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MINUTES

For an Ordinary Meeting of Council to be held in Council Chambers on Thursday 25 January 2024, commencing at 5.30pm.

Opening of Meeting

Meeting to be opened by the Presiding Member.

Acknowledgment of Country

We acknowledge the cultural custodians of the land and support their continuing connection to the land, waterways and community. We pay our respects to members of the Aboriginal communities and their culture; and to Elders past and present, their descendants still with us today, and those who will follow in their footsteps.

Attendance, Apologies and Leave of Absence

President - Cr J Mountford
Councillors - J Boyle
- M Christensen
- M Fletcher
- T Lansdell
- L Pearce
- A Pratico
- R Redman

Officers - N Gibbs, Chief Executive Officer
- M Larkworthy, Director Corporate Services
- M Richards, Manager Community Services
- M Gillham – Principal Project Manager
- S Alexander – Manager Infrastructure and Works
- L Taramoeroa, Executive Assistant
- N Thompson, Infrastructure Services Administration Officer

Apologies S Mahoney (Deputy)

Attendance of Gallery

L Roberts, D Crozier, N Maxfield, T Dittrich, P Beach, P Mills, J Linto.

Responses to Previous Questions Taken on Notice

Responses are found in the December Ordinary Council Meeting Minutes found on our website.

Public Question Time

T Dittrich

- I'm the president of the Bridgetown Greenbushes Tourism Association. (BGTA). We were the BGBTA, but it is the same association.
 - Phil Beech – Vice President
 - Michelle Larkworthy – Treasurer
 - Pip Mills – Committee member
 - Mike Christensen – Shire Council representative

- Julie Boyle – Puzzletown, Jigsaw Puzzle, Subcommittee
- Our history is well documented in our proposal after looking after the Jigsaw Gallery for over 40 years.
- We sent two proposals earlier this week to Councillors.
- The first proposal was Puzzletown 6255 to expand along with Blues and Landcare into the soon to be vacated visitor centre area at 154 Hampton Street.
- The expansion includes blues history, display access and promotion to land care resources along with the spectator accessible puzzle manufacturing, interactive puzzling, and retail sales, making the centre a vibrant hub for tourists and locals.
- We have a sponsor who is willing to give us \$100,000 a year, for the next four years. – That is in writing in the proposal.
- BGTA also has an inheritance due in the next few months of \$20,000 from one of the descendants.
- The other proposal sent, which goes with it as well, is a long-term source of income - by establishing an electric vehicle charging station at 154 Hampton Street.
- There are current WA government grants available encouraging this, and Talison is very close to funding, so as in next month, Talison could fund us a \$40,000 grant for the discovery phase of this project, which just looks at the feasibility of the project.
- We are asking Council for a four-year lease on the visitor centre building and a letter of support to explore the charge up concept.
- Blues, Landcare and BGTA are asking the Shire for a four-year lease with a mutually agreed upon annual plan to work through the building's main fault with the potential to end up with an iconic attraction for the area and a source of ongoing income.
- The visitor centre is due to be vacated in April.

Cr Redman - *For someone who doesn't really get into jigsaws, why is it so important to Bridgetown and the heritage? And why is it so significant?*

- The history, the people, that are involved, the aspects of puzzling, the capturing of history. We have a puzzle in there that's over 80 years old that is an absolute snapshot of the world as of 1937.
- The family behind it, the families that have supported this town for over 60, 70 years.
- The gallery also embodies interactive puzzling, we have e-puzzling, and we hope to expand on that.

P Mills

- Mrs Briley gave the first tourism attraction to the town.
- The benefactor has vision for the gallery that has lasted 25 years.

N Maxfield

Question

Where are we at with the tree planting for Derek Duffet in Pioneer Park? Would there be any chance of accommodating notion of park bench near tree?

Presiding member – Question taken on notice.

P Mills

Question

The issue of street trees outside our heritage building that are egressing into the courtyard and into our old building. One of them has actually split the retaining wall that drops from the footpath down to our courtyard and is raising the paving in the courtyard. I'm going to put on notice that council need this to be looked at.

Morgan Gillham (Principal Project Manager) – This issue is already being addressed. The trees adjacent to your property do not allow for an accessible pathway. There is damage to the pavers and it's likely that we'll make a recommendation for removal.

P Beach

Question

There is access off Maranup Ford Rd at the bridge that goes down to the canoe launching point. The reserve and the picnic table were established by Councillors or the Shire some time ago.

The gravel road that comes off the bitumen and goes down to the Ford, which is about 50 metres long, is bad. The Shire previously said that when the grader goes around, to do Gates Road, they were going to just put the grater down that little 50 meters and add it to the job. This hasn't happened and it's continued to get worse. I'm just reminding Council that they need to add that to the job when they go around and do 5 Gates Road and make it so that drainage doesn't go right down the middle of the road.

CEO response – Question taken on notice.

Manager Infrastructure and Works Response – committed to actioning the request.

Petitions/Deputations/Presentations

Nil

Comments on Agenda Items by Parties with an Interest

Nil

Applications for Leave of Absence

Nil

Confirmation of Minutes

C.01/0124 Ordinary Council Meeting held 14 December 2023

That the Minutes of the Ordinary Meeting of Council held 14 December 2023 be confirmed as a true and correct record.

Council Decision *Moved Cr Lansdell, Seconded Cr Mahoney*
C.01/0124 *That in accordance with clause 11.1(b) of the Standing Orders Local Law, debate on item C.01/0124 be adjourned to a future ordinary meeting of Council to allow for corrections to be made.*

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Announcements by the Presiding Member Without Discussion

The CEO advised that this item has been deferred until for further Officer research.

Item C.04/0124 **Proposed New Local Law Relating to Fencing**

The CEO advised that this item has been deferred until the February 2024 Ordinary Council Meeting

Item C.14/0124 **Adopt amended PR 1 – Functions in Shire Reserves or Parks Policy**

Notification of Disclosure of Interest

Part 5, Division 6 of the *Local Government Act 1995* requires a member who has an interest in any matter to be discussed at the meeting to disclose the interest and the nature of the interest in writing before the meeting, or immediately before the matter is discussed.

Questions on Agenda Items by Elected Members

Nil

Consideration of Motions of which Previous Notice has been Given

Nil

Reports of Officers

Reports of Officers have been divided into Departments as follows:

- CEO's Office
- Corporate Services
- Development, Community and Infrastructure

CEO's Office

ITEM NO.	C.02/0124	FILE REF.	071.1
SUBJECT	Talison Partnering for the Future Update		
OFFICER	Principal Project Manager		
DATE OF REPORT	11 January 2024		

Attachments 2 Dec 2023 Partnering for the Future 2023 Report

OFFICER RECOMMENDATION

That Council acknowledge receipt of information contained in the 'Dec 2023 Partnering for the Future 2023 Report'.

Summary/Purpose

For Council awareness to the status of the Partnering for the Future Project between Talison Mining Company (Talison) and the Shire of Bridgetown – Greenbushes (The Shire).

Background

In August 2023, a 'Partnering for the Future 2023' agreement was reached between the Shire and Talison, whereby Talison would fund several Community infrastructure improvement projects in Greenbushes and Bridgetown to the value of \$1,804,504.90 which were to be delivered within the 2023 calendar year period.

In addition, in November 2023, the Shire put forward a series of projects to Talison for the Partnering for the Future 2024 period to the value of \$6,152,500.00,000 to be delivered within the 2024 calendar year period. Officers are still awaiting the outcome from Talison, at which point, the Shire will be advised.

Officer Comment

Commentary of the status of all 2023 projects is included in the attachment.

Statutory Environment

All new facilities will need to be compliant with the Work Health and Safety Act 2020, the Building Code of Australia 2012, the Disability Services Act 1993, Health (Miscellaneous) Act 1911, Public Health Act 2016, Food Act 2008 and all other relevant Standards and Codes that apply.

Integrated Planning

- Strategic Community Plan
Item 2 - Good health and community wellbeing.
- Corporate Business Plan
Item 2.2 Provide quality sport, leisure and recreation services.
- Long Term Financial Plan
Other than the budgets already allocated in the Shire's 2023-24 Budget, there are no other additional funds required or allocated to these projects.
- Asset Management Plans
All new assets will be included in the Shire's Asset Management Plans with provision for annual and long-term maintenance.
- Workforce Plan
Project Management costs to deliver the 2023 Partnering of the Future Project Plan are covered within the Grant request.
- Other Integrated Planning - NA

Policy/Strategic Implications - NA

Budget Implications - No Impact

Whole of Life Accounting - No impact

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Council Decision Moved Cr Pratico, Seconded Cr Christensen C.02/0124 That Council acknowledges receipt of the information contained in the 'Dec 2023 Partnering for the Future 2023 Report'.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Cr Pearce declared a financial interest as he is an employee of Talison.

Cr Pearce left the meeting at 5.46pm

ITEM NO.	03/0124	FILE REF.	071.1
SUBJECT	Talison Partnering for the Future – Budget Amendment		
OFFICER	Principal Project Manager		
DATE OF REPORT	11 January 2024		

OFFICER RECOMMENDATION

That Council endorse a Budget Amendment to allow for the transfer of funds between Talison funded projects.

Summary/Purpose

To request a budget amendment to the Talison Partnering for the Future 2023 Grant Moneys.

Background

In 2023, the Shire was granted \$1,804,504.90 from Talison to deliver a series of projects under the Partnering for the Future 2023 program.

Each of these projects was allocated a budget amount based on assumed costs, however, during the procurement and delivery phase, the true costs of these works have now been realised.

In late 2023, Talison provided written approval for the Shire's Project Management Team to 'pool' these moneys and reallocate any project surplus to projects with a deficit.

As these budgets were formalised and set within Shire budget papers, Officers now require a Budget Amendment to allow for the transfer of funds between these Talison funded projects.

Officer Comment

Officers seek a Council budget amendment to transfer Talison Projects funds as below:

AMOUNT (incl GST)	TRANSFER FROM	TRANSFER TO
\$14,300.00	25IN Bridgetown Sports Ground	23IN Sports Ground Water Supply Dam Construction
\$57,750.00	23IN Bridgetown Sportsground Carpark	23IN Sports Ground Water Supply Dam Construction
\$3,484.80	TF07 Leisure Centre Fans	23IN Sports Ground Water Supply Dam Construction
\$1,140.70	TF05 Aquatic Blanket	23IN Sports Ground Water Supply Dam Construction
\$38,500.00	TF03 Energy Efficiency Project	23IN Sports Ground Water Supply Dam Construction
\$48630.86	TF08 Greenbushes Court Lighting	23IN Sports Ground Water Supply Dam Construction
\$3,484.80	TF07 Leisure Centre Fans	TF22 Greenbushes Footpath Masterplan
\$546.70	TF05 Aquatic Blanket	TF04 Aquatic Inflatable

This budget amendment will allow for the full construction, HDPE lining and hydraulic works to the new Bridgetown Sports Ground dam, providing irrigation water security to this facility.

Statutory Environment

All new facilities will need to be compliant with the Work Health and Safety Act 2020, the Building Code of Australia 2012, the Disability Services Act 1993, Health (Miscellaneous) Act 1911, Public Health Act 2016, Food Act 2008 and all other relevant Standards and Codes that apply.

Integrated Planning

- Strategic Community Plan
Outcome 2 - Good health and community wellbeing
- Corporate Business Plan
Outcome 2.2 Provide quality sport, leisure and recreation services
- Long Term Financial Plan
The budgets already allocated in the Shire's 2023-24 Budget, there are no other additional funds required or allocated to these projects.
- Asset Management Plans

All new assets will be included in the Shire’s Asset Management Plans with provision for annual and long-term maintenance.

- Workforce Plan
Project Management costs to deliver the 2023 Partnering of the Future Project Plan are covered within the Grant request.
- Other Integrated Planning - NA

Policy/Strategic Implications - NA

Budget Implications

Transfer of funds between Talison funded projects will have no negative impact on the 2023/24 budget.

Whole of Life Accounting - No impact

Risk Management – No identifiable risks

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
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Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Absolute Majority

**Council Decision Moved Cr Christensen, Seconded Cr Pratico
C.03/0124 That Council endorse a Budget Amendment to allow for the transfer of funds between Talison funded projects.**

Absolute Majority 7/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pratico and Redman.
Against: Nil

Cr Lansdell

Questioned whether this would reduce the scope of existing Greenbushes projects, particularly the sports oval.

Principal Project Manager Response – Responded in the negative. The Greenbushes sports ground project had not been reduced in scope.

CEO Response – The Shire has been given permission to move genuine underspend, in a part or wholly funded Talison project, to supplement another Talison approved projects.

Cr Pearce entered the room at 5.49pm

The CEO advised that this item has been deferred for further Officer research.

