

## **Council Minutes – 29 February 2024**

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## **Minutes**

For an Ordinary Meeting of Council to be held in Council Chambers on 29 February 2024, commencing at 5.30pm.

### **Opening of Meeting**

*The Presiding Member opened the meeting at 5:30pm.*

### **Acknowledgment of Country**

*We acknowledge the cultural custodians of the land on which we gather. 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 Richards, Executive Manager Community & Development  
- S Alexander, Executive Manager Infrastructure  
- L Guthridge, Executive Manager Planning & Development  
- N Price – Manager Governance & Risk  
- M Gillham, Principal Project Manager  
- L Taramoeroa, Executive Assistant

### **Attendance of Gallery**

J Ife, S Tascon, D Hocking, N Sibbel, P Beach, C Dawson, D Walsh, I Barker, P Quinlivan, S Ewing, J Birks, T Dittrich, L Gibson, P Mills

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

Found in the 25 January 2024 Meeting Minutes

### **Public Question Time** - Nil

## **Petitions/Deputations/Presentations**

### **Presentation**

Craig Dawson – Talison  
Nicholas Sibbel – Talison

WA6283 Amendment that is currently out for public comment.

### **Presentation**

Jim Ife - Transition Bridgetown

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

## **Applications for Leave of Absence**

Cr Mahoney is seeking leave of absence for the March Ordinary Council Meeting on Thursday 28 March 2024 and the June Ordinary Council Meeting on Thursday 27 June 2024. Pursuant to s.2.25(1) of the *Local Government Act 1995*, a resolution of the Council is required to grant a leave of absence for an elected member.

### **C.01/0224a Cr Mahoney Leave of Absence Application**

*That Cr Mahoney be granted a leave of absence for the March Ordinary Council Meeting and the June Ordinary Council Meeting.*

### **Council Decision** *Moved Cr Mountford, Seconded Cr Fletcher*

***C.01/0224a That Cr Mahoney be granted a leave of absence for the March Ordinary Council Meeting and the June Ordinary Council Meeting.***

***Carried 9/0***

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

## **Confirmation of Minutes**

### **C.01/0224 Ordinary Council Meeting held 14 December 2023**

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

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

***C.01/0224 That the Minutes of the Ordinary Meeting of Council held 14 December 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

C.02/0224 Ordinary Council Meeting held 25 January 2024

*That the Minutes of the Ordinary Meeting of Council held 25 January 2024 be confirmed as a true and correct record.*

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

***C.02/0224 That the Minutes of the Ordinary Meeting of Council held 25 January 2024 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**

Cr Mountford advised:

Agenda Item C.24/0224 - Bridgetown Leisure Centre Assets Upgrades, purchase of new equipment for the Bridgetown Leisure Centre contained an administrative error. The Reserve name should have been the Bridgetown Leisure Centre Reserve rather than the Bridgetown Leisure Centre Floor Replacement and Solar Reserve. In addition, incorrect job numbers had been referenced for RE22 Dry Area Programs and RE23 Wet Area Programs – the correct GL Code is 1346640.11.

**Presentation**

Neil Price, Manager Governance and Risk, presented to Council on the reasoning for recommending the repealing of so many Council policies. The reasoning was as follows:

- It is important to understand that a policy is an overarching principle and the direction the Council wishes to take on certain matters. It is not an operational document.
- The *Local Government Act* distinguishes between Council roles and the CEO's roles, and the Council is limited to the legislative provisions of the Act, which means Council does not have control over the CEO's functions that are prescribed within the Act.
- The policies and aspects that come within and give effect to the CEO's functions and duties are the responsibility of Council.
- An important distinction when we are talking about policy is that it is not an operational document, it is an overarching guide in the direction the Council wants to take on certain matters.
- At present, we have 147 policies (this is after repealing policies in recent months). This is a lot, particularly within our band three size Council.
- Most band three Councils have less than 100 and on average around 60 to 70 policies. That doesn't consider band ones, band twos or band fours.
- Bunbury and Busselton only have about 60 or 70 policies. When you're talking 147 policies, it's a lot to manage and becomes very hard to ensure compliance with all those policies, to ensure that all the staff are aware of everything that's contained within those policies.
- When we've done the policy review, there's several considerations that we consider when we look at whether should the policy be repealed or amended. We look at the relevance.

- Do the policies meet contemporary practices?
- Do the policies comply with the Department's model policies along with WALGA's (Western Australian Local Government Association) model policy.
- Do the policies align with current practices? Once again, are they operational in nature?
- Are the policies just restating legislation? Some of our policies that we have are literally a transcript from the Local Government Act and there's huge sections within some of the policies that quote the legislation. There's a huge risk in doing that in terms of compliance, particularly if the legislation changes. If you don't change a policy, you're using a policy that's technically non-compliant with legislation.
- The Shire combines policies wherever possible. As a result of combining policies, we must repeal one, therefore, legally we must get rid of one.
- Lost productivity of the staff, particularly if they're having to review so many policies - often, it's a big task if it's done properly.
- Some of the policies that we have are too restrictive and not flexible enough to meet the requirements of the day-to-day requirements of the Shire.
- The object of what we're trying to achieve is efficiency, 147 policies is a lot, so the aim is to try and reduce them as much as possible to make it more practical and efficient for the officers to do their day-to-day work.

Cr Fletcher – Questioned whether old policies going to be kept electronically in the system somewhere as a historical document?

*Neil Price, Manager Governance and Risk – Yes. This is a legal requirement.*

### **Notification of Disclosure of Interest**

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

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

### **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>	C.03/0224	<b>FILE REF.</b>	203
<b>SUBJECT</b>	Repeal of Various Policies		
<b>OFFICER</b>	Manager Governance & Risk		
<b>DATE OF REPORT</b>	22 January 2024		

- Attachment 3     Policy G 1 – Policy Manual
- Attachment 4     Policy G 4 – Meetings of Council
- Attachment 5     Policy G 5 – Elected Members – Presentations on Retirement
- Attachment 6     Policy G 9 – Public Attendance at Meetings – Agendas
- Attachment 7     Policy G 15 – Provision of Information for Councillors
- Attachment 8     Policy G 19 – Council Photographs
- Attachment 9     Policy G 20 – Audio Recording of Meetings
- Attachment 10    Policy G 21 – Advertising of Annual General Meeting of Electors
- Attachment 11    Policy CM 1 – Decision Making

**OFFICER RECOMMENDATION**

*That Council Repeal the following policies as listed in Attachments 3 to 11:*

- *Policy G 1 – Policy Manual.*
- *Policy G 4 – Meetings of Council.*
- *Policy G 5 – Elected Members – Presentations on Retirement.*
- *Policy G 9 – Public Attendance at Meetings – Agendas*
- *Policy G 15 – Provision of Information for Councillors*
- *Policy G 19 – Council Photographs*
- *Policy G 20 – Audio Recording of Meetings.*
- *Policy G 21 – Advertising of Annual General Meeting of Electors*
- *Policy CM 1 – Decision Making*

**Summary/Purpose**

On a monthly basis Council's policies are being reviewed to ensure both relevance and compliance and to improve operational efficiency.

This Agenda Item proposes the repeal of the following policies:

- Policy G 1 – Policy Manual.
- Policy G 4 – Meetings of Council.
- Policy G 5 – Elected Members – Presentations on Retirement.
- Policy G 9 – Public Attendance at Meetings – Agendas
- Policy G 15 – Provision of Information for Councillors
- Policy G 19 – Council Photographs
- Policy G 20 – Audio Recording of Meetings.
- Policy G 21 – Advertising of Annual General Meeting of Electors

- Policy CM 1 – Decision Making

#### Background

Previous year's policy reviews were undertaken on the basis that all policies were reviewed every year. However, Council at its meeting on 28 September 2023 resolved to amend the process to one where the policies were to be reviewed at least every three (3) years from their date of adoption, or as deemed necessary or as legislatively required.

#### Officer Comment

Given the number of policies and staff workloads policies will be presented monthly rather than in a single report.

As part of the ongoing review the following policies are proposed to be repealed.

#### ***Policy G 1 – Policy Manual***

With the requirements of this policy now firmly embedded into the policy format (Endorsed by Council in May 2023) there is now no need for this policy to remain as it does not aid in any future decision making and is an operational matter. Any future changes to the format would simply be by a decision of Council at the time.

#### ***Policy G 4 – Meetings of Council***

The *Local Government (Administration) Regulations 1996* (r.12) provide that the CEO must publish on the local government's website before the beginning of the year the meeting details for ordinary Council and committee meetings and any changes to them. The details required are the date and time when, and the place where the meetings are to be held.

To enable this to occur it is customary that Council determines this matter via a resolution every year. As such this policy is unnecessary.

#### ***Policy G 5 – Elected Members – Presentations on Retirement***

Section 5.100A of the *Local Government Act 1995* states that a local government cannot give a gift to a Council member unless it is done under certain circumstances. Regulation 34AC of the *Local government (Administration) Regulations 1996* provides the circumstances as to when this can occur.

The existing policy does not meet the requirement of the legislation and it is therefore considered appropriate that this be repealed. Any decision to provide a Councillor with a gift should be made by the Council at the time and not be bound by a decision of any previous Council.

#### ***Policy G 9 – Public Attendance at Meetings - Agendas***

Regulation 14 of the *Local Government (Administration) Regulations 1996* covers both the availability and inspection of agendas to the public together with the requirements of confidential matters.

With the requirements of this policy embedded in legislation the policy is unnecessary.

#### ***Policy G 15 – Provision of Information for Councillors***

Clause 20 of the Code of Conduct for Council Members, Committee Members and Candidates deals with the relationship with local government employees.



Sections 5.92 – Access to information by Council , committee members, 5.94 – Public can inspect certain local government information and 5.95 – Further provisions relating to right to inspect local government information, already provide details on what information can be provided to Councillors

With both the Code of Conduct and legislation covering these matters this policy is unnecessary.

**Policy G 19 – Council Photographs**

Photographs of Councillors and senior staff are automatically arranged when changes are made to ensure that the Shire's website is current.

Given that this is normal operational practice the policy is unnecessary.

**Policy G 20 – Audio Recording of Meetings**

Section 58 of the *Local Government Amendment Act 2023* inserts a new section 5.23A into the *Local Government Act 1995* covering electronic broadcasting (livestreaming) and video and audio recording of Council meetings.

Section 5.23A(2) of the Act is a power that allows regulations to be made that may require, regulate, or otherwise make provision for any of the following matters:

- electronic broadcasting of Council meetings
- making or retaining recordings of Council meetings
- making recordings of Council meetings publicly available
- provision, or otherwise making available, recordings of Council meetings.
- The requirements for livestreaming and recording of Council meetings are aimed at increasing transparency and accountability in local government. This reform will also increase access to Council meetings.

Requirements for livestreaming and recording will apply differently depending on a local government's class. As this Council is a class 3 local government it is only required to live record Council or special Council meetings.

Although the Act has been amended, the regulations are still being developed and as such the requirement is not due to come into effect until 1 January 2025.

Despite this implementation date it is considered that the policy serves no purpose and should be repealed as legislation will dictate the requirement.

**Policy G 21 – Advertising of Annual General Meeting of Electors**

All the requirements of this policy are embedded in Section 5.29 of the *Local Government Act 1995* and as such the policy is unnecessary.

**Policy CM 1 – Decision Making**

All the requirements contained within this policy are embedded in the Agenda Paper template. Any changes to this format would be presented to Council as part of administration operational procedure. As such the policy is unnecessary.

#### *Local Government Act 1995*

- s.2.7(2)(b) - The Council is to determine the local government's policies
- s.5.3 – Ordinary and special Council meetings
- s.5.23A – Electronic broadcasting and video or audio recording of Council meetings
- s.5.92 - Access to information by Council
- s.5.94 - Public can inspect certain local government information
- s.5.95 - Further provisions relating to right to inspect local government information
- s.5100A – Gifts to Council members

#### *Local Government (Administration) Regulations 1996*

- r.14 – Notice papers, agenda etc., public inspection of
- r.34AC – Gifts to Council members, when permitted etc
- r.12 – Publication of meeting details

#### Integrated Planning

- Strategic Community Plan
  - Outcome 13 Proactive, visionary leaders who respond to community needs.
  - Objective 13.1 Strengthen leadership and advocacy.
  - Outcome 14 Effective governance and financial management.
  - Objective 14.1 Achieve excellence in organisational performance and service delivery.
- Corporate Business Plan – Nil
  - Objective 13.1 Strengthen leadership and advocacy
  - Action 13.1.3 Provide a biennial Councillor study tour to benchmark practices in leading Councils.
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

#### Policy Implications - Nil

#### Budget Implications - Nil

#### Whole of Life Accounting – N/A

#### Risk Management

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

The repeal of the above policies does not present any significant risk to Council and as such the overall risk has been measured as Low (Insignificant/Unlikely).

Measures of Likelihood			
Rating	Detailed 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	Insignificant	Minor	Moderate	Major	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 Christensen, Seconded Cr Mahoney**  
**C.03/0224 That Council Repeal the following policies as listed in Attachments 3 to 11:**

- **Policy G 1 – Policy Manual.**
- **Policy G 4 – Meetings of Council.**
- **Policy G 5 – Elected Members – Presentations on Retirement.**
- **Policy G 9 – Public Attendance at Meetings – Agendas**
- **Policy G 15 – Provision of Information for Councillors**
- **Policy G 19 – Council Photographs**
- **Policy G 20 – Audio Recording of Meetings.**
- **Policy G 21 – Advertising of Annual General Meeting of Electors**
- **Policy CM 1 – Decision Making**

**Carried 9/0**

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

Cr Pearce – Questioned whether information in Policy G 15 – Provision of Information for Councillors could be retained in another format.

*CEO Response – Yes. we can insert this information into the Induction Package for new Councillors.*

<b>ITEM NO.</b>	C.04/0224	<b>FILE REF.</b>	
<b>SUBJECT</b>	Repeal of Policies – Part 2		
<b>OFFICER</b>	Chief Executive Officer		
<b>DATE OF REPORT</b>	February 2024		

Attachment 12	G 11 Organisation Structure Policy
Attachment 13	R 2 Timber Royalties Policy
Attachment 14	G 7 Civic Receptions – Approvals/Rejections of Requests Policy
Attachment 15	RC 1 Art Acquisitions Policy
Attachment 16	CS 8 Swimming Pool Entry Age Policy
Attachment 17	G 8 Meetings of Council – Distribution and Release of Minutes Policy
Attachment 18	CR 5 Bereavement Notices Policy
Attachment 19	P 11 Staff Housing Policy
Attachment 20	P 10 Private Telephones Policy

**OFFICER RECOMMENDATION**

*That Council repeal:*

- *G 11 Organisation Structure Policy*
- *R 2 Timber Royalties Policy*
- *G 7 Civic Receptions – Approvals/Rejections of Requests Policy*
- *RC 1 Art Acquisitions Policy*
- *CS 8 Swimming Pool Entry Age Policy*
- *G 8 Meetings of Council – Distribution and Release of Minutes Policy*
- *CR 5 Bereavement Notices Policy*
- *P 11 Staff Housing Policy*
- *P 10 Private Telephones Policy*

**Summary/Purpose**

Council's 162 policies were due for review on 30 November 2023. It is highly unusual for all organisational policies to be due for review at the same time. It was not possible for officers to perform a comprehensive review of all these policies at the same time without sacrificing accuracy or quality. However, officers will ensure that all policies are reviewed by June 2024.

Moving through the review process, it has so far been determined that the following policies are not required and should be repealed:

- G 11 Organisation Structure Policy
- R 2 Timber Royalties Policy
- G 7 Civic Receptions – Approvals/Rejections of Requests Policy
- RC 1 Art Acquisitions Policy

- CS 8 Swimming Pool Entry Age Policy
- G 8 Meetings of Council – Distribution and Release of Minutes Policy
- CR 5 Bereavement Notices Policy
- P 11 Staff Housing Policy
- P 10 Private Telephones Policy

### Background

Council's 162 policies were originally scheduled for review by November 2023. It is uncommon for all organisational policies to undergo review simultaneously. Due to the extensive number of policies, conducting a comprehensive review of all of them at the same time without compromising accuracy or quality was not feasible for our officers. However, all policies will undergo a thorough review process and be updated by June 2024.

As part of the ongoing review, it has been determined that the following policies should be repealed because they:

- a) Are no longer necessary to perform the function;
- b) Are not a legal requirement;
- c) Provide for an onerous administrative burden on officers and Council that costs money and diverts attention away from important work;
- d) Add no value to governance nor operations; and/or
- e) Are already provided for in legislation.

- G 11 Organization Structure Policy
- R 2 Timber Royalties Policy
- G 7 Civic Receptions – Approvals/Rejections of Requests Policy
- RC 1 Art Acquisitions Policy
- CS 8 Swimming Pool Entry Age Policy
- G 8 Meetings of Council – Distribution and Release of Minutes Policy
- CR 5 Bereavement Notices Policy
- P 11 Staff Housing Policy
- P 10 Private Telephones Policy

Please note that repealing a policy does not mean that officers and Council cannot continue to perform the function (e.g. officers can continue to place bereavement notices without needing to have a policy in place to do so).

#### 1. G 11 Organization Structure Policy

The document is not a policy, it is simply a sentence leading into a diagram of an organisational structure. The structure itself is not actually an organisational structure. The document serves no purpose of which officers are aware.

#### 2. R 2 Timber Royalties Policy

The document is not a policy, it is simply a sentence advising that the retention, sale or gifting of timber is at the discretion of the CEO. This is an operational matter. If significant sums of money are involved, these funds are accounted for through our financial systems and budgeting process.

#### 3. G 7 Civic Receptions – Approvals/Rejections of Requests Policy

Whilst this may have been an appropriate policy previously, it has been superseded by a more contemporary approach of simply budgeting an annual amount for events and functions. A policy is not necessary for officers or Councillors to host a function of any form for any purpose.

- RC 1 Art Acquisitions Policy

A policy document is not required to ensure that the organisation gives preference to local providers when purchasing art. The organisation has a 'Buy Local' provision within the Purchasing Policy.

- CS 8 Swimming Pool Entry Age Policy

A policy document is not required to direct the age of children requiring supervision at the pool. This is provided for in the Royal Life Saving Standards and through provision of signage at the pool.

- G 8 Meetings of Council – Distribution and Release of Minutes Policy

The policy document is not required because the legal requirement for the distribution and release of Minutes is provided for in legislation.

Section 5.25 of the *Local Government Act 1995* refers to Regulations about Council and committee meetings and committees.

