced into the Local Government (Audit) Regulations 1996. Regulation 17 states the following:

17. (1) The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —
- (a) risk management; and
 - (b) internal control; and
 - (c) legislative compliance.

(2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review at least once every 2 calendar years.

(3) The CEO is to report to the audit committee the results of that review.

Council has made a budget provision for the review of Reg 17 and our approach in the 2018/19 financial year.

Comment

The Shire President and CEO attended a presentation during Local Government Conference in August 2018 (with other local governments) on Civic Legal's Project Aware proposal, including complying with the requirements of Reg 17.

Senior Management have also received a presentation on the Project Aware proposal and feel that this approach to Reg 17 and the additional compliance service provided would be of great benefit to staff at all levels, improve governance and compliance within the organisation and assist Councillors in improving their understanding of roles and responsibilities around Reg 17 and other compliance matters.

Civic Legal have prepared a proposal and will be making a presentation to the December 2018 Council meeting.

Consultation

Stephen Strange, Shire President
Alan O'Toole, Deputy CEO
Jennifer Bow, Manager of Finance
Anthony Quahe and Neil Hartley from Civic Legal

Statutory Implications

Local Government (Audit) Regulations 1996 r.16, r17.

Policy Implications

Council’s Purchasing Policy
Compliance with the Risk Management Policy.

Financial Implications

Council has a current budget provision of \$15,000 for a consultancy services to undertake our Reg 17 review in 2018/19 financial year.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Governance

- Goal 10 – Our organisation is well positioned and has capacity for the future
 - 10.3 Aim to upskill staff when opportunities arise
- Goal 12 – Council leads the organisation in a strategic and flexible manner
 - 12.5 Lead the organisation in a financially responsible and viable manner

Voting Requirements Simple Majority

Officer Recommendation

That following the presentation, Council considers the proposal from Civic Legal for the Project Aware Proposal and Reg 17 services and provides staff with direction.

Council decision differed to Officer Recommendation to proceed with the Project Aware Proposal

COUNCIL DECISION

Resolution OCM Dec 18 – 12.5.5

Moved: Cr Rajagopalan

Seconded: Cr Kilminster

That Council proceeds with Civic Legal’s proposed consultancy services (as presented) to undertake the “Project Aware” Program options A & B, including Reg 17 Audit works,

And

That Council seek to commence the “Project Aware” Program for a 12-month period commencing in February 2019.

Carried 9/0

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

Agenda Reference and Subject:

13.1 Factory Unit Lease (Unit 1, Lot 427 Johnson St
Bruce Rock) Extension Works & Lease Variation

File Reference:

A383 Lot 427 Johnson Street Bruce Rock

Reporting Officer:

Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest

Nil

Summary

Council is asked to consider the construction of a fenced compound area at one of its factory units located at Unit 1, Lot 427 Johnson St, Bruce Rock and the subsequent variation to fees and charges.

Background

Last week the Chief Executive Officer received a request from Elders seeking the construction of a fenced compound at factor Unit 1, Lot 427 Johnson St, Bruce Rock which they currently lease from Council.

They are seeking a fenced area on the southern end of the factory unit which will be a 1.8 meter high chain mesh fence with 2 sets of 4 meter gates. The fenced compound will be an open plan and used as a storage area as part of their expansion plans. The area will contain products such as empty chemical containers, pallets and gas bottles on a raised ramp.

In addition they are seeking an extension to the current lease for a 3 year period with option for additional 3 years. They are seeking the upgrade and new lease to commence on the 1st February 2019.

Comment

The CEO and Manager of Works met with Elders staff onsite to assess the works and size of area required. The south end of the facility is a suitable location as it doesn't encroach near the railway line and meets the requirements under the current lease arrangements through Public Transport Authority.

I have sought approval from Burgess Rawson who manage Public Transport Authority & ARC Infrastructure leases of the railway reserve. Following discussion approval has been granted due to it not being classed as a permanent fixed structure and could be removed if the lease with PTA was ever handed back. This variation will also be captured in the future lease negotiations that I am currently undertaking (new lease commences 2020).

I have spoken with Council's EHO and he has confirmed that no permit or building requirements are needed for the compound fence.

The Manager of Works has assessed the site and estimated the works to level the area and construct the fence to be approximately \$17,000 inc gst.

It is recommended that Council seek to recoup the costs of these improvement works through its lease payments by increasing the current lease to meet the expenditure occurred over the 6 years of the lease.

Consultation

Shane Paskins, Elders

Glenn Casley, Manager of Works & Services

Julian Goldacre, Environmental Health Officer

Statutory Implications

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

Council will need to vary the 2018/19 budget to include \$17,000 additional expenditure for Factory Unit 1, Lot 427 Johnson St, Bruce Rock.

To assist in the recoup of costs associated with the upgrade works Council can increase the rental fee associated with this factory unit. Proposed rental is 3 years plus option for another 3 years. To recoup \$17,000 of works divided by 6 years equals an additional \$236 per month.

