

## Council Minutes Index – 30 November 2023

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## **AGENDA**

For an Ordinary Meeting of Council to be held in Council Chambers on 30 November 2023, commencing at 5.31pm.

### **Opening of Meeting**

*Meeting to be opened by the Presiding Member.*

### **Acknowledgment of Country**

*We acknowledge the cultural custodians of the land on which we gather, the Pibulum-Wadandi people. We acknowledge 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	- S Mahoney (Deputy)
	- 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
	- P St John, Director Development, Community, and Infrastructure
	- M Richards - Manager Community Services
	- L Taramoeroa, Executive Assistant

### **Attendance of Gallery**

K Hill, N Ward, D Roberts, L Roberts, B Bebbington, B Longbottom, M Flemming, F Birks, S Ewing, P Crossan, C Crossan, S Alexander, D Hocking, K Piper, D Reeves

### **Responses to Previous Questions Taken on Notice**

#### **B Bebbington**

##### **Question**

Regarding the notice of Town Planning Scheme No. 3, Scheme Amendment No. 73, the notice of advertising has not been displayed as a public notice on the website and the community consultation link does not show the amendment document. Will the Shire recommence the advertising of the amendment due to this failure?

The Shire will look further into this matter and will report to the Council on this question when the Scheme amendment is further considered. I anticipate that this will occur at the December 2023 Council meeting.

### Question

What are the training obligations under the WHS Act? Can the Shire notify all brigade members of that situation and whether they are allowed to attend fires or not. There has been training introduced but we need to make sure that if people are not compliantly trained, they cannot attend fires.

*CEO response - will be meeting urgently with our CESM & District DFES representative as I haven't been involved in the communication process between them and BFAC and sometimes it is about inconsistent messaging. When the WHS Act first dropped there were a lot of volunteers refusing to go to training because they didn't understand how the obligations had changed, we just need to recommence those discussions respectfully to make sure that everyone is reformed about how different this new legislation is.*

### **Public Question Time**

#### **B Longbottom**

##### Question

Are the Councillors elected supposed to represent the people that elect them or do they have their own agenda? Are they meant to put forward what the people want?

*Presiding Member – Yes, the councillors are elected to representatives of the Community.*

##### Question

Are all Councillors representative of all community or is it just the local community of which they represent? Do they represent the whole Shire or that area?

*Presiding Member - Most definitely represent the whole Shire. Yes, every Councillor has the responsibility to represent people from both Bridgetown and Greenbushes.*

##### Question

If a person is from Bridgetown, how would they understand what the community in Greenbushes want?

*Presiding Member - Most of us Councillors do consult with the Greenbushes community.*

##### Question

Are you aware of the protest put forward and no one seems to take any notice of that and not consulting with the people of Greenbushes. The protest was in relation to bollards being erected and flower beds in front of the Greenbushes post office – that area is currently being used as a parking area?

*Presiding Member - The role of a Councillor is difficult in that sometimes we must make decisions that don't necessarily please all the community. We understand the concerns that have been placed around that, but the Council made the decision based on safety requirements.*

Question

The proposed drawing design I have seen has introduced a greater safety hazard with how it is designed. The two carparks, provided at the end of the shop you cannot see people if you back out or drive in if you're using the service station.

*Manager Community Services – The drawing was just to show the community that they could put carparks there. Not that was where we would put carparks.*

Question

Where is the evidence of reversing onto that road that is dangerous?

*Presiding Member - There are regulations surrounding this perhaps. That question will need to be taken on notice.*

Question

If that decision has been passed by the Council. What procedure do we have to go through to get this decision reversed?

*Presiding Member response – That question will be taken on notice.*

Question

What has happened with the speed limit on the road that was supposed to be bought down by Main Roads? It's been several months now since I last discussed this with you.

*Presiding Member – There has been some progress on the application with Main Roads.*

Question

So, nothing about repairs to the road and nothing about the speed sign then?

*Presiding Member – The repair to the roads is an ongoing part of our roads schedule which is all being reviewed now. Main Road decision hasn't come back.*

Question

Last time you told me Stanifer Street was a Shire responsibility. I still can't get my head around the fact that if it's a Shire responsibility. Why do we have to wait for Main Roads that we are waiting for to slow down the traffic at the school crossing zone?

*Presiding Member – Main Roads is responsible for the speed limits. Although it's our road we don't have the authority to adjust the speed limits as a local government.*

Question

It got changed in Bridgetown quickly, why doesn't it get done in Greenbushes?

*CEO response – It's the main highway.*

*Presiding Member - The 40kph through Bridgetown was part of the trial that the State government was doing with a series of towns throughout the Southwest, so they instigated the trial it wasn't something that was generated by us.*

Question

What about a school crossing though? Has consideration been given to that?

*Cr Pratico – the application for it to be a school zone is the distance from Stanifer St from the school is outside the regulations. There has been a number of applications to try and make it fit but they can't so the 40kph that applies in the school zone does not apply in Stanifer Street.*

*Presiding Member - Take that question on notice.*

**M Flemming**

Question

I asked if someone could contact Mr Carstairs and see if he would arrange for us to get the wooden Christmas decorations back.

*CEO response – Officers have approached Mr Carstairs who has stated that he has never seen the Christmas decorations and has no knowledge of the Christmas decorations or what happened to them. Officers have contacted the Shire of Boyup Brook, who has advised that the Shire of Boyup Brook has no knowledge of the Christmas decorations and has no knowledge of what has happened to them. Officers have asked the question of every current employee within the Shire of Greenbushes-Bridgetown. Only one current employee has knowledge of the Christmas decorations and what happened to them. The information is as follows:*

*Approximately 10 years ago, the Blackwood Women's Group asked the Shire if they could store the Christmas decorations under the stage in the Town Hall. Officers agreed to do this. St Pauls Anglican Church then asked the Blackwood Women's Group if they could borrow the decorations. The Shire has no knowledge of what happened to the decorations after this point in time. The Shire never owned the decorations and did not ever gift them to anyone. Perhaps Ms M Flemming may wish to approach St Pauls Church to find out what happened to the decorations.*

Question

The road behind IGA and the creek is very badly broken at the edges and very dangerous. Is there any chance of that being done soon?

*Steele – Most of that is private property. It's not a Shire managed road.*

Question

Does that mean that nobody is going to fix it because its private property?

*Presiding Member response – Take that question on notice.*

## **B.Bebbington**

### Question

In relation to the Town Planning Scheme Amendment 73, the website and the Rolling Action Sheet refer to the closing date of submissions being the 15 November. Have submissions closed on that?

*Director Development, Community, and Infrastructure - There is a requirement for a public advertising period, but the Act does allow a Council at its discretion to consider submissions received after the closure. So yes, it has closed but there is an opportunity still to put submissions in and the Council has discretion to consider these.*

### Question

In relation to the item that was bought up at the Special Council Meeting regarding the funding of Talion's 2024 and the item of \$200,000 to go towards the development of the park at the Highlands. As it is normal that subdivision approval includes the developer to provide all parks and facilities or a developer contribution and that the parkland and the internal roads do not normally be handed to the local government until a point of completion. Was it a requirement for the Highlands, for the developer to develop that park there? Or has the Shire received a contribution and should that \$200,000 be going to its developer contribution requirement?

*Director Development, Community, and Infrastructure - I will look into his further. The normal requirements of the WA Planning Commission is to require land or sometimes a reduced land and cash contribution for public open space development. It is also possible that any contribution this case might be a voluntary one.*

*Cr Pratico – There was a commitment to a contribution when Stage 5 is completed. We are not able to even pre-empt when he is going to finish Stage 5.*

*Presiding Member - I have a figure of \$40,000.*

*Cr Pratico - Time has eroded that figure considerably.*

### Question

In relation to the Community Engagement Policy that has been resubmitted for this evening noting that the Officer report does not indicate the changes and there's 43 changes to the document. Specifically, can we find out why the changes from the last months presentation - we removed the requirement to ensure that the consultation involves people affected by the Council decision and also deleted make it easy as possible for the community to participate and provide input, which to me is inconsistent with the Strategic Plan and Business Plan.

*CEO response – I can't answer that question because unfortunately Jennifer wasn't able to be here today, but it was just so very repetitive we commit we commit we commit – we've already within that document commit extensively towards consulting with the community so we just got feedback that the list was very repetitive. So it was just reworking not to lessen our commitment to*

*the community consultation it's just trying to tighten up the language because we got a change to rework the document.*

Question

In relation to the Town Planning Scheme Amendment Act which the Shire were required to advertise for 42 days and in accordance with the Regulations 2015 is required to make available the advertisement and add a link or hyperlink if they don't display the information for the entire 42 days which is referred to in the Rolling Action Sheet for the Local Planning Scheme. The Shire is aware of the requirement. Since last month now in October, I brought to the Shire's attention that the advertisement for the Town Planning Scheme Amendment wasn't on the public notices page and where it was on the consultation page, the link took it to the application for 5 development units – so therefore the hyperlink didn't exist, isn't the Shire required to advertise it for 42 days consistently showing the information.

*Director Development, Community, and Infrastructure - It will be addressed in the report to Council in the December Council Meeting further with the amendments for consideration.*

Question

Same provisions in the State Planning and Development Act Regulations 2015 also specify that once the consultation has closed and submissions have formally closed which was November 15, yes there is a provision that allows they can accept more submissions, that within 60 days of the closing of the advertised period the local government must consider, and there are only 3 options available to the local government. Accept the proposal, accept the modification, which triggers its own advertising, or reject. Therefore, if the Shire considers it completed its advertising of submissions, it has until January 14<sup>th</sup> to put forward that motion with only 3 options. There are no other options under the legislation. How do you propose to review the advertising?

*Director Development, Community, and Infrastructure - I'm afraid there is a misquote of the Regulations there – what was not mentioned was in fact what the Regulations specify a time period but allow this to be extended with the approval of the Western Australian Planning Commission. I can tell you that I have the approval of the Planning Commission for the extension of time has been granted. So, this opens to the Council to consider other options other than those specified in the regulations – but what wasn't told to you was that resolutions do allow for the Commission to give Council additional time to consider the amendment.*

**P Crossan.**

Question

I came to the Greenbushes meeting last year and brought up the problem of the ability to refill the fire trucks after an incident where it takes us a good 2-2.5 hours to fill 3000L. They said they would look into it; I came to a meeting here 2 months back and the Councillors were under the idea that it had been fixed or covered and so far nothing has happened at the station.

*CEO response – What exactly needs to happen at the station?*



We've been told previously that they can't do anything about the pressure in the town water system so we did bring up there is a 50,000L water tank there that could be flow fed from the fire hydrant line and have a standalone pump inside the station so they pump from tank into truck.

*CEO response – Take that question on notice.*

*Cr Pearce – In relation to the tank, the Station about to be built. Numerous approaches to Water corporation about the town pressure. There is nothing they can do about that. In relation to the 50,000L tank, that site at completion of the build, Greenbushes station will be handed back to DFES – no point spending a lot of money on plumbing and infrastructure into that tank itself. The decision was made to wait until completion of Greenbushes new station and then make an assessment from there.*

*Presiding Member – So we can make a submission to DFES presumably.*

*Cr Pearce - Well now they have a portable pump that they can hook into that tank to fill. It is awkward but at the time there is no other option.*

*CEO response – I will do a similar investigation and get back to you.*

## **B Bebbington**

### Question

In relation to the issue raised by the man in Greenbushes regarding Stanifer Street speeds, has the Shire undertaken any traffic counts which also would do a speed count with Stanifer and this street that may assist in putting out an argument regarding the speed?

*Steele - Part of our submission to main roads is to include an updated traffic count so we do have one for Stanifer Street. Blackwood Road wasn't part of it so, we don't have current ones for that.*

### Question

In relation to the Town Planning Scheme Amendment item, the Shire is aware as I've had confirmed by the Minister for Planning that in the agenda item – the map that was provided to Council was incorrect and did not show the entire area subject to the amendment. The EPA was supplied with the incorrect map, and they confirmed that yesterday. The public with the limited time of 30 days the advertising occurred were also supplied with the wrong map. Councillors do you believe that you as Councillors, the EPA who made the environmental assessments, and the community should be given a correct map that clearly shows a town planning scheme amendment or should we just simply say were going to readvertise it.

*Director Development, Community, and Infrastructure - There were two items missing – we will be reporting to that in December and you will get to decide how you want to deal with the amendments when the report goes to you in 2 weeks' time.*

## **Petitions/Deputations/Presentations**

### D Reeves

Trade as a young man was a Stonemason. The reason Stonemasons don't put our initials on their work, is because there is standard of that work, and if one man puts his initials there, where does it end? I feel that if I did that I would be going against my code as a tradesman. I would ask that the decision that was made to put Ken Moyes initials on there be overturned.