Regulation 13 of the *Local Government (Administration) Regulations 1996* states:

**13. Publication of unconfirmed minutes of meetings (Act s. 5.25(1)(i))**

- (1) The CEO must publish on the local government's official website —
  - (a) the unconfirmed minutes of each Council and committee meeting that is open to members of the public; and
  - (b) if a Council or committee meeting is closed to members of the public — that part of the unconfirmed minutes of the meeting that is a record of decisions made at the meeting.
- (2) The unconfirmed minutes of a Council meeting must be published within 14 days after the meeting is held.
- (3) The unconfirmed minutes of a committee meeting must be published within 7 days after the meeting is held.

**14. Notice papers, agenda etc., public inspection of (Act s. 5.25(1)(j))**

- (1) A local government is to ensure that notice papers and agenda relating to any Council or committee meeting and reports and other documents which —
  - (a) are to be tabled at the meeting; or
  - (b) have been produced by the local government or a committee for presentation at the meeting, and which have been made available to members of the Council or committee for the meeting are available for inspection by members of the public and published on the local government's official website from the time the notice papers, agenda or documents were made available to the members of the Council or committee.

(2) Subregulation (1) does not apply if, in the CEO's opinion, the meeting or that part of the meeting to which the information refers is likely to be closed to members of the public under section 5.23(2).

Any charges for hard copy agendas are covered in our Fees and Charges.

- CR 5 Bereavement Notices Policy

A policy document is not required to enable officers or Councillors to publish bereavement notices for any purpose or at any time.

- P 11 Staff Housing Policy

A Staff Housing policy is not required to enable the CEO to rent out housing. However, it is Council's role to set the rent amounts in the annual Fees and Charges. This is particularly important if staff rental amounts will differ from rental amounts for the general public.

- P 10 Private Telephones Policy

Whilst this policy may have served a purpose previously, it is no longer appropriate. If staff require a phone for work purposes, the organisation is required to provide a phone to the employee.

#### Officer Comment

*That Council repeal:*

- *G 11 Organisation Structure Policy*
- *R 2 Timber Royalties Policy*
- *G 7 Civic Receptions – Approvals/Rejections of Requests Policy*
- *RC 1 Art Acquisitions Policy*
- *CS 8 Swimming Pool Entry Age Policy*
- *G 8 Meetings of Council – Distribution and Release of Minutes Policy*
- *CR 5 Bereavement Notices Policy*
- *P 11 Staff Housing Policy*
- *P 10 Private Telephones Policy*

#### Statutory Environment

##### 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 - Low

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**  
**C.04/0224 That Council repeal:**

- ***G 11 Organisation Structure Policy***
- ***R 2 Timber Royalties Policy***
- ***G 7 Civic Receptions – Approvals/Rejections of Requests Policy***
- ***RC 1 Art Acquisitions Policy***
- ***CS 8 Swimming Pool Entry Age Policy***
- ***G 8 Meetings of Council – Distribution and Release of Minutes Policy***
- ***CR 5 Bereavement Notices Policy***
- ***P 11 Staff Housing Policy***
- ***P 10 Private Telephones Policy***

***Carried 9/0***

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



<b>ITEM NO.</b>	C.05/0224	<b>FILE REF.</b>	
<b>SUBJECT</b>	Repeal PR 1 – Functions in Shire Reserves or Parks Policy		
<b>OFFICER</b>	Chief Executive Officer		
<b>DATE OF REPORT</b>	30 January 2024		

Attachment 21      PR 1 – Functions in Shire Reserves or Parks Policy

**OFFICER RECOMMENDATION**

*That Council repeal PR 1 – Functions in Shire Reserves or Parks Policy*

**Summary**

Officers propose repealing PR 1 - Functions in Shire Reserves or Parks Policy, which governs the usage of non-enclosed reserves within our Shire. The policy is due for review and the timing of the review is aligned with the timing of significant asset investment and improvements across the Shire.

This policy is not necessarily the appropriate tool to manage the use of these assets. The more appropriate tools would be:

- Council's Fees and Charges; and
- Advertising/promotional materials available to the public.

Instead of the restrictive policy (restrictive in terms of venue, location, space and cost), officers propose that both Council and officers become more proactive in their approach to advertise and rent out Shire venues for the purposes of:

- Generating significantly more revenue from venues from non-local people;
- Developing and maintaining our asset-base with the extra income; and
- Providing more cost-effective venues for local people.

The policy is not required for these purposes.

If Council approves of the intent of this new strategy:

- The Schedule of Fees and Charges will be altered in time for the new budget cycle (and the opening of the Town Hall).
- The Asset Management Plan will provide for the maintenance costs and schedule for these facilities;
- Infrastructure will advise Council of the cost of these activities to the workforce; and
- Promotional brochures, websites and other marketing materials will detail the terms and conditions of hire.

**Background**

The proposed repeal of the (PR1) Functions in Shire Reserves or Parks Policy seeks to address the need for flexibility in fee structure, particularly concerning non-local individuals or groups that wish to use these public spaces for private events, such as weddings. This amendment aims to strike a balance between revenue generation

and accommodating non-local residents, as well as ensuring local residents are not disadvantaged.

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

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

The potential advantages of repealing the policy are relatively simple. It will provide for:

- Revenue to reinvest back into the maintenance of the buildings and open spaces. Currently, the hire fees do not even cover staff wages.
- Flexibility in fee structure whereby non-local individuals or groups subsidise the local use of the venues by paying more.
- More effective use of marketing, encouraging non-local residents to utilise our venues for events.
- Enhances the attractiveness of our community as a venue for various events because there is more income to generate back into the maintenance of the venues.
- Increased morale from employees who must stop critical Shire work to mow lawns and set up seating for outside weddings, the hosts of whom use caterers from Perth, do not shop in Bridgetown and do not use any of our other facilities. Now we charge between \$100 - \$130 for this service, which does not cover staff wages and reduces productivity across our outside Shire works.

The disadvantages in not repealing the reviewed policy are (potentially):

- No obvious revenue source for maintaining some significant infrastructure across the Shire.
- Venue hire will continue to cost the Shire more to maintain and operate than the income paid by the people using the resource.
- Outside workers will continue to be pulled from critical works to assist non-local events.

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

#### Officer Comment

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

#### Statutory Environment

*Local Government Act 1995*

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

## Local Government Property Local Law

### Integrated Planning

#### ➤ Strategic Community Plan

##### People

- 2 Good health and community wellbeing.
- 2.3 Become a hub of excellence in art, culture and community events.

##### Prosperity

- 12 Bridgetown-Greenbushes is regarded to be a major tourist destination.
- 12.3 Develop and promote festivals, events and trails that showcase the area's natural assets and core competencies.

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

Policy/Strategic Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management - Low

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

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

Voting Requirements – Simple majority

**Council Decision** *Moved Cr Redman, Seconded Cr Boyle*  
**C.05/0224** *That Council repeal PR 1 – Functions in Shire Reserves or Parks Policy.*

**Carried 9/0**

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

<b>ITEM NO.</b>	C.06/0224	<b>FILE REF.</b>	203
<b>SUBJECT</b>	Policy Amendment – CM 2 Electoral Caretaker Period		
<b>OFFICER</b>	Manager Governance & Risk		
<b>DATE OF REPORT</b>	23 January 2024		

Attachment 22 Draft Amended Policy CM 2 – Electoral Caretaker Period.

Attachment 23 Current CM 2 - Election Caretaker Period

**OFFICER RECOMMENDATION**

*That Council adopt the amended Policy CM 2 – Electoral Caretaker Period as presented at Attachment 22.*

**Summary/Purpose**

This motion seeks Council's approval to adopt the updated "Caretaker Period Protocols" policy. This policy establishes direction to prevent the unfair use of public resources or decisions by the Council or administration during the period immediately preceding a Local Government Election. The revisions align the policy with the WALGA template and recently amended *Local Government Act 1995*.

**Background**

In 2018 WALGA developed a draft template policy relating to the election caretaker policy as a result of a push to have this introduced into WA, for at the time both state and federal governments had such policies. Local government 'caretaker conventions' were legislated for local governments in South Australia, Victoria, NSW and Queensland.

Consequently Council on 30 August 2018 resolved (C.08/0818):

*"That Council adopts the 'Election Caretaker Period Policy' as per the WALGA draft template policy, updated to:*

1. Include 'the Shire of Bridgetown-Greenbushes' where appropriate.
2. Reword definition for 'Election Day' by deleting "<<including an extraordinary election to elect a new Mayor/President>>".

In 2023 the *Local Government Act 1995* was amended and in relation to the Caretaker Period it introduced:

1. a definition of 'caretaker period' (Section 1.4A) which took effect from 1 January 2024.
2. restrictions on what local government may do during the caretaker period (Section 3.73) which will take effect from 1 July 2024.

Amendments to the Regulations are still being developed.

#### Officer Comment

The "Caretaker Period Protocols" policy outlines protocols for Council Members and Employees during a 'Caretaker Period' relevant to various aspects, including decision-making, candidate conduct, and public activities.

Amendments have been made to the *Local Government Act 1995*, some of which are currently in place whilst others will take effect on 1/7/24. The policy has been amended to reflect all the amendments that are currently known. It should be noted that regulations are still under development which may impact on this policy.

Key changes to the policy include:

#### **Definitions (Clause 3)**

Clarifying essential terms to enhance understanding and consistency and to also bring them in line with recent amendments to the *Local Government Act 1995*.

Specific changes include:

*Caretaker Period* - amended to reflect the changes to the close of nominations and declaring of election results under the Local government Act.

*Extraordinary Circumstances* – Deleted as the new legislation provides the circumstances that are exempt during the caretaker period.

*Major Policy Decisions* – Deleted as the amendments to the Local Government Act now refer to 'Significant Act'. Details of what a significant act are listed.

*Public Consultation* – Deleted as it is considered irrelevant.

*Significant Expenditure* – Deleted as it is no longer required.

*Worker* – New definition to define worker.

#### **Caretaker Period Protocols - Decision Making (Clause 4.1)**

Ensuring that significant acts are scheduled to avoid impacting elections unless permitted by legislation.

Clause 4.1 – Reworded. No change in context.

Clause 4.1.2 – Council Reports Electoral Caretaker period Policy Statement

Sections have been deleted and others reworded as the new legislation covers most aspects.

Clause 4.1.4 – Delegated Authority Decision Making –

Reworded. No change in context

#### **Caretaker Period Protocols – Candidates (Clause 4.2)**

Ensuring equitable access to information and resources for all candidates.

Clause 4.2 – Reworded. No change in context.

Clause 4.2.1 – Reworded. No change in context.

Clause 4.2.2 – Added in the ability for Council to approve the use of the crest or logo in campaign electoral material.

Clause 4.2.3 – Made provision for candidates to receive a copy of agendas of meetings during a caretaker period.

#### ***Council Member Caretaker Period Protocols (Clause 4.3)***

Defining conduct expectations for Council Members during the Caretaker Period.

Clause 4.3.1 – Reworded. Removed the requirement for the CEO to have absolute discretion to determine if information is or is not provided and replaced with the requirement that the CEO will make a determination or refer the matter to Council.

Clause 4.3.2 – Reworded. No change in context.

Clause 4.3.3 – Minor grammatical amendments

Clause 4.3.6 – Minor grammatical amendments

Clause 4.3.7 - Reworded. No change in context.

#### ***Shire Publicity, Promotional, and Civic Activities (Clause 4.4)***

Providing guidelines for publicity, promotional activities, and communications during the Caretaker Period.

Clause 4.4 – Removed unnecessary wording and amended to reflect new definition of Significant Act.

Clause 4.4.1 - Reworded. No change in context.

Clause 4.4.2 – Minor grammatical amendments. No change in context

Clause 4.4.3 – Reworded. No change in context.

#### ***Community Consultation (Clause 4.4.4)***

Allowing for community consultation during the Caretaker Period, unless it relates to a significant act or contentious election campaign issues.

#### **Conclusion:**

The adoption of the reviewed "Caretaker Period Protocols" policy is necessary to maintaining transparency, fairness, and compliance during election periods. By approving this policy, Council reinforces its commitment to good governance and ensures that elections are conducted with integrity and equity.

#### Statutory Environment

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

s.1.4A – Caretaker period

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

s.4.87 – Printing and publication of electoral material

s.5.93 – Improper use of information

s.5.103 - Model code of conduct for Council members, committee members and candidates

##### ***Local Government (Model Code of Conduct) Regulations 2021***

r.17 – Misuse of local government resources

### Integrated Planning

- Strategic Community Plan
  - Outcome 13 Proactive, visionary leaders who respond to community needs.
  - Objective 13.1 Strengthen leadership and advocacy.
  - Outcome 14 Effective governance and financial management.
  - Objective 14.1 Achieve excellence in organisational performance and service delivery.
- Corporate Business Plan – Nil
  - Objective 13.1 Strengthen leadership and advocacy
  - Action 13.1.3 Provide a biennial Councillor study tour to benchmark practices in leading Councils.
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications - Nil

Whole of Life Accounting – N/A

### Risk Management

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

The repeal of the above policies does not present any significant risk to Council and as such the overall risk has been measured as Low (Insignificant/Unlikely).

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

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

Voting Requirements – Simple Majority.

**Council Decision** *Moved Cr Christensen, Seconded Cr Fletcher*  
**C.06/0224** *That Council adopt the amended Policy CM 2 – Electoral Caretaker Period as presented at Attachment 22.*

**Carried 9/0**

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

<b>ITEM NO.</b>	C.07/0224	<b>FILE REF.</b>	101.5
<b>SUBJECT</b>	Risk Management Framework		
<b>OFFICER</b>	Manager Governance and Risk		
<b>DATE OF REPORT</b>	7 February 2024		

Attachment 24

Risk Management Framework 2024

**OFFICER RECOMMENDATION**

*That the Audit Committee recommends that Council endorses the 2024 Risk Management Framework as presented at Attachment 24.*

**Summary/Purpose**

This framework sets out the Shire's approach to the identification, assessment, management, reporting and monitoring of risks.

The purpose of the Risk Management Framework is to define how the Shire will meet its commitment to risk management as defined in the Risk Management Policy and aims to balance a documented, structured and systematic process with the current size and complexity of the Shire along with existing time, resource and workload pressures.

**Background**

Council at its meeting on 29/06/2023 resolved (C.,09/0623c):

- "1. *That Council receive the Audit Regulation 17 Review Report June 2023, and adopt the recommended improvements contained within the report as presented in Attachment 10.*



1. *The CEO prepare and present to the Audit Committee a plan to specifically address the time frame for implementation of the recommended improvements numbered 3-5,12,16,18,22-30 and 44-46 including any other improvements considered to be a priority by the CEO."*

Recommendation 2 of that report stated "Approve and implement a Risk Management Framework that aligns with AS/NZ ISO 31000:2018 Risk Management.

#### Officer Comment

Risk is inherent in all Council services and activities. Inadequate attention to managing risks can result in unwanted exposure to the community, Council assets, and the environment in which the organisation operates.

To manage all the risks to which the Shire is exposed to requires the development of a risk culture and supporting risk framework directed towards the effective management of risks and potential opportunities to ensure the interests of the community, staff, contractors, volunteers, services and assets are managed and developed through the application of appropriate risk management principles and practices.

The management of risks in conjunction with management direction is integral to achieving the objectives of the Corporate Business Plan. The management of risk becomes the responsibility of all employees and should be integrated into business processes.

The risk management process sits within a framework designed to provide the means to systematically identify, analyse and control risk at all levels and functions of the organisation.

The Risk Management Framework sets out the methodology for managing risk to ensure that risk management functions will be maintained, managed and governed on an ongoing basis to achieve effective organisational risk management.

The Shire has not previously had a formal risk management framework although it has had elements in place for a period of time. This framework brings all those elements together in a coordinated structure.

The Risk Management Framework was considered by the Audit Committee at its meeting held 15 February 2024 where the following recommendation was carried:

*"That the Audit Committee recommends that Council endorses the 2024 Risk Management Framework as presented at Attachment 3."*

#### Statutory Environment

*Local Government (Audit) Regulations 1996:*

#### **17. CEO to review certain systems and procedures**

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

- (2) The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.
- (3) The CEO is to report to the audit committee the results of that review.

#### Integrated Planning

- Strategic Community Plan
  - Outcome 14 Effective governance and financial management
  - Objective 14.1 Achieve excellence in organisational performance and service delivery
- Corporate Business Plan
  - Objective 14.1 Achieve excellence in organisational performance and service delivery
  - Action 14.1.3 Provide a quarterly review each year of the Shire's risk profile.
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

#### Policy Implications

Policy RM1 – Risk Management.

Policy RM 2 – Fraud, Corruption and Misconduct

Budget Implications - Nil

Whole of Life Accounting – Not Applicable

#### Risk Management

The risk areas identified according to Policy RM 1 – Risk Management are Financial Impact, Reputational and Compliance.

Financial Impact:

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

Reputational:

The ramifications to both external and internal reputation are considered to be moderate - Substantiated, public embarrassment, moderate impact, moderate news profile, requires social media response and monitoring for external and (e.g State News story) and internal - Decline in staff confidence/morale, or unauthorised absences with a likelihood measure being unlikely, giving an overall risk rating of Moderate.

Compliance:

Major - Non-compliance results in termination of services or imposed penalties, with a likelihood measure of possible, giving an overall risk rating of High.

The overall risk has been measured as High.

Measures of Likelihood			
Rating	Detailed 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 Fletcher, Seconded Cr Boyle

That the Audit Committee recommends that Council endorses the 2024 Risk Management Framework as presented at Attachment 24.

**Amendment** Moved Cr Mahoney, Cr Mountford

That the words ‘That the Audit Committee recommends’ are removed from the officer recommendation.

**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 Fletcher**

**C.07/0224** **That Council endorses the 2024 Risk Management Framework as presented at Attachment 24.**

**Carried 9/0**

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

**Against:** Nil

ITEM NO.	C.08/0224	FILE REF.	203
SUBJECT	Review of Policy RM 1 – Risk Management		
OFFICER	Manager Governance & Risk		
DATE OF REPORT	4 January 2024		

Attachment 25 Draft amended Policy RM 1 – Risk Management

Attachment 26 Current Policy RM 1 – Risk Management

#### OFFICER RECOMMENDATION

*That Council adopt amended Policy RM 1 Risk Management, as shown in Attachment 25.*

#### Summary/Purpose

A review of Policy RM 1 Risk Management has been undertaken as part of the ongoing review of all policies and a previous commitment to Council for this to be reviewed.

The amended policy is presented to Council for consideration.