ITEM NO.	C.04/0124	FILE REF.	LOCAL LAW 11
SUBJECT	Proposed New Local Law Relating to Fencing		
OFFICER	Chief Executive Officer		
DATE OF REPORT	15 January 2024		

Attachment 3 Draft Fencing Local Law 2024

Attachment 4 Current Shire of Bridgetown-Greenbushes Local Laws Relating to Fencing

OFFICER RECOMMENDATION

That Council:

1. Pursuant to Section 3.12(3)(a) of the Local Government Act 1995, give local public notice of its intent to:
 - (a) *repeal the existing Shire of Bridgetown-Greenbushes Fencing Local Laws Relating to Fencing; and*
 - (b) *adopt the Shire of Bridgetown-Greenbushes Fencing Local Law 2023 as presented in Attachment 3.*
2. *The purpose of the Shire of Bridgetown-Greenbushes Fencing Local Law 2023 is to prescribe a sufficient fence and the standard for the construction of fences throughout the district and the effect is to establish the minimum requirements for fencing within the district.*
3. Pursuant to Section 3.12(3)(b) of the Local Government Act 1995, give a copy of the proposed new local law and a copy of the notice to the Minister.

Summary/Purpose

At its meeting on 29 June 2023 Council supported in principle the repeal of the existing Shire of Bridgetown-Greenbushes Local Law Relating to Fencing and the introduction of a new Fencing Local Law based on WALGA's model.

This report presents a draft Fencing Local Law for Council's consideration.

Background

Council, at its meeting on 29 July 2021 meeting resolved in part (C.02/0721):

“That in accordance with section 3.16(4) of the Local Government Act 1995 Council resolves to amend the following Local Laws with reports to be presented to future Council meetings presenting details of the proposed amendments for consideration:

- (i) Activities on Thoroughfares and Trading in Thoroughfares & Public Places Local Law*
- (ii) Cats Local Law*
- (iii) Fencing Local Law*
- (iv) Health Local Law*
- (iv) Standing Orders Local Law”*

Council, at its meeting on 31 March 2022 meeting resolved (C.10/0322a):

“That Council amends its Fencing Local Law to introduce a requirement for electrification of fencing along road reserves being inside of the fence line.”

Council, at its meeting on 27 October 2022 meeting resolved (C.02/1022):

“That Council give local public notice of its intention to make a Shire of Bridgetown-Greenbushes Amendment Local Law Relating to Fencing 2022 as contained in Attachment 1 and also give notice of this intention to the Minister responsible for Local Government. The purpose of the Shire of Bridgetown-Greenbushes Amendment Local Law Relating to Fencing 2022 is to introduce new requirements for licensing of an electrified fence on a commercial or industrial lot and the effect is that any electrified fence on a commercial or industrial lot is to be located on the property side of the fence, and behind a sufficient fence.”

Council, at its meeting on 25 January 2023 resolved (C.06/0123):

“That Council approve the replacement of the previously endorsed Draft Amendment Local Law Relating to Fencing with the new Draft Amendment Local Law Relating to Fencing as per Attachment 4.”

Council, at its meeting on 25 May 2023 resolved (C.07/0523a):

“A report be presented to the June ordinary meeting proposing the repeal of the existing Shire of Bridgetown-Greenbushes Local Law Relating to Fencing and consideration of a new local law relating to fencing based on the current WALGA model.”

Council, at its meeting on 29 June 2023 resolved (C.11/0623):

“That Council:

- 1. Support in principle the repeal of the existing Shire of Bridgetown-Greenbushes Local Law Relating to Fencing and the introduction of a new Fencing local Law based on the WALGA model.*
- 2. Note a further report be presented to Council providing a new draft Fencing Local Law for consideration.”*

Officer Comment

Resulting from Council's previous resolution to provide a new draft Fencing Local Law for consideration, a draft has been developed and is attached to this report.

The proposed new local law is considerably different to the existing local law due to its contemporary nature and as such a tracked changed version has not been prepared. However, both versions have been provided for comparative purposes.

The major differences between the existing and the proposed local law (not including terminology and grammar) are detailed as follows with the clause references referring to the proposed local law:

Clause 1.2 - Commencement

Existing - No such provisions exist.

Proposed - The local law stipulates that it comes into operation 14 days after the date of its publication in the Government Gazette.

Clause 1.3 – Purpose and Effect

Existing - No such provisions exist.

Proposed – The purpose and effect are required to be included in the minutes of the meeting at which the local law is proposed. Contemporary practice now includes this in the local law itself as well as in the minutes of the meeting at which it is proposed.

Clause 1.6 - Definitions

This has been revised to reflect new terminology and requirements.

Clause 2.1(1) – Sufficient fences

Existing – The clause states - “A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence unless all owners of land which adjoins the relevant boundary agree to erect a fence which though different does not fail to comply with the requirements of a sufficient fence.”

Proposed – The clause states – “A person shall not erect a dividing fence or a boundary fence that is not a sufficient fence.”

Clauses 2.3 – Gates in fences, 2.4 – Depositing fencing material on public place, 2.5 – Fences on a rural lot, 2.7 – Fences across rights-of-way, public access ways or thoroughfares and 2.8 – General discretion of the local government

Existing – No such provisions exist.

Proposed – These clauses impose greater controls and enforcement provisions for the erection and maintenance of gates and fences.

Clause 2.11 – Electrified and razor wire fences

Proposed - Includes the amendment requested by Council in October 2022 to ensure that any electrified fence on a commercial or industrial lot is to be located on the property side of the fence, and behind a sufficient fence.

Clauses 3.1 – Application for approval, 3.2 – Decision on application for approval, 3.3 – Compliance with approval, and 3.4 – Duration of approval

Existing – Various clauses within the local law refer to seeking approval.

Proposed – Approval clauses in the existing local law have been consolidated into this clause and strengthened to provide greater requirements when seeking approval.

Clause 4.1 – False or misleading statement

Existing – No such provisions exist.

Proposed - New clause that places the onus on a person not to make a false or misleading statement.

Clause 5.1(4) – Notice of breach

Existing – Requires any breaches to be remedied within 28 days of the giving of a notice.

Proposed – Deleted the 28-day time frame and included a requirement that it be remedied within the time given in the notice.

Clause 6.2 (2)(3) – Modified penalties

Existing – The current local law provides that all breaches incur a penalty of \$125.

Proposed – Rather than a single penalty rate for all breaches, a schedule of fines is proposed, which introduces higher penalties of between \$200 and \$250.

Clause 6.3(b) – Form of notices

Existing – Only stipulates the form of an infringement notice.

Proposed –The clause also stipulates the form for withdrawing and infringement notice.

Clause 7.1 – Objections and review

Existing - No such provisions exist.

Proposed – Part 9, Division 1 of the Local Government Act provides that whenever a local government makes a decision under a local law made under the Act, a person has a right of objection or review if they consider the decision to be unfavourable. This clause states that requirement.

Schedule 1 – Offences and modified penalties

Existing – No schedule of penalties applies as all breaches have been set at \$125.

Proposed – Includes a table that specifies each breach of the local law with a corresponding penalty. The penalties have increased from \$125 to a range of between \$200 and \$250.

Schedule 2 – Specifications for a sufficient fence on a residential lot

Proposed - Most of the dimensions are different. All categories of fence are the same except that the section on colour bond or zincalume sheeting has been deleted and incorporated in the corrugated fence section.

Schedule 3 – Specifications for a sufficient fence on a commercial lot or an industrial lot

Proposed – Includes a requirement that the fence design must be certified by a practicing structural engineer for wind loadings in accordance with Australian Standards.

Schedule 4 – Specifications for a sufficient fence on a rural lot or special rural lot

Proposed – There are some variations in dimensions. This also includes a requirement that the fence design must be certified by a practicing structural engineer for wind loadings in accordance with Australian Standards.

Making the local law

The Shire must carefully comply with s3.12 of the *Local Government Act 1995* (Act) in order to repeal the existing local law and adopt a new local law. Whilst the Act provides that a failure to follow the procedure does not immediately invalidate a local law, there must be substantial compliance.

Once the Shire has resolved to give local public notice (not less than six (6) weeks for submissions), it must also provide a copy of the proposed local law to the Minister, as well as to any person requesting it. This process allows the Department to provide feedback to the Shire, and any requested amendments can be incorporated into the new Local Law.

Following the last day for submissions, the Shire is to consider any submissions, and may make the local law as proposed, provided it is not significantly different from what was proposed. This means if the Department has requested any simple grammatical amendments or the like, this would not be substantially different.

The Shire could also make substantial amendments following consideration of any submissions however in the event there are any substantial amendments, the process must be commenced again.

After making the local law, the Shire is required to publish the new Local Law in the Government Gazette and give a copy of it to the Minister. Local public notice is again required.

The Shire is to provide the new Local Law and relevant explanatory memorandum, with supporting documents to the Joint Standing Committee on Delegated Legislation (JSCDL). At this stage the JSCDL could:

- request amendments, requiring the Shire to make an undertaking; or
- disallow the local law should it not be supported, or the Shire has not substantially followed the prescribed process for making a local law under s.3.12 of the Act.

The process for making/amending a local law is a lengthy process and should everything progress smoothly will take approximately six (6) months, so if council were to endorse the attached draft local law now then it would be approximately mid 2024 before it would become operational.

Statutory Environment

3.12. Procedure for making local laws

- (1) In making a local law a local government is to follow the procedure described in this section, in the sequence in which it is described.

- (2A) Despite subsection (1), a failure to follow the procedure described in this section does not invalidate a local law if there has been substantial compliance with the procedure.
- (2) At a council meeting the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner.
- (3) The local government is to —
- (a) give local public notice stating that —
 - (i) the local government proposes to make a local law the purpose and effect of which is summarized in the notice; and
 - (ii) a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and
 - (iii) submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given; and
 - (b) as soon as the notice is given, give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister; and
 - (c) provide a copy of the proposed local law, in accordance with the notice, to any person requesting it.
- (4) After the last day for submissions, the local government is to consider any submissions made and may make the local law* as proposed or make a local law* that is not significantly different from what was proposed.
- * Absolute majority required.*
- (5) After making the local law, the local government is to publish it in the Gazette and give a copy of it to the Minister and, if another Minister administers the Act under which the local law is proposed to be made, to that other Minister.
- (6) After the local law has been published in the Gazette the local government is to give local public notice —
- (a) stating the title of the local law; and
 - (b) summarizing the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - (c) advising that the local law is published on the local government's official website and that copies of the local law may be inspected at or obtained from the local government's office.
- (7) The Minister may give directions to local governments requiring them to provide to the Parliament copies of local laws they have made and any explanatory or other material relating to them.
- (8) In this section —
making in relation to a local law, includes making a local law to amend the text of, or repeal, a local law.

3.13. Procedure where significant change in proposal

If during the procedure for making a proposed local law the local government decides to make a local law that would be significantly different from what it first proposed, the local government is to recommence the procedure.

Integrated Planning

- Strategic Community Plan
 - Outcome 14 - Effective governance and financial management
 - Objective 14.1 - Achieve excellence in organisational performance and service delivery

- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy Implications – Nil

Budget Implications

Council's 2023/24 budget contains an allocation for local law review advertising.

Whole of Life Accounting - Nil

Risk Management

The risk area identified according to Policy RM 1 – Risk Management is Compliance.

If council did not adopt the draft local law it runs the risk of having legislation that is outdated and doesn't reflect contemporary practices, given that the existing local law has been in operation since 2004 and has had very little changed to it in that time.

The overall risk has been assessed as LOW (Minor/Unlikely).

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

ITEM NO.	C.05/0124	FILE REF.	LEGALD136
SUBJECT	Assignment of Lease – P Holroyd (Bridgetown Timber Sales)		
PROPONENT	Mr Phillip Holroyd		
OFFICER	Manager Governance & Risk		
DATE OF REPORT	30 November 2023		

Attachment 5 Existing Lease – Lot 55 Rose Street, Bridgetown

Attachment 6 Location plan of leased area.

OFFICER RECOMMENDATION

That Council:

- 1. Approve the assignment of the lease for Lot 55 Rose Street, Bridgetown from Phillip John Holroyd to Arteulius Enterprises Pty Ltd trading as Bridgetown Timber & Hardware under the same terms and conditions of the original lease.*
- 2. Agree that should there be any costs associated with the assignment of the lease they are to be the responsibility of the Lessee.*
- 3. Authorise the CEO to exercise any rights and fulfill any obligations of the Shire of Bridgetown-Greenbushes under the lease for Lot 55 Rose Street, Bridgetown.*

Summary/Purpose

The Shire currently leases Lot 55 Rose St, Bridgetown to Mr Phillip Holroyd for the purpose of storage for his business Bridgetown Timber Sales which is located on the adjacent land.

Mr Holroyd as owner of the business has advised of a new ownership structure to take effect from 1 December 2023. As a result of this restructure Mr Holroyd has requested that the lease be assigned to reflect this new arrangement.

Background

Council at its meeting on 25 February 2021 resolved (C.04/0221):

- 1. Note there were no submissions received on the proposed disposition (lease) of Lot 55 Rose Street, Bridgetown to Mr Phillip John Holroyd.*
- 2. Determine that the use of Lot 55 Rose Street, Bridgetown as a storage yard for the adjacent business of 'Bridgetown Timber Sales' is appropriate for the land and therefore supports the leasing of the land for that purpose.*
- 3. Enter into a lease of Lot 55 Rose Street, Bridgetown to Mr Phillip John Holroyd in accordance with the terms of the draft lease (Attachment 3) with the new lease to commence on 1 April 2021 and run to 30 June 2026.*

4. *Authorise the CEO to endorse the draft lease upon its endorsement by Mr Phillip John Holroyd.*

Officer Comment

The Lessee has advised that he is transferring the ownership of Bridgetown Timber Sales over to his son to take effect from 1 December 2023, however he will remain as one of the Directors of the business.