*CEO response - I am writing in response to your presentation made at the Council Meeting held on Thursday 30<sup>th</sup> November 2023.*

*The decision that you referred to was made by the Council at its meeting of 29 June 2023 (reference C.03/0623). The decision was as follows;*

***“That the historical initials of Ken Moyes included in the pointing of the stonework at the front of the civic building be reinstated, in an authentic a manner as is possible.”***

*As CEO, it is my responsibility to ensure that the decisions of the Council are implemented, and the Council staff have taken steps towards the implementation of this decision, as they should. In this case the planning and organising of this work is completed and the works are due to occur imminently.*

*It was not possible for this matter have been reconsidered by the Council at the meeting on Thursday evening. The reason for this is that the Councils Standing Orders (these are the rules under which Council meetings operate) do not allow it to consider a motion to revoke or change a decision where action has been taken to implement that decision, without a report prepared by staff outlining any legal and financial consequences of such a revocation. As this matter was not on the agenda for the meeting, no such report was prepared and as such, any consideration of revocation last Thursday evening would have improperly breached our Standing Orders.*

*I do appreciate that you have genuine reasons for not agreeing with this decision. I can only respond to that by saying that this matter was lawfully decided by the Council in June of this year, after due consideration and debate, and as such the decision stands and is required to be implemented.*

### **Comments on Agenda Items by Parties with an Interest**

**Applications for Leave of Absence** - Nil

### **Confirmation of Minutes**

Attachment 1 - Minutes of Special Council Meeting held 24 October 2023 (Meeting number 1)

*That the Minutes of the Special Meeting of Council held at 5.30pm on 24 October 2023 (Meeting number 1) be confirmed as a true and correct record.*

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

**Ca.01/1123** *That the Minutes of the Special Meeting of Council held at 5.30pm on 24 October 2023 be confirmed as a true and correct record.*

**Carried 9/0**

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

Attachment 2- Minutes of Ordinary Council Meeting held 24 October 2023 (Meeting number 2)

*That the Minutes of the Ordinary Meeting of Council held at 6.14pm on 24 October 2023 (Meeting number 2) be confirmed as a true and correct record.*

**Moved** Cr Pratico, Seconded Cr Fletcher

Ca.02/1123 Minutes of the Ordinary Meeting of Council held at 6.14pm on 24 October 2023 be confirmed as a true and correct record.

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

**Amendment** Moved Cr Pratico, Seconded Cr Fletcher

To amend the wording from 'Ordinary Meeting of Council...' to Special Meeting of Council'...'

**Carried 9/0**

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

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

**Ca.02/1123** *That the Minutes of the Special Meeting of Council held at 6.14pm on 24 October 2023 (Meeting number 2) be confirmed as a true and correct record.*

**Carried 9/0**

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

Attachment 3 - Minutes of Ordinary Council Meeting held 2 November 2023.

*That the Minutes of the Ordinary Meeting of Council held 2 November 2023 at 5.32pm be confirmed as a true and correct record.*

**Council Decision** *Moved Cr Lansdell, Seconded Cr Mahoney*

**Ca.03/1123** *That in accordance with clause 11.1(b) of the Standing Orders Local Law, debate on item Ca.03/1123 be adjourned to a future ordinary meeting of Council to allow for corrections to be made.*

**Carried 9/0**

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

Attachment 4 - Minutes of Special Council Meeting held 13 November 2023.

*That the Minutes of the Special Meeting of Council held 13 November 2023 at 5.31pm be confirmed as a true and correct record.*

**Council Decision Moved Cr Lansdell, Seconded Cr Pratico  
Ca.04/1123 That the Minutes of the Special Meeting of Council held 13  
November 2023 be confirmed as a true and correct record.**

**Carried 9/0**

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

### **Announcements by the Presiding Member Without Discussion**

#### **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.

Name	Cr Mike Fletcher
Type of Interest	Impartiality
Item No.	Ca.07/1123 Bush Fire Brigade Training Report Ca.09/1123 Repeal Policy ES2 – Use of Chainsaws by Bush Fire Brigade and ES4 Bush Fire Brigade Personal Protective Equipment

Name	Cr Lyndon Pearce
Type of Interest	Financial
Item No.	Ca..12/1123 Priorities for the Talison Community Investment programme for 2024
Nature of Interest	I am an employee of Talison Lithium Greenbushes Operations

### **Questions on Agenda Items by Elected Members**

### **Consideration of Motions of which Previous Notice has been Given**

#### **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**

<b>ITEM NO.</b>	Ca.05/1123	<b>FILE REF.</b>	
<b>SUBJECT</b>	Work Health and Safety Act 2020 – Obligations		
<b>OFFICER</b>	Chief Executive Officer		
<b>DATE OF REPORT</b>	22 November 2023		

**OFFICER RECOMMENDATION**

*That Council acknowledge receipt of information contained in this report.*

**Summary/Purpose**

To inform any Elected Members who are not already aware of their significant obligations under the *Work Health & Safety Act 2020* (the WHS Act).

The WHS Act was passed through parliament in 2020 and took effect from 31 March 2022. Employers are largely expected to “hit the ground running” in compliance with the new laws. This Item highlights features of the new legislation with the potential to impact Council and the Shire in general.

**Background**

The WHS Act was passed through parliament in 2020 and took effect from 31 March 2022. Employers were expected to immediately comply with the new laws. Acknowledging conflicting and somewhat shifting legal advice since the introduction of the WHS Act, and to ensure the accuracy of information provided in this Item, the CEO sought specific advice from the Department of Mines, Industry Regulation and Safety: WorkSafe, the body that prosecutes under the WHS Act. Inspector Geoffrey States spoke with the CEO at length.

**THE MOST SIGNIFICANT CHANGES**

1. The WHS Act introduces the concept of a ‘Person Conducting a Business or Undertaking’ (PCBU), replacing the outdated concept of an ‘employer’ as the person with primary health and safety duties. A PCBU can be a sole trader, each partner within a partnership, a joint venture, a company, an unincorporated association, a not-for-profit organisation, a government department or a public authority (including a local government) whether or not they are operating for profit or gain.
2. There is now the inclusion of the new offence of ‘Industrial Manslaughter.’ Under the new laws, individuals can be charged with Class One or Class Two Industrial Manslaughter offences in the event of a workplace death. Class One Industrial Manslaughter covers conduct that is engaged in, with knowing disregard, that it is likely to cause death and carries a maximum jail term of 20 years. Class Two Industrial Manslaughter covers conduct that is a negligent breach of a duty owed by a PCBU that results in death and carries a maximum jail term of 10 years.
3. The concepts of Worker and Workplace have been expanded. Worker now includes employees, contractors, sub-contractors, employees of contractors, employees of labour hire companies, apprentices, trainees, work experience students and, in certain situations, volunteers. Workplace is defined as a place where work is carried out for a business or undertaking and includes any place

where a worker goes, or is likely to be, while at work. The term place includes vehicles, vessels, aircrafts or other mobile structures and extends to any waters and installation on land, including roads.

4. There has been a change to the primary duty. The new laws require all PCBUs to ensure, so far as is reasonably practicable, while workers are at work in the PCBU, the health and safety of:
  - Workers engaged, or caused to be engaged by the person; and
  - Workers whose activities in carrying out the work are influenced or directed by the person.

This change drives a need to focus on the risks a hazard may pose and to manage those risks to a practicable level. The duty to ensure health includes a duty with respect to taking positive practicable steps to ensure the mental health of workers.

5. Penalties for WHS breaches are no longer insurable. Duty holders are no longer able to obtain insurance for a penalty imposed following a WHS prosecution. Individuals who breach this are liable for penalties of up to \$51,000 and body corporates are liable for penalties up to \$250,000. This change means that businesses need to ensure they are taking proactive steps to develop procedures designed to meet their legal obligations and to ensure compliance with those procedures by their workforce. Duty holders should be aware that duties are not transferrable and cannot be contracted out of.
6. There is now a duty to consult with other duty holders and workers and their representative. The new laws require duty holders with shared responsibilities to work together to make sure someone does what is needed. This requires consultation, co-operation and co-ordination between duty holders such as partners, joint venture partners, and principals and contractors. PCBUs are now also required, so far as is reasonably practicable, to consult with workers and health and safety representatives about matters that directly affect them. This duty extends to consulting with all kinds of workers, not just the PCBU's own employees. Meeting these consultation duties requires some planning as to how and when consultation will be undertaken.
7. There is now provision for officer due diligence. Officers of PCBUs now have personal obligations to demonstrate a proactive approach to workplace health and safety matters. Officer has the same meaning as defined in the *Corporations Act 2001* (Cth) and includes directors and/or any person who make or participate in making decisions that affect the whole, or a substantial part, of the PCBU. Officers must now exercise due diligence to make sure the business meets its duties to protect workers and other persons against harm to health and safety. All officers now need to be trained to ensure they fully understand these obligations and are taking all necessary steps to comply with them. There is an obligation on an officer to refuse work if it cannot be done safely.

## 8. CODE OF PRACTICE – WORKPLACE BEHAVIOUR

This Code aims to prevent and manage inappropriate or unreasonable behaviour that may occur in the workplace, encompassing all types of workplace behaviour that may create a risk to the personal health and safety of workers. Whilst the Code captures physical behaviours, it also extends to psychological and social conditions which may negatively impacts workers. It is the responsibility of PCBUs to ensure, so far as reasonably practicable, that workers and other people in a workplace are not exposed to psychological health and safety risks.

Inappropriate or unreasonable behaviour includes, but is not limited to:

- Bullying;
- Harassment;
- Sexual harassment;
- Racial harassment;
- Violence and aggression;
- Discrimination;
- Misconduct; and
- Escalated or unreasonable conflicts.

#### 9. CODE OF PRACTICE – PSYCHOSOCIAL HAZARDS IN THE WORKPLACE

There is now provision for psychosocial hazards in the workplace. Penalties for contributing to mental health harm are now as severe as penalties for contributing to physical harm.

This Code captures hazards and conditions in workplaces that pose psychological and social risks to workers (as opposed to just physical risks). These include the obvious factors of bullying, harassment, violence and aggression, but also the less obvious issues of fatigue, stress and burnout that can compromise a worker's psychosocial wellbeing. Under this Code, it is the responsibility of PCBUs to facilitate a systematic approach to managing psychosocial hazards in order to meet their responsibilities under the WHS Act and to create a safe and healthy work environment for employees.

#### 10. CODE OF PRACTICE – VIOLENCE AND AGGRESSION IN THE WORKPLACE

This Code captures any incident where a person is harassed, threatened, attacked or physically assaulted within a workplace, and includes any form of physical assault, sexual assault, verbal abuse, threats, intimidation and harassment (including sexual harassment).

Under this Code, PCBUs must consider violence and aggression risk management as part of an overall prevention plan. There are three key areas employers should focus on when implementing this plan, including managing violence and aggression in the workplace, responding to any type of abuse in

the workplace and ensuring post-incident support services are available such as counselling or legal support should they arise.

Code of Practice compliance centres around the implementation of a Risk Management Approach.

To comply with the above Codes, PCBUs must adopt a proactive risk management approach in order to prevent and reduce psychosocial risk in the workplace by:

- Identifying the hazards and risk factors;
- Assessing the risks;
- Controlling the risks by making the changes necessary to eliminate the hazards or risk factors, and if this is not practicable, then minimising the risk of harm; and
- Monitoring and reviewing the effectiveness of controls and adapt or improve the controls where necessary.

## 11. THE APPROACH THE REGULATOR TAKE TOWARD BREACHES

WorkSafe WA and Resources Safety have been consolidated into the Safety Regulation Group under the independent WorkSafe WA Commissioner. PCBUs may expect to be prosecuted in accordance with the WorkSafe WA Prosecution Policy.

The WHS Act will allow WorkSafe WA inspectors to issue PCBUs with consequences dependent on the circumstances and by applying a consistent approach to similar fact circumstances in order to achieve greater certainty and protection in the workplace. Where a breach has occurred, in addition to recommending prosecution, a WorkSafe inspector may issue PCBUs with:

- Advice on compliance;
- Assistance to mediate and resolve workplace disputes;
- Issuance of improvement notices;
- Issuance of prohibition notices;
- Revoking, suspending or cancelling authorisations;
- Enforcing criminal prosecutions; and
- Publishing enforcement actions and outcomes.

WorkSafe WA inspectors may conduct site visits either in response to an incident or a complaint or as part of a targeted compliance program. This means that inspectors may require the employer or persons involved to produce documents relevant to WHS and conduct interviews requiring these persons to answer. This may result in the inspector seizing information to use against the employer as evidence of an offence and may issue a notice of improvement or prohibition notice.



## 12. WHAT ELSE MAY LEAD TO A PROSECUTION?

- Failure to consult between multiple PCBUs where the risk is obvious;
- Failure to carry out due diligence;
- Labour hire employees working outside of their skill or scope;
- Taking on work contracts which ultimately lead to risks and safety issues;
- Contractors failing to be responsible for not only employees, but also the plant and equipment of the client; and
- Failure to audit to ensure safety procedures and systems are being complied with.