#### Background

Council at its meeting on 30/06/2022 resolved in part (C.09/0622):

*“That with respect to Section 3 (Finance) of the Policy Manual Council:*

*...5. Note that separate reviews of the following policies is to occur:*

- Policy F.7 (Reporting Forecast Budget Variations Policy)*
- Policy F.15 (Asset Management)*
- Policy F.18 (Self-Supporting Loans to Shire Community/Sporting Groups)*
- Policy F.19 (Assets Financing and Borrowings)*
- Policy F.21 (Risk Management)”*

Council at its meeting on 29/06/2023 resolved (C.09/0623c):

- “1. That Council receive the Audit Regulation 17 Review Report June 2023, and adopt the recommended improvements contained within the report as presented in Attachment 10.*
- 2. The CEO prepare and present to the Audit Committee a plan to specifically address the time frame for implementation of the recommended improvements numbered 3-5,12,16,18,22-30 and 44-46 including any other improvements considered to be a priority by the CEO.”*

Recommendation 1 of the Audit Regulation 17 review report states that the Risk Management Policy be reviewed, adopted and promoted to staff.

#### Officer Comment

The intent of this Policy is to create an environment where Council, management and staff accept direct responsibility for risk management, through development, implementation and improvement of effective risk management practices.

This policy forms an essential part of the risk management framework and has been reviewed to ensure it meets current requirements and standards.

The policy was adopted on 17/12/2015 and although it has been reviewed every year since, there have been no amendments.

This review is proposing substantial amendments, with the proposed changes detailed as follows:

**Objectives (Clause 1)**

Clear objectives of the policy have been included.

**Scope (Clause 2)**

A scope has been added to the policy.

**Definitions (Clause 3)**

These have been updated to reflect current Australian Standards.

**Policy (Clause 4)**

Removed the objectives from this clause and subsequently reworded.

**Roles and Responsibilities (Clause 4.1)**

Substantially expanded the roles and responsibilities to make it clear who is responsible for what.

**Risk appetite (Clause 4.2)**

Reworded to provide that the Shire will take a conservative approach to risk and to identify what risks will not be acceptable.

**Quantified Risk Assessment and Acceptance Criteria (Clause 4.3)**

New clause to promote that the criteria have been developed to align with the conservative risk appetite and to ensure that all organisational risks are assessed using these criteria.

**Recording and Reporting (Clause 4.4)**

Reworded.

**Measures of Consequence (Appendix A)**

Minor increase to financial values to align lower limits to the purchasing policy thresholds.

Statutory Environment

*Local Government Act 1995*

s 2.7(2)(b)

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

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

**s 5.41 – Functions of CEO**

*The CEO’s functions are to —*

- (a) advise the Council in relation to the functions of a local government under this Act and other written laws; and*
- (b) ensure that advice and information is available to the Council so that informed decisions can be made; and*
- (c) cause Council decisions to be implemented; and (d) manage the day to day operations of the local government; and*
- (d) liaise with the mayor or president on the local government’s affairs and the performance of the local government’s functions; and*

- (e) *speak on behalf of the local government if the mayor or president agrees; and*
- (f) *be responsible for the employment, management supervision, direction and dismissal of other employees (subject to section 5.37(2) in relation to senior*
- (g) *employees); and*
- (h) *ensure that records and documents of the local government are properly kept for the purposes of this Act and any other written law; and*
- (i) *perform any other function specified or delegated by the local government or imposed under this Act or any other written law as a function to be performed by the CEO.*

#### *Local Government (Audit) Regulations 1996*

#### ***r.17 – CEO to review certain systems and procedures***

- (1) *The CEO is to review the appropriateness and effectiveness of a local government's systems and procedures in relation to —*
  - (a) *risk management; and*
  - (b) *internal control; and*
  - (c) *legislative compliance.*
- (2) *The review may relate to any or all of the matters referred to in subregulation (1)(a), (b) and (c), but each of those matters is to be the subject of a review not less than once in every 3 financial years.*
- (3) *The CEO is to report to the audit committee the results of that review.*

#### Integrated Planning

- Strategic Community Plan
  - Outcome 13 Proactive, visionary leaders who respond to community needs
  - Objective 13.2 Embrace innovation and a 'can do' culture
  - Outcome 14 Effective governance and financial management
  - Objective 14.1 Achieve excellence in organisational performance and service delivery
- Corporate Business Plan
  - Objective 14.1 Achieve excellence in organisational performance and service delivery
  - Action 14.1.3 Provide a quarterly review each year of the Shire's risk profile
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

#### Policy Implications - Nil

#### Budget Implications - Nil

#### Whole of Life Accounting – N/A

#### Risk Management

The risk areas identified according to Policy RM 1 – Risk Management are Compliance, Financial Impact and Reputation.

A demonstrable commitment to sound risk management is one of the hallmarks of good governance and defensible integrity.

Risk is inherent in all Council services and activities. Inadequate attention to managing risks can result in unwanted exposure to the community, Council assets, and the environment in which the organisation operates.

To manage all the risks that the Shire is exposed to requires the development of a risk culture and supporting risk framework directed towards the effective management of risks and potential opportunities to ensure the interests of the community, staff, contractors, volunteers, services and assets are managed and developed through the application of appropriate risk management principles and practices.

This policy forms part of that risk framework.

The overall risk has been measured as High (Catastrophic/Unlikely).

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

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

#### Voting Requirements – Simple Majority

**Moved** Cr Pratico, Seconded Cr Fletcher

That Council adopt amended Policy RM 1 Risk Management, as shown in Attachment 25.

Cr Christensen – Referring to the attached draft amended Policy RM 1 - Risk Management, requested the wording significant, substantial, or irreparable damage to the environment be defined.

*CEO Response – We can insert definitions for those terms and resubmit the documentation at the March Ordinary Council Meeting.*

**Council Decision** *Moved Cr Christensen, Cr Boyle*  
**C.08/0224** *That item on the Draft Amended Policy RM 1 Risk Management be deferred to the March Ordinary Council Meeting.*

**Carried 9/0**

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

<b>ITEM NO.</b>	C.09/0224	<b>FILE REF.</b>	197.2
<b>SUBJECT</b>	Annual Review of Council Delegations		
<b>OFFICER</b>	Manager Governance & Risk		
<b>DATE OF REPORT</b>	5 January 2024		

Attachment 27      Adopted Delegations Register - Council to CEO 2024-25

**OFFICER RECOMMENDATION**

*That Council:*

- Approves amendments to the following delegations as shown in Attachment 27:*
  - CM 1 – Authorising and Affixing of the Common Seal*
  - ES 4 – Offences – Bush Fires Act*
  - ES 6 – Prohibited Burning Times – Control Activities*
  - ES 7 – Variations and Control Activities Restricted Burning Periods*
  - ES 8 – Burning Garden Refuse/Open Air Fires*
  - FM 5 – Write Off of Money Owing to the Local Government*
  - LE 4 – Powers of Entry*
  - LE 23 – Removal of Graffiti*
- Repeals the following delegations:*
  - FM 6a – Tenders for Providing Goods & Services*
  - RC 1 – Use of Blackwood River for Active Recreation*
  - RC 2 – Use of Shire Reserves for Camping*
  - RC 3 – Extension of Facility Membership Periods*
- Endorse all other delegations without amendment as shown in Attachment 27.*

**Summary/Purpose**

Section 5.46(2) of the *Local Government Act 1995* requires Council to review its delegations at least once every financial year.

Following a review by officers, the delegations from Council to the CEO are now presented for consideration.

**Background**

A detailed review of the delegations was undertaken in 2023 using the WALGA model Delegation Register as a guide. The outcome of the review recommended substantial changes to both the format and content of the delegations.

As a result, at its meeting on 23/2/2023 Council resolved (C.09/0223):  
*“That Council:*



1. *Revoke all delegations from Council to the CEO except delegation LUP.3 – Subdivisions*
2. *Approves all the delegations as amended/deleted/created contained within the Delegations Register in Attachment 6, noting that delegation LUP.3 – Subdivisions was adopted by Council on 25 January 2023 (C.07/0123)."*

Section 5.16 of the *Local Government Act 1995* allows a local government to delegate powers to Committees, other than the power of delegation. Similarly, Section 5.42 of the *Local Government Act* allows a local government the ability to delegate powers to its CEO.

Delegations are the standing power of the persons occupying the specified positions to exercise powers on behalf of Council and are required to have a legislative basis and be consistent with legislation. The legislative power to make the delegation and sub delegations is recorded in the Delegations Register.

A local government which delegates powers to its CEO or Committees is to carry out a review of all Delegations during each financial year.

#### Officer Comment

With the complete rewrite of the delegations register in 2023 together with other additional delegations approved during 2023 there are minimal changes being proposed in this review.

These can be summarised as follows.

#### Delegations to be amended:

- CM 1 – Authorising and Affixing of the Common Seal  
Minor grammatical and legislative changes. An additional power has been included to allow the CEO to sign documents on behalf of the Shire of Bridgetown-Greenbushes as detailed under section 9.49A(4) of the *Local Government Act* to meet operational practices.
- ES 4 – Offences – Bush Fires Act  
No change to the delegation other than reformatting to provide consistency.
- ES 6 – Prohibited Burning Times – Control Activities  
No change to the delegation other than reformatting to provide consistency.
- ES 7 – Variations and Control Activities Restricted Burning Periods  
No change to the delegation other than reformatting to provide consistency.
- ES 8 – Burning Garden Refuse/Open Air Fires  
No change to the delegation other than reformatting to provide consistency.
- FM 5 – Write Off of Money Owing to the Local Government  
Added a further power to waive or grant concessions on amounts owing to the Shire up to a limit of \$500. This will provide greater efficiency in operational matters.
- LE 4 – Powers of Entry  
No change to the delegation other than reformatting to provide consistency.
- LE 23 – Removal of Graffiti  
Powers have been added to allow the CEO to issue notices or to seek a warrant of an intended entry to private property to enable the removal of graffiti.

#### Delegations to be deleted:

- FM 6a – Tenders for Providing Goods & Services

This delegation provided authority to the CEO to award the tender for RFT 03-2223 – Relocation and Renewal of the Greenbushes Railway Station from Nyland House Transporters Pty Ltd at a price of \$406,076.00 (EX-GST). As the award of this project has now been completed, the delegation no longer required.

- RC 1 – Use of Blackwood River for Active Recreation.  
This is a double up as it is covered under delegation LE 2 – Determining Applications Under Local Laws and Enforcement of Local Law Provisions.
- RC 2 – Use of Shire Reserves for Camping  
This is a double up as it is covered under delegation LE 2 – Determining Applications Under Local Laws and Enforcement of Local Law Provisions.
- RC 3 – Extension of Facility Membership periods  
This policy already provides the authorisation to the CEO to extend membership and therefore a delegation is not required.

### Statutory Environment

#### *Local Government Act 1995*

#### **s 5.42 Delegation of some powers and duties to CEO**

- (1) A local government may delegate\* to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43. \*

*Absolute majority required.*

- (2) A Delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of Delegation.

#### **s 5.43 Limits on Delegations to CEO's**

A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;
- (b) accepting a tender which exceeds an amount determined by the local government for the purpose of this paragraph;
- (c) appointing an auditor;
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;
- (e) any of the local government's powers under section 5.98, 5.98A, 5.99, 5.99A or 5.100;
- (f) borrowing money on behalf of the local government;
- (g) hearing or determining an objection of a kind referred to in section 9.5;
- (h) any power or duty that requires the approval of the Minister or the Governor; or
- (i) such other powers or duties as may be prescribed.

#### **s 5.44 CEO may delegate powers and duties to other employees**

- (1) A CEO may delegate to any employee of the local government the exercise of any of the CEO's powers or the discharge of any of the CEO's duties under this Act other than this power of Delegation.
- (2) A Delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of Delegation.
- (3) This section extends to a power or duty the exercise or discharge of which has been delegated by a local government to the CEO under section 5.42, but in the case of such a power or duty —

- (a) the CEO's power under this section to delegate the exercise of that power or the discharge of that duty; and
- (b) the exercise of that power or the discharge of that duty by the CEO's delegate, are subject to any conditions imposed by the local government on its Delegation to the CEO.
- (4) Subsection (3)(b) does not limit the CEO's power to impose conditions or further conditions on a Delegation under this section.
- (5) In subsections (3) and (4) —  
"conditions" includes qualifications, limitations or exceptions.

**s 5.45 Other matters relevant to Delegations under this Division**

- (1) Without limiting the application of sections 58 and 59 of the Interpretation Act 1984 —
  - (a) a Delegation made under this Division has effect for the period of time specified in the Delegation or where no period has been specified, indefinitely; and
  - (b) any decision to amend or revoke a Delegation by a local government under this Division is to be by an absolute majority.
- (2) Nothing in this Division is to be read as preventing —
  - (a) a local government from performing any of its functions by acting through a person other than the CEO; or
  - (b) a CEO from performing any of his or her functions by acting through another person.

**s 5.46 Register of, and records relevant to, Delegations to CEO's and employees**

- (1) The CEO is to keep a register of the Delegations made under this Division to the CEO and to employees.
- (2) At least once every financial year, Delegations made under this Division are to be reviewed by the delegator.
- (3) A person to whom a power or duty is delegated under this Act is to keep records in accordance with regulations in relation to the exercise of the power or the discharge of the duty.

Integrated Planning

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

Policy Implications - Nil

Budget Implications - Nil

Whole of Life Accounting – N/A

### Risk Management

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

Council is legislatively required to review delegations once every financial year. Failure to review the delegations will breach the legislation.

The overall risk has been measured as Low (Minor/Unlikely).

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

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

### Voting Requirements – Absolute Majority

**Moved** Cr Pratico, Seconded Cr Lansdell

That Council:

- Approves amendments to the following delegations as shown in Attachment 27:
  - CM 1 – Authorising and Affixing of the Common Seal
  - ES 4 – Offences – Bush Fires Act
  - ES 6 – Prohibited Burning Times – Control Activities
  - ES 7 – Variations and Control Activities Restricted Burning Periods
  - ES 8 – Burning Garden Refuse/Open Air Fires
  - FM 5 – Write Off of Money Owing to the Local Government
  - LE 4 – Powers of Entry
  - LE 23 – Removal of Graffiti
- Repeals the following delegations:
  - FM 6a – Tenders for Providing Goods & Services
  - RC 1 – Use of Blackwood River for Active Recreation

- RC 2 – Use of Shire Reserves for Camping
- RC 3 – Extension of Facility Membership Periods

3. Endorse all other delegations without amendment as shown in Attachment 27.

Cr Fletcher – With reference to FM 5 – Write Off of Money Owing to the Local Government, are we writing off money to a point of \$500.

*Neil Price, Manager, Governance and Risk - One's the write off a debt, and this can be from anything apart from rates. It's \$500 limit per instance as a maximum.*

Cr Redman – With reference to the subdivisional road names section, it refers to recommending names to the Geographic Names Committee.

*CEO Response - Most local governments convene and then disband those Committees if there's a road to be named. With the local governments I've been involved in, if there's a road or roads to be named, you convene a working group of Council and then it becomes disbanded once the road has been named.*

**Amendment**            Moved Cr Pratico, Seconded Cr Lansdell

Cr Christensen asked for the following administrative errors to be corrected:

Page 26: ES.5 – Variations to Prohibited Burning Periods – Row 5 – is the acronym CALM needs to be changed.

Page 36: row 5: 'City' should read 'local government.'

Page 40: FM 6a - Tenders for Providing Goods & Services – Removal of this delegation as part of the delegation register.

Page 49: LUP.6 – Subdivisional Road Names – Road names are something that are usually proposed through Council, with Main Roads making the final decision.

Page 60: LE.4 – Powers of Entry – Add the word 'of' in row 5 between the words power entry.

**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 Pratico, Cr Christensen**

**C.09/0224    That Council:**

1. **Approves amendments to the following delegations as shown in Attachment 27:**
  - **CM 1 – Authorising and Affixing of the Common Seal**
  - **ES 4 – Offences – Bush Fires Act**
  - **ES 6 – Prohibited Burning Times – Control Activities**

- **ES 7 – Variations and Control Activities Restricted Burning Periods**
  - **ES 8 – Burning Garden Refuse/Open Air Fires**
  - **FM 5 – Write Off of Money Owing to the Local Government**
  - **LE 4 – Powers of Entry**
  - **LE 23 – Removal of Graffiti**
2. **Repeals the following delegations:**
- **FM 6a – Tenders for Providing Goods & Services**
  - **RC 1 – Use of Blackwood River for Active Recreation**
  - **RC 2 – Use of Shire Reserves for Camping**
  - **RC 3 – Extension of Facility Membership Periods**
3. **Endorse all other delegations without amendment as shown in Attachment 27.**

**Carried 9/0**

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

<b>ITEM NO.</b>	C.10/0224	<b>FILE REF.</b>	203
<b>SUBJECT</b>	Review of Policy G 2 – Councillor Training/Conferences and Continuing Professional Development		
<b>OFFICER</b>	Manager Governance & Risk		
<b>DATE OF REPORT</b>	16 January 2024		

Attachment 28 Draft amended Policy G 2 – Council Member Continuing Professional Development.

Attachment 29 Current Policy G 2 – Councillor Training/Conferences and Continuing Professional Development.

Attachment 30 Policy P 8 – Conferences/Fact Finding Tours.

#### **OFFICER RECOMMENDATION**

*That Council:*

1. *Adopt amended Policy G 2 Council Member Continuing Professional Development, as presented in Attachment 28.*
2. *Repeal Policy P 8 Conferences/Fact Finding Tours.*

#### **Summary/Purpose**

Policies G 2 - Councillor Training/Conferences and Continuing Professional Development has been reviewed together with policy P 8 - Conferences/Fact Finding Tours for these two policies relate to the same matter. As such they have been combined into the one policy that provides a comprehensive framework to facilitate the ongoing professional development of Council Members, ensuring they possess the necessary knowledge and skills to make informed decisions for our community. The policy also aligns with the *Local Government Act 1995*, which mandates the preparation and adoption of such a policy.

The amended policy is presented to Council for consideration.

#### Background

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

The *Local Government Act 1995* requires that Policy G 2 Councillor Training/Conferences and Continuing Professional Development be reviewed after every local government election. Given that this policy was last reviewed in November 2021 following those elections, it is required to be reviewed now.

#### Officer Comment

Section 5.127 of the *Local Government Act 1995* (The Act) requires a local government to prepare a report for each financial year on the training completed by Council members.

Section 5.128 of the Act requires local governments to prepare and adopt a policy in relation to the continuing professional development of Council members. It also requires the policy to be reviewed after each ordinary election.

In undertaking a review of policy G2 - Councillor Training/Conferences and Continuing Professional Development it was identified that policy P8 – Conferences/Fact Finding Tours also related to the same matter.

Given the correlation between the two, the portion relating to Fact Finding Tours has been incorporated into policy G 2. As the remainder of policy P 8 is operational in nature and falls within the CEO's function under s. 5.41(g) of the Local Government Act, it is proposed that this policy be repealed.

The existing Councillor training policy has been completely reviewed using the WALGA model Council Member Continuing Professional Development policy as a guideline. Substantial changes are being recommended and as such a 'track changed' version has not been prepared as this may cause some confusion.