In so doing the Lessee has requested that the lease be transferred to the new business entity Arteulius Enterprises Pty Ltd, trading as Bridgetown Timber & Hardware.

The lease commenced 1 March 2021 and is due to expire 30 June 2026.

The current lease allows for several options to address this scenario, and these are now presented below.

Option 1 – Leave the lease in Mr Holroyd's name.

The current Lessee has been the sole owner of the business and responsibilities of the lease fell directly on him, which presented no issues. However, under the new structure he will not be the sole owner and as such he wishes that the responsibilities contained within the lease be placed in the business name.

The land is being utilised strictly for storage purposes only in association with the carrying out of the business on the adjacent land known as Bridgetown Timber Sales. Given that the business name has technically changed, and other legal documentation has been completed, there are some technical legal implications that may impact on the business should the lease remain in Mr Holroyd's name.

This option is not preferred.

Option 2 – Terminate the lease altogether.

Clause 3 of the lease states:

“This lease can be extinguished prior to its expiry date by either party subject to a minimum three months written notice being provided to the other party.”

At this point in time the Shire has no use for the land for the remaining two years of the lease and given the initial intent of Council was to support a 5-year lease it does not seem appropriate to terminate the lease. In addition, the Shire would forego the rental income of approx. \$3,500 per annum.

This is not preferred.

Option 3 – Terminate the lease and enter into a new lease.

As in option 2 there is the ability to terminate the lease prior to expiry which could be applied with the intent to enter into a new lease. Consultation would need to occur between relevant stakeholders to determine if the Shire had any use of the land prior to any new expiry date set. Should this be acceptable then section 3.58 of the *Local Government Act 1995* will need to be applied.

Section 3.58 states in part:

“(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.”*

Section 3.58(3) also states:

“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.:*

This option will involve costs for advertising and obtaining a valuation, although these would be passed onto the Lessee. To ensure everything is done correctly proper legal documents would need to be prepared. This will prolong the process and would take approximately 3 - 4 months.

The Lessee has expressed his opinion that he did not wish to take up this option.

This is not preferred.

Option 4 – Assign the lease.

Clause 14 of the lease allows an assignment with the prior written consent of the Lessor which consent shall not be unreasonably or capriciously withheld.

This is by far the simplest resolution as it does not involve any cost other than employee time, and the documentation can be completed in house and is by far the most expeditious method.

Other advantages are that the shire does not have to undertake the processes as outlined under s.3.58 of the Local Government Act due to the fact that these were carried out as part of the decision-making process when the lease was first approved.

Given that there have been no complaints regarding this lease and the Lessee has complied with all requirements of the lease, it is considered appropriate that approval be given to assign the lease.

This is the preferred option and one which the Lessee has requested.

Statutory Environment

Local Government Act 1995

s.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
 - (ii) as declared by a resolution of the local government on the basis of a valuation carried out more than 6 months before the proposed disposition that the local government believes to be a true indication of the value at the time of the proposed disposition.
- (5) This section does not apply to -
 - (a) a disposition of an interest in land under the *Land Administration Act 1997* section 189 or 190; or
 - (b) a disposition of property in the course of carrying on a trading undertaking as defined in section 3.59; or
 - (c) anything that the local government provides to a particular person, for a fee or otherwise, in the performance of a function that it has under any written law; or
 - (d) any other disposition that is excluded by regulations from the application of this section.

Local Government (Functions and General) Regulations 1996

r.30 – Dispositions of property excluded from Act

r.31 – Anti-avoidance provision for Act

Integrated Planning

- Strategic Community Plan
- Outcome 10 - A strong diverse and resilient economy

Objective 10.3 -Support local business to thrive

- Corporate Business Plan – Nil
- Long Term Financial Plan - Lease income is reflected in the LTFP
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications - Nil

Whole of Life Accounting – N/A

Risk Management

The risk areas identified according to Policy RM 1 – Risk Management are Compliance, Reputational (External) and Environment.

The Shire will retain access to the site for any maintenance or management of the adjoining creek or the culvert that is situated within the confines of Lot 55 and therefore retains oversight of this land.

The overall risk has been measured as Low.

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Lansdell , Seconded Cr Pratico
C.05/0124 That Council:**

- 1. Approve the assignment of the lease for Lot 55 Rose Street, Bridgetown from Phillip John Holroyd to Arteulius Enterprises Pty Ltd trading as Bridgetown Timber & Hardware under the same terms and conditions of the original lease.**
- 2. Agree that should there be any costs associated with the assignment of the lease they are to be the responsibility of the Lessee.**
- 3. Authorise the CEO to exercise any rights and fulfill any obligations of the Shire of Bridgetown-Greenbushes under the lease for Lot 55 Rose Street, Bridgetown.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

ITEM NO.	C.06/0124	FILE REF.	197.1
SUBJECT	Review of the <i>Cemeteries Act 1986</i> and <i>Cremation Act 1929</i> – Council Submission		
PROPONENT	Department of Local Government, Sport and Cultural Industries		
OFFICER	Manager Governance and Risk		
DATE OF REPORT	29 November 2023		

Attachment 7 Response to Discussion Paper on the Review of the Cemeteries Act 1986 and the Cremation Act 1929

Attachment 8 Department of Local Government, Sport and Cultural Industries Discussion Paper – Review of the Cemeteries Act 1986 and the Cremations Act 1929

OFFICER RECOMMENDATION

That Council adopt Attachment 7 as its submission to the Discussion Paper prepared by the Department of Local Government Sport and Cultural Industries into the review of the Cemeteries Act 1986 and the Cremations Act 1929.

Summary/Purpose

The Department of Local Government, Sport and Cultural Industries (DLGSC) is undertaking public consultation as part of a review of the *Cremation Act 1929* and the *Cemeteries Act 1986*.

The aim of the review is to consider the adequacy and effectiveness of both Acts and relevant subsidiary legislation, and obtain feedback from the public, community groups, local government and stakeholders to inform potential legislative reforms that aim to strengthen regulatory oversight of the funeral industry and reflect contemporary needs and expectations of both the community and industry.

The discussion paper identifies topics regarding the effectiveness of the current legislation and seeks responses to a number of questions.

This report presents responses to the Discussion Paper for Council's consideration.

Background

The then Minister for Health and the then Minister for Local Government announced the review of the two Acts in Parliament on 10 September 2020. The review is being undertaken by the DLGSC on behalf of the Minister for Local Government, in consultation with the community, the Department of Health, the MCB, regional cemetery Boards, local government and industry stakeholders.

Given the substantially unchanged legislation governing cemeteries and crematoria in Western Australia, it was identified by the then Minister for Local Government that the following topics should be addressed through the review process:

- adequacy and effectiveness of both Acts;
- relationship between crematoria and cemeteries in WA;
- powers of the Chief Health Officer, the Minister for Health and the Minister for Local Government in administering both Acts;
- current regulatory and occupational licensing regime of the broader cemetery, crematoria and funeral industry;
- governance structure of the industry including the effectiveness of Boards;
- management of burial grounds in Aboriginal communities;
- approach to the renewal of cemeteries; and
- relevant industry models in other jurisdictions.

To adequately address the breadth and complexity of these key issues, the DLGSC was informed by consultation with industry focus groups, relevant sector stakeholders, and the interagency Cemeteries and Cremation Act Review Working Group in the production of the Discussion Paper.

Extensive targeted stakeholder consultation was undertaken by the DLGSC to refine and guide the issues now presented for broader public consultation.

Stakeholders engaged with included members of the Western Australian funeral and monumental mason industries; medical referees; regional and metropolitan cemetery Boards; Aboriginal Community Controlled Organisations; Native Title Prescribed Body Corporates; the Western Australian Local Government Association; Local Government Professionals WA; and the AFDA.

This public consultation is being undertaken with the aim of obtaining feedback from the public and stakeholders to inform potential legislative reforms.

Officer Comment

The Shire currently operates two cemeteries (Bridgetown and Greenbushes), the operations of which are governed by the Cemeteries Act. Therefore, any changes to this legislation will impact on the Shire (to what extent is unknown at this stage).

The Cremations Act has little impact on the Shire as this relates to those authorities that operate crematoriums.

It is important that Council provide a submission in response to the Discussion Paper given that questions raised have a direct impact on the Shire and as such the attached is provided for Council's consideration.

Submissions close 5pm on Friday 16 February 2024.

Statutory Environment

Cemeteries Act 1986

Cremations Act 1929

Integrated Planning

- Strategic Community Plan - Nil
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications - Nil

Budget Implications

Depending on the outcomes of any changes to the legislation there may be a minor implication to the budget as income from licences may be reduced.

Whole of Life Accounting - Nil

Risk Management

The risk area identified according to Policy RM 1 – Risk Management is Financial, Compliance and Reputational (external).

With this being a submission in response to a discussion paper that does not contain any specific detail it is difficult to make an assessment.

However, on the basis that the legislation will be amended at the end of the process the overall risk has been measured as Moderate (Minor/Possible).

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Council Decision Moved Cr Pratico, Seconded Cr Boyle
C.06/0124 That Council adopt Attachment 7 as its submission to the Discussion Paper prepared by the Department of Local Government Sport and Cultural Industries into the review of the Cemeteries Act 1986 and the Cremations Act 1929.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

ITEM NO.	C.07/0124	FILE REF.	
SUBJECT	Repeal G13 - Meetings of Council – Guest Speakers Policy		
OFFICER	Chief Executive Officer		
DATE OF REPORT	3 January 2024		

Attachment 9 G13 – Meetings of Council – Guest Speakers

OFFICER RECOMMENDATION

That Council repeal the G13 – Meetings of Council – Guest Speakers Policy.

Summary/Purpose

Council currently has a policy entitled G13 - Meetings of Council - Guest Speakers, which directs the scheduling of guest speakers at Council Meetings. This paper proposes that Council repeal the policy on the basis that the content is not a policy document, the policy position is not necessary and Elected Members are capable of scheduling in the timing of a guest speaker according to local government regulations, meeting procedures, priority, purpose, importance, and availability.

Background

The G13 - Meetings of Council - Guest Speakers policy, is not a policy document as such. It is simply a few sentences directing the scheduling of guests at Council meetings. Elected Members can determine when it is appropriate to include guest speakers in meetings. Their expertise and understanding of the agenda items allow for a more responsive approach to scheduling guest speakers, based on established meeting procedures, content, priority, and availability.

The preferences for having guest speakers may vary based on the nature of the agenda items, emerging priorities, or the availability of relevant speakers. Repealing

the policy would allow Elected Members the flexibility to adapt to changing circumstances without being bound by a rigid framework.

The current policy contributes to a cumbersome policy development, review, and amendment process. By repealing this specific policy, we can simplify the decision-making process, reduce administrative burden, and enable more agile responses to the evolving needs of the Council.

Officer Comment

Elected Members have been chosen by the community to represent their interests, and are well-equipped to make informed decisions regarding the inclusion of guest speakers in Council meetings.

Statutory Environment

s.2.7(2)(b) *Local Government Act 1995* – The council is to determine the local government's policies

Integrated Planning

- Strategic Community Plan
 - Outcome 1 - A growing community that is diverse, welcoming and inclusive.
 - Performance
 - Outcome 13 - Proactive, visionary leaders who respond to community needs.
 - Outcome 15 - A well informed and engaged community.
- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications Nil

Budget Implications Nil

Whole of Life Accounting Nil

Risk Management Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements Simple Majority

**Council Decision Moved Cr Christensen, Seconded Cr Redman
C.07/0124 That Council repeal the G13 – Meetings of Council – Guest Speakers Policy.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.

Against: Nil

ITEM NO.	C.08/0124	FILE REF.	
SUBJECT	Repeal G 18 – Taking of Photographs in the Council Chambers		
OFFICER	Chief Executive Officer		
DATE OF REPORT	15 January 2024		

Attachment 10 G 18 – Taking of Photographs in the Council Chambers

OFFICER RECOMMENDATION

That Council repeal the G 18 – Taking of Photographs in the Council Chambers Policy.

Summary/Purpose

The G 18 – Taking of Photographs in the Council Chambers Policy is unnecessary to prohibit people from taking photographs or filming in Council Chambers. Simple signage will suffice.

Background

The G 18 – Taking of Photographs in the Council Chambers Policy, as it currently stands, prohibits individuals from taking photographs or filming inside the Council Chambers without prior permission. While we understand the need for decorum and order during Council meetings, we believe that this policy is unnecessarily restrictive and outdated.

In place of this policy, we propose a more inclusive and visitor-friendly approach. We have already taken steps to address the concerns that led to the creation of this policy by purchasing appropriate signage to inform visitors of the regulations regarding photography and filming within the Council Chambers. These signs will clearly communicate the rules and regulations in a manner that is easily understandable to all visitors.