## 13. WHAT DO WE NEED TO DO NOW?

PCBUs and their officers were directed to take urgent steps to ensure they were compliant with the WHS Act from 31 March 2022. The Shire of Bridgetown was expected to:

- Understand how the WHS Act impacts on the Shire;
- Review and update systems and processes to ensure compliance with the WHS Act;
- Provide training to officers about the new obligations and what Courts and regulators are likely to consider is required for compliance;
- Develop evidence of daily compliance with the obligations under the WHS Act; and
- Implement audits to ensure ongoing compliance with the WHS Act.

Immediate action has been taken over the past month to ensure rapid implementation of initiatives intended to ensure compliance with the above.

## 14. APPLICABILITY TO LOCAL GOVERNMENT

The Shire of Bridgetown itself is a PCUB as a local government entity. However, the WHS Act and regulations identify specific organisations that are not considered to be a PCBU for the purposes of the WHS Act. These include (but are not limited to):

- Individuals engaged solely as a worker (such as an employee) and an officer (such as an executive manager) acting in that capacity alone.
- Local government members, who are acting in that capacity.

However, local government employees, executive managers and Elected Members, while exempt from being a PCUB, are not exempt from the WHS Act and their respective obligations under this Act. Worksafe is clear that failing to

perform these obligations will potentially lead to prosecution, including Industrial Manslaughter in the instance of death through negligence.

Specifically, local government employees, executive managers and Elected Members are defined as 'Others.' Section 29 of the WHS Act refers to 'Duties of other persons at the workplace' and outlines the following obligations:

### **29. Duties of other persons at the workplace**

*A person at a workplace (whether or not the person has another duty under this Part) must —*

- (a) take reasonable care for the person's own health and safety; and*
- (b) take reasonable care that the person's acts or omissions do not adversely affect the health and safety of other persons; and*
- (c) comply, so far as the person is reasonably able, with any reasonable instruction that is given by the person conducting the business or undertaking to allow the person conducting the business or undertaking to comply with this Act.*

In addition, Section 31(2) states:

### **31. Failure to comply with health and safety duty — Category 1**

*(2) A person commits an offence (a Category 1 offence) if —*

- (a) the person has a health and safety duty otherwise than as a person conducting a business or undertaking; and*
- (b) the person fails to comply with that duty; and*
- (c) the failure causes the death of, or serious harm to, an individual.*

*Penalty for this subsection:*

- (a) for an individual, if the offence is committed by the individual as an officer of a person conducting a business or undertaking, imprisonment for 5 years and a fine of \$680 000;*
- (b) for an individual, if paragraph (a) does not apply, imprisonment for 5 years and a fine of \$340 000;*
- (c) for a body corporate, a fine of \$3 500 000.*

*(3) For the purposes of subsections (1)(c) and (2)(c), the failure causes serious harm to an individual if it causes an injury or illness to the individual that —*

- (a) endangers, or is likely to endanger, the individual's life; or*
- (b) results in, or is likely to result in, permanent injury or harm to the individual's health.*

*(4) A person charged with a Category 1 offence may be convicted of a Category 2 offence or a Category 3 offence.*

## 15. PENALTIES

The WHS Act provides for three main categories of WHS offences (each with different ‘fault elements’), along with a new offence of industrial manslaughter. A high-level overview of the maximum penalties for these offences for both PCBUs and officers is set out in the table further below.

A PCBU commits industrial manslaughter if it, in breach of its duties, engages in conduct that causes the death of an individual, knowing that the conduct is likely to cause the death of, or serious harm to, an individual, and in disregard of that likelihood.

An officer of a PCBU commits industrial manslaughter if a PCBU, in breach of its duties, engages in conduct that causes the death of an individual, and the PCBU’s conduct is attributable to any neglect on the part of the officer, or is engaged in with the officer’s consent or connivance.

### WHS offences and maximum penalties

Offence	Maximum Penalty – PCBU	Maximum Penalty – officer
Industrial manslaughter	<ul style="list-style-type: none"> <li>• Individual: 20 years imprisonment and a fine of \$5,000,000.</li> <li>• Body corporate: \$10,000,000</li> </ul>	<ul style="list-style-type: none"> <li>• 20 years imprisonment and a fine of \$5,000,000.</li> </ul>
Category 1 Offence	<ul style="list-style-type: none"> <li>• Individual: 5 years imprisonment and a fine of \$680,000.</li> <li>• Body corporate: \$3,500,000</li> </ul>	<ul style="list-style-type: none"> <li>• 5 years imprisonment and a fine of \$680,000.</li> </ul>
Category 2 Offence	<ul style="list-style-type: none"> <li>• Individual: \$350,000.</li> <li>• Body corporate: \$1,800,000.</li> </ul>	<ul style="list-style-type: none"> <li>• \$350,000.</li> </ul>
Category 3 Offence	<ul style="list-style-type: none"> <li>• Individual: \$120,000.</li> <li>• Body corporate: \$570,000.</li> </ul>	<ul style="list-style-type: none"> <li>• \$120,000.</li> </ul>

## 16. INSURANCE AND INDEMNITY ARRANGEMENTS

The new laws prohibit entering into and receiving the benefit of insurance and other indemnity arrangements which cover WHS fines/penalties.

The prohibitions make it unlawful (for example) for a person to enter into an insurance policy that purports to indemnify a person for their liability to pay a fine for an offence under the WHS Act; or be indemnified, or agree to be indemnified, by another person for liability to pay a fine for an offence under the WHS Act.

Consequently, companies are no longer able to indemnify directors by paying fines on their behalf.

### Officer Comment

The organisation is currently the subject of a Worksafe order for poor WHS record keeping or for not having certain WHS records in place at all.

This month the CEO approved the purchase of an automated WHS Management System to:

- Rectify the order;
- Capture all WHS inductions, documentation, policies/procedures, incidences, action items, SWMS, pre-starts, training, inspections, record keeping requirements (this will centralise for ease of access for all and locating information);
- Ensure WHS compliance into the future.

### Statutory Environment – Work Health & Safety Act 2020

#### Integrated Planning

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

#### Policy/Strategic Implications – Not applicable

#### Budget Implications

Catastrophic if subject to prosecution for negligence

#### Whole of Life Accounting

Not applicable

**Risk Management**

Risk areas identified according to the Shires risk management policy, are Health, Financial Impact, and Reputational External.

Health:

Catastrophic (fatality, permanent disability) with a likelihood measure being unlikely, giving an overall risk rating of High.

Financial Impact:

Catastrophic (more than \$500,000) with a likelihood measure being unlikely, giving an overall risk rating of High.

Reputational External:

Due to the current dissatisfaction amongst affected members of the public there is a risk the issue will be escalated and therefore Reputational External is considered Moderate (substantiated, public embarrassment, moderate impact, moderate news profile, requires social media response and monitoring (e.g. State News story) with a likelihood measure being Likely, 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 – Simple Majority**

**Moved**

Cr Redman, Seconded Cr Christensen

That Council acknowledge receipt of information contained in this report.

**Council Decision Moved Cr Pearce, Seconded Cr Redman**

***Ca.05/1123 That Council invoke clause 18.1 of the Standing Orders at 6.20pm to allow for informal discussion.***

**Carried 9/0**

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

**Council Decision Moved Cr Mahoney, Seconded Cr Pearce**

**Ca.05/1123 That application of clause 18.1 of the Standing Orders cease at 6.24pm.**

**Carried 9/0**

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

**Council Decision Moved Cr Redman, Seconded Cr Pratico**

**Ca.05/1123 That in accordance with clause 11.1(b) of the Standing Orders Local Law, debate on item Ca.05/1123 be adjourned to a future ordinary meeting of Council so the legal advice can be properly considered and if necessary, the wording of the motion be revised.**

**Carried 8/1**

**For:** Crs Boyle, Christensen, Fletcher, Mahoney, Mountford, Pearce, Pratico and Redman.  
**Against:** Cr Lansdell.

<b>ITEM NO.</b>	Ca.06/1123	<b>FILE REF.</b>	
<b>SUBJECT</b>	Community Engagement Policy		
<b>OFFICER</b>	Executive Assistant		
<b>DATE OF REPORT</b>	24 November 2023		

Attachment 5	CR 3 - Community Engagement Policy
Attachment 6	Community Engagement Toolkit
Attachment 7	Community Engagement Template 1
Attachment 8	Community Engagement Template 2
Attachment 9	Community Engagement Template 3
Attachment 10	Community Engagement Template 4
Attachment 11	Community Engagement Template 5 – Summary

**OFFICER RECOMMENDATION**

*That Council adopt amended Policy CR 3 - Community Engagement as presented in Attachment 5.*

**Summary/Purpose**

For Council to consider the proposed updates to the CR 3 - Community Engagement Policy.

**Background**

The review of the Community Engagement Policy was deferred from last month's Council meeting due to the Toolkit attachment not being included as part of the report.

Establishing parameters for effective communications between the Shire and the community lead to consistency in the way we share or present information and ask for feedback. This consistency is an important part of building trust through visibility and transparency.

Having clear policies that state how and why we interact and communicate with the public eliminates confusion for any officers involved in this communication. With a consistent approach over time the community begins to have clear understanding and expectations about how the Shire informs and interacts.

At the July 2023 Concept Forum a general discussion was held with Councillors regarding how our social media accounts were to be managed.

As an extension of this, Policy CR 3 - Community Engagement was reviewed which now includes a toolkit to assist and guide staff.

The existing policies were due for updating and have been done so in alignment with the External Communications Framework which was discussed with Council at the March 9 Concept Forum 2023.

#### Officer Comment

The proposed Community Engagement Policy will serve as valuable tool in our effort to have clear and consistent communication strategies, improve engagement and strengthen our image. This will also facilitate varied officers being able to deliver consistent messaging and communication when representing the Shire.

#### Statutory Environment

Section 2.7 of the *Local Government Act 1995* provides:

##### **2.7. Role of council**

- (1) The council —
  - (a) governs the local government's affairs; and
  - (b) is responsible for the performance of the local government's functions.
- (2) Without limiting subsection (1), the council is to —
  - (a) oversee the allocation of the local government's finances and resources; and
  - (b) determine the local government's policies.

#### Integrated Planning

- Strategic Community Plan
  - Outcome 15 A well informed engaged community
- Corporate Business Plan
  - Objective 15.1 Engage the community in a meaningful and timely way using the appropriate communication and consultation channels.
    - Action 15.1.1 Provide a Community Engagement Strategy to improve communication and consultation across all customer segments.
- Long Term Financial Plan – Not applicable
- Asset Management Plans – Not applicable
- Workforce Plan – Nil
- Other Integrated Planning - Nil

Policy/Strategic Implications - Nil

Budget Implications – Nil

Whole of Life Accounting – Not Applicable

Risk Management - Nil

Voting Requirements – Simple Majority

***Council Decision Moved Cr Lansdell, Seconded Cr Christensen  
Ca.06/1123 That Council adopt amended Policy CR 3 - Community  
Engagement as presented in Attachment 5.***

**Carried 9/0**

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

Cr Fletcher declared an impartiality interest in item Ca.07/1123.

<b>ITEM NO.</b>	Ca.07/1123	<b>FILE REF.</b>	
<b>SUBJECT</b>	Bush Fire Brigade Training Report		
<b>OFFICER</b>	Community Emergency Services Manager		
<b>DATE OF REPORT</b>	21 November 2023		

**OFFICER RECOMMENDATION**

*That Council acknowledge receipt of information contained in this report.*

**Summary/Purpose**

Under the powers conferred by the *Bush Fires Act 1954* and the *Local Government Act 1995*, the Shire of Bridgetown-Greenbushes has significant obligations with regard to establishing and maintaining BFBs, including by keeping the volunteers, staff and community members safe.

In addition, since the introduction of the *Work Health & Safety Act 2020*, our obligation has increased with regard to:

- Having trained and competent Bushfire Brigade (BFB) volunteers on the fire ground;
- Supporting operations throughout the Shire (and State); and
- Ensuring the safety, training and compliance of responding members.

This Item provides an update on the:

- Current state of emergency services operations; and
- Training needs analyses and audit review required for Bridgetown-Greenbushes BFB members.

**Background**

Fire Training Programs are a role-based training framework designed for progressive and safe training. Training content is designed to be delivered in a flexible manner, either as a full course delivered over a weekend or, depending on the course, modularised and delivered over a timeframe that better suits the local environment.

A Training Program may include Training Streams related to specific response or capability roles, such as Pump Operator or Advanced Bush Firefighter. Within each



Training Stream there are one or more required courses, which must be completed to complete that Training Stream. The Training Streams are designed to provide:

- Ease of targeting brigade profile requirements;
- Be easy for Brigades, Local Governments and DFES Regions to target brigade training needs;
- Allow volunteers more flexibility in their training; and
- Be easy to understand and complete.

As is the case with most Western Australian regional locations, many BFB volunteers have 'learnt on the job,' having responded to fires from an early age as young family members. However, over the past 20 years there has been an increasing agenda to ensure all BFB volunteers are trained and qualified to be involved in an active response role. Since the introduction of the *Work Health & Safety Act 2020*, our obligation has increased to ensure that this is the case.