Upon review the policy has been substantially amended to:

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

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

#### **Objectives (Clause 1)**

Removed unnecessary content which is already encapsulated in legislation and reworded.

#### **Scope (Clause 2)**

A scope has been added to the policy to identify that the policy applies to all Councillors.

**Definitions (Clause 3)**

Added in a definition for Mandatory Training.

**Budget Allocations (Clause 4.1)**

New clause to identify expenses that will be funded from the 'corporate' budget and those that will be funded as a separate allocation to each Councillor.

**Council Member Induction (Clause 4.2)**

A new clause to ensure that newly elected Councillors are provided necessary information regarding mandatory training and other training opportunities.

**Mandatory Training (Clause 4.3)**

This clause has been reworded without altering the context.

**Continuing Professional Development (CPD)(Clause 4.4)**

This has been reworded to identify:

- Eligible CPD formats.
- What is considered beneficial to a Councillor's role.
- Eligible CPD activities.
- Limitations on Fact Finding Tours.

**Application and Approval (Clause 4.5)**

Includes a more detailed process for applications and approvals and limitations.

**Sharing of Knowledge (Clause 4.6)**

New requirement that Councillors are to provide a report on their attendance, key features and benefits of the training or professional development from interstate conferences, Fact Finding Tours and the Biennial Councillor Study tour.

**Registration, Travel and Expenses (Clause 4.7)**

New requirement that provides process details on matters such as:

- Event Registration and Bookings
- Travel
- Registration
- Accommodation
- Loyalty Programs and Reward Points
- Meals and Incidental Expenses
- Travel Insurance
- Accompanying persons/Entertainment Costs
- Changes to bookings and cancellations

**Report Training (Clause 4.8)**

New requirement that sets out what is included in the reports published on the Shire's website on training completed by Councillors.

**Policy Review (Clause 4.9)**

New requirement to meet the legislative requirement for reviews of the policy.

Statutory Environment



*Local Government Act 1995*

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

s.5.126 - Training for Council members

s.5.127 - Report on training

s.5.128 – Policy for continuing professional development

*Local Government (Administration) Regulations 1996*

r.35 - Training for Council members

r.36 - Exemptions from Act s.5.126(1)

Integrated Planning

- Strategic Community Plan
  - Outcome 13 Proactive, visionary leaders who respond to community needs.
  - Objective 13.1 Strengthen leadership and advocacy.
  - Outcome 14 Effective governance and financial management.
  - Objective 14.1 Achieve excellence in organisational performance and service delivery.
- Corporate Business Plan – Nil
  - Objective 13.1 Strengthen leadership and advocacy
  - Action 13.1.3 Provide a biennial Councillor study tour to benchmark practices in leading Councils.
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications

The current budget includes the following:

*Conference & Seminar Expenses*

Includes accommodation, registration & other costs.

\$7,500 - Attendance at Local Government Week by Councillors.

\$5,250 - Annual allowance of \$1,000 President, \$750 Deputy President & \$500 per Councillor.

*Training Programs*

\$5,250 - Annual allowance of \$1,000 President, \$750 Deputy President & \$500 per Councillor.

\$5,000 - Bi-annual compulsory training for newly elected Councillors.

*Biennial Councillor Study Tour*

\$4,000.

Funds will need to continue to be included in future budgets to ensure this policy can be fully implemented.

Whole of Life Accounting – N/A

Risk Management

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

The Local Government Act requires a policy to be developed and adopted and reviewed after every local government election. Failure to undertake this review will be in contravention of legislative requirements.

The overall risk has been measured as Low (Minor/Unlikely).

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

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

Voting Requirements – Absolute Majority.

**Moved** Cr Fletcher, Seconded Cr Redman

That Council:

1. Adopt amended Policy G 2 Council Member Continuing Professional Development, as presented in Attachment 28.
2. Repeal Policy P 8 Conferences/Fact Finding Tours.

Cr Christensen – Noted that the proposed amended policy G 2, only deals with the professional development of Councillors, but doesn't include staff.

*CEO Response – Advised that a draft Professional Development Policy specifically for staff, had been developed and would be tabled at the March Ordinary Council Meeting. The repealing of P 8 could be deferred then.*

**Amendment** Cr Christensen, Cr Fletcher  
That we remove officer recommendation part 2.  
2. Repeal Policy P 8 Conferences/Fact Finding Tours.

**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 Fletcher**

**C.10/0224 That Council:**

- 1. Adopt amended Policy G 2 Council Member Continuing Professional Development, as presented in Attachment 28.**

**Carried 9/0**

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

<b>ITEM NO.</b>	C.11/0224	<b>FILE REF.</b>	203
<b>SUBJECT</b>	Review of Policy LS 1 – Legal Representation – Cost Indemnification		
<b>OFFICER</b>	Manager Governance & Risk		
<b>DATE OF REPORT</b>	31 January 2024		

Attachment 31 Draft amended Policy LS 1 – Legal Representation For Elected Members and Employees

Attachment 32 Current Policy LS 1 – Legal Representation – Costs Indemnification

**OFFICER RECOMMENDATION**

*That Council adopt amended Policy LS 1 Legal Representation For Elected Members and Employees as shown in Attachment 31.*

**Summary/Purpose**

A review of Policy LS 1 Legal Representation – Costs Indemnification has been undertaken as part of the ongoing review of all policies.

The amended policy is presented to Council for consideration.

**Background**

In August 2000 a circular was received from the Department regarding the increasing tendency for aggrieved parties to take, or threaten to take, litigation against a local government or against Councillors and employees and that they were intending to develop a model policy on the matter.

The model policy was subsequently developed and in November 2000 Council adopted the Legal Representation – Costs Indemnification policy using that model as a guide.

#### Officer Comment

The model policy has been amended by the Department quite substantially since it was first developed in 2000 and as such the Shire's existing policy no longer reflects the format and content of that model.

Substantial amendments are proposed to the current policy, and to avoid confusion a track changed version has not been provided.

It should be noted that this revised policy does not address the situation where Councillors and employees are interviewed during, or are required to give evidence to, an inquiry into the Shire. Determining whether financial assistance is given in these situations is a complex matter and one that will relate to the circumstances and reasons for the inquiry and is therefore best dealt with at the time.

The proposed changes are detailed as follows:

#### **Objective (Clause 1)**

New clause that provides clear objectives of the policy.

#### **Scope (Clause 2)**

New clause identifying who this policy applies to.

#### **Definitions (Clause 3)**

New clause that provides definitions in line with the Departments model policy. It should be noted that the proposed definitions for Elected Member, Committee Member and Employee make provision for former Elected Members, Committee Members and Employees.

#### **Legal Representation (Clause 3.6) and Legal Services (Clause 3.8)**

A new definition of lawyer has been inserted into clause 3, which effectively changes the use of a shire solicitor unless it is not practical or there is a conflict, to the ability to use any certified practitioner approved by the Council or CEO under delegated authority.

#### **Introduction (Clause 4.1)**

This clause has been added to provide the legislative basis for incurring costs for legal representation.

#### **Payment Criteria (Clause 4.2)**

Criteria forms part of the current policy however this clause provides for clearer criteria and an improved structure for determining whether the Shire will pay the legal representation costs of Councillors and employees.

#### **Examples of Legal Representation Costs (Clause 4.3)**

These have been taken from the General Principles section of the current policy and rewritten in line with the Departments policy.

#### **Application for Permit (Clause 4.4)**

This has been expanded from the current policy to provide a clearer process for applications which it brings in line with the Departments model policy.

#### **Legal Representation Costs – Limit (Clause 4.5)**

New clause to allow Council to set a limit on the amount of costs it will provide for different circumstances surrounding applications.

**Council Powers (Clause 4.6)**

New clause to identify what Council may do.

**Delegation to Chief Executive Officer (Clause 4.7)**

The limit of how much the CEO can approve for urgency reasons has been increased from \$5,000 to \$10,000.

**Repayment of Legal Representation Costs (Clause 4.8)**

Reworded to make it clearer when a Councillor, committee member or employee is to repay any amounts paid for legal representation.

Statutory Environment

*Local Government Act 1995*

**s 2.7(2)(b) – Role of Council**

“Without limiting subsection (1), the Council is to —  
(b) determine the local government’s policies.”

**s 3.1(1) – General function**

“The general function of a local government is to provide for the good government of persons in its district.”

**s.6.7(2) – Municipal Fund**

“Money held in the municipal fund may be applied towards the performance of the functions and the exercise of the powers conferred on the local government by this Act or any other written law.”

**s.9.56 - Certain persons protected from liability for wrongdoing**

- (1) A person who is —
  - (a) a member of the Council, or of a committee of the Council, of a local government; or
  - (b) an employee of a local government; or
  - (c) a person appointed or engaged by a local government to perform functions of a prescribed office or functions of a prescribed class, is a protected person for the purposes of this section.
- (2) An action in tort does not lie against a protected person for anything that the person has, in good faith, done in the performance or purported performance of a function under this Act or under any other written law.
- (3) The protection given by this section applies even though the thing done in the performance or purported performance of a function under this Act or under any other written law may have been capable of being done whether or not this Act or that law had been enacted.
- (4) This section does not relieve the local government of any liability that it might have for the doing of anything by a protected person.
- (5) In this section —
  - (a) a reference to the doing of anything includes a reference to the omission to do anything;
  - (b) a reference to the doing of anything by a protected person in the performance or purported performance of a function under any written law other than this Act is limited to a reference to the doing of anything by that

person in a capacity described in subsection (1)(a), (b) or (c), as the case may be.

#### Integrated Planning

- Strategic Community Plan
  - Outcome 13 Proactive, visionary leaders who respond to community needs.
  - Objective 13.1 Strengthen leadership and advocacy.
  - Outcome 14 Effective governance and financial management.
  - Objective 14.1 Achieve excellence in organisational performance and service delivery.
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

#### Budget Implications

Currently no budget allocation has been made. Any costs would need to be dealt with at the time.

Whole of Life Accounting – N/A

#### Risk Management

The risk areas identified according to Policy RM 1 – Risk Management are Financial Impact and Reputation.

The overall risk has been measured as Low (Moderate/Rare).

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

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

Voting Requirements – Simple Majority

**Council Decision** *Moved Cr Fletcher, Seconded Cr Pratico*  
***C.11/0224 That Council adopt amended Policy LS 1 Legal Representation For Elected Members and Employees as shown in Attachment 31.***

***Carried 9/0***

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

<b>ITEM NO.</b>	C.12/0224	<b>FILE REF.</b>	
<b>SUBJECT</b>	Review of P 15 – Accrual of Annual Leave Policy		
<b>OFFICER</b>	Chief Executive Officer		
<b>DATE OF REPORT</b>	19 February 2024		

Attachment 33      Draft amended Policy P 15 – Accrual of Annual Leave

Attachment 34      Current Policy P 15 – Accrual of Annual Leave

**OFFICER RECOMMENDATION**

*That Council adopts the reviewed P 15 – Accrual of Annual Leave Policy as shown in Attachment 33.*

**Summary/Purpose**

The reviewed Policy P 15 – Accrual of Annual Leave establishes clear guidelines for the accrual and utilisation of annual leave for all full-time and part-time staff within the Shire. It aims to ensure compliance with Work Health and Safety legislation, minimise the Shire's annual leave liability, and provide clarity on maximum accrual limits.

**Background**

Policy P 15 – Accrual of Annual Leave was originally adopted on 28 February 2008 (C.19/0208) and last reviewed on 28 April 2022 (C.08/0422). The policy addresses the accumulation of annual leave in accordance with relevant Awards or enterprise bargaining agreements, with a maximum accrual cap of eight weeks. It outlines procedures for managing excess leave, including applications for deferral and directives for employees to take leave under specific circumstances. Recognising

existing excessive leave accruals, transitory arrangements are provided to reduce accruals below the eight-week maximum. The policy aligns with statutory requirements and aims to efficiently manage annual leave accruals within the Shire.

Officer Comment

That Council adopts the reviewed P 15 – Accrual of Annual Leave Policy as shown in Attachment 33.

Statutory Environment

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

Integrated Planning

- Strategic Community Plan
- 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 - Low

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



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

#### Voting Requirements – Simple Majority

**Moved** Cr Redman, Seconded Cr Pratico

That Council adopts the reviewed P 15 – Accrual of Annual Leave Policy as shown in Attachment 33.

Cr Redman – Acknowledged that there is room for staff to be in situations where they can no longer accrue leave, or perhaps be made to take leave for administrative reasons, where it may be to their detriment when they return. This is particularly the case when there is no one acting in their position while they are away. Confirmation on how the Shire gives staff members a little bit of surety about what might happen if they take too much leave was requested.

*CEO Response – Advised that the Shire does not have a lot of flexibility in this space. The Accrual of Annual Leave requirements are in the respective Awards. Staff must take time off for work, health and safety reasons and the organisation must manage its leave liability.*

*There have been situations that have occurred in the Shire's recent history where people have left the organisation with enormous amounts of leave owing and the Shire has had to pay significant sums of money on their departure.*

*We are dependent on our management team monitoring staffing levels to make sure that sufficient arrangements are put in place when someone takes leave.*

Cr Redman – Questioned whether cross training was occurring to ensure that staff could act in other roles.

*CEO Response – Executive and managers meet collaboratively on a fortnightly basis, scope and provide updates on resources, projects and programs and anything else of significance. We have already re-trained administrative levels of staff so that they can operate across customer service, the depot and information management.*

**Lost 0/9**

**For:** Nil

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

**Amendment** Cr Mahoney, Seconded Cr Lansdell  
That Council repeal the reviewed P 15 – Accrual of Annual Leave Policy as shown in Attachment 33.

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

**Council Decision** *Moved Cr Mahoney, Seconded Cr Lansdell*  
**C.12/0224** *That Council repeal the reviewed P 15 – Accrual of Annual Leave Policy as shown in Attachment 33.*

**Carried 9/0**

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

The presentation that a policy cannot override legislation in any case was noted. The recommendation was to repeal Policy P 15 – Accrual of Annual Leave Policy

<b>ITEM NO.</b>	C.13/0224	<b>FILE REF.</b>	
<b>SUBJECT</b>	Review of Policy P 5 - Equal Opportunity Employment		
<b>OFFICER</b>	Chief Executive Officer		
<b>DATE OF REPORT</b>	20 February 2024		

Attachment 35 Draft amended P 5 - Equal Opportunity Employment Policy

Attachment 36 Current P 5 - Equal Opportunity Employment Policy.

**OFFICER RECOMMENDATION**

*That Council adopt the Draft amended P5 - Equal Employment Opportunity Policy as shown in Attachment 35.*

**Summary/Purpose**

The reviewed policy on Equal Employment Opportunity (EEO) aims to reinforce the Shire's commitment to creating a workplace environment that is free from discrimination, bullying, and harassment. It outlines the legal responsibilities of the Shire under EEO legislation and emphasises the promotion of diversity and inclusivity within the workforce. The policy sets forth clear objectives, definitions, responsibilities, and procedures to ensure compliance and adherence to EEO principles.

**Background**

The Equal Employment Opportunity (EEO) policy is designed to establish guidelines for fostering a workplace culture that upholds principles of fairness, equity, and respect for all workers and Councillors within the Shire. The policy underscores the importance of complying with relevant legislation, including the WA Equal Opportunity Act 1984, and outlines definitions for key terms such as bullying, discrimination, and sexual harassment. It delineates the responsibilities of both the employer and workers in maintaining a conducive work environment, free from unlawful conduct and discrimination.

Additionally, the policy delineates procedures for addressing grievances related to EEO, harassment, diversity, and bullying, emphasizing the utilisation of the Shire's Grievance Resolution Policy, Misconduct Policy, and Bullying, Harassment &

Diversity Policy for resolution. Furthermore, it underscores the Shire's commitment to recruitment, training, and promotional practices that align with the principles of merit, equity, and equal opportunity for all workers.

To ensure compliance and accountability, the policy also outlines consequences for breaches, including disciplinary actions for workers and termination of employment for serious violations. Furthermore, it provides a comprehensive overview of relevant legislation governing EEO in Western Australia and at the federal level, underscoring the Shire's commitment to upholding legal standards and promoting a culture of inclusion and diversity in the workplace.

#### Officer Comment

That Council adopt the Draft amended P5 - Equal Employment Opportunity Policy as shown in Attachment 35.

#### Statutory Environment

- *Local Government Act 1987*
- *The WA Equal Opportunity Act 1984*
- *The Racial Discrimination Act 1975 (Cth)*
- *The Sex Discrimination Act 1984 (Cth)*
- *The Human Rights and Equal Opportunity Commission (Transitional Provisions and Consequential Amendments) Act 1986 (Cth)*
- *The Disability Discrimination Act 1992 (Cth)*
- *Respect @ Work Act 2022 (Cth)*

#### Integrated Planning

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

#### Policy/Strategic Implications

- Grievance Resolution Policy
- Performance Management Policy
- Professional Development Policy
- Bullying, Harassment and Diversity Policy
- Misconduct Policy
- Employee Code of Conduct
- Council Code of Conduct

#### Budget Implications

#### Whole of Life Accounting

#### Risk Management – Low

Measures of Likelihood			
Rating	Detailed 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	Insignificant	Minor	Moderate	Major	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 Christensen, Seconded Cr Fletcher*  
**C.13/0224** *That Council adopt the Draft amended P5 - Equal Employment Opportunity Policy as shown in Attachment 35.*

**Carried 9/0**

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

<b>ITEM NO.</b>	C.14/0224	<b>FILE REF.</b>	
<b>SUBJECT</b>	Refurbishment at 144 Hampton Street		
<b>OFFICER</b>	Chief Executive Officer		
<b>DATE OF REPORT</b>	February 2024		

**OFFICER RECOMMENDATION**

*That Council transfer \$30,000 from 07BU to 38BU for the refurbishment of the bathroom and toilet in 144 Hampton Street, Bridgetown.*

**Summary/Purpose**

The bathroom and toilet in 144 Hampton have not been refurbished since the late 1970s. Prior to the current CEO moving into the premises, the vanity and tap ware were replaced, but nothing further.

If Council funds the renovation of the bathroom and toilet (and kitchen in the 2023/2024 financial year) the house can be rented out for more than \$650 per week. The return on investment would be relatively expedient.

The building is of historic value, and it would be a shame for the dilapidation to continue unfettered, particularly when there is the financial opportunity to ensure maintenance in future years.

#### Background

The Shire is currently subject to an accommodation dilemma. Over 20 years ago, the Shire sold off almost all its residential housing. Whilst there was likely sound reason for this at the time, officers have been unable to trace how the proceeds from the sales were used at the time.

Unfortunately, the only two houses that the Shire owns are two historically listed houses, 144 and 146 Hampton Street, Bridgetown.