Current rental \$1,588 per calendar month *inc gst*
Proposed rental \$1,824 per calendar month *inc gst*

As per all Council rentals and tenancy agreement the fee and charge will be reviewed annually and further rental increases may occur.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Infrastructure

Goal 3: Assist the local economy to grow

- 3.7 – Leverage economic opportunities and development from successful local businesses

Goal 4: Workers and their families can work and reside in the Shire

- 4.3 – Promote existing residential land and plan for future commercial and residential land developments to meet current and future needs

Voting Requirements Absolute Majority

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 13.1

Moved: Cr Thornton

Seconded: Cr Crooks

That Council:

- 1. That Council approve the additional expenditure of \$17,000 in the 2018/19 budget to construct a mesh fence compound located adjoining Factory Unit 1, Lot 427 Johnson St, Bruce Rock.**
- 2. That Council adopt a new monthly rental fee (inclusive of recoup costs associated with construction of new compound) of \$1,824 (inc.GST) for the Factory Unit located at Unit 1, Lot 427 Johnson Street, Bruce Rock;**
- 3. The new monthly rental fee of \$1,824 (inc.GST) is to be charged from 1st February 2018;**
- 4. Give public notice of 7 days of the intent to vary the fee and charge.**

CARRIED BY ABSOLUTE MAJORITY 9/0

Agenda Reference and Subject:

13.2 Review of Rental Factory Unit 1, 9-11 Swan St, Bruce Rock

File Reference:

Reporting Officer: Darren Mollenoyux, Chief Executive Officer

Disclosure of Interest Nil

Summary

Due to correction of boundary fence alignment causing a reduction in yard storage space Council is to consider a review of the rental at its factory unit 1 located at 9-11 Swan Street, Bruce Rock.

Background

Whilst addressing agenda item 12.5.1.1 during this Ordinary Meeting of Council (December 2018) Council sought to address part 5 of the Officer's recommendation separately, as late business of an urgent nature.

5. *That a review of the three factory unit rentals located on 104 Butcher Street, Bruce Rock be undertaken, giving consideration of the reduction in yard storage at the rear of each of the properties.*

The current lease arrangements and rental fee and charge for Factory Unit 1, 9-11 Swan St, Bruce Rock is set at \$474 per calendar month (inc gst).

Comment

As there are no current permanent businesses based in Factory unit 2 and 3, rental values will be reviewed as part of the 2019/2020 review of fees and charges.

The CEO informed Council that these factory units are already generously subsidised and a rental reduction across all factory units was undertaken in 2016. These are commercial properties and the major component of the lease is the building structure with the value of the outdoor storage yard deemed as not significant to the rental value.

Taking the above comments into consideration the CEO recommended a 15% reduction in the rental value for the rental factory Unit 1, 9-11 Swan St, Bruce Rock.

Council will also need to undertake works to realign the fence to the correct boundary for the adjoining (Council owned) factory units.

Consultation

*Mr Russell Butterly
Glenn Casley, Manager of Works & Services*

Statutory Implications

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

There will be a reduction of income from the rental factory Unit 1, 9-11 Swan St, Bruce Rock for the period 1st February 2019 to 30th June 2019.

There will also be minor costs associated with the realignment and levelling of yard at this factory unit storage compound.

Strategic Implications

Shire of Bruce Rock – Strategic Community Plan 2017-2027

Infrastructure

Goal 3: Assist the local economy to grow

3.7 – Leverage economic opportunities and development from successful local businesses

Governance

Goal 12 – Council leads the organisation in a strategic and flexible manner

12.5 Lead the organisation in a financially responsible and viable manner

Voting Requirements Absolute Majority

COUNCIL DECISION

Resolution OCM Nov 18 – 12.5.1.2

Moved: Cr Rajagopalan

Seconded: Cr Waight

That Council:

- 1. That Council adopts a new rental of \$400 inc gst per month for Factory Unit 1 located at 9-11 Swan St Bruce Rock to commence on the 1st February 2019.**
- 2. That the new fee be advertised giving 7 days public notice of the intent to vary the new fee and charge.**

CARRIED BY ABSOLUTE MAJORITY 9/0

14. Confidential Items

15. Confirmation and receipt of Information Bulletins.

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 15.1

Moved: Cr Kilminster

Seconded: Cr Thornton

That Information Bulletin 1 be received.

Carried 9/0

OFFICER RECOMMENDATION AND COUNCIL DECISION

Resolution OCM Dec 18 – 15.2

Moved: Cr Rajagopalan

Seconded: Cr Waight

That Information Bulletin 2 be received.

Carried 9/0

16. Closure of Meeting.

The Shire President, Stephen Strange thanked everyone for their attendance and declared the meeting closed at 5.32pm.

These minutes were confirmed at a meeting on 21 February 2019.

Cr Stephen Strange
Shire President
21 February 2019