The advantages of being formally qualified as a BFB volunteer are as follows:

- BFB volunteers are more confident, they know how to provide for their own safety and the safety of others, and they feel more supported in their respective roles.
- Other BFB volunteers are more confident that their safety will not be impacted by the incompetence of an untrained volunteer.
- The insurer has a greater sense of comfort that the volunteer is knowledgeable of tactical operations, including being proficient in the use of machinery, vehicles, personal protective equipment and command and control. There is less likelihood of negligence.
- Worksafe has a greater sense of comfort that the volunteer is knowledgeable of tactical operations, including being proficient in the use of machinery, vehicles, personal protective equipment and command and control. There is less likelihood of negligence.

The Shire of Bridgetown-Greenbushes, in partnership with the Department of Fire and Emergency Services, has made a concerted effort over the past 12 months to work towards ensuring all BFB volunteers have been provided with at least Basic Training.

As of today's date, the recorded status is:

- 581 registered BFB members across the Shire (note - not all are operational); and
- 283 competent (trained) BFB members from the DFES training data base (operational).

This means 48.7% of our members are recorded as being formally trained. However, there is strong reason to believe that the DFES database is an inaccurate reflection of the number of members trained. This is because of the system and procedure used to

collect and maintain the data. Our Community Emergency Services Manager considers the figure to be closer to 80%.

To ensure report data is accurate, our strategy is:

- To conduct a full audit and review of membership and training needs analysis for 2024;
- The 2024 Training Plan is under development; and
- Expressions of Interest are being called for additional volunteer trainers (required to assist with future needs).

#### Officer Comment

Nil.

#### Statutory Environment

- Implementation Guide – Bush firefighter training program (DFES) for all operation firefighters.
- Appliance driver – PUAVEH001 - Drive vehicles under operational conditions.

#### Integrated Planning

##### ➤ Long Term Financial Plan

Future needs for additional training from a training provider will be required to fill gaps in our training. Example –DFES has limited courses available and trainers available for the Driving Under Operation Conditions course.

#### Budget Implications

- Addition funds for external training (between \$300 to \$500 each student dependent on provider). This is for all BFB members that drive an emergency appliance.
- Need to investigate options for bulk training and do a campaign in blocks utilising our appliances and training facilities (then only pay a day rate).

#### Risk Management

The risk may be low, moderate, high or extreme, depending on the emergency event and the impact of that event.

Additional budget request: High risk due to compliance with the traffic code.

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

Voting Requirements – Simple Majority

**Moved** Cr Christensen, Seconded Cr Mahoney  
Ca.07/1123 That Council acknowledges receipt of information contained in this report.

**Council Decision** *Moved Cr Fletcher, Seconded Cr Pratico.*  
Ca.07/1123 *That in accordance with clause 11.1(b) of the Standing Orders Local Law, debate on item Ca.07/1123 be adjourned to the February Ordinary Council meeting to give a more accurate picture of training requirements of active members of bush fire brigades and also present that information to BFAC for consideration.*

**Carried 9/0**

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

<b>ITEM NO.</b>	Ca.08/1123	<b>FILE REF.</b>	209
<b>SUBJECT</b>	Rolling Action Sheet		
<b>OFFICER</b>	Chief Executive Officer		
<b>DATE OF REPORT</b>	23 November 2023		

Attachment 12 Rolling Action Sheet – Old  
Attachment 13 Rolling Action Sheet – New

**OFFICER RECOMMENDATION**

*That the information contained in the Rolling Action Sheet be presented in a new format as shown in Attachment 13.*

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
<b>Almost Certain</b>	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
<b>Likely</b>	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
<b>Possible</b>	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
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<b>Rare</b>	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
<b>Almost Certain</b>	Moderate	High	High	Extreme	Extreme
<b>Likely</b>	Low	Moderate	High	High	Extreme
<b>Possible</b>	Low	Moderate	Moderate	High	High
<b>Unlikely</b>	Low	Low	Moderate	Moderate	High
<b>Rare</b>	Low	Low	Low	Low	Moderate

Voting Requirements – Simple Majority

**Moved** Cr Redman, Seconded Cr Pratico  
Ca.08/1123 That the information contained in the Rolling Action Sheet be presented in a new format as shown in Attachment 13.

**Amendment** Moved Cr Redman, Seconded Cr Pratico  
Ca.08/1123 That the words ‘received as’ be added after the words ‘sheet be.’

**Carried 9/0**

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

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

**Council Decision** **Moved Cr Redman, Seconded Cr Pratico**  
**Ca.08/1123 That the information contained in the Rolling Action Sheet be received as presented in a new format as shown in Attachment 13.**

**Carried 9/0**

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

Cr Fletcher declared an impartiality interest in item Ca.09/1123

ITEM NO.	Ca.09/1123	FILE REF.	
<b>SUBJECT</b>	Repeal Policy ES2 – Use of Chainsaws by Bush Fire Brigade and ES4 – Bush Fire Brigade Personal Protective Equipment		
<b>OFFICER</b>	Chief Executive Officer		
<b>DATE OF REPORT</b>	23 November 2023		

Attachment 14 – ES2 Use of Chainsaws by Bush Fire Brigade  
Attachment 15 – ES4 Bush Fire Brigade Personal Protective Equipment

**OFFICER RECOMMENDATION**

*That Council repeal Policy ES2 Use of Chainsaws by Bush Fire Brigade and Policy ES4 Bush Fire Brigade Personal Protective Equipment.*

**Summary/Purpose**

It is unnecessary and inappropriate to have a "Use of Chainsaws by Bushfire Brigades (BFB) Policy" and a "Bushfire Brigade Personal Protective Equipment (PPE) Policy" for the Shire of Greenbushes-Bridgetown. The Bush Fires Act 1954 (WA) provides us with the authority to equip BFBs as necessary.

A comprehensive review of existing BFB policies is underway, with impending approval by the Bushfire Advisory Committee and the Department of Fire and Emergency Services (DFES) under the emergency services remit. We seek this

approval voluntarily because this external validation process ensures appropriate qualified personal are making the decisions related to emergency services and aligns decision-making with legislative standards and DFES policy.

Our commitment to legislative compliance, including the Work Health & Safety Act 2020, guarantees the safety and competency of BFB Members in using diverse equipment, including chainsaws, as part of their emergency response roles.

Finally, the use of chainsaws and PPE is an operational matter, not a matter for Council deliberation.

### Background

It is unnecessary and inappropriate to have a "Use of Chainsaws by Bushfire Brigades (BFB) Policy" and a "Bushfire Brigade Personal Protective Equipment (PPE) Policy" for the Shire of Greenbushes-Bridgetown. The Bush Fires Act 1954 (WA) grants local governments the authority to equip bush fire brigades with necessary appliances, equipment, and apparatus. Our commitment to legislative compliance, including the Work Health & Safety Act 2020, ensures the safety and competency of BFB Members in the use of various equipment, including chainsaws.

As part of our ongoing commitment to safety and effective emergency response, our current suite of BFB policies is presently undergoing a comprehensive review by the Community Emergency Services Manager (CESM). This review process involves a thorough examination of all existing BFB policies to ensure that they align with the latest standards and guidelines set forth by the Department of Fire and Emergency Services (DFES). It is important that personal with appropriate emergency services expertise lead this process and that their experienced hierarchy approve the content.

While local government is the approving authority for BFB policies, we voluntarily seek approval/endorsement from the Bushfire Advisory Committee and DFES to ensure we are operating within the broader framework of emergency services. This regulatory oversight ensures that our policies comply with the highest standards and are reflective of best practices in emergency response.

Given that the approval of BFB policies falls within the emergency services remit and not under the direct purview of the Council, the introduction of a separate policy on chainsaw uses and PPE is redundant. The existing legislative framework and the imminent approval of updated policies by DFES will ensure that BFB Members are equipped and trained in accordance with the highest safety standards.

Finally, the use of chainsaws and PPE is an operational matter.

### Officer Comment

#### Statutory Environment

*The Bush Fires Act 1954 (WA)*  
*Work Health & Safety Act 2020*

#### Integrated Planning

- Strategic Community Plan
- Corporate Business Plan

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

Policy/Strategic Implications

Budget Implications

Whole of Life Accounting

Risk Management

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 - Simple Majority

**Moved** Cr Pratico, Seconded Cr Mahoney  
Ca.09/1123 That Council Repeal Policy ES2 – Use of Chainsaws by Bush Fire Brigade and ES4 – Bush Fire Brigade Personal Protective Equipment

**Council Decision** *Moved Cr Fletcher, Seconded Cr Pratico.*  
Ca.09/1123 *That in accordance with clause 11.1(b) of the Standing Orders Local Law, debate on item Ca.09/1123 be adjourned to a future meeting for the CEO to provide advice from LGIS regarding insurance coverage, and that this issue be referred back to BFAC for further discussion.*

**Carried 9/0**

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

<b>ITEM NO.</b>	Ca.10/1123	<b>FILE REF.</b>	
<b>SUBJECT</b>	Draft Policy P 19 – Grievance Resolution		
<b>OFFICER</b>	Human Resources Officer		
<b>DATE OF REPORT</b>	22 November 2023		

Attachment 16      Draft Policy P 19 – Grievance Resolution

**OFFICER RECOMMENDATION**

*That Council adopt Policy P 19 – Grievance Resolution as presented in Attachment 16.*

**Summary/Purpose**

Implementing a Grievance Resolution Policy for the Shire of Bridgetown-Greenbushes (the Shire) employees, is not only a proactive measure to comply with legal requirements but also a strategic investment in promoting a positive work culture, enhancing employee satisfaction and ensuring the overall success of the Shire. A Grievance Resolution Policy demonstrates the Shire’s commitment in addressing issues raised in a fair, transparent, lawful and efficient manner.

It is recommended that Council adopt policy P 19 – Grievance Resolution.

**Background**

The Shire already has in place P1 – Anti-Discrimination, Sexual Harassment and Bullying which refers to a grievance handling procedure. P1 – Anti-Discrimination, Sexual Harassment and Bullying is very prescriptive in the handling of sexual harassment complaints. The proposed P 19 – Grievance Resolution provides for the handling of all level of complaints / disputes. This policy also allows for the appointment and formal training of Grievance Resolution Officers.

**Officer Comment**

Adopting P 19 – Grievance Resolution is beneficial to the Shire in the following ways:

**Employee Satisfaction and Morale:**

A Grievance Resolution Policy demonstrates the Shire's commitment to fostering a positive work environment. When employees feel heard and supported in addressing their concerns, it contributes to higher job satisfaction and morale. The appointment of Grievance Resolution Officers under the policy is an appointment of those who already demonstrate positive workplace behaviours and successful working relationships with their colleagues in all areas.

**Conflict Resolution:**

Conflicts are inevitable in any workplace. Having a structured Grievance Resolution Policy provides a clear and fair process for resolving conflicts and preventing them from escalating and negatively impacting the work environment.

**Legal Compliance:**

Adhering to employment laws and regulations is essential. A Grievance Resolution Policy helps the Shire remain compliant with employment laws in Western Australia. It ensures that disputes are handled fairly and in accordance with legal requirements.



**Productivity and Performance:**

Addressing employee grievances promptly helps maintain a focused and productive workforce. Unresolved conflicts can lead to decreased productivity and lower overall performance, which can have adverse effects on the quality of services provided by the Shire.

**Retention and Recruitment:**

A Grievance Resolution Policy can positively influence employee retention. When employees know that their concerns will be addressed, they are more likely to stay with the organisation. Moreover, a positive work culture, supported by effective grievance resolution, can enhance the local government's reputation as an employer of choice, aiding in recruitment efforts.

**Fairness and Equity:**

A formalised grievance resolution process ensures that all employees are treated fairly and equitably. It establishes a consistent standard for addressing concerns and promoting a sense of justice among employees.

**Prevention of Escalation:**

Timely resolution of grievances prevents issues from escalating into more serious problems. By providing a structured process for addressing concerns, the Shire can nip potential larger disputes in the bud.

**Employee Engagement:**

An engaged workforce is essential for the effective functioning of any organisation. When employees feel that their concerns are taken seriously and addressed, they are more likely to engage positively with their work, colleagues, and the Shire's goals.

**Continuous Improvement:**

A Grievance Resolution Policy allows the Shire to learn from employee feedback. By addressing concerns and identifying recurring issues, the Shire can make informed decisions to improve policies, procedures, and the overall work environment.