144 has recently been painted (inside and out), had air conditioning installed and had window dressings installed. Unfortunately, the budget did not extend to refurbishment of the kitchen, toilet and bathroom, which have not been refurnished since the late 1970s. Attempts have been made to steam clean, disinfect and scrub the flooring in these rooms, but the floors remain grimy and sticky. Prior to the current CEO moving into the premises, the vanity and tap ware were replaced, but nothing further.

146 was refurbished in the 1990s and is in satisfactory condition to offer as a rental.

This Item proposes that Council transfer \$30,000 from 07BU to 38BU for the refurbishment of the bathroom and toilet in 144 Hampton Street, Bridgetown. The purpose of 07BU is to complete the point brick work on the outside of the Shire office. However, this work cannot be performed until June/July due to climate constraints and so can be provided for in the new year's budget.

The proposed works for 144 are:

- Removal of existing tiles and fittings where applicable.
- Installation of new bath and repositioning of tapware and outlets.
- Waterproofing.
- Tiling of shower area and half tiled to remainder of bathroom.
- Floor tiling and skirt tile only to toilet.
- Installation of fixtures, shower screen, towel rail, new shower combo, shelf to shower, shower screen, silicone, final clean mirror door, new toilet etc.
- Installation of ceiling fans in the bedrooms.

Quotes for these works have been sought and with added contingency would require an investment of \$25,000.00 Incl GST.

Currently no funding is available for these works, and it is proposed to temporarily source/move funds from another Cost Code to fund these works. This is one project that will generate more income for the Shire than the initial outlay.

### Officer Comment

That Council transfer \$30,000 from 07BU to 38BU for the refurbishment of the bathroom and toilet in 144 Hampton Street, Bridgetown.

### Statutory Environment

#### 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 - Low

Measures of Likelihood			
Rating	Detailed 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	Insignificant	Minor	Moderate	Major	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 Boyle, Seconded Cr Pratico**  
**C.14/0224 That Council transfer \$30,000 from 07BU to 38BU for the refurbishment of the bathroom and toilet in 144 Hampton Street, Bridgetown.**

Cr Pearce – Questioned the size of the property to clarify the \$650 per week figure.

*CEO Response – The property is a 3 bedroom x 1 bathroom. A rental agent advised that \$650 was a reasonable rate in this current climate and we have been searching the Internet as well to have this confirmed.*

Cr Redman – Questioned whether the account where the money is sitting now (07BU) was the maintenance for the Shire administration building?

*CEO Response – Yes*

Cr Redman – Questioned whether the transfer of funds would impact any urgent works that we would be using that money for otherwise.

*CEO Response – The money was for point work in bricks for the Shire administration building. The point work can't commence until May, June, July, depending on the weather, because it's a specialist field and the weather must be particularly perfect. We will be able to re- budget for the point work in the new year.*

**Carried 9/0**

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

<b>ITEM NO.</b>	C.15/0224	<b>FILE REF.</b>	
<b>SUBJECT</b>	154 Hampton Road – BGTA Lease and Charge Up		
<b>OFFICER</b>	Principal Project Manager		
<b>DATE OF REPORT</b>	22 February 2024		

**OFFICER RECOMMENDATION**

*That Council:*

1. *Gives in principal support for the leasing of 154 Hampton Street, Bridgetown to the Bridgetown Greenbushes Tourism Association, and.*
  - a. *Instruct the CEO to commence negotiations with the Bridgetown Greenbushes Tourism Association (BGTA) for a 4-year lease arrangement on 154 Hampton Road, Bridgetown.*
2. *Gives in principal support (not approval) to the Bridgetown Greenbushes Tourism Association (BGTA) for the installation and operation of an electric vehicle fast charger station including a solar array, battery, and associated equipment at 154 Hampton Road, Bridgetown.*

**Summary/Purpose**

1. To facilitate a formalised lease of 154 Hampton Street, Bridgetown between the Shire of Bridgetown Greenbushes (the title holder) and the Bridgetown Greenbushes Tourism Association (the occupier). It is anticipated that the proposed lease will be brought to the March Ordinary Council Meeting.
2. To allow the Bridgetown Greenbushes Tourism Association to further investigate the plausibility of a large Photovoltaic and battery system installed at 154 Hampton Street, to support an EV fast charger that would be grant funded by the State Government.

### Background

At the January Concept Forum, the BGTA presented a proposal and rationale for the Shire to formalise a tenancy agreement on 154 Hampton Street, Bridgetown with a view to the BGTA upgrading the internals of the building and installing an EV Fast Charger that would provide income generation to the organisation.

154 Hampton Street is currently occupied by three entities, the BGTA, Landcare and Blues at Bridgetown.

The BGTA has occupied the building for many years and has facilitated basic cleaning and upgrade works since the shire acquired the building in 1977.

The BGTA does not currently have a formalised lease agreement with the Shire for 154 Hampton Street, Bridgetown.

### Officer Comment

If endorsed, this item will allow the BGTA to progress with both the 'Discovery Phase' of the Charge Up proposal (which will be funded by Talison) and allow the organisation to progress with a Charge Up grant application to the Department of Energy, Mines, Industry Regulation and Safety.

Endorsement of this item does not give approval of a lease arrangement or approval to install infrastructure at the site; rather, it will provide a way forward, with any lease proposal being brought to Council in due course and any infrastructure proposals requiring statutory approval processes.

### Policy/Strategic Implications

Regulation 30 (2)(b) of the Local Government (Functions General) and Regulations 1996 states:

- (b) the land is disposed of to a body, whether incorporated or not —
- (i) the objects of which are of a charitable, benevolent, religious, cultural, educational, recreational, sporting or other like nature; and
  - (ii) the members of which are not entitled or permitted to receive any pecuniary profit from the body's transactions;

It is therefore not a requirement to publicly advertise the disposal (leasing) of this property.

### Budget Implications



The Shire will be required to contribute to some renovation works, however the cost of these works will be negotiated during the lease negotiations.

Quantity Surveyors costs for repairs and maintenance will be received shortly and will be used to inform the BGTA's 'Discovery' phase and will also inform lease negotiations that will be brought to the March Ordinary Council Meeting.

### Whole of Life Accounting

The buildings referred to in this report is included on the Shire's Asset Register and the Shire's Long Term Financial Plans for routine and programmed maintenance and depreciation.

### Risk Management

There are no perceived risks to this item as it relates to pre-negotiation and In Principal support 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
<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 Boyle  
That Council:

1. Gives in principal support for the leasing of 154 Hampton Street, Bridgetown to the Bridgetown Greenbushes Tourism Association, and.
  - a. Instruct the CEO to commence negotiations with the Bridgetown Greenbushes Tourism Association (BGTA) for a 4-year lease arrangement on 154 Hampton Road, Bridgetown.

2. Gives in principal support (not approval) to the Bridgetown Greenbushes Tourism Association (BGTA) for the installation and operation of an electric vehicle fast charger station including a solar array, battery, and associated equipment at 154 Hampton Road, Bridgetown.

Cr Redman - I think both the mover and seconder are on that committee. Motion was read again.

**Council Decision Moved Cr Redman, Seconded Cr Lansdell  
C.15/0224 That Council:**

1. ***Gives in principal support for the leasing of 154 Hampton Street, Bridgetown to the Bridgetown Greenbushes Tourism Association, and.***
  - a. ***Instruct the CEO to commence negotiations with the Bridgetown Greenbushes Tourism Association (BGTA) for a 4-year lease arrangement on 154 Hampton Road, Bridgetown.***
2. ***Gives in principal support (not approval) to the Bridgetown Greenbushes Tourism Association (BGTA) for the installation and operation of an electric vehicle fast charger station including a solar array, battery, and associated equipment at 154 Hampton Road, Bridgetown.***

**Carried 9/0**

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

<b>ITEM NO.</b>	C.16/0224	<b>FILE REF.</b>	101.3
<b>SUBJECT</b>	2023 Compliance Audit Return		
<b>PROPONENT</b>	Department of Local Government, Sport and Cultural Industries		
<b>OFFICER</b>	Manager Governance and Risk		
<b>DATE OF REPORT</b>	16 February 2024		

Attachment 37      2023 Compliance Audit Return

**OFFICER RECOMMENDATION**

*That Council adopt the Compliance Audit Return for the 2023 calendar year (Attachment 37) prior to it being submitted to the Department of Local Government, Sport and Cultural Industries.*

**Summary/Purpose**

Each year local governments are required to complete a mandatory Compliance Audit Return (CAR) which must be submitted to Council for adoption prior to being forwarded to the Department of Local Government, Sport & Cultural Industries.

It is a statutory requirement that the completed CAR is to be reviewed by the Audit Committee prior to its presentation to Council.

**Background**

The Compliance Audit Return is completed for the previous calendar year and is one of the tools that allow Council to monitor how its organisation is functioning.

The Department of Local Government, Sport & Cultural Industries requires the Compliance Audit Return to be:

- a) Presented to Council at a meeting of the Council prior to 31st March;
- b) Adopted by the Council; and
- c) The adoption recorded in the Minutes of the meeting at which it is adopted.

Each year the Compliance Audit Return covers various categories and for the 2023 Return, the areas covered are:

- Commercial Enterprises by Local Governments
- Delegation of Power/Duty
- Disclosures of Interest
- Disposal of Property
- Elections
- Finance
- Integrated Planning and Reporting
- Local Government Employees
- Official Conduct
- Optional Questions
- Tenders for Providing Goods and Services

#### Officer Comment

After completing the responses to the 94 questions contained in the 2023 Compliance Audit Return it should be noted that there were only two questions that were responded to as non-compliant:

#### **Delegation of Power/Duty**

Question 12 - Were all delegations made under Division 4 of the Act reviewed by the delegator at least once during the 2022/2023 financial year?

*Officer Response – The review of these delegations commenced prior to the end of the financial year however they were not completed until 19/07/2023.*

#### **Optional Questions**

Question 8 - By 30 September 2023, did the local government submit to its auditor the balanced accounts and annual financial report for the year ending 30 June 2023?

*Officer Response - Due to a delay in receipt of infrastructure fair values, the Shire requested an extension in time for completion to submit to its auditor the balanced accounts. The Minister granted an extension to 13 October 2023. The accounts were submitted to the Auditor on 13 October 2023 in line with the approved extension.*

It is a statutory requirement that the Return is to be reviewed by the Audit Committee prior to its presentation to Council. The 2023 Compliance Audit Return was considered by the Audit Committee at its meeting held 15 February 2024 where the following recommendation was carried:

*“That the Audit Committee recommends that Council adopt the Compliance Audit Return for the 2023 calendar year (Attachment 37) prior to it being submitted to the Department of Local Government, Sport and Cultural Industries.”*

The 2023 Compliance Audit Return is now presented for Council’s adoption.

#### Statutory Environment

*Local Government (Audit) Regulations 1996:*

#### **14. Compliance audits by local governments**

- (1) A local government is to carry out a compliance audit for the period 1 January to 31 December in each year.*
- (2) After carrying out a compliance audit the local government is to prepare a compliance audit return in a form approved by the Minister.*
- (3A) The local government’s audit committee is to review the compliance audit return and is to report to the Council the results of that review.*
- (3) After the audit committee has reported to the Council under sub regulation (3A), the compliance audit return is to be —*
  - (a) presented to the Council at a meeting of the Council; and*
  - (b) adopted by the Council; and*
  - (c) recorded in the minutes of the meeting at which it is adopted.*

#### **15. Certified copy of compliance audit return and other documents to be given to Departmental CEO**

- (1) After the compliance audit return has been presented to the Council in accordance with regulation 14(3) a certified copy of the return together with —*
  - (a) a copy of the relevant section of the minutes referred to in regulation 14(3)(c); and*
  - (b) any additional information explaining or qualifying the compliance audit,*

*is to be submitted to the Departmental CEO by 31 March next following the period to which the return relates.*

#### Integrated Planning

- Strategic Community Plan

Outcome 14	Effective governance and financial management
Objective 14.1	Achieve excellence in organisational performance and service delivery
- Corporate Business Plan - Nil
- Long\_Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

Policy Implications - Nil

Budget Implications - Nil

Whole of Life Accounting – Not Applicable

#### Risk Management

The risk areas identified according to Policy RM 1 – Risk Management are Compliance.

Legislation requires that this be completed and lodged by 31 March of each year and failure to do so will be in breach of legislation.

The overall risk has been measured as Low (Moderate/Rare).

Measures of Likelihood			
Rating	Detailed 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 Fletcher, Seconded Cr Pratico  
C.16/0224 That Council adopt the Compliance Audit Return for the 2023 calendar year (Attachment 37) prior to it being submitted to the Department of Local Government, Sport and Cultural Industries***

***Carried 9/0***

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

Name	Cr Lyndon Pearce
Type of Interest	Financial
Item No.	C.17/0224 Talison Partnering for the Future Update
Nature of Interest	I am an employee of Talison

Name	Cr Lyndon Pearce
Type of Interest	Financial
Item No.	C.18/0224 Talison Partnering for the Future 2023 – Budget Amendment
Nature of Interest	I am an employee of Talison

Cr Pearce left the room at 6.58pm

<b>ITEM NO.</b>	C.17/0224	<b>FILE REF.</b>	071.1
<b>SUBJECT</b>	Talison Partnering for the Future Update		
<b>OFFICER</b>	Principal Project Manager		
<b>DATE OF REPORT</b>	22 February 2024		

Attachment 38      January 2024 Partnering for the Future 2023 Report

**OFFICER RECOMMENDATION**

*That the information below and contained in the 'January 2024 Partnering for the Future 2023 Report' as shown in Attachment 38 be noted.*

**Summary/Purpose**

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

**Background**

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

**Officer Comment**

The 2023 projects are now nearing completion with the exception of the Greenbushes asphalt overlay and the installation of the Swimming Pool blankets, both of which will be complete by the end of March 2024. Further commentary of the status of all 2023 projects is included in the attachment. Joint Talison and Shire media statements via various media streams will be published in due course.

**Statutory Environment**

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

**Integrated Planning**

➤ Strategic Community Plan

Item 2 - Good health and community wellbeing.

➤ Corporate Business Plan

Item 2.2 Provide quality sport, leisure and recreation services.

➤ Long Term Financial Plan

Other than the budgets already allocated in the Shire's 2023-24 Budget, there are no other additional funds required or allocated to these projects.

➤ Asset Management Plans

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

➤ Workforce Plan

Project Management costs to deliver the 2023 Partnering of the Future Project Plan are covered within the Grant request.

➤ Other Integrated Planning - NA

Policy/Strategic Implications - NA

Budget Implications - No Impact

Whole of Life Accounting - No impact

Measures of Likelihood			
Rating	Detailed 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 Redman

**C.17/0224** That the information below and contained in the 'January 2024 Partnering for the Future 2023 Report' as shown in Attachment 38 be noted.

**Carried 8/0**

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

<b>ITEM NO.</b>	C.18/0224	<b>FILE REF.</b>	071.1
<b>SUBJECT</b>	Talison Partnering for the Future 2023 – Budget Amendment		
<b>OFFICER</b>	Morgan Gillham		
<b>DATE OF REPORT</b>	22 February 2024		

Attachment 39      Agenda Item C.03/0124 – Talison Partnering the Future – Budget Amendment

**OFFICER RECOMMENDATION**

*That Council revoke the approved January OCM Budget Amendment item C.03/0124 – Talison Partnering for the Future – Budget Amendment as shown in Attachment 39 and endorse an amended Budget Amendment for the transfer of funds between Talison funded projects.*

**Summary/Purpose**

The approved January OCM Budget Amendment item C.03/0124 – Talison Partnering for the Future – Budget Amendment, contained minor errors in the form of project numbers. It is therefore proposed to revoke that approval and in turn, approve this Budget Amendment to the Talison Partnering for the Future 2023 Grant Moneys.

**Background**

In 2023, the Shire was granted \$1,640,459.00 from Talison to deliver a series of projects under the Partnering for the Future 2023 program.

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

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

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

In addition, the Shire has now received the Partnering for the Future 2024 agreement which sees Talison provide support for utilising unspent 2023 funds on approved 2024 projects. Specifically, the transfer of \$170,000 from the 2023 funding into the approved Town Hall air conditioning and audio-visual elements.

**Officer Comment**



Officers seek a Council budget amendment to transfer 2023 Talison Projects funds as below:

AMOUNT (excl GST)	TRANSFER FROM	TRANSFER TO
\$100	TF08 Greenbushes Court Lighting	25IN Bridgetown Sports Ground
\$3,168	TF07 Leisure Centre Fans	TF22 Greenbushes Footpath Masterplan
\$497	TF05 Aquatic Blanket	TF04 Aquatic Inflatable
\$52,500	TF11 Bridgetown Sportsground Carpark	23IN Sports Ground Water Supply Dam Construction
\$13,562.86	TF07 Leisure Centre Fans	23IN Sports Ground Water Supply Dam Construction
\$1,037	TF05 Aquatic Blanket	23IN Sports Ground Water Supply Dam Construction
\$27,500	TF03 Energy Efficiency Project	23IN Sports Ground Water Supply Dam Construction
\$62,000	TF08 Greenbushes Court Lighting	23IN Sports Ground Water Supply Dam Construction
\$143,975.29	TF13-21 Greenbushes Local Roads	02BU Town Hall Air Con & Audio Visual
\$32,022.34	TF08 Greenbushes Court Lighting	02BU Town Hall Air Con & Audio Visual

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

It also allows for the installation of ducted air conditioning and the installation of audio visual to the Town Hall that was previously removed due to lack of funds.

#### Statutory Environment

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

#### Integrated Planning

##### ➤ Strategic Community Plan

Item 2 - Good health and community wellbeing

##### ➤ Corporate Business Plan

Item 2.2 Provide quality sport, leisure and recreation services.

##### ➤ Long Term Financial Plan

Other than the budgets already allocated in the Shire's 2023-24 Budget, there are no other additional funds required or allocated to these projects.

##### ➤ Asset Management Plans

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

##### ➤ Workforce Plan

Project Management costs to deliver the 2023 Partnering of the Future Project Plan are covered within the Grant request.

##### ➤ Other Integrated Planning - NA

#### Policy/Strategic Implications - NA

#### Budget Implications

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

Whole of Life Accounting - No impact

Risk Management - No identifiable risks

Measures of Likelihood			
Rating	Description	Frequency	Probability
Almost Certain	The event is expected to occur in most circumstances	More than once per year	> 90% chance of occurring
Likely	The event will probably occur in most circumstances	At least once per year	60% - 90% chance of occurring
Possible	The event should occur at some time	At least once in 3 years	40% - 60% chance of occurring
Unlikely	The event could occur at some time	At least once in 10 years	10% - 40% chance of occurring
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 Christensen, Seconded Cr Fletcher  
That Council revoke the approved January OCM Budget Amendment item C.03/0124 – Talison Partnering for the Future – Budget Amendment as shown in Attachment 39 and endorse an amended Budget Amendment for the transfer of funds between Talison funded projects.