Our rationale for this proposal is based on several key considerations:

- There is no legal requirement for the policy.
- Photographs and filming can be prohibited without the need for a policy.
- In an era where transparency and public engagement are vital components of effective governance, it is important to encourage citizens to participate in the democratic process. Allowing photographs and filming in the Council Chambers can help to foster a sense of transparency and inclusivity, as it allows citizens to document and share their interactions with their elected representatives.
- The advent of smartphones and digital cameras has made it easier than ever for individuals to capture important moments and events. Restricting the use of these devices inside the Council Chambers may be seen as out of touch with current technological norms.
- By using signage to inform visitors about the existing rules and regulations regarding photography and filming, we can strike a balance between maintaining decorum during Council meetings and allowing citizens to exercise their rights to capture and share the proceedings.

Officer Comment

We understand the need to maintain order and respect for the proceedings in the Council Chambers. However, we believe that the proposed signage, coupled with the goodwill and understanding of the public, can effectively address these concerns without the need for a restrictive policy.

Statutory Environment

s.2.7(2)(b) *Local Government Act 1995* – The council is to determine the local government's policies

Integrated Planning

- Strategic Community Plan
 - Outcome 1 - A growing community that is diverse, welcoming and inclusive.
 - Outcome 13 - Proactive, visionary leaders who respond to community needs.
 - Outcome 15 - A well informed and engaged community.
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil

- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management - Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Council Decision Moved Cr Redman, Seconded Cr Boyle
C.08/0124 That Council repeal the G 18 – Taking of Photographs in the Council Chambers Policy.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

ITEM NO.	C.09/0124	FILE REF.	
SUBJECT	Repeal PES 2 – Private Works Plant and Equipment Accessed by Shire Staff Policy		
OFFICER	Executive Officer		
DATE OF REPORT	3 January 2024		

Attachment 11 PES 2 – Private Works Plant and Equipment Accessed by Shire Staff

OFFICER RECOMMENDATION

That Council repeal the PES 2 – Private Works Plant and Equipment Accessed by Shire Staff Policy.

Summary/Purpose

The Private Works and Equipment Accessed by Shire Staff Policy has been in place for over 20 years. This policy was initially created to address concerns related to the use of private works and equipment by our Shire staff. However, since its implementation, our organisation has made significant progress in enhancing our governance and policy framework.

Background

Officers consider the Private Works and Equipment Accessed by Shire Staff Policy is no longer necessary for the following reasons:

1. **Redundancy:** Council currently has several policies in place that govern employee conduct, including the Code of Conduct, Misconduct and Termination Policy, Grievance Resolution Policy, and Complaints Policy. These policies collectively address a wide range of employee behaviours, including issues related to the use of private works and equipment. Employees are well aware that taking or using Shire equipment for personal gain is illegal. This type of theft could occur anywhere across the organisation and is not limited to the depot. Disciplinary action would always be the consequence.
2. **Overkill:** The Private Works and Equipment Accessed by Shire Staff Policy is duplicative in nature and adds unnecessary complexity to our existing policy framework. It places an additional administrative burden on our staff without providing any substantial benefits in return.
3. **Trust and Confidence:** The existence of the Private Works and Equipment Accessed by Shire Staff Policy may inadvertently convey mistrust towards our outside employees. Officers believe that our employees should be trusted to adhere to our existing policies and guidelines without the need for an additional policy specifically targeting this issue.
4. **Police Clearances:** It is important to note that all our staff are subject to police clearances, which ensures that we maintain a high level of trust and confidence in our workforce.
5. **Asset Management Plan:** The Shire will now be operating under an Asset Management Plan, 'Roads Hierarchy' tool, and 'Roads Schedule.' This shift in focus towards asset management may leave very little time for private works by staff, further reducing the relevance of the Private Works and Equipment Accessed by Shire Staff Policy.

Officer Comment

Officers propose that the Council consider repealing the Private Works and Equipment Accessed by Shire Staff Policy to streamline our policy framework,

eliminate redundancy, and foster a culture of trust and confidence among our employees. With the added assurance of police clearances and the organisation's focus on an Asset Management Plan, the need for this policy is diminished.

Statutory Environment

Local Government Act 1995

s.2.7(2)(b) – The council is to determine the local government’s policies

s.6.16(2)(b) - Imposition of fees and charges

Integrated Planning

- Strategic Community Plan
 - Outcome 14 - Effective governance and financial management.
 - Objective 14.1 - Achieve excellence in organisational performance and service delivery.
 - Outcome 16 - An engaged and effective workforce
 - Objective 16.1 - Attract, train, develop and retain an effective workforce.

- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications

PES 3 – Private Works by Council

PES 2 – Private Works Plan and Equipment Accessed by Shire Staff be repealed.
Council currently has several policies in place that govern employee conduct.

Budget Implications Not applicable

Whole of Life Accounting Not applicable

Risk Management Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements Simple Majority

Council Decision Moved Cr Fletcher, Seconded Cr Boyle
C.09/0124 That Council repeal the PES 2 – Private Works Plant and Equipment Accessed by Shire Staff Policy.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.

Against: Nil

ITEM NO.	C.10/0124	FILE REF.	
SUBJECT	Repeal CP 6 – Vandalism Policy		
OFFICER	Chief Executive Officer		
DATE OF REPORT	4 January 2024		

Attachment 12 CP 6 - Vandalism Policy

OFFICER RECOMMENDATION

That Council repeal the CP 6 - Vandalism Policy and focus on contemporary graffiti (and other vandalism) prevention strategies.

Summary/Purpose

The Shire of Bridgetown-Greenbushes currently maintains a CP 6 - Vandalism Policy, offering a \$500 reward for information leading to the successful conviction of any person involved in vandalism of Shire property. This agenda paper proposes repealing this reward policy and redirecting focus on innovative and contemporary graffiti prevention strategies. The current reward system may not effectively address the root causes of graffiti, and we believe that investing in prevention and enhancement measures can create a more sustainable solution to this issue.

The current policy indirectly encourages the community to report criminal matters to the Shire rather than to the WA Police and compels staff to decide on whether a report might be vexatious or not. Vandalism falls under the remit of the WA Police.

Background

Council adopted the Vandalism Policy (CP 6) in 1998. While the Policy was obviously considered necessary 15 years ago, our society has become more litigious since that time. There are liability issues attached to Shire Officers becoming involved in criminal matters. Offering a \$500 reward for reports of vandalism that lead to prosecution:

- Holds negative connotations with regard to our approach to educating the community on asset pride and intentional asset damage.
- May appear to be now outdated in terms of approach.
- May not address (or attempt to address) the causes of the poor behaviour.
- Is lacking in prevention and enhancement strategies.

It is essential to implement sustainable solutions that go beyond mere incentives for reporting incidents. An example may be:

Introduction of Vinyl Wrapping: Vinyl wrapping offers several advantages in combating graffiti effectively:

- a) **Surface Protection:** Vinyl wrapping acts as a protective barrier against graffiti, making it a less attractive target for vandals and simplifying graffiti removal.
- b) **Aesthetic Improvement:** Vinyl wrapping enhances the visual appeal of public spaces, making them less likely to attract vandals. It contributes to the beautification of our community.
- c) **Customizable Designs:** Vinyl wrapping allows for community engagement through artwork and designs, fostering a sense of ownership among residents.
- d) **Ease of Maintenance:** Graffiti on vinyl-wrapped surfaces is easier to clean, reducing maintenance costs and efforts.
- e) **Environmental Considerations:** Using eco-friendly vinyl materials minimizes the environmental impact while providing long-lasting protection.

In addition to vinyl wrapping, officers propose the following contemporary approaches to combat graffiti:

- a) **Smart Surveillance Systems:** Implement high-tech surveillance cameras with artificial intelligence to monitor public spaces in real-time, detect suspicious behaviour, and alert authorities. Despite the Vandalism Policy being active at the time of the graffiti incident before the Blues Festival, no-one was reported nor claimed the \$500 because there was no CCTV directed towards Shire buildings.
- b) **Community Murals and Art Projects:** Engage the community in creating murals and art installations, fostering a sense of pride and ownership.
- c) **Educational Programs:** Support or facilitate the development of anti-graffiti education programs in schools and community centers to raise awareness about the negative impacts of vandalism.
- d) **Green Spaces and Urban Design:** Invest in urban renewal projects that prioritize green spaces and aesthetically pleasing public areas.

Officer Comment

Benefits of the proposed approach:

- **Long-Term Sustainability:** Shifting our focus from punitive measures to innovative and preventive strategies creates lasting solutions that deter vandalism.
- **Community Engagement:** Strategies like vinyl wrapping, community murals, and educational programs actively engage residents in preserving public spaces.

- **Cost-Efficiency:** Innovative prevention methods like vinyl wrapping and smart surveillance systems reduce maintenance costs over time.
- **Environmental Responsibility:** Using eco-friendly materials for vinyl wrapping aligns with our commitment to sustainability.
- **Cultural Enrichment:** Community-driven art projects and thoughtful urban design enhance the cultural richness of public spaces.

Statutory Environment

s.2.7(2)(b) Local Government Act 1995 – The council is to determine the local government’s policies Local Government Property Local Law

Integrated Planning

- Strategic Community Plan
- Corporate Business Plan
 - Outcome 3 – A safe community for people and animals
 - Outcome 3.1 – Maintain high levels of community safety.
 - Outcome 3.1.3 – Provide a reserve fund to implement the CCTV Plan.
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning
 - CP 2 – Closed Circuit Television

Policy/Strategic Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management - Nil

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Council Decision *Moved Cr Lansdell, Seconded Cr Fletcher
C.10/0124 That Council repeal the CP 6 - Vandalism Policy and focus on contemporary graffiti (and other vandalism) prevention strategies.*

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

ITEM NO.	C.11/0124	FILE REF.	
SUBJECT	Repeal CR 7 – Australia Day Events Policy		
OFFICER	Chief Executive Officer		
DATE OF REPORT	11 January 2024		

Attachment 13 CR 7 – Australia Day Events Policy

OFFICER RECOMMENDATION

That Council repeal the CR 7 - Australia Day Events Policy.

Summary/Purpose

The purpose of this agenda paper is to propose the repeal of the Australia Day Events Policy. The policy is not required to maintain the current format or arrangements. The repeal of the policy will mean the arrangements can be modified or made more flexible at the community’s request or Council’s initiative. For instance, Council may decide to alternate attending breakfast celebrations between Bridgetown and Greenbushes each year, or the community may decide that they would like a completely different event to celebrate Australia Day. The current policy is restrictive in this sense.

Background

The Australia Day Events Policy, currently in place, outlines arrangements for Australia Day events. However, the policy only includes minimal provisions such as hosting a breakfast function in Bridgetown, determining an annual budget for a breakfast in Bridgetown and Greenbushes and discontinuing the bus service from Greenbushes to Bridgetown on Australia Day. Council and officers do not require a policy to determine or provide for these provisions. It is simple core business.

Officer Comment

The benefits of repealing the policy are:

1. Provide for more flexible arrangements for the community and Council regarding the format and funding of the Australia Day event hosted by the Shire. The community will continue to grow and evolve and, as it does, may suggest contemporary and valuable modifications to the event.
2. Remove the onerous administrative burden of maintaining a policy that is not useful and is not required.

The consequence of not repealing the policy may be:

1. Lack of community engagement in the planning and decision-making processes for Australia Day events (assuming that everyone is comfortable with the status quo).
2. Potential missed opportunities to celebrate our diverse culture, heritage, and achievements.
3. Failure to determine a means in which to bring the entirety of the Shire together on Australia Day.
4. A lack of cultural and educational elements in Australia Day events, missing an opportunity for reflection and education on Indigenous culture.
5. The onerous burden of maintaining the policy detracting officers from meaningful work.

Statutory Environment

s.2.7(2)(b) *Local Government Act 1995* – The council is to determine the local government's policies

Integrated Planning

- Strategic Community Plan
 - Outcome 1 - A growing community that is diverse, welcoming and inclusive.
 - Outcome 13 - Proactive, visionary leaders who respond to community needs.
 - Outcome 15 - A well informed and engaged community.
- Corporate Business Plan - Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning
 - Shire of Bridgetown-Greenbushes Events Procedures

Policy/Strategic Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management - Nil

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Redman, Seconded Cr Boyle
C.11/0124 That Council repeal the CR 7 - Australia Day Events Policy.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Cr Fletcher

What is going to be in its place?

CEO Response – The proposal is to not have a day; policy is not needed to do that. We are making it more flexible to change if needed. Rather than have the big event in Bridgetown perhaps we have both events but council focuses on one, one year and one, another year. Current policy is restrictive. All Council need to do is advise Officers of what to do and fund it in the annual budget.

ITEM NO.	C.12/0124	FILE REF.	203
SUBJECT	Review of Policy IM 2 – Records Management		
OFFICER	Manager Governance & Risk		
DATE OF REPORT	4 January 2024		

Attachment 14 Draft amended Policy IM 2 – Records Management

Attachment 15 Current Policy IM 2 – Records Management.