Statutory Environment

Shire of Bridgetown-Greenbushes Outside Works Staff Enterprise Bargaining Agreement 2023

Shire of Bridgetown-Greenbushes (Administration Staff) Employee Collective Agreement 2023

Local Government Officers' (Western Australia) Award 2021

Municipal Employees (Western Australia) Award 2021

*Industrial Relations Act 1979*

*Local Government Act 1995*

Integrated Planning

- Strategic Community Plan
  - Outcome 14 Effective governance and financial management
- Corporate Business Plan
  - Objective 16.1 Attract, train, develop and retain a skilled and effective workforce.
- Long Term Financial Plan – Not applicable

- Asset Management Plans – Not applicable
- Workforce Plan - Nil
- Other Integrated Planning – Not applicable

Policy/Strategic Implications - Nil

Budget Implications – Not applicable

Whole of Life Accounting – Not applicable

Risk Management

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

If Council resolve not to adopt policy P 19 – Grievance Resolution, Council run the risk of the Shire being unable to follow due process to ensure grievance resolution actions applied, are consistent, compliant and legal. This may result in Work Health and Safety claims for mental health or physical health distress.

The overall risk has been measured as High.

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

Voting Requirements – Simple Majority

**Council Decision Moved Cr Mahoney, Seconded Cr Lansdell  
Ca.10/1123 That Council adopt Policy P 19 – Grievance Resolution as presented in Attachment 16.**

**Carried 9/0**

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

<b>ITEM NO.</b>	Ca.11/1123	<b>FILE REF.</b>	
<b>SUBJECT</b>	Draft Policy P 20 – Professional Development and Performance Review		
<b>OFFICER</b>	Human Resources Officer		
<b>DATE OF REPORT</b>	22 November 2023		

Attachment 17      Draft Policy P 20 – Professional Development and Performance Review.

**OFFICER RECOMMENDATION**

*That Council adopt Policy P 20 – Professional Development and Performance Review as presented in Attachment 17.*

**Summary/Purpose**

Implementing a Professional Development and Performance Review policy for the Shire of Bridgetown-Greenbushes (the Shire) employees, may serve as a strategic tool that contributes to employee satisfaction, organisational success, and long-term sustainability. It aligns individual and organisational goals, promotes continuous improvement and positions the company to thrive in a dynamic business environment. It is recommended that Council adopt policy P 20 – Professional Development and Performance Review.

**Background**

Historically, the Shire has been reactive to filling vacancies and often struggled to attract a pool of suitably qualified applicants, particularly for specialist roles within the Shire.

Adopting policy P 20 – Professional Development and Performance Review, provides Shire employees with a transparent and consistent approach to professional development through identification of high-potential employees in readiness to cover or fill specialist roles.

**Officer Comment**

Adopting P 20 – Professional Development and Performance Review is beneficial to the Shire in the following ways:

**Employee Growth and Skill Enhancement**

A well-structured professional development policy encourages employees to enhance their skills and knowledge. This growth benefits both the individual and the Shire as employees become more proficient in their roles and contribute more effectively to the Shire's success.

**Retention and Employee Satisfaction**

Offering opportunities for professional development demonstrates a commitment to employee growth and can increase job satisfaction. This, in turn, contributes to higher employee retention rates, reducing recruitment and training costs associated with high turnover.

### **Increased Productivity**

Employees who receive regular performance reviews and have access to professional development opportunities are more likely to be engaged and motivated. This increased motivation often translates into higher levels of productivity, benefiting the overall efficiency of the Shire.

### **Succession Planning**

A performance review policy provides a structured framework for identifying high-potential employees and grooming them for leadership roles. This is essential for effective succession planning, ensuring that the Shire has a pool of qualified individuals ready to step into key positions as needed.

### **Alignment with Shire Goals**

Regular performance reviews allow for the alignment of individual goals with Shire objectives. Employees can understand how their work contributes to the overall success of the Shire, fostering a sense of purpose and dedication.

### **Quality Control and Improvement**

Performance reviews serve as a mechanism for assessing the quality of work and identifying areas for improvement. Constructive feedback and targeted professional development can result in continuous improvement in individual and team performance.

### **Legal Compliance and Fairness**

Having a formal performance review policy helps ensure that evaluations are conducted fairly and consistently across the Shire. This is critical for legal compliance and can protect the Shire from potential legal issues related to employee treatment and termination.

### **Employee-Centric Approach**

A policy that emphasises professional development and performance reviews communicates to employees that their growth and well-being are valued. This employee-centric approach fosters a positive work culture and can enhance the employer-employee relationship.

### **Adaptability to Change**

In a rapidly evolving business environment, employees need to adapt to new technologies, methodologies, and industry trends. A professional development policy facilitates ongoing learning and helps employees stay relevant and effective in their roles.

### **Competitive Advantage**

Investing in Shire employees' professional development provides a competitive edge with increased job satisfaction and security, when coming up against the likes of Talison, where higher salaries can often seem more attractive. A skilled and motivated workforce can be a significant asset, enabling the Shire to be innovative, adaptable and efficient for the community.

### Statutory Environment

Shire of Bridgetown-Greenbushes Outside Works Staff Enterprise Bargaining Agreement 2023

Shire of Bridgetown-Greenbushes (Administration Staff) Employee Collective Agreement 2023  
 Local Government Officers' (Western Australia) Award 2021  
 Municipal Employees (Western Australia) Award 2021  
*Industrial Relations Act 1979*  
*Local Government Act 1995*

Integrated Planning

- Strategic Community Plan
  - Outcome 14 Effective governance and financial management
- Corporate Business Plan
  - Objective 16.1 Attract, train, develop and retain a skilled and effective workforce.
- Long Term Financial Plan – Not applicable
- Asset Management Plans – Not applicable
- Workforce Plan - Nil
- Other Integrated Planning – Not applicable

Policy/Strategic Implications - Nil

Budget Implications – Not applicable

Whole of Life Accounting – Not applicable

Risk Management

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

If Council resolve not to adopt policy P 20 – Professional Development and Performance Review, Council run the risk of the Shire being unable to attract and retain a skilled and effective workforce.

The overall risk has been measured as High.

Measures of Likelihood			
Rating	Description	Frequency	Probability
<b>Almost Certain</b>	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
<b>Likely</b>	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
<b>Possible</b>	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
<b>Unlikely</b>	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
<b>Rare</b>	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  
Ca.11/1123 That Council adopt Policy P 20 – Professional Development and Performance Review as presented in Attachment 17.**

**Carried 9/0**

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

**Cr Peace declared a financial interest in Ca.12/1123 and vacated the meeting at 7.10pm.**

<b>ITEM NO.</b>	Ca.12/1123	<b>FILE REF.</b>	
<b>SUBJECT</b>	Talisn Partnering for the Future Update		
<b>OFFICER</b>	Principal Project Manager		
<b>DATE OF REPORT</b>	24 November 2023		

Attachments 18      November 2023 Partnering for the Future 2023 Report

**OFFICER RECOMMENDATION**

*That Council acknowledge receipt of information contained in the ‘November 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 \$1,640,459 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 \$5,350,000 to be

delivered within the 2024 calendar year period. This proposal forms part of the Talison Board Meeting Agenda in mid-December 2023, at which point, the Shire will be advised of the outcome.

#### Officer Comment

**2023 Program:** Some elements of the current 2023 project delivery program are slightly behind schedule due to the very short period of time between the 2023 agreement finalisation and the end of year delivery date, however discussions with Talison confirm that a calendar year carry forward of funds is acceptable to ensure proper completion of the project works. Of particular note is the resurfacing of a number of Greenbushes local roads and completion of irrigation and dam building works at the Bridgetown Sports Ground. Commentary of the status of all 2023 projects is included in the attachment.

**2024 Program:** Officers have proposed a much larger package of works to be delivered within the 2024 calendar year including the funding of additional elements from the original planned program.

Key elements include:

1. The top up funding of the new Shire Depot to ensure a proper, modern, fit for purpose facility is delivered. Council Officers have engaged a reputable Architectural firm to undertake conceptual and detailed designs for the facility with costed Concepts due for release in December. (Refer item C.10/1123 18<sup>th</sup> October 2023).
2. Top up funding to complete the Town Hall project with the installation of Air Conditioning and upgrades to the toilets and kitchen which will enable the facility to be utilised as a second Evacuation Centre.
3. Top up funding to enable the construction of a replacement dam at the Bridgetown Sports field.
4. Funding to implement the installation of PV and battery at the Bridgetown Leisure Centre.
5. Funding for the installation of staff buildings at the Recycling Centre.
6. Top up funding for the full scope of fit out works to the new Visitor Centre.
7. Installation of a playground at the Highlands Estate and a new dog park
8. Planning for the installation of LED feature / event lighting in Bridgetown

#### 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 16 An engaged and effective workforce

Objective 16.1 Attract, train, develop and retain an effective workforce.

##### ➤ Corporate Business Plan

Outcome 16 An engaged and effective workforce

##### ➤ Long Term Financial Plan

Other than the funds allocated in the Shire’s 2023-24 Budget, there are no other additional funds 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 2024 Partnering of the Future Project Plan are covered within the Grant request.

➤ **Other Integrated Planning - NA**

Policy/Strategic Implications - NA

Budget Implications – Increased Grant funding to support the Community and Staff will reduce demand on Municipal funds.

Whole of Life Accounting

Potential increased in Capital expenditure of \$5,350,000 across the 23/24 financial years.

Risk Management

Positive - The upgrades to the Town Hall will ensure the facility is fit for purpose as a second Evacuation Centre for use by the public.

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



Voting Requirements – Simple Majority

**Council Decision** *Moved Cr Lansdell, Seconded Cr Pratico*  
**Ca.12/1123** *That Council acknowledge receipt of information contained in the*  
*‘November 2023 Partnering for the Future 2023 Report’*

**Carried 8/0**

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

<b>ITEM NO.</b>	Ca.13/1123	<b>FILE REF.</b>	
<b>SUBJECT</b>	Advisory Committees		
<b>OFFICER</b>	Executive Assistant		
<b>DATE OF REPORT</b>	24 November 2023		

- Attachment 19      Audit Committee Instrument of Appointment
- Attachment 20      Bush Fires Advisory Committee Instrument of Appointment
- Attachment 21      CEO Performance Review Committee Instrument of Appointment
- Attachment 22      Local Emergency Management Committee Instrument of Appointment

**OFFICER RECOMMENDATION – 1**

*That Council appoint Cr \_\_\_\_\_, Cr \_\_\_\_\_, and Cr \_\_\_\_\_ as the Elected Member representatives on the Audit Committee in accordance with the Instrument of Appointment presented in Attachment 19.*

**OFFICER RECOMMENDATION – 2**

*That Council appoint Cr \_\_\_\_\_, and Cr \_\_\_\_\_ as the Elected Member representatives on the Bush Fires Advisory Committee in accordance with the Instrument of Appointment presented in Attachment 20.*

**OFFICER RECOMMENDATION – 3**

*That Council appoint Cr \_\_\_\_\_, Cr \_\_\_\_\_, and Cr \_\_\_\_\_ as the Elected Member representatives on the CEO Performance Review Committee in accordance with the Instrument of Appointment presented in Attachment 21.*

**OFFICER RECOMMENDATION – 4**

*That Council appoint Cr \_\_\_\_\_, Cr \_\_\_\_\_, and Cr \_\_\_\_\_ as the Elected Member representatives on the Local Emergency Management Committee in accordance with the Instrument of Appointment presented in Attachment 22.*

**OFFICER RECOMMENDATION – 5**

*That Council note the CEO’s intention to extend the nomination period for the Community representatives on the Access and Inclusion Committee, Cultural*

*Inclusion Advisory Committee, Trails Advisory Committee, Sustainability Advisory Committee and Youth Services Advisory Committee.*

#### Summary/Purpose

For Council to determine the Elected Member Representatives on the Audit Committee, Bush Fires Advisory Committee, CEO Performance Review Committee and the Local Emergency Management Committee.

#### Background

At the Special Council Meeting on 24 October 2023 (Meeting 1) Council resolved to establish the Audit Committee, Bush Fires Advisory Committee, CEO Performance Review Committee, and the Local Emergency Management Committee, noting that a subsequent report would be presented to Council to determine the Elected Member representatives on the Committees. Due to the lack of community nomination received for the Access and Inclusion Committee, Cultural Inclusion Advisory Committee, Trails Advisory Committee, Sustainability Advisory Committee and Youth Services Advisory Committee it is recommended that the nomination period be extended to encourage more nominations from the Community.

#### Officer Comment

It is recommended that Council appoint Elected Members onto their Committees in accordance with their Instrument of Appointment, should Council resolve to include more Elected Member representatives on their Committees, the Instrument of Appointment needs to be updated to reflect this.

#### **Audit Committee**

The primary objective of the Audit Committee is to accept responsibility for the annual external audit and meet with the local government's auditor (at least once in every year) so that Council can be satisfied with the performance of the local government in managing its financial affairs.

#### **Bush Fires Advisory Committee**

The main function of the Bush Fires Advisory Committee is to represent volunteer bushfire brigades within the Shire and to make recommendations to Council on the following:

- Annual firebreak requirements
- General management of and communication within the bushfire brigade structure
- Planning, setting standards and works program for fire prevention within the Shire
- Formation, rationalisation or winding up of any bush fire brigades within the Shire
- Standards of equipment that should be provided and maintained under Brigade control
- review of firefighting/prevention practices
- Coordination of training

- Review of Council's Bushfire Mitigation Strategy
- Any other matters relating to bush fire control.