**Amendment** Cr Christensen, Seconded Cr Fletcher  
That the words ‘as noted in the text below in the agenda item’ be added to the text at the end of the officer recommendation.

**Carried 8/0**

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

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

**Council Decision** *Moved Cr Christensen, Seconded Cr Fletcher*  
***C.18/0224 That Council revoke the approved January OCM Budget Amendment item C.03/0124 – Talison Partnering for the Future – Budget Amendment as shown in Attachment 39 and endorse an amended Budget***

***Amendment for the transfer of funds between Talison funded projects, as noted in the text below in the agenda item.***

***Carried 8/0***

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

**Against:** Nil

Cr Pearce returned to the room at 7.03pm

<b>ITEM NO.</b>	C.19/0224	<b>FILE REF.</b>	
<b>SUBJECT</b>	Relocation of the State Emergency Services Building		
<b>OFFICER</b>	Chief Executive Officer		
<b>DATE OF REPORT</b>	February 2024		

**OFFICER RECOMMENDATION**

*That Council approve the relocation of the State Emergency Services (SES) building from its current central town location to the Incident Control Centre.*

**Summary/Purpose**

The purpose of this agenda paper is to request the Council's approval for the relocation of the State Emergency Services (SES) building from its current central town location to the Incident Control Centre. This strategic move is aimed at enhancing emergency response capabilities, improving inter-agency collaboration, and addressing current logistical challenges.

**Background**

The SES's operations are currently constrained by a regulation prohibiting noise after 6 pm. This restriction significantly hampers after-hours training and the testing of machinery and vehicles, which are crucial for emergency preparedness.

The existing colour bond shed housing the SES detracts from the historical character of the surrounding precinct, impacting the aesthetic value of the town centre.

The benefits of relocation to the Incident Control Centre include:

- *Enhanced Collaboration with Other Emergency Services:* Proximity to the Bushfire Brigades and other emergency services at the Incident Control Centre will foster better coordination during emergencies and disasters.
- *Improved Command and Control:* The co-location of multiple emergency services will streamline command and control operations during critical incidents.
- *Efficient Resource Sharing:* Shared access to resources, including training rooms, will optimize the use of facilities and reduce overall operational costs.
- *Coordinated Inter-Agency Training:* The new location will facilitate more systematic and frequent inter-agency training sessions, crucial for effective emergency response.

The relocation project is proposed to be funded through external funds. Officers are actively engaging in an application process with the Department of Fire and Emergency Services (DFES).

In the event the DFES application does not yield the necessary funds, officers are prepared to explore alternative funding opportunities to ensure the project's fruition.

The relocation of the State Emergency Services building to the Incident Control Centre is a crucial step towards enhancing our town's emergency response capabilities. By addressing current limitations and leveraging the synergies of closer proximity to other emergency services, we can significantly improve our preparedness for emergencies and disasters.

#### Officer Comment

That Council approve the relocation of the State Emergency Services (SES) building from its current central town location to the Incident Control Centre.

#### Statutory Environment

##### 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 - Low

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

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

### Voting Requirements – Simple Majority

#### **Moved**

Cr Fletcher, Seconded Cr Pratico

That Council approve the relocation of the State Emergency Services (SES) building from its current central town location to the Incident Control Centre.

Cr Lansdell - Can I confirm this has been driven by them?

*CEO Response – Originally, I asked the question as to why the SES building was so old and outside of current practice in terms of location (DFES has preferred emergency services co-location for over 20 years). Officers have met with the State Emergency Service and the Bushfire Advisory Committee. There are some significant limitations on the current location of the building, including SES not being able to do training after 06:00pm because of the noise restrictions in the town centre. The SES are so far very supportive.*

Cr Pratico – Questioned why are we planning to move a building that's not fit for purpose?

*CEO Response – The building will be a newly constructed fit-for-purpose building.*

Cr Pratico – The document states “relocate.”

*CEO Response – That was a poor choice of wording. We will have the wording amended.*

Cr Pearce – raised the following:

- Consultation with the Bridgetown Bushfire Brigade.
- The timing for the funding round for the capital grants scheme, which closes at the end of March.

*Morgan Gillham, Principal Project Manager – Officers have a meeting with senior DFES people on the 7<sup>th</sup> March and that discussion will be about using this grant round to secure funds for the planning and design of the building. We will then go into the 2025 March funding round with a set of solid plans that have been well thought through, this will include consulting with all relevant groups. That's the intention and DFES is supportive of that process as well.*

Cr Fletcher - Supports the amended motion in that centralising is a “brilliant” idea. During our last major incident two years ago, the SES were working with the Incident Control Centre extensively under their control.

*Morgan Gillham, Principal Project Manager – Committed to consulting with the Bridgetown Bushfire Brigade prior to the March Ordinary Council Meeting.*

Cr Redman – Questioned whether delaying the decision would impact funding.

*Morgan Gillham, Principal Project Manager – No.*

**Amendment** Moved Cr Pratico, Seconded Cr Fletcher  
That the words ‘building’ and ‘relocate’ are removed from the officer recommendation.

**Carried 7/2**

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

**Against:** Crs Pratico and Pearce

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

**Moved** Cr Fletcher, Seconded Cr Pratico  
That Council approve the relocation of the State Emergency Services (SES) from its current central town location to the Incident Control Centre.

**Carried 7/2**

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

**Against:** Crs Pratico and Pearce

**Amendment** Moved Cr Mahoney, Seconded Cr Fletcher  
That the already amended motion has the words ‘subject to immediate consultation with all stakeholders’ at the end of the amended officer recommendation.

**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 Mahoney, Seconded Cr Fletcher**  
**C.19/0224 That Council approve the relocation of the State Emergency Services (SES) from its current central town location to the Incident Control Centre, subject to immediate consultation being undertaken with all stakeholders.**

**Carried 9/0**

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

**Against:** Nil

## **Corporate Services**

<b>ITEM NO.</b>	C.20/0224	<b>FILE REF.</b>	131
<b>SUBJECT</b>	January Financial Activity Statements and List of Accounts Paid in January 2024		
<b>OFFICER</b>	Manager Finance		
<b>DATE OF REPORT</b>	19 February 2024		

Attachment 40 – January 2024 Financial Activity Statements

Attachment 41 – List of Accounts Paid in January 2024

### **OFFICER RECOMMENDATION**

*That Council receive the:*

- 1. That Council receives the January 2024 Financial Activity Statements as presented in Attachment 40.*
- 2. That Council receives the List of Accounts Paid in January 2024 as presented in Attachment 41.*

### **Summary/Purpose**

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

### **Background**

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

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

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

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

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

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

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

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

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

The list of accounts is to be:

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

#### Statutory Environment

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

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

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

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

#### Integrated Planning

- Strategic Community Plan  
Outcome 14 – Effective governance and financial management
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan – Nil
- Other Integrated Planning – Nil



### Policy Implications

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

### Budget Implications

Expenditure incurred in January 2024 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 Pratico, Seconded Cr Fletcher**

**That Council receive the:**

- 1. That Council receives the January 2024 Financial Activity Statements as presented in Attachment 40.***
- 2. That Council receives the List of Accounts Paid in January 2024 as presented in Attachment 41.***

Cr Mahoney – With reference to page 21 of the monthly financial report, note eight, fixed asset acquisitions, questioned whether the first item, plant and equipment Governance Director, Corporate Services vehicle, \$128,000 is correct.

*CEO Response – The \$128,000 is for the purchase of the CEO's car, the replacement pool car, and the purchase of a new vehicle for the Principal Project Manager. Accounts will change the wording in the document to reflect that.*

Cr Mahoney - Noted that on page 23 of the same report, it states that the Shire does not intend to undertake any new borrowings for the year ended 30 June 2024. Should this sentence be removed?

*CEO Response – Yes. Thank you.*

**Carried 9/0**

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

Shire President – Advised Councillors that she and the CEO had attended a dinner that included Hon Minister Don Punch, Minister for Regional Development and Melissa Teede, CEO Southwest Development Commission. Based on informal conversations held, there appears to be a possibility that the Shire may be able to apply retrospectively from the Disaster Recovery Fund. However, further exploration is required.

### **Development, Community and Infrastructure**

<b>ITEM NO.</b>	C.21/0224	<b>FILE REF.</b>	440
<b>SUBJECT</b>	Replacement and Upgrade of Shire Depot Facilities		
<b>OFFICER</b>	Project Officer		
<b>DATE OF REPORT</b>	13 February 2024		

### **OFFICER RECOMMENDATION**

*That Council:*

- Supports the funding and staging proposal for the Replacement and Upgrade of Shire Depot facilities as detailed in Option 2 of this report with the inclusion of an additional loan contingency amount of \$100,000.*
- Approves the following funding arrangement for the construction of an Administration Office at the Shire Depot in line with the approved concept plan, as Stage 1 of the Replacement and Upgrade of Shire Depot facilities.*

Year	Description	Funding Source			
		Municipal	Loan	Other	Total
24-25	Construct Administration Office	485,000	1,300,000		1,785,000

- As required under Section 6.20 part (2) of the Local Government Act 1995, gives one month's local public notice of the proposal to construct a new Administration Office at the Shire Depot to be funded in part by a loan of up to \$1.3 million from Western Australian Treasury Corporation.*

6. *Requests approval from the Western Australian Treasury Corporation for a loan of \$1.3 million for the purpose of constructing an Administration Office at the Shire Depot, Lot 1308 Les Woodhead Avenue, Bridgetown, with the term of the loan being 20 years.*
7. *Authorises the Chief Executive Officer and Shire President to sign and affix the Shire's Common Seal to the loan agreement with WA Treasury Corporation.*
8. *Upon written approval of the requested loan of \$1.3 million, advertises the tender for the construction of the Shire Depot Administration Office.*
9. *Receives a further report and Business Case that assesses the viability and justification for the proposed Shire Workshop building.*

**(Absolute Majority Required)**

#### Summary/Purpose

This report identifies funding and staging options for the replacement and upgrade of Shire Depot facilities destroyed in the fire of February 2022 and recommends that Council supports the proposal detailed under Option 2 of the report.

#### Background

Previous reports to Council have identified the need to replace the facilities that were destroyed by the major fire in February 2022.

Following consideration of the most recent report to the Council Meeting held on 14 December 2023 it was resolved (C.08/1223) as follows:

#### *That Council:*

1. *Subject to any further minor changes, approves the draft concept plan for the Bridgetown Shire Depot (Attachment 8) and the plan be used to guide the rebuild of facilities and future redevelopment of the site.*
2. *Accept the quote of \$149,140 (ex GST) from Willcox and Associates for Detailed Design and Documentation for the Shire Depot facilities rebuild and authorise the Chief Executive Officer to sign the Goods and/or Services Contract Conditions between the Shire of Bridgetown-Greenbushes and Willcox & Associates Pty. Ltd.*
3. *Receive a further report to the January 2024 Council Meeting that identifies funding and staging options for delivery of the project.*

Due to the outcome of the funding submission to Talison Lithium not being available for the January Council meeting, this report is now presented for Council's consideration.

The current status of the project is that Willcox and Associates have been formally engaged and are currently working on the detailed design drawings and specifications for the new Office and Workshop buildings. Detailed design is scheduled for completion by the end of March 2024.

A summary of the cost estimates for the replacement facilities and other upgrades is shown in the table below:

Description	Cost (ex GST)
<b><u>Planning and Design</u></b>	
Concept Plan and Cost Estimate	\$13,900
BAL Assessment	\$1,280
Feature Survey	\$3,850
Professional Fees/Detailed Design	\$129,240
Sub Total	<b>\$148,270</b>
<b><u>Office Building</u></b>	
Construct Office Building	\$1,356,000
IT connection and Office Fit out	\$120,000
Septic system and leach drains	\$30,000
External site infrastructure reticulation	\$50,000
New Water Tank	\$5,000
Relocate and upgrade vehicle access gate	\$10,000
Contingency & Cost Escalation	\$82,500
Sub Total	<b>\$1,653,500</b>
<b><u>Workshop</u></b>	
Construct Workshop	\$429,000
Workshop Fit out (including Hoist)	\$70,000
Covered Walkway to Office	\$10,000
Contingency & Cost Escalation	\$26,000
Sub Total	<b>\$535,000</b>
<b><u>External Works</u></b>	
Replace perimeter fencing	\$134,000
Car park and pathways	\$69,000
Sub Total	<b>\$203,000</b>
<b><u>Other</u></b>	
Heavy machinery storage shed	\$388,000
Light vehicle storage shed	\$148,000
Relocate and upgrade fuel pumps	\$50,000
Relocate sheds and other facilities	To be advised
<b>Total</b>	<b>\$3,125,770</b>

As advised in the previous reports to Council, the insurance payment of \$633,176 is included in the Shire's 2023-24 Budget for the Depot Facilities rebuild.

The Shire has also recently been formally advised by Talison Lithium that its requested contribution of \$1.2 million for the Depot project has been unsuccessful in the 2024 funding round. Unfortunately, there are no other known sources of funding currently available for Shire Depot facility upgrades.

#### Officer Comment

Given the total estimated cost for the Depot facilities replacement and upgrade, it is proposed that Council consider a staged approach for delivery of the project.

The following funding and staging options are presented for Council's consideration:

#### Option 1

Year	Description	Funding Source			
		Municipal	Loan	Other	Total
23-24	Planning & Design	148,270			148,270
24-25	Office Building & Workshop	488,500	1,700,000		2,188,500
25-26	Car park Fuel Pump Station	119,000			119,000
26-27	Replace Perimeter Fence	134,000			134,000
27-28	Heavy machinery shed	388,000			388,000
28-29	Light vehicle shed	148,000			148,000
	<b>Totals</b>	<b>1,425,770</b>	<b>1,700,000</b>		<b>3,125,770</b>

This option would be to construct the replacement office and workshop buildings as the first stage of the redevelopment at an estimated cost of \$2,188,500. The funding proposal would be to use the balance of funds from the insurance payout with a small top up allocation of \$3,600 in the 2024-25 Budget plus loan funds of \$1.7 million.

The balance of the works would be undertaken in stages over a four-year period and funded from Municipal funds allocated in the Shire's annual budget. The Heavy Machinery Shed could potentially be funded over two financial years to reduce the impact on the Shire's budget in a single year.

The advantages and disadvantages of this option are as follows:

#### Advantages

- It would allow the Shire to replace the two main buildings that were destroyed in the fire as the first and major stage of the rebuild and upgrade of the Depot.
- Estimated savings (compared to construction being completed in separate stages) of approximately \$50,000 through reduced mobilisation costs and economies of scale.

- It would address current Work Health and Safety concerns and provide facilities that are safe and fit for purpose for the Shire's outside workforce.
- Improved moral for the Shire's outside workforce.
- Reduced disruption by having the main construction completed in a single stage.

#### Disadvantages

- A loan of \$1.7 million over a 20-year term would require annual repayments of approximately \$151,000 which equates to a 2.65% rate increase to service the loan.
- A Business Case to justify the replacement Workshop building is yet to be completed. This would include a cost-benefit analysis to determine the justification and viability of the proposed Workshop building.

#### Option 2

Year	Description	Funding Source			
		Municipal	Loan	Other	Total
23-24	Planning & Design	148,270			148,270
24-25	Construct Office Building	485,000	1,200,000		1,685,000
25-26	Construct Workshop, Car Park, Fuel Pump Station & Perimeter Fence		800,000		800,000
26-27	Heavy machinery shed	388,000			388,000
27-28	Light vehicle shed	148,000			148,000
	<b>Totals</b>	<b>1,169,000</b>	<b>2,000,000</b>		<b>3,169,000</b>

This option would be to construct the new Office building as the first and most critical stage of the Depot rebuild and upgrade, at an estimated cost of \$1,685,000. The funding proposal would be to use the balance of funds from the insurance payout plus loan funds of \$1.2 million.

Under this option, stage 2 would include construction of the Workshop (subject to justification and viability being demonstrated), Car Park, Fuel Pump Station and Perimeter Fence with the estimated cost of \$800,000 to be funded from loan funds. The balance of the works would be undertaken in a further two stages and funded from Municipal Fund budget allocations over a 2-3 year period.

The advantages and disadvantages of this option are as follows:

#### Advantages

- It would allow the replacement Office building, which has been identified as the highest and most urgent priority, to be constructed in 2024-25.
- It would address current Work Health and Safety concerns and provide facilities that are safe and fit for purpose for the Shire's outside workforce.
- Improved moral for the Shire's outside workforce.
- The repayments for a \$1.2 million loan and the required rate increase are less than that required for a \$1.7 million loan as per option 1.
- It would allow further time to develop a Business Case to determine the need and viability of the proposed Workshop building.
- Subject to the justification and viability of the proposed Workshop being demonstrated, it would allow the balance of the high priority upgrades to be completed in 2025-26.

#### Disadvantages

- A loan of \$1.2 million for the Office building over a 20-year term would require annual repayments of approximately \$107,000 which equates to a 1.87% rate increase to service the loan.
- A second loan of \$800,000 in 2025-26 would require annual loan repayments of approximately \$69,000 which equates to a further 1.25% rate increase.

#### Conclusion

Whilst there is a case for constructing the Administration Office and Workshop as the first stage, Option 2 is recommended for the following reasons:

- The required rate increase of 2.65% (on top of planned rate increases) for Option 1 may not be appropriate in the current economic climate.
- When completed, the Business Case to justify the need and viability of the new Workshop would allow Council to make an informed decision as to whether to proceed with the construction of a new Workshop or make other arrangements to service and repair the Shire's vehicle fleet, plant and equipment.
- It would allow the replacement Office building, which has been identified as the highest and most urgent priority, to be constructed in 2024-25.

The proposal to part fund the replacement Administration Office by raising a loan is justified because it is not a viable option to fund the project from Municipal Funds, and a loan would allow the cost to be spread over the 20-year term of the loan. The option of 'doing nothing' and continue with the current unsatisfactory arrangement is not recommended and would likely further reduce staff morale, create ongoing difficulties in recruiting staff and could result in the Shire being prosecuted under the Work Health and Safety Act for failing to provide a suitable and safe workplace for its outside workforce.

Although the cost estimates provided by the Quantity Surveyor to construct the new Administration Office are considered to be generous, the actual costs will not be known until tenders for construction are received. If the tendered prices were higher than the cost estimates provided by the Quantity Surveyor and included in this report, and Council was supportive of increasing the loan amount to make up the shortfall, it would need to readvertise its 'Intention to Borrow' and reapply to the WA Treasury Corporation (WATC) for a larger loan. This process would further delay the commencement of construction by 2-3 months. It is therefore recommended that Council include an additional contingency of \$100,000 in the loan application which would provide WATC approval to borrow up to \$1.3 million should that be required.