OFFICER RECOMMENDATION

That Council adopt amended Policy IM 2 Records Management, as shown in Attachment 14.

Summary/Purpose

A review of Policy IM 2 Records Management has been undertaken as part of the ongoing review of all policies.

The amended policy is presented to Council for consideration.

Background

All Council policies have previously been reviewed on an annual basis with the review in 2021/22 being carried out section by section rather than undertaking a singular annual review of the whole of the policy manual contents.

In September of 2023 a report was presented to Council seeking to amend Policy G 1 Policy Manual to provide that policies be reviewed every 3 years after the date of adoption, or more frequently when determined by the CEO or Council, or as legislatively required.

The policy IM 2 Records Management was last reviewed in April 2022 and is now due for review.

Officer Comment

Under the section 19 of the *State Records Act 2020* every government organisation is to have a Record Keeping Plan (RKP).

The RKP must provide comprehensive responses to indicate whether the organisation is compliant to Standard 2 Principles 1 to 6.

The *State Records Standard 2 Recordkeeping Plans: Principle 2 -Policies and Procedures* requires that:

- Record keeping policies and procedures have been established;
- The roles and responsibilities for all employees are defined;
- The organisational scope of the policies and procedures has been addressed e.g. their applicability to regional branches or outsourced contractors; and
- The policies and procedures have been authorised at an appropriate senior level and are available to all employees.

To meet the minimum compliance requirements of Principle 2, the amended record keeping policy should include references to:

- Custodianship of Records;
- Access to Records;
- Creation of Records;
- Capture and Control of Records;
- Security and Protection of Records;
- Appraisal, Retention and Disposal of Records; and
- Awareness of record keeping responsibilities including those of Elected Members.

Upon review the policy has been substantially amended to:

- (a) Provide a better structure;
- (b) Better reflect current practices; and
- (c) Ensure that it meets the requirements under Principle 2.

As such a 'track changed' version has not been prepared, as this may cause some confusion.

To assist in understanding the differences between the existing and proposed policy, details of the major changes are as follows. Clauses mentioned refer to the draft amended policy.

Objectives (Clause 1)

Removed unnecessary content which is already encapsulated in legislation.

Definitions (Clause 3)

- Added in a new definition for:
 - Worker.
 - Electronic Records
 - Personal Records
- Removed the definition of Government Records (or Public Records)
- Amended the following definitions to reflect more contemporary practices:
 - Significant Records
 - Vital Records
 - Records Disposal

Statement (Clause 4.1)

Deleted reference to the records being a corporate asset as it is covered under clause 4.3 Custodianship.

Roles and Responsibilities (Clause 4.2)

- Added in Councillor roles and responsibilities
- Changed position titles
- Amended Staff responsibilities to better reflect modern practice
- Added in responsibilities for Records Staff

Creation of Records (Clause 4.4)

New requirement to meet the Principle 2 requirements.

Capture and Control (Clause 4.5)

New requirement to meet the Principle 2 requirements.

Security and Protection of Records (Clause 4.6)

New requirement to meet the Principle 2 requirements.

Appraisal, Retention and Disposal of Records

New requirement to meet the Principle 2 requirements.

Statutory Environment

Local Government Act 1995

s 2.7(2)(b)

“Without limiting subsection (1), the council is to —

(b) determine the local government's policies.”

s 5.41(h)

“The CEO's functions are to ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law.”

Integrated Planning

- Strategic Community Plan
 - Outcome 13 – Proactive, visionary leaders who respond to community needs
 - Objective 13.2 – Embrace innovation and a 'can do' culture
 - Outcome 14 – Effective governance and financial management
 - Objective 14.1 – Achieve excellence in organisational performance and service delivery
- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications - Nil

Whole of Life Accounting – N/A

Risk Management

The risk area identified according to Policy RM 1 – Risk Management is Compliance and Reputational.

It is Council's role under the Local Government Act to determine the policies of the local government and is obligated under policy G 1 – Policy Manual, to review policies.

Careful consideration is to be given by Council in potentially not agreeing to certain amendments as the risk of doing so may impact on the effectiveness and efficiency of undertaking various operational tasks or being in contravention of legislative requirements.

The overall risk has been measured as Moderate (Minor/Possible).

Measures of Likelihood			
Rating	Detailed Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring

Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	Insignificant	Minor	Moderate	Major	Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Fletcher, Seconded Cr Lansdell
C.12/0124 That Council adopt amended Policy IM 2 Records Management, as shown in Attachment 14.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.

Against: Nil

Cr Pratico

Is it not in legislation that elected members have to keep records. What does this change?

CEO Response – Yes. The organisation is legally required to keep a record keeping policy. The auditors use the policy to confirm that we are complying with the standards that we've set for our organisation.

ITEM NO.	C.13/0124	FILE REF.	
SUBJECT	Adopt amended FM 7 - Use of Corporate Credit Card Policy to FM 7 - Corporate Credit Cards Policy		
OFFICER	Chief Executive Officer		
DATE OF REPORT	5 January 2024		

Attachment 16 FM 7 – Use of Corporate Credit Cards Policy (Old)

Attachment 17 FM 7 – Corporate Credit Cards Policy (New)

OFFICER RECOMMENDATION

That Council adopt amended FM 7 – Use of Corporate Credit Cards Policy to FM 7 – Corporate Credit Cards Policy.

Summary/Purpose

The purpose of this agenda item is to seek Council's approval for the adoption of the revised Credit Card Policy. The primary modification to the existing policy pertains to the inclusion of modern purchasing methods (e.g. online transactions with both national and international companies).

Background

The current Credit Card Policy in place has served the Council effectively, ensuring fiscal responsibility and accountability in the use of credit cards for official business purposes. However, with the ever-evolving landscape of financial transactions and the increasing prevalence of online purchasing, it has become essential to modernise our policy to align with these contemporary methods.

The primary change proposed in the reviewed policy is the allowance for the use of credit cards for online purchases from national and international vendors. This adjustment recognises the evolving nature of commerce and the convenience and efficiency that online transactions offer. By permitting such transactions, Council aims to streamline procurement processes, increase flexibility, and facilitate the acquisition of goods and services from a broader range of suppliers.

The reviewed Credit Card Policy retains its commitment to fiscal responsibility and accountability by outlining clear guidelines and restrictions regarding credit card usage, spending limits, documentation requirements, and reporting procedures. The policy also reinforces the necessity for thorough record-keeping and compliance with all relevant regulations and laws.

Officer Comment

Adopting this updated Credit Card Policy will enable Council to adapt to the changing business landscape while maintaining the highest standards of financial stewardship and transparency. It will empower our staff to make timely and efficient purchases while ensuring that proper controls and safeguards remain in place to protect the organisation's financial interests.

Statutory Environment

Local Government Act

s.2.7(2)(b) – The council is to determine the local government's policies

Local Government (Financial Management) Regulations 1996

r.11 – Payments, procedures for making etc.

Integrated Planning

- Strategic Community Plan
 - Outcome 14 – Effective governance and financial management
 - Objective 14.1 – Achieve excellence in organisational performance and service delivery.
- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans – Nil

- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications

FM 7 – Use of Corporate Credit Cards Policy to be amended and renamed to
FM 7 – Corporate Credit Cards Policy (New)
FM 4 – Purchasing Policy

Budget Implications – Not applicable

Whole of Life Accounting – Not applicable

Risk Management – Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple majority

Council Decision Moved Cr Boyle, Seconded Cr Fletcher

C.13/0124 That Council adopt amended FM 7 – Use of Corporate Credit Cards Policy to FM 7 – Corporate Credit Cards Policy.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.

Against: Nil

Cr Pearce

I have a question on 2.6 of Policy – is that a monthly limit or per transaction?

CEO Response – Per transaction.

Does that allow for, is there a mechanism where we can reset that if they need to conduct further purchases.

Director Corporate Services - Council or administration could at any time during the month make a payment to that credit card.

Cr Fletcher

When there is a declared emergency, can circumstances be made for this to occur?

Director Corporate Services – We can't increase a credit limit overnight; we have access for electronic funds transfer with two authorized signatories to make this happen.

CEO Response – The credit card is used in accordance with the Purchasing Policy which provides for purchasing limitations (including amounts).

The CEO advised that this item has been deferred until the February 2024 Ordinary Council Meeting.

ITEM NO.	C.14/0124	FILE REF.	
SUBJECT	Adopt amended PR 1 – Functions in Shire Reserves or Parks Policy (previously referred to as PR 1 – Events in or on Shire Property Policy)		
OFFICER	Chief Executive Officer		
DATE OF REPORT	4 January 2024		

Attachment 18 PR 1 – Functions in Shire Reserves or Parks Policy (Old)

Attachment 19 PR 1 – Events in or on Shire Property (New)

OFFICER RECOMMENDATION

That Council adopt the amended Events in or on Shire Property Policy.

Summary/Purpose

Officers propose amendments to the existing policy governing the usage of non-enclosed reserves within our community - Functions in Shire Reserves or Parks Policy (PR1). The policy is due for review and the timing of the review is aligned with the timing of significant asset improvements across the Shire. This policy proposes that officers become more proactive in their approach to advertise and rent out Shire venues for the dual purpose of:

- Generating significantly more revenue for venues from non-local people; and
- Providing more cost-effective venues for local people.

If Council adopts this new version of the Policy, the Schedule of Fees and Charges can be altered in time for the new budget cycle (and the opening of the Town Hall).

Background

The proposed amendments to the (now titled) Events in or on Shire Property seek to address the need for flexibility in fee structure, particularly concerning non-local individuals or groups that wish to use these public spaces for private events, such as weddings. This amendment aims to strike a balance between revenue generation and accommodating non-local residents, as well as ensuring local residents are not disadvantaged.

The existing policy governing the usage of non-enclosed reserves has proven effective in promoting responsible and inclusive use of public spaces. However, a recent issue has arisen where the current fee structure does not allow for the Council to adjust fees for non-local individuals or groups, even when they may be prepared to pay a higher rate for our public spaces for their events.

The Council may, at its discretion, charge a different fee for non-local residents or groups that wish to use these public spaces for events such as weddings, ceremonies, or other private functions.

The advantages of adopting the amended Policy are relatively simple. It will provide for:

- Revenue to reinvest back into the maintenance of the buildings and open spaces. Currently, the hire fees do not even cover staff wages.
- Flexibility in fee structure whereby non-local individuals or groups subsidise the local use of the venues by paying more.
- More effective use of marketing, encouraging non-local residents to utilise our venues for events.
- Enhances the attractiveness of our community as a venue for various events because there is more income to generate back into the venues.

The disadvantages in not adopting the reviewed Policy are (potentially):

- No obvious revenue source for maintaining some significant infrastructure across the Shire.
- Venue hire will continue to cost the Shire more to maintain and operate than the income paid by the people using the resource

To illustrate this issue, the City of Fremantle, charges up to \$150 per hour or up to \$1,200 per day for the use of its Town Hall for private events, including weddings. In contrast, our current policy charges a flat fee of \$287.15 per day, regardless of the event type, size, or whether the organisers are local or non-local residents.

Officer Comment

Officers propose a fee structure for the use of Shire buildings and non-enclosed reserves, taking into consideration whether the event is organised by local or non-local residents or groups.

Statutory Environment

Local Government Act 1995

s.2.7(2)(b) – The council is to determine the local government's policies

Local Government Property Local Law

Integrated Planning

➤ Strategic Community Plan

Outcome 2 – Good health and community wellbeing.

Outcome 2.3 – Become a hub of excellence in art, culture and community events.

Outcome 12 – Bridgetown-Greenbushes is regarded to be a major tourist destination.

Outcome 12.3 – Develop and promote festivals, events and trails that showcase the area's natural assets and core competencies.

- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning
 - PH 3 – Blues Festival Trading
 - Shire of Bridgetown-Greenbushes Events Procedures

Policy/Strategic Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management - Low

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple majority

Corporate Services

ITEM NO.	C.15/0124	FILE REF.	131
SUBJECT	November and December Financial Activity Statements and List of Accounts Paid in December 2023		
OFFICER	Manager Finance		

DATE OF REPORT	10 January 2024
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Attachment 20 November 2023 Financial Activity Statements

Attachment 21 December 2023 Financial Activity Statements

Attachment 22 List of Accounts Paid in December 2023

OFFICER RECOMMENDATION

That council receive the:

- 1. That Council receives the November 2023 Financial Activity Statements as presented in Attachment 20.*
- 2. That Council receives the December 2023 Financial Activity Statements as presented in Attachment 21.*
- 3. That Council receives the List of Accounts Paid in December 2023 as presented in Attachment 22.*

Summary/Purpose

Regulation 34 of the Local Government (*Financial Management*) Regulations 1996 (the Regulations) requires a local government to prepare each month a statement of financial activity reporting on the sources and applications of its funds. The regulations also require that where a local government has delegated to the Chief Executive Officer the exercise of its power to make payments from the municipal and trust funds, a list of those accounts paid in a month are to be presented to the council at the next ordinary meeting (Regulation 13).