### **CEO Performance Review Committee**

The CEO Performance Review Committee assists Council in the annual review process of the CEO and the setting (and review) of Key Performance Indicators (KPI's) for the ensuing 12 month period that reflect the CEO's personal performance and also that for the organisation as a whole.

### **Local Emergency Management Committee**

The functions of a Local Emergency Management Committee, as prescribed in the Emergency Management regulations are:

- a. to advise and assist the local government in ensuring that local emergency management arrangements are established for its district
- b. to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements
- c. to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations

The Shire's Local Emergency Management Committee also advises Council on incident prevention and preparation, and assists in the management of recovery processes following an emergency event affecting the Shire.

### Statutory Environment

#### *Local Government Act 1995*

#### **5.10. Committee members, appointment of**

- (1) A committee is to have as its members —
- (a) persons appointed\* by the local government to be members of the committee (other than those referred to in paragraph (b)); and
  - (b) persons who are appointed to be members of the committee under subsection (4) or (5).
- \* Absolute majority required.

(2) At any given time each council member is entitled to be a member of at least one committee referred to in [section 5.9\(2\)\(a\)](#) or (b) and if a council member nominates himself or herself to be a member of such a committee or committees, the local government is to include that council member in the persons appointed under subsection (1)(a) to at least one of those committees as the local government decides.

(4) If at a meeting of the council a local government is to make an appointment to a committee that has or could have a council member as a member and the mayor or president informs the local government of his or her wish to be a member of the committee, the local government is to appoint the mayor or president to be a member of the committee.

### Integrated Planning

- Strategic Community Plan

- Outcome 13 proactive, visionary leaders who respond to community needs
- Objective 13.1 strengthen leadership and advocacy
- Corporate Business Plan - Nil
  - Long Term Financial Plan - Nil
  - Asset Management Plans – Not applicable
  - Workforce Plan - Nil
  - Other Integrated Planning – Nil

Policy/Strategic Implications  
**CR 8 – Advisory Committees**

Budget Implications - Nil

Whole of Life Accounting – Not Applicable

Risk Management – Compliance and service interruption.

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 Mahoney, Seconded Cr Lansdell**  
**Ca.13/1123 That Council invoke clause 18.1 of the Standing Orders at 7.11pm to allow for informal discussion.**

**Carried 8/0**

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

Cr Peace returned to the meeting at 7.13pm.

**Council Decision Moved Cr Mahoney, Seconded Cr Lansdell**

**Ca.13/1123 That application of clause 18.1 of the Standing Orders cease at 7.16pm.**

**Carried 9/0**

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

**Council Decision Moved Cr Mountford, Seconded Cr Boyle**

**Ca.13/1123 Advisory Committees**

**OFFICER RECOMMENDATION – 1**

**That Council appoint Cr Mahoney, Cr Mountford and Cr Redman as the Elected Member representatives on the Audit Committee in accordance with the Instrument of Appointment presented in Attachment 19.**

**OFFICER RECOMMENDATION – 2**

**That Council appoint Cr Fletcher, and Cr Pratico as the Elected Member representatives on the Bush Fires Advisory Committee in accordance with the Instrument of Appointment presented in Attachment 20.**

**OFFICER RECOMMENDATION – 3**

**That Council appoint Cr Redman, Cr Pearce, Cr Pratico, Cr Boyle, Cr Lansdell, Cr Christensen and Cr Mountford as the Elected Member representatives on the CEO Performance Review Committee in accordance with the Instrument of Appointment presented in Attachment 21.**

**OFFICER RECOMMENDATION – 4**

**That Council appoint Cr Pratico, Cr Pearce, and Cr Fletcher as the Elected Member representatives on the Local Emergency Management Committee in accordance with the Instrument of Appointment presented in Attachment 22.**

**Carried 9/0**

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

Cr Pratico asked a question about previous Council decision for him to Chair the LEMC. This question was taken on notice.

**Corporate Services**

<b>ITEM NO.</b>	Ca.14/1123	<b>FILE REF.</b>	
<b>SUBJECT</b>	Bridgetown Town Square RV Parking – Removal of Access to Power		
<b>OFFICER</b>	Manager Visitor Servicing		

<b>DATE OF REPORT</b>	10 November 2023
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#### **OFFICER RECOMMENDATION**

*That Council resolve to remove access to power at the 24 hour RV camping stop located in the Bridgetown Town Square car park.*

#### Summary/Purpose

To mitigate risks associated with misuse of power facilities and to ensure a fair business environment within the Shire of Bridgetown-Greenbushes for caravan parks this item seeks Council's approval to remove the existing power supply facility at the free 24 hour RV camping stop located in the Bridgetown Town Square carpark.

#### Background

The October 2020 Community Scorecard (which informed the development of Council's current Strategic Community Plan) identified a community view that there is a need to attract tourists as a high priority action. Council's 2021-2025 Corporate Business Plan included the following action:

*"12.2.4 Facilitate key stakeholder engagement in achieving RV friendly town status."*

During December 2021 staff liaised with owners of both caravan parks located within the Shire regarding the introduction of a free 24 hour RV camping stop in Bridgetown. One operator was highly supportive of the initiative (as both a trial and a permanent option) and the other, while aware of the potential wider community and economic benefit, felt that a free 24 hour camping option raised concerns about the impact on their business.

In January 2022 council resolved:

*"C.10/0122c That Council:*

- 1. Endorse a 24 hour free camping trial for two (2) self-contained motor homes and caravans in the dedicated caravan parking bays within the Bridgetown Railway Reserve car park for a 3 month period commencing 1 March 2022 and concluding 31 May 2022.*
- 2. Direct the CEO to install temporary signage at the location advising details of the trial period; inviting patrons to leave their local receipts and invoices from goods and services purchased and provide a depository for those receipts and invoices.*
- 3. Direct the CEO provide a report back to the June Council meeting advising of the impact of the trial period to assist in future decision making regarding permanent 24 hour free camping for caravans and motor homes in the Town Square."*

During the trial feedback was received from patrons about fluctuating power outages in the two western bays. Investigations confirmed that the electrical cable for power supply to these bays was non-compliant. Council at its 28 July 2022 meeting resolved in part to:

*"C.05/0722*

- 1. Note the results of the 3 month trial of 24 hour free camping for self-contained motorhomes and caravans in the railway car park.*

2. *Continue with allowing 24 hour free camping for self-contained motorhomes and caravans in dedicated parking bays in the railway car park with the 2 eastern bays to have access to power supply and the 2 western bays being unpowered.”*

In March 2023 power was cut to the western bays as per Council’s resolution.

On 11<sup>th</sup> July 2023 a caravan park operator in the shire contacted the Manager Visitor Servicing about the free electricity being provided to the eastern two bays at the Town Square 24 hour RV stop. The operator provided photos of caravans misusing the facilities by using power boards and running extension cords across the car park to gain access to power at the western side bays. This practice has also been observed by Shire officers.

#### Officer Comment

In January 2023 the Caravan and Motorhome Club of Australia Ltd (CMCA) acknowledged that the town of Bridgetown has met the criteria to be accepted as an ‘RV Friendly Town’. Providing power at the RV stop is not a requirement of an RV Friendly Town. Council’s letter of understanding with the Campervan & Motorhome Club of Australia outlines the facility is for use by self-contained motorhomes, campervans and caravans only. RV vehicles who do not have their own power source can be serviced by the two caravan parks located within the Shire.

It is proposed that the power be disconnected to this facility with the existing power outlets being blanked off. This approach is preferred over a full removal of the power pole to this section of the car park to enable the power to be more easily switched back on should the Shire choose to use the power for other purposes in this area. It is proposed that this disconnection will take place as soon as a contractor can be organised for the job.

The future of this location as an RV stop will be researched and community feedback will be sought at a future date to inform decision making on the best way to support the RV market for tourism in Bridgetown.

#### Statutory Environment

The Caravan Parks & Camping Grounds Regulations 1997 legislates the requirements associated with caravans, number of showers, toilets, hand basins and the like. Regulation 11 addresses the subject of camping other than at caravan park or camping ground and allows camping for up to 24 consecutive hours in a caravan or other vehicle on a roadside rest area. A roadside rest area is defined as an area designated by a traffic sign erected in accordance with a written law, as an area which may be used for 24 hours for resting, stopping or camping in a vehicle.

#### Integrated Planning

- Strategic Community Plan
  - Outcome 12 Bridgetown Greenbushes is regarded to be a major tourist destination.
  - Objective 12.2 Improve tourism infrastructure and services.
- 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 includes an allocation of \$1,750 for costs associated with the RV Friendly sites. The cost of disconnecting the existing power and new signage to reflect the change to power facilities can be accommodated within the existing budget allocation.

Whole of Life Accounting - Nil

Risk Management

Disconnecting the power facility at the Bridgetown RV stop will mitigate risks associated with the misuse of the power facility currently being observed. The risk to personal injury associated with misuse of the power has been assessed as ‘moderate’ in accordance with Council’s Policy RM 1 – Risk Management i.e. a moderate risk to an individual’s health that is unlikely to occur.

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 Pratico**

***Ca.14/1123 That Council resolves to remove access to power at the 24 hour RV camping stop located in the Bridgetown Town Square car park.***

**Carried 9/0**

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



<b>ITEM NO.</b>	Ca.15/1123	<b>FILE REF.</b>	131
<b>SUBJECT</b>	October 2023 Financial Activity Statements and List of Accounts Paid in October 2023		
<b>OFFICER</b>	Manager Finance		
<b>DATE OF REPORT</b>	21 November 2023		

Attachment 23 – October 2023 Financial Activity Statements

Attachment 24 – List of Accounts Paid in October 2023

**OFFICER RECOMMENDATION**

*That council receive the:*

1. *October 2023 Financial Activity Statements as presented in Attachment 23; and*
2. *List of Accounts Paid October 2023 as presented in Attachment 24.*

**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:

- (a) 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;
- (b) budget estimates to the end of the month to which the statement relates;
- (c) actual amounts of expenditure, revenue and income to the end of the month to which the statement relates;
- (d) material variances between the comparable amounts referred to in paragraphs (b) and (c); and
- (e) 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:

- (a) an explanation of the composition of the net current assets of the month to which the statement relates, less committed assets and restricted assets;
- (b) an explanation of each of the material variances referred to in sub-regulation (1)(d); and
- (c) 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.

### 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 2023/24 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.5. 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 October 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 Christensen, Seconded Cr Lansdell*

**Ca.15/1123** *That council receive the:*

- 1. October 2023 Financial Activity Statements as presented in Attachment 23; and**
- 2. List of Accounts Paid October 2023 as presented in Attachment 24.**

**Carried 9/0**

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

**Against:** Nil

<b>ITEM NO.</b>	Ca.16/1123	<b>FILE REF.</b>	
<b>SUBJECT</b>	Budget Management Report – October 2023		
<b>OFFICER</b>	Director Corporate Services		
<b>DATE OF REPORT</b>	20 November 2023		

Attachment 25 – Budget Management Report October 2023

**OFFICER RECOMMENDATION**

*That Council*

1. *receives the October 2023 Budget Management Report as presented in Attachment 25; and*
2. *amends the 2023/24 Budget as follows:*

<b>Account or Job Number</b>	<b>Account or Job Description</b>	<b>Expenditure or Income Type</b>	<b>Current Budget</b>	<b>Budget Amendment</b>	<b>Amended Budget</b>
1310920	Cemetery and Memorial Plaques	Materials & Contracts	\$4,750	\$5,000	\$9,750
1310930	Sale of Cemetery & Memorial Plaques	Fees & Charges	-\$5,000	-\$5,000	-\$10,000
1065320	Fire Prevention Unspent Grants	Other Minor Expenditure	\$0	\$2,815	\$2,815
1081120	SES Unspent Grants	Other Minor Expenditure	\$0	\$449	\$449
1065740	Fire Equipment Shire Funded	Materials & Contracts	\$0	\$15,000	\$15,000
Reserve 104	Bush Fire Reserve	Reserve Transfer	\$61,613	-\$15,000	\$46,613
09BN	Greenbushes Fire Station	Materials & Contracts	\$322,600	\$307,234	\$629,834
10BN	Wandillup Fire Station	Materials & Contracts	\$351,100	\$379,444	\$730,544
1060070	DFES ESL Levy Non-Recurrent Grants	Capital Grants - State	-\$1,195,334	-\$686,678	-\$1,882,012
GS73	Crowd Wheatley Road Gravel Sheeting Works	Materials & Contracts	\$107,500	\$27,751	\$135,251
GS74	Klause Road Gravel Sheeting Works	Materials & Contracts	\$90,000	\$23,144	\$113,144
GS75	Walter Willis Road Gravel Sheeting Works	Materials & Contracts	\$52,500	\$11,729	\$64,229
BR06	Maranup Ford Road Bridge (3318A)	Materials & Contracts	\$110,000	-\$22,580	\$87,420
RC64	Hacket Street (Asphalt)	Materials & Contracts	\$115,265	-\$40,265	\$75,000
<b>Total</b>				<b>\$3,043</b>	

### Summary/Purpose

Presented is the October 2023 Budget Management Report (Attachment 25). The report contains detail of budget overspends authorised by the Chief Executive Officer and requested budget amendments for Council's consideration.