The advice received from WATC is that the amount of the loan can be reduced if the tender price is less than the budget but cannot be increased if the tender price is more than the budget without readvertising and reapplying for larger loan.

### Statutory Environment

Section 6.20 part (1) of the Local Government Act 1995 provides a local government with "Power to Borrow" money to enable the local government to perform the functions and exercise the powers conferred on it under the Act or any other written law.

Section 6.20 part (2) of the Local Government Act 1995 states that where a local government proposes to borrow money and details of that proposal have not been included in the annual budget for that financial year, the local government must give one month's local public notice of the proposal and the resolution is to be by absolute majority.

Section 3.57 of the *Local Government Act 1995*, and Part 4 of the Local Government (Functions and General) Regulations 1996, provides a mechanism for purchase of goods and services by Public Tender.

The Shire of Bridgetown-Greenbushes' Purchasing Policy provides compliance with the *Local Government Act 1995* and the Local Government (Functions and General) Regulations 1996 for the procurement of goods and services.

The design for the replacement Shire Depot office building and sheds complies 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 for facilities of this nature.

### 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 from the insurance payout, there are no other additional funds allocated for the replacement of the Depot facilities lost in the fire.

- **Asset Management Plans**  
The replacement office building and sheds will need to be included in the Shire's Asset Management Plans with provision for annual and long-term maintenance.
- **Workforce Plan**  
Although not specifically included in the Shire's Workforce Plan 2018-2022, the replacement office building at the Depot will provide suitable long-term accommodation for the Shire's outside workforce.
- **Other Integrated Planning - Nil**

#### Policy/Strategic Implications

The Shire's Purchasing Policy FM4 requires public tenders to be invited for purchase of goods and services of \$250,000 and over.

#### Budget Implications

A capital budget allocation of \$633,176 has been provided in the Shire's 2023-24 Budget for the replacement of Depot facilities destroyed in the fire.

#### Whole of Life Accounting

The replacement buildings and structures that are proposed in this report for the Shire Depot will be included on the Shire's Asset Register and funds included in the Shire's Long Term Financial Plans for routine and programmed maintenance and depreciation.

#### Risk Management

The main Risk identified in relation to this item is **Work Health and Safety**. The Consequence could be Reputational and/or Financial if a Work Health and Safety claim was made against the Shire for failing to provide a suitable workplace. The Risk Consequence is considered to be Major and the Likelihood Possible resulting in a High Level of Risk. The Risk is mitigated by adopting the recommendation contained in this report which will lead to provision of a suitable and safe working environment for the Shire's outside workforce staff.

In addition, as a legislative requirement, the Architect will produce a 'Safety in Design' report that will mitigate both construction risk and user risks during operation.

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 Fletcher, Seconded Cr Boyle  
That Council:

3. Supports the funding and staging proposal for the Replacement and Upgrade of Shire Depot facilities as detailed in Option 2 of this report with the inclusion of an additional loan contingency amount of \$100,000.
4. Approves the following funding arrangement for the construction of an Administration Office at the Shire Depot in line with the approved concept plan, as Stage 1 of the Replacement and Upgrade of Shire Depot facilities.

Year	Description	Funding Source			
		Municipal	Loan	Other	Total
24-25	Construct Administration Office	485,000	1,300,000		1,785,000

5. As required under Section 6.20 part (2) of the Local Government Act 1995, gives one month's local public notice of the proposal to construct a new Administration Office at the Shire Depot to be funded in part by a loan of up to \$1.3 million from Western Australian Treasury Corporation.
6. Requests approval from the Western Australian Treasury Corporation for a loan of \$1.3 million for the purpose of constructing an Administration Office at the Shire Depot, Lot 1308 Les Woodhead Avenue, Bridgetown, with the term of the loan being 20 years.

7. Authorises the Chief Executive Officer and Shire President to sign and affix the Shire's Common Seal to the loan agreement with WA Treasury Corporation.
8. Upon written approval of the requested loan of \$1.3 million, advertises the tender for the construction of the Shire Depot Administration Office.
9. Receives a further report and Business Case that assesses the viability and justification for the proposed Shire Workshop building.

(Absolute Majority Required)

**Amendment** Moved Cr Mahoney, Seconded Cr Fletcher  
That the numbering be amended from item numbers 3 to 9 to the correct numbering from item numbers 1 to 9.

**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.

**Moved** Cr Fletcher, Seconded Cr Boyle  
That Council:

1. Supports the funding and staging proposal for the Replacement and Upgrade of Shire Depot facilities as detailed in Option 2 of this report with the inclusion of an additional loan contingency amount of \$100,000.
2. Approves the following funding arrangement for the construction of an Administration Office at the Shire Depot in line with the approved concept plan, as Stage 1 of the Replacement and Upgrade of Shire Depot facilities.

Year	Description	Funding Source			
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24-25	Construct Administration Office	485,000	1,300,000		1,785,000

3. As required under Section 6.20 part (2) of the Local Government Act 1995, gives one month's local public notice of the proposal to construct a new Administration Office at the Shire Depot to be funded in part by a loan of up to \$1.3 million from Western Australian Treasury Corporation.
4. Requests approval from the Western Australian Treasury Corporation for a loan of \$1.3 million for the purpose of constructing an Administration Office at the Shire Depot, Lot 1308 Les Woodhead Avenue, Bridgetown, with the term of the loan being 20 years.
5. Authorises the Chief Executive Officer and Shire President to sign and affix the Shire's Common Seal to the loan agreement with WA Treasury Corporation.

6. Upon written approval of the requested loan of \$1.3 million, advertises the tender for the construction of the Shire Depot Administration Office.
7. Receives a further report and Business Case that assesses the viability and justification for the proposed Shire Workshop building.

(Absolute Majority Required)

**Council Decision Moved Cr Mahoney, Seconded Cr Mountford  
C.21/0224 That Council invoke clause 18.1 of the Standing Orders at 7.30pm  
to allow for informal discussion.**

**Carried 9/0**

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

Cr Mahoney – Questioned whether the referenced rates increase that would accompany the interest would be automatically approved if the motion was supported.

*Morgan Gillham, Principal Project Manager - Unless there were other savings made elsewhere within the organisation, I would suggest that would be the case.*

Cr Mahoney – Requested confirmation that Council was not approving the rates increase tonight of 3.12%, and that it was just an indication of what the rates would have to go up by.

*Morgan Gillham, Principal Project Manager – Confirmed that this is the case.*

Cr Lansdell – Questioned whether there are penalties for paying loans outright if the Shire then does not need to use that money.

*Morgan Gillham, Principal Project Manager - We can apply for the loan and be granted the loan. If we don't enact on that, then there's no penalty at all. If we draw on it, then we're accepting the loan, and we must use it.*

Cr Lansdell – Questioned whether we must take the 20-year term.

*Pat Quinlivan, Project Officer - Based on our discussion with WA Treasury Corporation was that we could have a loan approved to do the project. If Council elected not to draw down that loan because other funding became available, then there will be no penalties, as far as not drawing down the loan. Once we accept the loan and draw down the loan, then we're committed to getting those funds.*

*The option is to delay the project and see how things land with the possibility of some external funding or to proceed to have this Council resolution in the books. We can hold off from making application for the loan until we know what the options are with external funding. The downside of that is that the project gets delayed.*

Cr Lansdell – Again questioned whether we are locked into the 20-year term (the previous answer was unclear) if we draw down on the loan.

*Pat Quinlivan, Project Officer - There's two ways that a local government can raise a loan, and one is by approving it as part of your annual budget. Include the loan in your budget and when the budget is passed, you proceed with the loan application. The other way to do it is what we're proposing tonight.*

Cr Mahoney – Stated that a 3.2% rates increase is significant for our rates payers, given that it will be in addition to the annual increase, not instead of. Are officers able to confirm that loans are not required for any other additional purpose?

*CEO Response – Not at this stage. Unfortunately, the Shire has a lot of assets that require significant money. Even if you're just considering our heritage buildings, the two heritage houses, the CRC building and the police museum all need a lot of work.*

Cr Boyle left the room at 7:44pm

Cr Boyle returned to the room at 7:46pm

Cr Fletcher - The motion has come forward, but also preface to the motion was the information from the Shire President and the CEO gained at a recent dinner. From a government perspective, for us to impose a 3.1% rate increase on people in hard times will be hard if we have to resort to a loan.

Cr Pearce - Suggested something a little more conservative in terms of a building to reduce costs.

*CEO Response – The building is as conservative as it can be. As it stands, there is little room for projected growth. The building is already at capacity for the people intending to move into it.*

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

**C.21/0224a That application of clause 18.1 of the Standing Orders ceases at 7.52pm.**

**Carried 9/0**

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

**Council Decision Moved Cr Mahoney, Cr Fletcher**

**C.21/0224b That the item Replacement and Upgrade of Shire Depot Facilities be deferred and brought back to a future Council meeting as soon as possible.**

**Carried 9/0**

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

Councillors moved back to Agenda Item C.20/1224 – January Financial Activity Statements and List of Accounts Paid in January 2024. On page 21 of the monthly financial report, note eight, fixed asset acquisitions. There is the first item, plant and equipment governance director, corporate services vehicle, \$128,000. Is that correct?

*CEO Response – The \$128,000 is the purchase of the CEO's car, the replacement pool car, and the purchase of a new vehicle for the Principal Project Manager. Accounts will change the wording of that document to reflect that.*

<b>ITEM NO.</b>	C.22/0224	<b>FILE REF.</b>	860
<b>SUBJECT</b>	Standardised Acknowledgement of Country		
<b>PROPONENT</b>	Cultural Inclusion Advisory Committee		
<b>OFFICER</b>	Manager Community Services		
<b>DATE OF REPORT</b>	December 2023		

**OFFICER RECOMMENDATION:**  
*That Council;*

1. *Adopt the revised Acknowledgement of Country, which includes the socio-linguistic names Kaneang, Wadandi and Pibelmen as written below:*

*Acknowledgement of Country – Meetings and formal events/functions*

*'We acknowledge the cultural custodians of the land on which we gather, the Kaneang, Pibelmen and 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.*

*Acknowledgement of Country – Emails and Communications*

*'We acknowledge the cultural custodians of the land, the Kaneang, Pibelmen and Wadandi. 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.*

2. *The revised Acknowledgement of Country is to be used by shire staff as an email signature, at formal meetings and functions and offered to the community, groups, private residents and the business community for functions and formal occasions*
3. *Install the revised Acknowledgement of Country as a visual Acknowledgement of Country to be included on the main glass entrance doors of the Bridgetown Leisure Centre and the Bridgetown Library and the glass door of the customer*

support area of the administration building, reporting back to Council for design and installation method approval.

#### Summary/Purpose

These recommendations seek to correct the Shire's Acknowledgement of Country and ensure Council includes all the socio-linguistic groups connected to the country contained within the Shire boundaries. The officer recommendations are in alignment with the recommendation received from Karri Karrak Cultural Advice Committee on how we can most appropriately word the Acknowledgement of Country for this shire.

#### Background

As a way of providing some historical background and context the small summary of Tindale's work has been included;

*Ethnologist Norman Tindale (1974) who built upon the work of Bates identified 13 'tribal groups' based on socio-linguistic boundaries and minor dialect differences who inhabited an area to the west of a line drawn roughly from Jurien Bay in the north to Esperance in the Southeast. Tindale's (1974) research identified three language groups occupying the upper Blackwood Area at Bridgetown. One of these groups was Kaneang, who was reported to occupy the upper Blackwood area and east to a line joining Katanning, Cranbrook, and Tenterden; at Kojonup, Collie, Qualeup, Donnybrook, Greenbushes, Bridgetown. The group south of the Blackwood River were identified as Pibelman and occupied an area on the Lower Blackwood River; chiefly between the hills in country between the Blackwood and Warren Rivers; East of the Gardener River and Brooke Inlet; along Scott River inland to Manjimup and Bridgetown Tindale 1974; 255). The third group north of the blackwood River towards the coast to the west was identified as Wadandi. Tindale (1974:259). Tindale describes the Wadandi territory as "From Bunbury to Cape Leeuwin, chiefly along the coast at Geographe Bay in the vicinity of Nannup and Busselton." Report of an Aboriginal Heritage Survey for the Proposed Blackwood River Foreshore, Development in Bridgetown, Western Australia" B Goode, Louise Huxtable, S Johnston December 2017.*

In November 2021 (C.17/1121) Council establish a Bridgetown-Greenbushes Cultural Inclusion Advisory Committee for the two-year term expiring 21 October 2023, and endorsed the Instrument of Appointment & Delegation for the Bridgetown-Greenbushes Cultural Inclusion Advisory Committee.

In March 2022 (C20/0322) Council in part approved that the;

1. Shire provide a standard Acknowledgement of Country to be offered for use within the shire by community groups, private and business functions with Local Aboriginal Elder Sandra Hill and report back to Council.

In September 2022 Council (c.13/0922) decided in part to:

1. Revoke Policy M.37 Acknowledgment of Country
2. Adopt the Acknowledgement of Country as recommended by the Cultural Inclusion Advisory Committee to be used by the Shire as an email signature, at formal meetings and functions and offered for use to community groups, private

residents and the business community for functions and formal occasions as written below:

a. Acknowledgement of Country – Meetings and formal events/functions

*‘We acknowledge the cultural custodians of the land on which we gather, the Pibulmun-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’*

b. Acknowledgement of Country – Emails and Communications

*‘We acknowledge the cultural custodians of the land, the Pibulmun-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’*

In late November 2023 the CEO was contacted by an officer from the South West Land and Sea Council to inform the shire that the Acknowledgement of Country was not reflective of the language groups that should be included in the Acknowledgement of Country for this shire

Officers then contacted Brad Goode, an Anthropologist that undertakes anthropological Aboriginal Heritage Surveys throughout the south west, to discuss the best way to navigate the issue without offending any specific socio-linguistic group or creating disagreement.

Officers then made contact with the CEO of the Karri Karrak Aboriginal Corporation to request advice from the Cultural Advisory Committee. The Karri Karrak committee recommended that Council should include all three groups in all acknowledgements to Country, as per the current officer recommendations.

There are different spellings of Pibelmen depending on the organization, Traditional Powner or anthropologist written the name of the socio-linguistic group. In the communications with Karri Karrak the names of the language group has been spelt Pibelmen and the officer recommendation is in alignment with that spelling.

Officer Comment

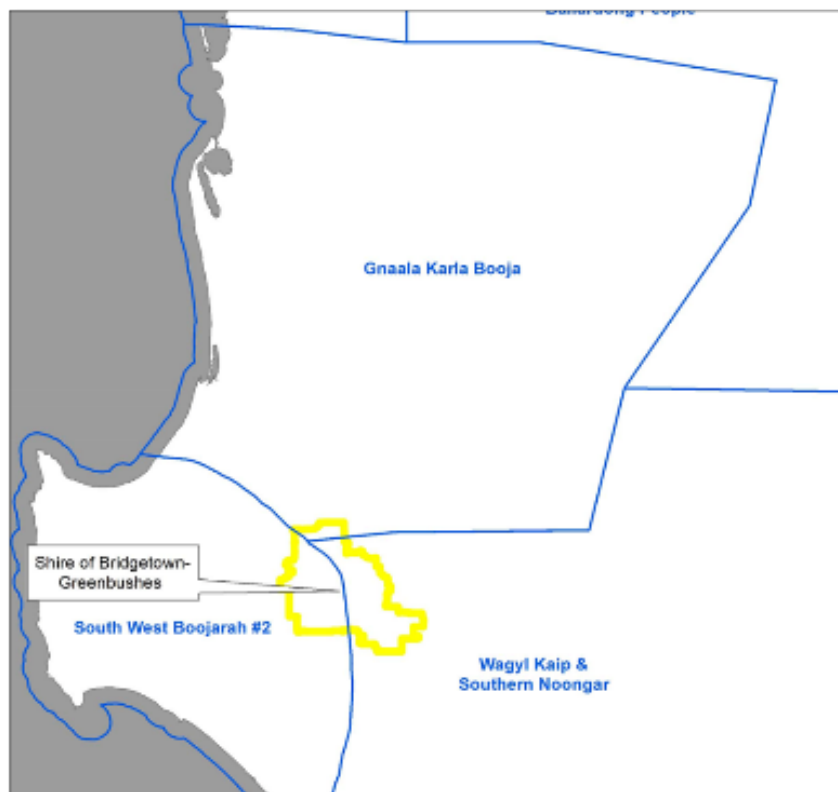
In 2021 the State of Western Australia and the South West Aboriginal Land and Sea Council (SWALSC) executed an Indigenous Land Use Agreement (ILUA), recognising the full and final settlement of Native Title. The SWLSC set up 6 regional Aboriginal Corporations to administer benefits of the Native Title Settlement, including heritage under the NSHA. For the Bridgetown Shire you have Karri Karrak, Gnaala Karla Booja and the Wagyl Kaip Southern Noongar Aboriginal Corporations.

Resulting from the settlement of native title in the South West, the SWALSC and the state developed the Noongar Standard Heritage Agreement (NSHA). This agreement governs the conduct of heritage survey in the region. The agreement sets survey terms, types, and processes and moves the agreement area from dependence to self-



determination of Noongar people by giving the six Noongar regional corporations the tools and rights to take control of their own cultural heritage and govern who consults on Aboriginal heritage and how.

The 3 Aboriginal Corporations specifically overseeing Aboriginal cultural heritage within the Shire are - Karri Karrak, Gnaala Karla Booja and Wagyl Kaip Aboriginal Corporations. The Corporations have been developed to become the lead agencies in on all Aboriginal cultural concerns.



During discussions with the CEO of Karri Karrak(South West Boojarah) it was clearly stated that the corporations would take full responsibility for all advice provided and direction/recommendations given regarding Aboriginal Culture, Heritage, Surveys, Interpretation, stories and truth-telling . Until recently all three corporations have been working through their organisational and operational structure and governance, however the Cultural Advisory Committees (CAC) are starting to provide services and advice to external stakeholders.

Once fully operational and depending on the topic and the location of the cultural or heritage concern Council may be required to seek advice from one or all three corporations. Forwarding requests to each CAC will also incur a fee for service once the fee schedule is completed and implemented.

#### Statutory Environment

- Aboriginal Heritage Act 1972
- Equal Opportunity

#### Integrated Planning

- Strategic Community Plan  
Outcome 1      A growing community that is diverse, welcoming and inclusive

- Objective 1.4      Grow recognition and respect for all cultures  
Outcome 8        Local history, heritage and character is valued and preserved  
Objective 8.1      Identify, preserve and showcase significant local history and heritage

➤ Corporate Business Plan

- Action 1.4.1      provide a reconciliation action plan  
Action 1.4.2      facilitate the collection and sharing of information and stories about local culture and history including NAIDOC Week and Harmony Week  
Action 8.1.4      partner with the Historical Society to improve promotion of local history and heritage

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

Policy Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil

Risk Management

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

Reputational Risk (External)– the reputational risk is High and is relevant to all three recommendations given the likelihood that community and other members of the socio-linguistic groups located in the Southwest have already gained knowledge of the oversight. Use of Council's revised Acknowledgement to Country mitigates this reputational risk.