Background

In its monthly Financial Activity Statement a local government is to provide the following detail:

- annual budget estimates, taking into account any expenditure incurred for an additional purpose under section 6.8(1)(b) or (c) of the Local Government Act;
- budget estimates to the end of the month to which the statement relates;
- actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- the net current assets at the end of the month to which the statement relates.

Each of the Financial Activity Statements is to be accompanied by documents containing:

- an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
- an explanation of each of the material variances referred to in sub-regulation (1)(d); and
- such other supporting information as is considered relevant by the Local Government.

The information in a statement of financial activity is to be shown according to nature and type classification.

The Financial Activity Statement and accompanying documents referred to in sub-regulation 34(2) are to be:

- (a) presented at an ordinary meeting of the council within 2 months after the end of the month to which the statement relates; and
- (b) recorded in the minutes of the meeting at which it is presented.

Where the local government has delegated to the CEO the exercise of its power to make payments from the municipal fund or the trust fund, Regulation 13 requires that a list of accounts paid by the CEO is to be prepared each month showing for each account paid:

- (a) the payee's name; and
- (b) the amount of the payment; and
- (c) the date of the payment; and
- (d) sufficient information to identify the transaction.

The list of accounts is to be:

- (a) presented to the council at the next ordinary meeting of the council after the list is prepared; and
- (b) recorded in the minutes of that meeting.

Officer Comment

At the time of agenda preparation for the December 2023 Council meeting, month end finance processes were ongoing, as such the monthly statement of Financial Activity for November 2023 will be presented to the January 2024 Council meeting.

Statutory Environment

Section 6.4 (Financial Report) and Section 6.8 (Expenditure from municipal fund not included in annual budget) of the Local Government Act 1995, and Regulations 13 (List of Accounts) and 34 (Financial activity statement report) of the Local Government (*Financial Management*) Regulations 1996 apply.

Regulation 35(5) of the Local Government (*Financial Management*) Regulations requires a local government to adopt a percentage or value to be used in statements of financial activity for reporting material variances. Council when adopting its 2022/23 budget resolved as follows:

“C.07/0823 That Council for the financial year ending 30 June 2024 adopt a percentage of plus or minus 5% at nature classification level to be used for reporting material variances of actual revenue and expenditure in the monthly financial reports. The exception being that material variances of \$10,000 or less are non-reportable.”

The attached financial activity statements provide explanation of material variances in accordance with resolution C.07/0823.

Integrated Planning

- Strategic Community Plan
Outcome 14 – Effective governance and financial management
- Corporate Business Plan – Nil

- Long Term Financial Plan – Nil
- Asset Management Plans – Nil
- Workforce Plan – Nil
- Other Integrated Planning – Nil

Policy Implications

F.6. Purchasing Policy - To ensure purchasing is undertaken in an efficient, effective, economical and sustainable manner that provides transparency and accountability.

Budget Implications

Expenditure incurred in December 2023 and presented in the list of accounts paid, was allocated in the 2023/24 Budget.

Whole of Life Accounting – Not applicable

Risk Management

There are no risk areas identified according to Policy RM 1 – Risk Management, as Council have been asked to receive the reports only and no further decision of Council if required.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Council Decision Moved Cr Fletcher, Seconded Cr Lansdell

C.15/0124 That council receives:

1. the November 2023 Financial Activity Statements as presented in Attachment 20.

2. the December 2023 Financial Activity Statements as presented in Attachment 21.

3. the List of Accounts Paid in December 2023 as presented in Attachment 22.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Development, Community and Infrastructure

ITEM NO.	C.16/0124	FILE REF.	
SUBJECT	Budget Amendment – Grader Purchase		
OFFICER	Manager Infrastructure & Works		
DATE OF REPORT	15 th January 2024		

OFFICER RECOMMENDATION

That Council:

1. *Amends the 2023/24 budget by allocating funds of \$450,000 for the changeover cost to purchase a new grader.*
2. *Funds the purchase by:*
 - (i) *\$125,000 transfer from the Plant Reserve.*
 - (ii) *\$220,000 by deferring replacement of the Bomag Waste Compactor.*
 - (iii) *\$105,000 by deferring replacement of the Skid-steer Loader.*
 - (iv) *Sale of the Shires 2013 Volvo G930 grader.*

Summary/Purpose

Changes to the plant program in the 2023/24 budget are required to enable the procurement process for replacement of the Shires 2013 Volvo G930 grader to begin as a priority.

Background

An internal review has identified that replacement of the Shire's 2013 Volvo G930 grader is a high priority and that due to potentially long lead times, the procurement process for a new grader should begin in the current financial year. Replacement was scheduled in the Plant Replacement Program for the 2025/26 year so changes to the program will be required.

The estimated changeover cost for a new grader, after sale of the current machine, is \$450,000. The 2023/24 budget includes funding for replacement of the 2000 JCB Skid Steer Loader and replacement of the 2009 Bomag Waste Compactor. The combined budgeted changeover cost for these machines is \$325,000, funded from the Plant Reserve. The shortfall of \$125,000 is proposed to be funded by additional transfer from the Plant Reserve. Funding for the grader purchase is therefore proposed as follows:

- \$220,00 by deferring replacement of the Bomag Waste Compactor.
- \$105,00 by deferring replacement of the Skid-steer Loader.
- \$125,00 unbudgeted transfer from the Plant Reserve.
- Sale of the Shires 2013 Volvo G930 grader.

The transfer of an additional \$125,000 from the Plant Reserve will result in an estimated reserve closing balance of \$29,333 at 30 June 2024.

Officer Comment

In order to continue provision of service levels to the community, replacement of the Volvo grader is the current highest priority in the program. Uncertainty with supply chains means that the procurement process could be very lengthy. Beginning the process as a matter of urgency will ensure the best outcome for management of the Shires road network and level of service to the community. Considering the likelihood of a long lead-time it is expected that the purchase will not be finalised in the 2023/24 year.

In recent months, the Skid-Steer loader and Waste Compactor have both required unplanned repairs that have resulted in a modest extension of their operation lives. The risk in deferring the replacement of these machines is therefore considered acceptable.

Statutory Environment - Not applicable

Integrated Planning

- Strategic Community Plan
 - Outcome 9 Safe, Affordable and efficient movement of people and vehicles.
 - Objective 9.1 Improve road safety and connectivity..
 - Outcome 14 Effective governance and financial management.
 - Objective 14.1 Achieve excellence in organisational performance and service delivery.
- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Other Integrated Planning

Policy/Strategic Implications - Not applicable

Budget Implications

The shortfall of \$125,000 is proposed to be funded from the plant reserve and will not impact the 2023/24 budget.

Whole of Life Accounting - Not applicable

Risk Management

Risk areas identified according to the Shires risk management policy, should replacement of the existing 2013 Volvo G930 grader not be brought forward in the Plant Replacement Program, are Financial Impact, Service Interruption, and Reputational Internal.

Financial Impact:

Due to the increased maintenance costs to operate the existing machine, the financial impact is considered Moderate (\$5001 - \$50,000) with a likelihood measure being likely, giving an overall risk rating of High.

Service Interruption:

Due to downtime of the existing machine, service interruption is considered Major (Prolonged interruption of services – additional resources; performance affected < 1 Month) with a likelihood measure being likely, giving an overall risk rating of High.

Reputational Internal:

Due to the decline in suitability of the existing machine for its intended purpose and related growing frustration amongst staff, Reputational Internal is considered Moderate (Decline in staff confidence/morale, or unauthorised absences) with a likelihood measure being Almost Certain, giving an overall risk rating of High.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Absolute Majority

Council Decision ***Moved Cr Christensen, Seconded Cr Fletcher***

C.16/0124 That Council:

- 1. Amends the 2023/24 budget by allocating funds of \$450,000 for the changeover cost to purchase a new grader.***

- 2. Funds the purchase by:***
 - (i) \$125,000 transfer from the Plant Reserve.***

- (ii) **\$220,000 by deferring replacement of the Bomag Waste Compactor.**
- (iii) **\$105,000 by deferring replacement of the Skid-steer Loader.**
- (iv) **Sale of the Shires 2013 Volvo G930 grader.**

Absolute Majority 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Cr Pearce

How many hours on current grader?

Manager Infrastructure and Works – No, around the 9000 - 10000 mark – shire purchased this second-hand 2003 model in 2015 – we need to move it on quite urgently it's got some issues.

Cr Pratico

Typo with a few zeros, a few zeros on all of those missing.

Cr Redman

Bomag and Skid Steer – by deferring replacement, they've had some repairs to extend useful life, do we anticipate that the life of the machinery carried forward, is allocating the funds going to affect the ability of carrying works out down the line?

Manager Infrastructure and Works – its about weighing up risk, they both need replacing. The greater need and urgency is for the grader. It's a matter of reprioritizing things.

Cr Pearce

Recognise a greater need for the grader, replacement for skid steer loader. The MAF program has an ability to, a substantial part of that – really like to see that push forward – it can pay for the entire purchase. Not put off much more.

Manager Infrastructure and Works – Lots of work done recently definitely look into bringing that forward.

Cr Pratico

Plant replacement reserve is down to \$29,000. Have we got a plan that will beef up that reserve?

CEO response – We need a plan. Steele's been working on asset management plan, the asset management strategy, and then we've got to link that into the long-term financial plan. It's a huge body of work, but we also need to look at potentially sourcing external funds as well.

Going into partnerships with our neighboring local governments for mutual exchange of machinery, we're looking at potential external funding sources, although they are pretty challenging to get for machinery.

We're also talking to DFES about more contractor money. Do we buy our own machinery, or do we use bushfire mitigation funds to lease machinery? We're aware that this is a significant issue and that we don't have the funds to just roll over.

We're trying every problem that we can think of at the moment and I think that should include looking at how we feed funds into the reserve fund through a stage process.

ITEM NO.	C.17/0124	FILE REF.	
SUBJECT	Capital Projects Update		
OFFICER	Project Officer		
DATE OF REPORT	18 January 2024		

OFFICER RECOMMENDATION

That Council acknowledge receipt of information contained in this report.

Summary/Purpose

This report is to update the Councillors on the progress and activity relating to the following capital projects:-

1. Bridgetown Town Hall Conservation and Adaption
2. Relocation and Renewal of the Greenbushes Railway Station
3. Replacement of Shire Depot Facilities
4. Fit-out of Bridgetown Railway Station as Visitor Centre and Landscaping Project

Background

1. Bridgetown Town Hall Conservation and Adaption

Council approved the tender award to BRC Construction for the Town Hall project in November 2022, with the contract signed in February 2023. The Contractor commenced work in site in March 2023, making good progress. Due to several unavoidable structural issues, and unexpected A/C and maintenance factors, the progress was delayed, with first-fix services completed though the latter part of 2023.

2. Relocation and Renewal of the Greenbushes Railway Station

Council approved the tender to relocate and renew the Greenbushes Railway station from Nyland House Transporters at the Ordinary Council Meeting held in June 2023.

The preparation works for the relocation of the existing heritage station was completed during December 2023.

3. Replacement of Shire Depot Facilities.

At its meeting held on 14 December 2023 Council approved the draft Concept Plan for the Bridgetown Shire Depot subject to any further minor changes and accepted the quote from Willcox and Associates for Detailed Design and Documentation for the Shire Depot Facilities Rebuild.

4. Fit-out of Bridgetown Railway Station as Visitor Centre and Landscaping Project.

The recently completed restoration of the Bridgetown Train Station building is a significant project for the Shire and will accommodate the Bridgetown Visitor

Centre upon completion of the building fit-out. Due to insufficient funds in the project budget, the fit out of the building was not included as part of the initial contract for restoration of the building itself. Additional funds were allocated in the Shire's 2023-24 Budget and Stephen Carrick Architects was engaged to prepare a technical specification for the fit out.

Officer Comment

1. Bridgetown Town Hall Conservation and Adaption

Construction work has re-commenced with specialist carpentry work on site. The upgraded structural steel trusses for the AV equipment will be installed by end January 2024.

Construction completion is anticipated at end-July 2024.

2. Relocation and Renewal of the Greenbushes Railway Station

Talison have engaged an earthworks contractor to prepare the site. The relocation of the heritage station is programmed in the last week of February 2024. Building works will be affected immediately thereafter. Shire involvement should be complete by mid-May 2024.

3. Replacement of Shire Depot Facilities.

Work has commenced on the Detailed Design and Documentation, scheduled for completion by mid-April 2024. A further report will be presented to the Council with funding and staging options at that stage.

4. Fit-out of Bridgetown Railway Station as Visitor Centre and Landscaping Project

Following a Request for Quotation process, a contractor has been appointed and work has commenced. The works are scheduled for completion by end-March 2024, followed by the relocation of the Visitor Centre staff.

The anticipated official opening date and commencement of operation of the Visitor Centre in the restored building is mid-April 2024.