### Background

To aid in efficient and effective management of budget allocations Council adopted policy 'FM13 – Budget Management' at its meeting held 15 December 2022.

### Officer Comment

It is the function and duty of the CEO to cause Council decisions to be implemented and manage the day-to-day operations of the Shire. It is recognised the annual budget is an informed financial forecast and variations are to be expected as actual circumstances experienced may differ to initial estimates provided.

To assist in the day-to-day management of budget allocations policy 'FM13 – Budget Management' provides clear direction on the approved circumstances in which budget overspends may be authorised and the associated reporting requirements to Council. The policy provides for the following categories of budget overspends:

- Non-Reportable
- Determined by the CEO and Subsequently Reported to Council
- Authorised by the Shire President in an Emergency
- Council Budget Amendments

The attached Budget Management Report provides information as required by the policy. Budget amendments as per the officer recommendation will result in an increase in overall budget expenditure by \$709,721. This expenditure increase will be partly funded by \$691,678 in additional income and an increase in transfers from Reserve of \$15,000. The unfunded balance of \$3,043 in increased expenditure will be factored into the mid-year budget review.

### Statutory Environment

#### **Local Government Act 1995**

Section 5.41 of the Local Government Act (the Act) outlines the functions of the CEO. Functions included in this section of the Act relevant to this item are:

- cause council decisions to be implemented.
- manage the day-to-day operations of the local government.

Section 6.8 of the Act – Expenditure from municipal funds not included in annual budget:

- “(1) The Council cannot incur expense from its municipal fund for a purpose for which no expense estimate is included in the annual budget (known as an ‘additional purpose’) except where the expense —*
- (a) is incurred in a financial year before the adoption of the annual budget by the local government;*

- (b) *is authorised in advance by resolution by Absolute Majority; or*
  - (c) *is authorised in advance by the mayor or president in an emergency.*
- (2) *Where expense has been incurred;*
- (a) *under s6.8 (1)(a) it is required to be included in the annual budget for that financial year; and*
  - (b) *under s6.8 (1)(c), it is to be reported to the next ordinary meeting of the council”*

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

This report has been prepared in accordance with Council’s policy ‘FM.13 - Budget Management Policy’.

Budget Implications

Budget amendments as recommended will reduce funds held in the Bush Fire Reserve by \$15,000. The resulting overall deficit of \$3,043 will require funding consideration as part of the mid-year budget review.

Whole of Life Accounting – Not applicable

Risk Management

The unfunded amount of \$3,043 is considered a low financial risk according to Council’s Policy RM 1 – Risk Management i.e., there is an unlikely minor financial risk that the amount will remain unfunded following the mid-year budget review.

Measures of Likelihood			
Rating	Description	Frequency	Probability
<b>Almost Certain</b>	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
<b>Likely</b>	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
<b>Possible</b>	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
<b>Unlikely</b>	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
<b>Rare</b>	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 Christensen  
Ca.16/1123 That Council**

- 1. receives the October 2023 Budget Management Report as presented in Attachment 25; and**
- 2. amends the 2023/24 Budget as follows as tabled.**

**Carried by Absolute Majority 9/0**

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

**Community**

<b>ITEM NO.</b>	Ca.17/1123	<b>FILE REF.</b>	451.2.4
<b>SUBJECT</b>	New Fee and Charge & Emergency Services Volunteer discount		
<b>OFFICER</b>	Coordinator Recreation & Leisure		
<b>DATE OF REPORT</b>	22 November 2023		

**OFFICER RECOMMENDATION that Council;**

- 1. Approve a new hire fee of \$140.00 per hour (minimum 2 Hours) for the private hire/use of the inflatable to be introduced in the current 2023/24 fees and charges.**
- 2. Approve a new Inflatable Obstacle Course entry fee of \$5.00 to be included in the current 2023/24 fees and charges.**
- 3. Approve unbudgeted income of approximately \$8,431 received from the payment of fees and hire of the inflatable to be reflected in the 2023-24 budget.**
- 4. Approve the extension of the current 50% discount on gym memberships for Emergency Services volunteers to include 50% discount on Pool and Pool & Gymnasium Memberships.**

**Summary/Purpose**

The introduction of the Inflatables at the Bridgetown Leisure Centre Swimming Pool will increase patronage and revenue for the Bridgetown Leisure Centre. The recommended fee to participate on the inflatable has been based on a review of similar

regional Local Governments. It is estimated that the set fee of \$5/person will cover the cost of additional staffing, contingency for repairs and replacement.

To support the emergency services volunteers, an extension of the 50% discount on gym memberships, which Council currently provide, to include a 50% discount on pool membership is recommended to meet the various interests and the health and fitness needs of emergency services volunteers.

#### Background

For approximately 5 years before the pool was rebuilt Council owned a pool inflatable which was used on a regular basis. The inflatable was designed for a 50-meter pool and did not meet the Australian Standards for the current 25m pool. In addition, Royal Life Saving reminds waterborne inflatable operators of the supervision arrangements contained within the Guidelines for Safe Pool Operations: SV22 - Supervision of Inflatable Play Equipment and SV21 - Supervision of Floating Play Equipment as well as the inflatable use depth calculators available within the Guidelines of Safe Pool Operations for a 25 meter pool.

Bridgetown Leisure Centre have offered a discount of 50% for gym memberships for emergency services volunteers for approximately 10 years. Community feedback indicates that an inclusion of pool membership and a pool and gym membership would support those volunteers that would like to include swimming into their fitness regime.

#### Officer Comment

As part of the Year 1 Talison Lithium PTY LTD funding partnership, the Shire has received funding to purchase an inflatable obstacle course for the Bridgetown Leisure Centre Swimming Pool. To ensure that pool and the inflatable are safely monitored there is a requirement for an additional 2 lifeguards to supervise the inflatable. The inflatable fee and hire fees will ensure the cost recovery of the additional expenses incurred due to extra Lifeguard wages.

Market research was undertaken, reviewing the fees other Local Government charge for usage of inflatables. The officer recommendations have been developed based on the fees outlined below.

Local Government	Hourly Rate	Entry Fee	Min Age
Busselton	\$140.00 (Min 2 Hours)		5
Geraldton	\$165.00 (Min 2 Hours)		6
Albany	\$164.90 (Min 2 Hours)	\$8.00 Include pool entry	
Melville	\$139.00 (Min 2 Hours)		6
Rockingham	\$137.50 (Min 2 Hours)	\$4.20 (inflatable Only)	9

The introduction of the Inflatable obstacle course and basketball hoops will provide greater opportunities for young people from the community to engage in recreational activities at the pool.

The inflatable is intended to engage and entertain children and young people, provide an exciting and challenging activity for the community. The inflatable will also be offered to community for private hire to enhance special events/occasions/birthdays.



Having BLC inflatable days should increase the patronage of the swimming pool and offer a new stream of income to support the increase in services offered at the aquatic centre.

Offering a 50% discount to emergency volunteers for gym membership has been something Council has deemed important to do as an expression of its gratitude for those in our community that put themselves at risk for the protection of life and property. This extension to include pool memberships provides another option for volunteers and ensures the expression of gratitude is fit for purpose and meets the needs of those valued volunteers.

### Statutory Environment

2023/24 Fees & Charges – Shire of Bridgetown-Greenbushes

### 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

4.2.9 Provide an expanded range of activities at the Bridgetown Leisure Centre

- 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 Implications

Nil

### Budget Implications

As the income of approximately \$8,431 associated with the new fee is unbudgeted, Council will need to approve the new fee and charge and the estimated income generated by the additional inflatable entry fee and inflatable hire.

### Whole of Life Accounting - Nil

### Risk Management

The current recommendations address the following identified Strategic Risk Management Priorities according to Policy RM 1 – Risk management is Financial and reputational.

Financial – Financial risk is moderate given if the new fees associated with the inflatable were not approved given the cost of providing extra staff to monitor the use of the inflatables is a requirement, providing this new activity would increase the amount of subsidy Council is paying toward ongoing and new services at the BLC.

Reputational – Reputational risk - external is low given the impact of not supporting the recommendation to extend the 50% discount to include pool and pool/gym membership may create a minor consequence even though the likelihood of external reputational risk is likely.

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 Fletcher, Seconded Cr Pratico  
Ca.17/1123 That Council**

- 1. Approve a new hire fee of \$140.00 per hour (minimum 2 Hours) for the private hire/use of the inflatable to be introduced in the current 2023/24 fees and charges.**
- 2. Approve a new Inflatable Obstacle Course entry fee of \$5.00 to be included in the current 2023/24 fees and charges.**
- 3. Approve unbudgeted income of approximately \$8,431 received from the payment of fees and hire of the inflatable to be reflected in the 2023-24 budget.**
- 4. Approve the extension of the current 50% discount on gym memberships for Emergency Services volunteers to include 50% discount on Pool and Pool & Gymnasium Memberships.**

**Carried by Absolute Majority 9/0**

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

## Infrastructure

<b>ITEM NO.</b>	Ca.18/1123	<b>FILE REF.</b>	
<b>SUBJECT</b>	Budget Amendment – Contract Resheeting Works		
<b>PROPONENT</b>	Shire of Bridgetown Greenbushes		
<b>OFFICER</b>	Manager Infrastructure & Works		
<b>DATE OF REPORT</b>	22 November 2023		

### OFFICER RECOMMENDATION

That Council amend the 2023/24 budget as follows:

- a. Decrease the budget of Job BR06, Maranup Ford Road Bridge (3318A), by \$22,580.
- b. Decrease the budget of Job RC64, Hackett Street, by \$40,000.
- c. Increase the Road Construction/Reconstruction program account number 1386940 by \$63,580.

### Summary/Purpose

An additional materials and contracts amount of \$63,580 is required to complete the contractor performed gravel resheeting works currently underway on Crowd Wheatley Rd, Klause Rd and Walter Willis Rd.

### Background

During the 2nd special Council Meeting in October 2023, Council resolved (SpCa.02/1023) to allocate \$250,000 to undertake urgent gravel resheeting works on sections of Crowd Wheatley Rd, Klause Rd, and Walter Willis Rd totalling 5.6km.

Since then, a civil contractor has been engaged and works commenced. The contractor scope has included establishment of two adjacent gravel pits along with the actual resheeting works. Excluded from the civil contractor scope has been traffic control and the purchase cost of gravel from the landowners.

### Officer Comment

At the time of the October meeting, available information indicated \$250,000 would be sufficient to undertake the full proposed scope. While the civil contractor works are within this figure, the overall cost including traffic control and gravel is now higher than budgeted to complete the scope. Projected total project cost is now \$312,500 against the current \$250,000 budget resulting in a \$62,500 shortfall.

There are two jobs identified that could fund the shortfall:

1. Maranup Ford Road Bridge (3318A) – Job BR06  
A purchase order \$22,580 under budget has been issued for the preventive maintenance works on bridge 3318A and no additional expenditure is forecast. While the works have not yet commenced, due to the routine nature of the works it is very unlikely the contractor would seek a variation. The \$22,580 saving can safely be reallocated.
2. Hackett Street (Asphalt) – Job RC64  
The Hackett St asphalt overlay scope only has 300m out of the budgeted 800m that is considered a high priority so there is potential to reduce the scope without

a significant adverse outcome. A reduction in budget of \$40,000 will still allow approx. 500m of asphalt overlay to be completed.

These projects are wholly or substantially Roads to Recovery (RTR) funded. Council is requested to fund the shortfall by reallocating RTR funding from Maranup Ford Road Bridge (3318A) of \$22,580.00 and Hackett St of \$40,000 to the emergency resheeting works. The resheeting works are RTR compliant and the process of reallocating RTR funding to new compliant projects is simple.

#### Statutory Environment

*Work Health & Safety Act 2020*

*Land Administration Act 1997 (Part 5)*

#### Integrated Planning

##### ➤ Strategic Community Plan

Outcome 9 Safe, affordable and efficient movement of people and vehicles.

Objective 9.1 Improve road safety and connectivity.

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

Policy/Strategic Implications - Not applicable

#### Budget Implications

This report seeks to amend the 2023/24 budget as per the resolution.

Whole of Life Accounting - Not applicable

#### Risk Management

Risk areas identified according to the Shires risk management policy, are Health, Financial Impact, and Reputational External.

##### Health:

Due to the risk of a serious traffic incident as a result of the road faults the health impact is considered Catastrophic (fatality, permanent disability) with a likelihood measure being likely, giving an overall risk rating of Extreme.