Statutory Environment - N/A

Integrated Planning - N/A

Budget Implications - N/A

Whole of Life Accounting - N/A

Risk Management -N/A

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

Council Decision ***Moved Cr Redman, Seconded Cr Boyle***
C.17/0124 That Council acknowledges receipt of information contained in this report.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

ITEM NO.	C.18/0124	FILE REF.	123
SUBJECT	Greenbushes Sportsground BBQ Facility – Unbudgeted Funding		
OFFICER	Manager Community Services		
DATE OF REPORT	January 2024		

Attachment 23 Greenbushes Sportsground Precinct Map

OFFICER RECOMMENDATION

That Council accepts the unbudgeted grant income of \$66,093.50 from the Department of Jobs Science Tourism and Innovation (JSTI) through the Native Forest Transitions Small Grants funding round, and associated expenditure to construct a BBQ, shelter, picnic tables and bench seating at the Greenbushes Sportsground.

Summary/Purpose

This recommendation seeks formal receipt of unbudgeted income from JSTI and endorsement of related expenditure to cover the costs associated with the

constructing a BBQ, shelter, picnic table and bench chairs at the Greenbushes Sportsground.

Background

When the Native Forest Transitions Small Grant round became available and was going to cover 100% of a project cost up to the value of \$100,000, the BBQ facility at the Greenbushes Sportsground and Recreation Precinct was identified as a project to include in Councils applications. The project was chosen because it fulfilled the grant guidelines criteria and was a self-contained project under the maximum funding limit. The completion of this project will encourage social and community connectedness, improved facilities for sporting competitions, increase the number of spectators and improve tourism.

Officer Comment

The BBQ area, in the form of a shelter, BBQ and picnic tables and benches, will add value to the Greenbushes Sportsground and Recreation Precinct redevelopment, identified as a potential Talison funded project to be completed in year 2 including installing irrigation and resurfacing both ovals, resurfacing hardcourts and line marking tennis and basketball. This facility will offer local residents a chance to enjoy the BBQ facility whilst watching sport or picnicking and offer campers the option to cook their food and sit in the undercover area.

Greenbushes is now a RV friendly town. Becoming a RV friendly town attracts tourists due to the increase in marketing through the Camper and Caravan association. Having the facilities to provide for the campers will encourage return visits, improve camping ground ratings and provide another reason to stay and spend in the town, benefiting the local economy.

The proposed location of the BBQ facility is opposite the ablution block and adjacent to the Soccer Pitch back oval. This location ensures the versatility of the facility to meet the needs of campers, local residents, sporting groups and tourist in a nature-based environment.

If council support the officer recommendation the construction cost of the BBQ facility should be covered entirely by the grant funding and require little or no contribution from Council.

Statutory Environment

The Caravan Parks and Camping Grounds Regulations 1997.

Integrated Planning

- Strategic Community Plan
 - Outcome 2 – Good Health and community wellbeing.
 - Objective 2.2 – Provide quality sport, leisure and recreation services.
- Corporate Business Plan
 - Strategy 2.2.3 – Provide the implementation of the Greenbushes Sportsground and Recreation Precinct Redevelopment Project.
- Long Term Financial Plan - Nil
- Asset Management Plans

New and upgraded infrastructure will be included as Shire assets in Council's Property Infrastructure Asset Management Plan once the development is complete.

- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications - Nil

Budget Implications

Should Council endorse the officer recommendation the 2023/24 budget will reflect the income of \$66,093.50 and the expenditure associated with the construction of the Greenbushes Sportsground BBQ facility.

Whole of Life Accounting

Whole of life accounting principles are met by completing detailed planning processes for infrastructure developments including the consideration of capital outlay and ongoing maintenance costs that should be identified during planning and factored into the choice of infrastructure and the organisations ongoing operational costs. The Grillex infrastructure was chosen with whole of life accounting principles considered.

Risk Management

The current recommendations address the following Risk Management Priority area identified according to Policy RM 1 – Risk Management is Reputational (External).

Reputational Risk (External)– the reputational risk, if Council do not support the recommendation is Moderate given the likelihood that community become aware of the loss of funds or the absence of a facility that does not currently exist is Possible and the damage to External Reputational associated with that awareness would likely be Minor.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Absolute Majority

Council Decision Moved Cr Lansdell, Seconded Cr Pratico

C.18/0124 That Council accepts the unbudgeted grant income of \$66,093.50 from the Department of Jobs Science Tourism and Innovation (JSTI) through the Native Forest Transitions Small Grants funding round, and associated expenditure to construct a BBQ, shelter, picnic tables and bench seating at the Greenbushes Sportsground.

Absolute Majority 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.

Against: Nil

ITEM NO.	C.19/0124	FILE REF.	209
SUBJECT	Rolling Action Sheet		
OFFICER	Chief Executive Officer		
DATE OF REPORT	17 January 2024		

Attachment 24 Rolling Action Sheet

OFFICER RECOMMENDATION

That Council acknowledge receipt of information contained in the Rolling Action Sheet as shown in Attachment 24.

Summary/Purpose

The presentation of the Rolling Action Sheet allows Councillors to be aware of the status of previous resolutions/decisions that have not been finalised.

Background

The Rolling Action Sheet has been reviewed and forms an attachment to this agenda.

Statutory Environment - Nil

Integrated Planning

- Strategic Community Plan - Nil
- Corporate Business Plan - Nil
- Long Term Financial Plan – Not applicable
- Asset Management Plans- Not applicable

- Workforce Plan – Not applicable
- Other Integrated Planning - Nil

Policy/Strategic Implications – Not Applicable

Budget Implications – Not Applicable

Whole of Life Accounting – Not Applicable

Risk Management

There are no risk areas identified in accordance with Council Policy RM 1 – Risk Management as the report is for Council’s information only.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Council Decision Moved Cr Pratico, Seconded Cr Fletcher
C.19/0124 That Council acknowledges receipt of information contained in the Rolling Action Sheet as shown in Attachment 24.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Receipt of Minutes from Management Committees

Audit Committee Meeting Minutes – Received December 2023

Urgent Business Approved by Decision

ITEM NO.	C.22/0124	FILE REF.	A25577
SUBJECT	Application for Reduced Setback – Wandillup Fire Station		
PROPONENT	Shire of Bridgetown – Greenbushes		
OFFICER	Manager Development and Regulatory Services		
DATE OF REPORT	23 January 2024		

Reason for Urgent Business: That Council approve a reduction in setbacks for the construction of the Wandillup Volunteer Bushfire Brigade Fire Station at 6 (Lot 500) Mokerdillup Road Wandillup as per Attachment 31.

Attachment 30 Location Plan

Attachment 31 Site Plan

OFFICER RECOMMENDATION

That item C.22/0124 - Application for Reduced Setback – Wandillup Fire Station, be accepted as urgent business.

OFFICER RECOMMENDATION

That Council approve a reduction in setbacks for the construction of the Wandillup Volunteer Bushfire Brigade Fire Station at 6 (Lot 500) Mokerdillup Road Wandillup as per Attachment 29.

Summary/Purpose

The Shire proposes to construct the Wandillup Volunteer Bushfire Brigade Fire Station with a proposed reduction in setbacks at 6, Lot 500 (Reserve 53524) Mokerdillup Road. As the relaxation request exceeds 75% of the nominated front setback, staff do not have delegated authority to approve the application in accordance with Delegation No 27 and a resolution of Council is required to approve the proposed reduced setbacks for the Fire Station.

Background

The Shire has received funding from the Department of Fire and Emergency Services (DFES) via the Local Government Grants Scheme (LGGS) to construct the new Wandillup Volunteer Bushfire Brigade Fire Station at 6 Mokerdillup Road. Council has accepted a tender from a local builder for the construction of the building.

Officer Comment

The Site is a reserve that the Shire has a management order for the purposes of 'Bush Fire Station' and is zoned 'Rural 3' in accordance with the Shire of Bridgetown Greenbushes Town Planning Scheme No 4 (TPS4).

The following table details the nominated setbacks as per Section 4.6 of the TPS4 and the proposed setbacks for the new fire station.

TPS 4 – Minimum Setback	Metres	Wandillup Fire Station - Proposed Setback	Metres
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From the frontage to Major Roads	30	Brockman Highway	26 (scaled)
From the frontage to other Roads	20	Mokerdillup Road	2.9
From all other boundaries	20	Southern Boundary Western Boundary	7.82 8.80

As the site is 1460m² and is a relatively small parcel of land for a rural zoned property, a reduction in setbacks is required to fit the new fire station and associated infrastructure. The TPS4 enables Council to relax the above standards where special circumstances exist and this can be done via a resolution of Council.

There are no foreseen negative impacts for the reduction in the setbacks as the closest neighbour is 100 metres away buffered by Brockman Highway and remnant vegetation. The proposed Fire Station will not detrimentally impact on the amenity of the area and the reserve is approved for this purpose through the management order on the land (Bush Fire Station) and therefore can be approved.

Statutory Environment

Section 4.6 of the Shire's Town Planning Scheme No 4 provides Council with the power to relax prescribed setbacks in the rural zone when special circumstances exist. The lesser setback is not expected to have an adverse effect upon the amenity of the locality.

Integrated Planning

- Strategic Community Plan
 - Outcome 5.1 Develop Community readiness to cope with natural disasters and emergencies.
- Corporate Business Plan – Nil
- Long Term Financial Plan – Nil
- Asset Management Plans
 - The new Fire Station will be constructed on Shire managed land and therefore be included in the Shires Asset Management and Building Maintenance Plans.
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications- Nil

Budget Implications- Nil

Whole of Life Accounting- Nil

Risk Management

No risks are identified with the proposed setback reduction for the proposed Wandillup Fire Station.

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements - Simple Majority

Council Decision Moved Cr Fletcher, Seconded Cr Pratico C.22/0124 That item C.22/0124 - Application for Reduced Setback – Wandillup Fire Station, be accepted as urgent business.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Council Decision Moved Cr Lansdell, Seconded Cr Christensen C.22/0124a That Council approve a reduction in setbacks for the construction of the Wandillup Volunteer Bushfire Brigade Fire Station at 6 (Lot 500) Mokerdillup Road Wandillup as per Attachment 29.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Cr Fletcher

Setback on Wandillup Rd shows about 3m or so, is that going to be a danger for vehicles going in and out of the station?

Principal Project Manager – This is just the background and it's around the bushfire fire zone. Keeping the entire building out of fire zone after the valve assessment we've done. It's just over 12 meters from the road edge, which will be the setback. We've spoken to the local fire fighter members and the locals as well, they're very comfortable with that line of

sight, both from intersection on Wandillup and down the hill from Wandillup as well.

We would have ideally taken it back into the bush a bit more, but we would have been right into the fire zone. We'd already taken out a couple of trees, but we can't push into the crown land area to take more trees out. That's the reason for that. We have about a 12.9 setback that gives us about 12.9 meters from the right edge.

Cr Christensen

With the arial photo it would appear a lot of bush needed to be cleared to do that. Is that going to require that we do offsets or anything, or what is the situation?

Principal Project Manager – That parcel of land was cleared under permit over 2 years ago. The only thing that was there was regrowth that's now being leveled by our own staff. I think it was four trees right on the very edge that weren't removed through that clearing permit and they were removed just recently as well. Then through the Crown Land area around it, the Bushfire Brigade will be committed to ongoing significant fire mitigation commitments.

ITEM NO.	C.23/0124	FILE REF.	
SUBJECT	Update on Works & Services Programme		
OFFICER	Manager Infrastructure & Works		
DATE OF REPORT	18/01/2024		

Reason for Urgent Business: Update of works and services items from Rolling Action Sheet.

OFFICER RECOMMENDATION

That item C.23/0124 - Update on Works & Services Programme, be accepted as urgent business.

OFFICER RECOMMENDATION

That Council note the current status of the Works & Services programme for the month of January 2024.

Summary/Purpose

To provide a monthly Infrastructure & Works project status report to Council.

PROJECT UPDATES

Construction:

Winnejump Road – Winnejump Road construction works have been substantially completed for the year. A second-coat seal of previous years works is still required and is scheduled with the contractor for March. Final project cost will be reported when available however projections indicate a full acquittal of funding.

Job	Description	Budget	YTD Actual	Order Value	Total Actual	Variance
RR17	Winnejump Road 2023-24	\$375,000.00	\$337,457.36	\$54.55	\$337,511.91	\$37,488.09

RR21	Winnejump Road 2022-23	\$174,697.00	\$135,120.19	\$0	\$135,120.19	\$39,576.81
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Gravel Resheeting – Contractor gravel resheeting works on Walter Willis Rd, Klause Rd, and Crowd Wheatley Rd were completed in December. The project outcomes of improved safety and asset management have been achieved.

Job	Description	Budget	YTD Actual	Order Value	Total Actual	Variance
GS73	Crowd Wheatley Road	\$135,207.00	\$114,334.91	\$17,018.18	\$131,353.09	\$3,853.91
GS74	Klause Road	\$113,144.00	\$104,002.64	\$13,472.73	\$117,475.37	-\$4,331.37
GS75	Walter Willis Road	\$64,229.00	\$58,765.00	\$4,963.64	\$63,728.64	\$500.36



Collins Street – Collins St experienced extensive pavement failure in November due to heavy rains overloading the piped drainage system. Collins St is scheduled for new asphalt in January, so drainage improvement and road repairs needed to be undertaken prior to this. Fortunately, a contractor was able to mobilise at short notice and complete the work before Christmas. The road now has a temporary seal and is ready for the asphalt to be applied as scheduled. The cost of the repair works will be met by projected savings in the overall Greenbushes roadworks project funded by Talison Lithium.



Dairy Lane – Works to improve drainage on Dairy Lane were completed in October. This included upgrading the existing gravel pavement to asphalt and installation of kerbing to direct stormwater. This project was completed under budget.

Job	Description	Budget	YTD Actual	Order Value	Total Actual	Variance
DR38	Dairy Lane Drainage	\$46,307.00	\$36,303.83	\$0	\$36,303.83	\$10,003.17



Liquid Waste – The infrastructure project to address the performance problems with the Liquid Waste Facility is progressing. An asphalt hardstand and 250kl holding tank has been installed with the next step being installation of concrete bunding for spill containment. Securing a concreting contractor has proven challenging however we are confident this can be achieved and the infrastructure commissioned before winter. The site has capacity for expansion with the hardstand size designed to allow an additional 250kl tank if required.

Job	Description	Budget	YTD Actual	Order Value	Total Actual	Variance
WA01	Bridgetown Landfill Liquid Waste Facility	\$69,953.00	\$39,875.53	\$0	\$39,875.53	\$30,077.47



Maintenance:

Grading – The amount of road grading completed over the last month is quite minimal as is typical at this time of year. This is due to the Christmas/New Year break, and one grader being tied-up with road construction projects. The following roads were graded: Rifle Range Road, Naylor Yates Road, Tillman Road, Tillman Young Road, Elphick Fleeton Road, Lowe Road, Huitson Road, Hay Road.

Parks & Gardens – In addition to the usual ongoing works such as mowing, weeding, and watering, the team have been busy auditing reticulation at all sites. Repairs and improvements have been made and in particular, moving towards standardising components.

Trees – Extensive powerline tree pruning works have been budgeted for the 2023/24 year with some high-priority works already completed. The bulk of the programmed works will be commencing in January.

Job	Description	Budget	YTD Actual	Order Value	Total Actual	Variance
ZB09	Powerline Pruning	\$123,440.00	\$31,810.00	\$91,485.00	\$123,295.00	\$145.00

Verge Works - Other pruning works have been undertaken throughout the year under the various applicable verge maintenance programs. A skeleton crew continued to work over the Christmas/New Year break and used the time to complete many of the outstanding low-priority jobs. This included a significant cleanup of piles of branches and other vegetation left on verges from previous works.

Job	Description	Budget	YTD Actual	Order Value	Total Actual	Variance
ZB06	Verge Maintenance Built Up Areas	\$98,930.00	\$16,425.44	\$2,399.80	\$18,825.24	\$80,104.76
ZB07	Verge Maintenance Outside Sealed	\$90,495.00	\$6,956.51	\$491.40	\$7,447.91	\$83,047.09
ZB08	Verge Maintenance Outside Unsealed	\$48,689.00	\$7,324.29	\$748.80	\$8,073.09	\$40,615.91

Storms – The recent thunderstorm to resulted in numerous trees across roads, particularly in the south east region of the Shire. Cleanup works occupied much of the workforce for approximately a week.

Job	Description	Budget	YTD Actual	Order Value	Total Actual	Variance
ZA09	Storm Damage Roads Built Up Areas	\$51,779.00	\$48,658.14	\$0	\$48,658.14	\$3,120.86
ZA10	Storm Damage Roads Outside Sealed	\$64,384.00	\$17,734.45	\$0	\$17,734.45	\$46,649.55
ZA11	Storm Damage Roads Outside Unsealed	\$66,395.00	\$13,193.67	\$0	\$13,193.67	\$53,201.33



Bridges – Repairs to the guard rail on bridge 3316 on Winnejup Road have been completed by a contractor. Minor substructure repairs (pile banding) to bridge 3705 McKelvie Rd and scheduled preventative maintenance works on bridge 3318A Maranup Ford Rd are scheduled with contractor for April.

Job	Description	Budget	YTD Actual	Order Value	Total Actual	Variance
BR06	Maranup Ford Road Bridge (3318A)	\$87,420.00	\$0	\$87,420.00	\$87,420.00	\$0
BM01	General Bridge Maintenance	\$106,757.00	\$75,180.61	\$1,250.00	\$76,430.61	\$30,326.39

Plant:

Sweeper – The Shire has taken delivery of a new Hako Citymaster 1650 sweeper as a replacement for the Tenant S20 footpath sweeper. The new machine is not yet in use pending operator training due to be undertaken in January. However, staff are impressed with features and capabilities and are keen to put it into action.



Light Vehicles – The purchase of 4 new utilities has been completed as scheduled. The light fleet budget actuals show overexpenditure, however this should be resolved once the sale of some surplus vehicles is completed.

Tracked Loader – A replacement tracked loader for the waste facility has been ordered and is due for delivery in May.

Job	Description	Budget	YTD Actual	Order Value	Total Actual	Variance
PL06	Footpath Sweeper	\$140,900.00	\$140,900.00	\$0	\$140,900.00	\$0
40504	Plant works & services fleet vehicles	\$146,903.00	\$154,583.19	\$0	\$154,583.19	-\$7,680.19
PL14	Tracked Loader Waste Site	\$412,280.00	\$0	\$412,280.00	\$412,280.00	\$0

Statutory Environment
Local Government Act 1995

Integrated Planning

➤ Strategic Community Plan

Outcome 6 A sustainable, low-waste. circular economy.

Objective 6.1 Provide sustainable, cost effective waste management infrastructure and services

Outcome 9 Safe, Affordable and efficient movement of people and vehicles.
Objective 9.1 Improve road safety and connectivity.

- Corporate Business Plan
- Long Term Financial Plan
- Asset Management Plans
- Workforce Plan
- Other Integrated Planning

Policy/Strategic Implications – not applicable

Budget Implications – none

Whole of Life Accounting – not applicable

Risk Management – not applicable

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
Rare	The event may only occur in exceptional circumstances	Less than once in 15 years	< 10% chance of occurring

Risk Matrix					
Consequence Likelihood	1 Insignificant	2 Minor	3 Moderate	4 Major	5 Catastrophic
Almost Certain	Moderate	High	High	Extreme	Extreme
Likely	Low	Moderate	High	High	Extreme
Possible	Low	Moderate	Moderate	High	High
Unlikely	Low	Low	Moderate	Moderate	High
Rare	Low	Low	Low	Low	Moderate

Voting Requirements

Simple Majority

***Council Decision Moved Cr Christensen, Seconded Cr Fletcher
C.23/0124 That item C.23/0124 - Update on Works & Services Programme, be
accepted as urgent business.***

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

**Council Decision Moved Cr Christensen, Seconded Cr Fletcher
C.23/0124a That Council note the current status of the Works & Services
programme for the month of January 2024.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Shire President

Is this report going to happen on a monthly basis?

CEO Response – Yes, it is important that both Council and the wider community understand the important work that is performed by the Infrastructure team.

Shire President

This will actually be great, by appearing in the Council meeting every month, it means the community can look at the outline of what's been done each month.

CEO Response - It's also going out on Facebook every month as well. We know there's a lot to do, but we think sometimes what has been done gets missed.

Cr Redman

The report states that the operator training is happening in January, any update?

Manager Infrastructure – Yes, next Tuesday.

Responses to Elected Member Questions Taken on Notice

Nil

Elected Members Questions With Notice

Nil

Notice of Motions for Consideration at the Next Meeting

Nil

Matters Behind Closed Doors (Confidential Items)

In accordance with Section 5.23(2) of the Local Government Act the CEO has recommended Item C.20/0124 and C.21/0124 be considered behind closed doors as the subject matter relates to the following matters prescribed by Section 5.23(2):

(b) The personal affairs of any person

In accordance with Clause 4.2 of the Standing Orders Local Law, the contents of this item are to remain confidential and must not be disclosed by a member to any person other than a member of Council or an employee of the Council to the extent necessary for the purpose of carrying out his or her duties.

ITEM NO.	C.20/0124	FILE REF.	
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SUBJECT	Advisory Committees
OFFICER	Executive Assistant
DATE OF REPORT	09 January 2024

Council Decision *Moved Cr Pratico, Seconded Cr Lansdell*
C.20/0124 *That Council go behind closed doors to consider Item C.20/0124 at 6.19pm.*

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Council Decision *Moved Cr Lansdell, Seconded Cr Fletcher*
C.20/0124a *That Council invoke clause 18.1 of the Standing Orders at 6.20pm to allow for informal discussion.*

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Council Decision *Moved Cr Lansdell, Seconded Cr Pratico*
C.20/0124b *That application of clause 18.1 of the Standing Orders cease at 6.23pm.*

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

Moved Cr Christensen, Seconded Cr Pratico
C.20/0124c That Council;

1. Amends the Instrument of Appointment for the Access and Inclusion Advisory Committee by changing the membership structure of the Committee to increase the maximum number of community representatives from 9, to a maximum number of 10 community representatives.
2. Appoint Kaye McLennan, Margaret Morton, Rachael Tannahill and Roberta Waterman as community representatives on the Access and Inclusion Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 28.
3. Appoint David Morton as community representative on the Trails Development Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 29.

Amendment Moved Cr Christensen, Seconded Cr Pratico
C.20/0124d That Council

4. Appoint Mike Fletcher as a representative on the CEO Performance Review Committee.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.

Against: Nil

The amendment was incorporated into the substantive motion and was put.

Council Decision Moved Cr Christensen, Seconded Cr Pratico

C.20/0124e That Council;

- 1. Amends the Instrument of Appointment for the Access and Inclusion Advisory Committee by changing the membership structure of the Committee to increase the maximum number of community representatives from 9, to a maximum number of 10 community representatives.**
- 2. Appoint Kaye McLennan, Margaret Morton, Rachael Tannahill and Roberta Waterman as community representatives on the Access and Inclusion Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 28.**
- 3. Appoint David Morton as community representative on the Trails Development Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 29.**
- 4. Appoint Mike Fletcher as a representative on the CEO Performance Review Committee.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.

Against: Nil

ITEM NO.	C.21/0124	FILE REF.	
SUBJECT	Proposed Organisational Restructure		
OFFICER	Chief Executive Officer		
DATE OF REPORT	17 January 2024		

Council Decision Moved Cr Pratico, Seconded Cr Christensen

C.21/0124a That Council invoke clause 18.1 of the Standing Orders at 6.25pm to allow for informal discussion.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.

Against: Nil

Council Decision Moved Cr Lansdell, Seconded Cr Christensen

C.21/0124b That application of clause 18.1 of the Standing Orders cease at 7.10pm.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.

Against: Nil

Council Decision Moved Cr Christensen, Seconded Cr Fletcher

C.21/0124c That Council adopts the new proposed organisational restructure, as per Attachment 27.

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

**Council Decision Moved Cr Lansdell, Seconded Cr Christensen
C.21/0124d That Council come out from behind closed doors at 7.11pm.**

Carried 8/0

For: Crs Boyle, Christensen, Fletcher, Lansdell, Mountford, Pearce, Pratico and Redman.
Against: Nil

**Closure
The Presiding Member to close the meeting.7.13pm.**

List of Attachments

Attachment	Item No.	Details
1	C.01/0124	Ordinary Council Minutes 14 December 2023
2	C.02/0124	Dec 2023 Talison Grant Report
3	C.04/0124	Draft Fencing Local Law 2024
4	C.04/0124	Current Shire of Bridgetown-Greenbushes Local Laws Relating to Fencing
5	C.05/0124	Existing Lease – Lot 55 Rose Street, Bridgetown
6	C.05/0124	Location plan of leased area
7	C.06/0124	Response to Discussion Paper on the Review of Cemeteries Act 1986 and the Cremation Act 1929
8	C.06/0124	Department of Local Government, Sport and Cultural Industries Discussion Paper - Review of the Cemeteries Act 1986 and the Cremation Act 1929
9	C.07/0124	G 13 - Meetings of Council - Guest Speakers
10	C.08/0124	G 18 - Taking of Photographs in the Council Chambers
11	C.09/0124	PES 2 - Private Works Plant & Equipment Accessed by Shire Staff Policy
12	C.10/0124	CP 6 - Vandalism Policy
13	C.11/0124	CR 7 - Australia Day Events
14	C.12/0124	Draft amended Policy IM 2 - Records Management
15	C.12/0124	Current Policy IM 2 - Records Management
16	C.13/0124	FM 7 - Use of Corporate Credit Cards (Old)
17	C.13/0124	FM 7 - Corporate Credit Cards (New)
18	C.14/0124	PR 1 - Functions in Shire Reserves or Parks Policy (Old)
19	C.14/0124	PR 1 - Events in or on Shire Property (New)
20	C.15/0124	November 2023 Financial Activity Statements
21	C.15/0124	December 2023 Financial Activity Statements
22	C.15/0124	List of Accounts Paid in December 2023
23	C.18/0124	Greenbushes Sportsground BBQ Shelter Site Plan
24	C.19/0124	Rolling Action Sheet

Agenda Papers prepared and
recommended by **Name, Position**

Date

Agenda Papers authorised by
N Gibbs, CEO

Date