##### Financial Impact:

Due to the risk of a serious traffic incident as a result of the road faults and potential for litigation, the financial impact is considered Catastrophic (more than \$500,000) with a likelihood measure being likely, giving an overall risk rating of Extreme.

**Reputational External:**

Due to the current dissatisfaction amongst affected members of the public there is a risk the issue will be escalated and therefore Reputational External is currently considered Moderate (substantiated, public embarrassment, moderate impact, moderate news profile, requires social media response and monitoring (e.g. State News story) with a likelihood measure being Likely, giving an overall risk rating of High. Obviously, if there is a serious accident or death on the road, this will shift to Extreme.

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

**Voting Requirements - Absolute Majority**

**Moved**

Cr Christensen Seconded Cr Pratico

Ca.18/1123 That Council amend the 2023/24 budget as follows:

- a. Decrease the budget of Job BR06, Maranup Ford Road Bridge (3318A), by \$22,580.
- b. Decrease the budget of Job RC64, Hackett Street, by \$40,000.
- c. Increase the Road Construction/Reconstruction program account number 1386940 by \$63,580.

**Amendment**

Moved Cr Christensen, Seconded Cr Pratico

That the amount \$63,580 be deleted and replaced with the amount \$62,580.

**Carried 9/0**

**For:** Crs Boyle, Christensen, Fletcher, Lansdell, Mahoney, 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*  
**Ca.18/1123** *That Council amend the 2023/24 budget as follows:*

- a. *Decrease the budget of Job BR06, Maranup Ford Road Bridge (3318A), by \$22,580.*
- b. *Decrease the budget of Job RC64, Hackett Street, by \$40,000.*
- c. *Increase the Road Construction/Reconstruction program account number 1386940 by \$62,580.*

***Carried by Absolute Majority 9/0***

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

**Receival of Minutes from Management Committees**

Nil

**Urgent Business Approved by Decision**

**Responses to Elected Member Questions Taken on Notice**

Question by Cr Fletcher

Was the Buy-Local Policy applied when evaluating the Bush Fire Tenders?

*Officer comment - Policy FM 6 – Buy Local Purchasing does not apply to purchasing via tender. Purchases of \$250,000 and over require tenders to be invited and are assessed in accordance with the Shire's Regional Price Preference Policy. As noted in the confidential reports presented to the Council Meeting held on 2 November 2023, given that the recommended tenders were submitted by a local builder whose tenders were significantly lower than the second lowest tender, the Regional Price Preference did not come into consideration.*

Attachment 26 – FM – 6 Buy Local Policy

**Elected Members Questions With Notice**

**Notice of Motions for Consideration at the Next Meeting**

**Matters Behind Closed Doors (Confidential Items)**

**Council Decision** *Moved Cr Mahoney, Seconded Cr Boyle*  
**Ca.19/1123** *That Council go behind closed doors to consider Item*  
**Ca.19/1123 at 7.31pm.**

***Carried 9/0***

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

In accordance with s.5.23(2) of the *Local Government Act 1995*, the CEO has recommended item Ca.19/1123 and Ca.20/1123 be considered behind closed doors as the subject matter relates to the following matter prescribed by section 5.23(2):

a) the personal affairs of any person.

In accordance with Clause 4.2 of the Standing Orders Local Law the contents of this item is 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.

<b>ITEM NO.</b>	Ca.19/1123	<b>FILE REF.</b>	
<b>SUBJECT</b>	Advisory Committees – Part 2		
<b>OFFICER</b>	Executive Assistant		
<b>DATE OF REPORT</b>	29 November 2023		

- Attachment 27 Access and Inclusion Advisory Committee Instrument of Appointment
- Attachment 28 Cultural Inclusion Advisory Committee Instrument of Appointment
- Attachment 29 Nomination forms for Cultural Inclusion Advisory Committee
- Attachment 30 Sustainability Advisory Committee Instrument of Appointment
- Attachment 31 Trails Development Advisory Committee Instrument of Appointment
- Attachment 32 Youth Services Advisory Committee Instrument of Appointment
- Attachment 34 Nomination form for Youth Services Advisory Committee

**Council Decision Moved Cr Mahoney, Seconded Cr Boyle**  
**Ca.19/1123 That Council invoke clause 18.1 of the Standing Orders at 7.32pm to allow for informal discussion.**  
**Carried by Absolute Majority 9/0**

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

**Council Decision Moved Cr Mahoney, Seconded Cr Boyle**  
**Ca.19/1123 That application of clause 18.1 of the Standing Orders cease at 7.36pm.**  
**Carried by Absolute Majority 9/0**

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

**Moved** Cr Mountford, Seconded Cr Lansdell

That Council;

1. Appoint Cr Mountford, as the Elected Member representative; and
2. Appoint Andrea Mettam, Beth Pengelly, Jana Mayhew, Joan Leader and Jane Wittenoom as community representatives on the Access and Inclusion Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 27.

#### OFFICER RECOMMENDATION – 2

1. That Council;
  - a) Appoint Cr Boyle, Cr Lansdell, and Cr Redman, as the Elected Member representatives; and
  - b) Appoint Sandra Hill, Phillipa Mills as community representatives on the on the Cultural Inclusion Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 28; and
2. That Council appoint Sonia Tascon and Barbara Maher as community representatives on the Cultural and Inclusion Advisory Committee as listed in Attachment 29.

#### OFFICER RECOMMENDATION – 3

That Council;

1. Appoint Cr Christensen, Cr Boyle, and Cr Lansdell, as the Elected Member representatives; and
2. Appoint Floyd Browne, Hal Reid as community representatives on the on the Sustainability Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 30.

#### OFFICER RECOMMENDATION – 4

That Council;

1. Appoint Cr Christensen, as the Elected Member representative; and
2. Appoint Alexa Tunmer, Ben Ducker, and Cory Ward as community representatives on the Trails Development Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 31.

#### OFFICER RECOMMENDATION – 5

1. That Council;
  - a) Appoint Cr Lansdell and Cr Fletcher, as the Elected Member representatives; and
  - b) Appoint Lisa Burgess, Susie Ascott and Yuko Tonai-Moore as community representatives on the on the Youth Services Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 32.
2. That Council appoint Meegan Cullen as community representatives on the Youth Services Advisory Committee as listed in Attachment 34.

**Amendment**      Moved Cr Lansdell, Seconded Cr Boyle



To make the following changes listed below

1. Delete 'Jaye Herring' from Officer Recommendation 2 - 1(b)
2. Amend the wording in Officer Recommendation 2 - 2 from 'Council consider nominations from' to 'Council appoint Sonia Tascon and Barbara Maher' as community representatives on the Cultural and Inclusion Advisory Committee as listed in Attachment 29; and
3. Amend the wording in Officer Recommendation 5 - 2 from 'Council consider nominations from' to 'Council appoint Meegan Cullen' as community representative on the Youth Services Advisory Committee as listed in Attachment 24.

**Carried 9/0**

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

**Against:** Nil

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

**Council Decision Cr Mountford, Seconded Cr Lansdell  
Ca.19/1123 Advisory Committees – Part 2**

**OFFICER RECOMMENDATION – 1  
That Council;**

1. **Appoint Cr Mountford, as the Elected Member representative; and**
2. **Appoint Andrea Mettam, Beth Pengelly, Jana Mayhew, Joan Leader and Jane Wittenoom as community representatives on the Access and Inclusion Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 27.**

**OFFICER RECOMMENDATION – 2**

1. **That Council;**
  - a) **Appoint Cr Boyle, Cr Lansdell, and Cr Redman, as the Elected Member representatives; and**
  - b) **Appoint Sandra Hill, Phillipa Mills as community representatives on the on the Cultural Inclusion Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 28; and**
2. **That Council appoint Sonia Tascon and Barbara Maher as community representatives on the Cultural and Inclusion Advisory Committee as listed in Attachment 29.**

**OFFICER RECOMMENDATION – 3**

**That Council;**

1. **Appoint Cr Christensen, Cr Boyle, and Cr Lansdell, as the Elected Member representatives; and**
2. **Appoint Floyd Browne, Hal Reid as community representatives on the on the Sustainability Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 30.**

**OFFICER RECOMMENDATION – 4**

**That Council;**

- 1. Appoint Cr Christensen, as the Elected Member representative; and**
- 2. Appoint Alexa Tunmer, Ben Ducker, and Cory Ward as community representatives on the Trails Development Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 31.**

**OFFICER RECOMMENDATION – 5**

**1. That Council;**

- a) Appoint Cr Lansdell and Cr Fletcher, as the Elected Member representatives; and**
- b) Appoint Lisa Burgess, Susie Ascott and Yuko Tonai-Moore as community representatives on the Youth Services Advisory Committee, in accordance with the Instrument of Appointment presented in Attachment 32.**

- 2. That Council appoint Meegan Cullen as community representatives on the Youth Services Advisory Committee as listed in Attachment 34.**

**Carried by Absolute Majority 9/0**

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

<b>ITEM NO.</b>	Ca.20/1123	<b>FILE REF.</b>	244
<b>SUBJECT</b>	2024 Community Citizen of the Year Awards		
<b>OFFICER</b>	Executive Assistant		
<b>DATE OF REPORT</b>	28 November 2023		

Attachment 33      2024 Community Citizen of the Year Awards report (Confidential)

**OFFICER RECOMMENDATION**

**That Council consider all nominations received and select a successful candidate for the following award categories;**

- **Community Citizen of the Year**
- **Senior Community Citizen of the Year**
- **Young Community Citizen of the Year**
- **Active Community Citizenship**

**Council Decision Moved Cr Pratico, Seconded Cr Boyle**

**Ca.20/1123 That Council invoke clause 18.1 of the Standing Orders at 7.43pm to allow for informal discussion.**

**Carried 9/0**

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

**Council Decision Moved Cr Mahoney, Seconded Cr Pratico  
Ca.20/1123 That application of clause 18.1 of the Standing Orders cease at  
7.45pm.**

**Carried 9/0**

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

**Council Decision Moved Cr Pratico, Seconded Cr Fletcher  
Ca.20/1123 That in accordance with clause 11.1(b) of the Standing Orders Local  
Law, debate on item Ca.20/1123 be adjourned to the December  
Ordinary Council meeting.**

**Carried 9/0**

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

**Council Decision Moved Cr Christensen, Seconded Cr Pratico  
Ca.20/1123 That Council come out from behind closed doors at 7.46pm**

**Carried 9/0**

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

At 7.47pm Council opened the doors to the meeting. It is noted that a member of the public returned to the meeting.

**Closure**

*The Presiding Member to close the meeting at 7.52pm.*

**List of Attachments**

Attachment	Item No.	Details
1	Ca.01/1123	Minutes of Special Council Meeting 24 October 2023 (Meeting 1)
2	Ca.02/1123	Minutes of Special Council Meeting 24 October 2023 (Meeting 2)
3	Ca.03/1123	Minutes of Ordinary Council Meeting 2 November 2023
4	Ca.04/1123	Minutes of Special Council Meeting 13 November 2023
5	Ca.06/1123	CR 3 Community Engagement Policy
6	Ca.06/1123	Community Engagement Toolkit
7	Ca.06/1123	Community Engagement Template 1
8	Ca.06/1123	Community Engagement Template 2
9	Ca.06/1123	Community Engagement Template 3

10	Ca.06/1123	Community Engagement Template 4
11	Ca.06/1123	Community Engagement Template 5 - Summary
12	Ca.08/1123	Rolling Action Sheet - Old
13	Ca.08/1123	Rolling Action Sheet - New
14	Ca.09/1123	ES2 Use of Chainsaws by Bush Fire Brigade
15	Ca.09/1123	ES4 Bush Fire Brigade Personal Protective Equipment
16	Ca.10/1123	Draft Policy P 19 – Grievance Resolution
17	Ca.11/1123	Draft Policy P 20 – Professional Development and Performance Review.
18	Ca.12/1123	Talison Project Update
19	Ca.13/1123	Audit Committee Instrument of Appointment
20	Ca.13/1123	Bush Fires Advisory Committee Instrument of Appointment
21	Ca.13/1123	CEO Performance Review Committee Instrument of Appointment
22	Ca.13/1123	Local Emergency Management Committee Instrument of Appointment
23	Ca.15/1123	October 2023 Financial Activity Statements
24	Ca.15/1123	List of Accounts Paid in October 2023
25	Ca.16/1123	Budget Management Report October 2023
26		FM – 6 - Buy Local Policy

Agenda Papers prepared and recommended by L Taramoeroa, Executive Assistant



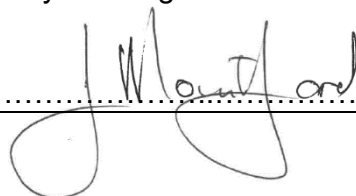
24 November 2023

Agenda Papers authorised by N Gibbs, CEO



24 November 2023

As Presiding Member, I certify that the Minutes of the Ordinary Council Meeting held 30 November 2023 were confirmed as a true and correct record of the proceedings of that meeting at the Ordinary Meeting of Council held on 14 December 2023.



14 December 2023