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 Lansdell, Seconded Cr Christensen  
That Council;

1. Adopt the revised Acknowledgement of Country, which includes the socio-linguistic names Kaneang, Wadandi and Pibelman as written below:

#### Acknowledgement of Country – Meetings and formal events/functions

'We acknowledge the cultural custodians of the land on which we gather, the Kaneang, Pibelman and 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.

#### Acknowledgement of Country – Emails and Communications

'We acknowledge the cultural custodians of the land, the Kaneang, Pibelman and Wadandi. 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.

2. The revised Acknowledgement of Country is to be used by shire staff as an email signature, at formal meetings and functions and offered to the community, groups, private residents and the business community for functions and formal occasions
3. Install the revised Acknowledgement of Country as a visual Acknowledgement of Country to be included on the main glass entrance doors of the Bridgetown Leisure Centre and the Bridgetown Library and the glass door of the customer support area of the administration building, reporting back to Council for design and installation method approval.

Cr Redman – As a member of the Cultural Inclusion Advisory Committee, stated that it was important that the Acknowledgement of Country is fit for purpose and reflective of the current and historical situation of indigenous people in the place where we live. Advised of intending to vote against this motion because it was not formally

endorsed by the Cultural Inclusion Advisory Committee. The proponent is listed as the Cultural Inclusion Advisory Committee, but claimed this wording was not passed by the Committee.

*Executive Manager, Community & Economic Development – Advised that the wording has already been adopted by Council through the Cultural Inclusion Advisory Committee previously last year. The intent was not to change the Acknowledgement but to include the Kanyang in our current Acknowledgement. The matter was discussed at the Cultural Inclusion Advisory Committee.*

Cr Redman – It wasn't minuted either in the Committee Meeting minutes.

**Council Decision Moved Cr Redman, Seconded Cr Mahoney**  
**C.22/0224a That Council invoke clause 18.1 of the Standing Orders at 7.57pm**  
**to allow for informal discussion.**

**Carried 9/0**

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

There was discussion on the current Acknowledgement of Country, whether the original wording of the Acknowledgement of Country was based on one local representative of one linguistic group or whether this person had conferred with other Aboriginal individuals and groups, whether the wording from the Karri Karrak Corporation had been considered and whether all three Corporations had been consulted.

*Executive Manager, Community & Economic Development – Confirmed that extensive consultation had taken place with Aboriginal stakeholders prior to Council adopting the acknowledgement last year.*

Clarity was requested on whether the proponent of this item was the Cultural Inclusion Advisory Committee or not, and advice was that there was not a Minuted Committee paper recommending the motion to Council.

*Executive Manager, Community & Economic Development – Stated that the Committee had discussed the matter. The Committee did not provide a formal recommendation to Council (because Council adopted the Acknowledgement formally last year). Karri Karrak is comfortable for the Shire to include the use of the three language groups in our Acknowledgement. (other than including Kanyang. Gnaala Karla Booja and the Wagyl Kaip Southern Noongar Aboriginal Corporations were approached but did not provide feedback in writing.*

Cr Boyle left the room at 8:06pm
----------------------------------

A unanimous decision was made by all Councillors to:

- Take the issue back to the Cultural Inclusion Committee for response; and
- Obtain in writing the advice of all three Corporations.

*CEO Response – Reminded the room that Council already has a formal, adopted Acknowledgment of Country. The purpose of this agenda item was to include one excluded group in that existing Acknowledgment of Country, not to rewrite*

*the Acknowledgement. If Council was to write a new Acknowledgement of Country, a whole new process would need to commence.*

Cr Lansdell – Recognised that:

- Executive Manager, Community & Economic Development organised the Brad Goode workshop, which was incredibly valuable.
- Reiterated that there was no negative feedback from any of the Committee Members on our proposed inclusion of all three names in the Acknowledgement.

**Council Decision Moved Cr Fletcher, Seconded Cr Pratico  
C.22/0224b That application of clause 18.1 of the Standing Orders ceases at 8.13pm.**

**Carried 8/0**

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

**Council Decision Moved Cr Redman, Seconded Cr Fletcher  
C.22/0224c That the item Standardised Acknowledgement of Country be deferred until a future Council meeting.**

**Carried 8/0**

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

ITEM NO.	C.23/0224	FILE REF.	
SUBJECT	Waiving of Fees – Jigsaw Gallery – Bridgetown-Greenbushes Heritage Festival 2024		
OFFICER	Manager Visitor Servicing		
DATE OF REPORT	21st February 2024		

**OFFICER RECOMMENDATION**

*That Council waive fees of \$5 adults, \$3 children and \$12 family to the Jigsaw Gallery, as published in the 2023/2024 Shire of Bridgetown-Greenbushes fees and charges, on Saturday 13 April 2024 from 10am to 2pm for an Open Day event as part of the Bridgetown-Greenbushes Heritage Festival*

**Summary/Purpose**

This recommendation seeks to support the Bridgetown Heritage Festival by offering audience members the opportunity to access the Jigsaw Gallery free of charge during the Open Day for the Heritage Festival, on Saturday 13 April 2024 from 10 am until 2 pm.

**Background**

In April 2023, the first Bridgetown-Greenbushes Heritage Festival took place from Monday 17<sup>th</sup> April – Sunday 23<sup>rd</sup> April. This was a successful program of events that offered activities to locals and visitors during the second week of the school holidays. Feedback from attendees and community groups regarding the inaugural event was positive and supported its continuation and expansion.

Council decided in January 2023 to support the inaugural Heritage festival by endorsing the Jigsaw Gallery Open Day and waiving fees (C.08/0123). The Jigsaw Gallery Open Day was held on Saturday 22nd April 2023 as part of the Heritage Festival and received 175 people through the Jigsaw Gallery and Visitor Centre.

The Jigsaw Gallery currently has an entrance fee of \$5 adults, \$3 children and \$12 family as published in the 2023/2024 Shire of Bridgetown-Greenbushes fees and charges.

Saturday 13<sup>th</sup> April was chosen for the Open Day as it is the second week of the school holidays and does not clash with other events happening in the Bridgetown-Greenbushes area. The Blackwood River Arts trail will take place in the first week (1-7 April) of the school holidays.

#### Officer Comment

Bridgetown was granted Historic Town status by the National Trust in 2000 and is the only town in the southwest to be granted this title. Globally, heritage tourism has become one of the largest and fastest growing tourism sectors, with the United Nations World Tourism Organisation estimating that more than 50% of tourists worldwide are now motivated by a desire to experience a country's culture and heritage. Gains from heritage tourism are amplified throughout the global economy with economic, social, and environmental benefits generally much larger than direct spending levels. Research indicates that visitors to heritage-based activities are more likely to seek high value experiences and deliver a higher spend than nature-based activities. Heritage tourism activities contribute to longer stays, as well as attracting new visitor markets to regional Australia.

The Bridgetown-Greenbushes Heritage Festival 2024 will take place during the second week of the school holidays, from Monday 8th April through to Sunday 14th April. The theme for 2024 is "Connections". We encourage the community to celebrate the rich and diverse stories of our area, strengthen cultural and historical ties and forge new bonds. We celebrate our link to people, places and the past, and the enduring connections that will shape the future of heritage.

The Jigsaw Gallery has strong heritage themes and has been identified as a venue to be included for the Bridgetown Greenbushes Heritage Festival 2024, to encourage visitation to Bridgetown and to raise awareness in the community about the gallery. To this end the Open Day event will encourage locals and visitors to attend the Visitor Centre and Jigsaw Gallery to learn more about the services available at the Visitor Centre and the events and activities on offer in Bridgetown and Greenbushes. The Open Day will also provide an opportunity to showcase the new Descendants Collection that has recently been included for display in the gallery. The Open Day hours will be from 10am to 2pm.

Data will be collected of people attending the events to track where visitors are travelling from. It is hoped that this will be a yearly schedule of heritage events to feature in heritage listed Bridgetown. In 2025, the festival will expand to be branded under the Southern Forests and Valleys tourism brand and grant funding and organisation will start in June 2024.

If the Visitor Centre has moved to the new building before this date, the BGTA are aware they will be forfeiting entry fees into the space. No date has been given for the new Visitor Centre opening on the date of writing this report.

On an average Saturday the Jigsaw Gallery can be expected to receive an income of approximately \$23. At the Jigsaw Gallery Open Day in 2023 175 participants enjoyed the Visitor Centre and Jigsaw Gallery, if these patrons were to pay, Council could expect income of between \$300 and \$600 depending on the category of the participants (Adult, Child, Family). However, Council may not see the vast increase in participation if the fee was not waived. The estimated impact on the Jigsaw Gallery income has been estimated at \$23. This figure was derived as an average daily income for the Jigsaw Gallery, taken across the April 2023 School Holidays.

### Statutory Environment

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

### Integrated Planning

- Strategic Community Plan
  - Outcome 8 Local History, heritage and character is valued and preserved
  - Objective 8.1 Identify, preserve and showcase significant local history and heritage.
  - Outcome 12 Bridgetown Greenbushes is regarded to be a major tourist destination
  - Objective 12.3 Develop and promote festivals, events and trails that showcase the areas natural assets and core competencies.
- Corporate Business Plan - Nil
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning

### Policy/Strategic Implications

#### Budget Implications

There are minor budget implications with an average loss of income for Jigsaw Gallery being calculated as \$23, based on takings in the 2023 April School Holidays.

### Whole of Life Accounting

### Risk Management

The current recommendations address the following Risk Management Priority area identified according to Policy RM 1 – Risk Management is Financial, less than \$500.

The financial risk is low. In April 2023 across Saturday trading outside of the Open Day, the Jigsaw Gallery averaged entry takings of \$23. The average visitation to the Visitor Centre over the same Saturdays was 29 people through the door, with visitation increasing to 175 on the open day, due to the free entry. The loss of the entry fees is outweighed by the increased exposure to the products and service of the Visitor Centre, so the financial risk is minimal.

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 Fletcher, Seconded Cr Pratico**

**C.23/0224 That Council waives fees of \$5 adults, \$3 children and \$12 family to the Jigsaw Gallery, as published in the 2023/2024 Shire of Bridgetown-Greenbushes fees and charges, on Saturday 13 April 2024 from 10am to 2pm for an Open Day event as part of the Bridgetown-Greenbushes Heritage Festival.**

**Carried 8/0**

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

<b>ITEM NO.</b>	C.24/0224	<b>FILE REF.</b>	
<b>SUBJECT</b>	Bridgetown Leisure Centre Assets Upgrades		
<b>OFFICER</b>	Coordinator Bridgetown Leisure Centre		
<b>DATE OF REPORT</b>	19/02/2024		

#### **OFFICER RECOMMENDATION**

*That Council:*

- 1. Approve the replacement of the Bridgetown Leisure Centre (BLC) Court Scoreboards at a cost of \$36,940 (excl GST)*
- 2. Approve the replacement of the Swimming pool and Mezzanine Sound Systems for Group Fitness Classes and Community Events at a cost of \$17792 (excl GST)*



3. *Transfer the sum of \$47,202 (\$36,940 + \$10,262) from the Recreation Centre Floor & Solar Reserve (\$260,892 ) to Bridgetown Leisure Centre Programs RE22 Dry Area Programs to cover the cost of purchasing and install new scoreboards and the Mezzanine Sound System.*
4. *Transfer the sum of \$7530 from the Recreation Centre Floor & Solar Reserve (\$260,892) to Bridgetown Leisure Centre Programs RE23 Wet Area Programs to cover the cost of purchasing a new swimming pool sound system.*
5. *Note that in approving recommendation 1-4 the budget amendment will increase the 'materials and contracts' allocation for*
  - *Account RE22 (Dry area programs) from \$8,900 to \$56102*
  - *Account RE23 (Wet Areas Programs) from \$500 to \$8030*
  - *Decrease the Recreation Centre Floor & Solar Reserve by \$54,732 from \$260,892 to \$206,160.*

#### Summary/Purpose

These recommendations seek to meet the needs of the community and community sporting groups by replace the existing broken scoreboard and scoring control system and the broken sound systems with new, technically contemporary, and user-friendly equipment for pool side and indoor fitness classes.

#### Background

The score boards have been compromised for the last 3 months and fully dysfunctional for the last month. This has been an ongoing problem for the Basketball and Netball Associations, with the scoring systems failing during games and competitions, impacting on their ability to conduct their competitions effectively.

The current scoreboard system is also not user-friendly, making it difficult to change timing parameters for game time, breaks, and time outs or set up for tournaments, creating undue time delays during games and increasing stress on players and staff.

The current sound system in the Mezzanine is not fit for purpose, continuing to fail during classes. As a result, the fitness instructors must raise their voices to instruct classes. Having instructors continue in this manner is not sustainable for the fitness instructors and does not provide good service delivery to class participants.

Fitness Instructors are also having to provide their own portable sound systems from home to play music for classes as the current sound system, when operating, does not allow for music and voice to be broadcast simultaneously. This impacts the private fitness instructors that hire the facility to run their own classes. This has been an ongoing problem for several years with only one working sound system in the whole facility and now this sound system is very unpredictable when operating for classes.

The programs and community user groups are constantly growing at the BLC and with this added pressure are being placed on BLC assets. The following assets are in dire need of replacing:

#### Officer Comment

The BLC Coordinator has worked closely with the user groups and fitness instructors (internal and external) to try and mitigate the impacts of the facility functioning with equipment that is not fit for purpose, inadequate or broken, however, as the BLC

attracts an increased number of participants, members and external venue hires the importance of offering equipment that is fit for purpose, user friendly and functional becomes a priority.

Failure to replace the scoreboards may also result in Basketball WA and Netball WA not being able to host major events at the Bridgetown Leisure Centre. Each year these major events draw about 500 to 600 visitors to the shire which will lead to lost revenue for the Shire and local businesses in the town.

#### Statutory Environment

Section 6.8 of the Local Government Act requires an absolute majority decision for expenditure not included in the annual budget.

#### Integrated Planning

- Strategic Community Plan
  - Outcome 2 Good Health and community wellbeing
  - Objective 2.2 Provide quality sport, leisure and recreation services
  - Objective 2.4 Build community capacity by supporting community organisations and volunteers
- Corporate Business Plan
  - Outcome 2 Good health and community wellbeing
  - Objective 2.2 Provide quality sport, leisure and recreation services.
  - Action 2.2.4 Provide and expanded range of activities at Bridgetown Leisure Centre.
- Long Term Financial Plan - Nil
- Asset Management Plans - Nil
- Workforce Plan - Nil
- Other Integrated Planning - Nil

#### Policy Implications

N/A

#### Budget Implications

The total cost of replacing Scoreboards and Group Fitness Sound Systems at the BLC is \$54,732. If Council endorse the officer recommendations the 2023-24 budget will reflect the transfer of funds from the Recreation Centre Floor & Solar Reserve of \$54,732 to Account RE22 (Dry area Programs) with budget allocations for materials and contracts increasing from \$8,900 to \$56,102.54 and Account RE23 (Wet area Programs) budget allocation for materials and contracts increasing from \$500 to \$8030.25.

#### Whole of Life Accounting

The principles of Whole of Life Accounting are met by providing updated assets that will enable whole of life cycle accounting considerations to be assessed thus allowing for capital and maintenance costs to be identified during planning and implementation.

#### Risk Management

The current recommendations address the following Risk Management Priority area identified according to Policy RM 1 – Financial, Reputational External and Internal.

**Financial Risk** – the financial risk is High given the potential for loss of user groups, larger regional competitions, facility hire and community participants if the facility does not have available and in use, equipment that is functional and fit for purpose.

**Reputational Risk (External)**– the reputational risk is High due to the raised awareness of the issues caused by the dysfunctional/broken equipment and community frustration at not receiving reasonable and expected service provision in relation to facility use.

**Reputations Risk (Internal)** – the reputational risk is high given the stress felt by staff associated with trying to explain to community why the equipment does not work and attempting to mitigate any negative impacts on customer experience, resulting in low staff confidence and morale.

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 Practico  
That Council:

1. Approve the replacement of the Bridgetown Leisure Centre (BLC) Court Scoreboards at a cost of \$36,940 (excl GST)
2. Approve the replacement of the Swimming pool and Mezzanine Sound Systems for Group Fitness Classes and Community Events at a cost of \$17792 (excl GST)
3. Transfer the sum of \$47,202 (\$36,940 + \$10,262) from the Recreation Centre Floor & Solar Reserve (\$260,892) to Bridgetown Leisure Centre Programs RE22

Dry Area Programs to cover the cost of purchasing and install new scoreboards and the Mezzanine Sound System.

4. Transfer the sum of \$7530 from the Recreation Centre Floor & Solar Reserve (\$260,892) to Bridgetown Leisure Centre Programs RE23 Wet Area Programs to cover the cost of purchasing a new swimming pool sound system.
5. Note that in approving recommendation 1-4 the budget amendment will increase the 'materials and contracts' allocation for
  - Account RE22 (Dry area programs) from \$8,900 to \$56102
  - Account RE23 (Wet Areas Programs) from \$500 to \$8030
  - Decrease the Recreation Centre Floor & Solar Reserve by \$54,732 from \$260,892 to \$206,160.

**Amendment** Cr Christensen, Seconded Cr Practico

3. RE22 Dry Area Program be removed, and GL Code 1346640.11 be added in its place.
5.
  - RE22 Dry Area Programs from \$8,900 to \$56102 be removed, and GL Code 1346640.11 increases from \$20,000 to \$74,732 be added in its place.
  - Account RE23 (Wet Area Programs) from \$500 to \$8030 be removed entirely.
  - Decrease the Recreation Centre Floor & Solar Reserve by \$54,732 from \$260,892 to \$206,160 be removed entirely.

**Carried 8/0**

**For:** Crs 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 Practico**  
**C.24/0224 That Council:**

- 1. Approve the replacement of the Bridgetown Leisure Centre (BLC) Court Scoreboards at a cost of \$36,940 (excl GST)**
- 2. Approve the replacement of the Swimming pool and Mezzanine Sound Systems for Group Fitness Classes and Community Events at a cost of \$17792 (excl GST)**
- 3. Transfer the sum of \$47,202 (\$36,940 + \$10,262) from the Recreation Centre Floor & Solar Reserve (\$260,892) to Bridgetown Leisure Centre GL Code 1346640.11 to cover the cost of purchasing and install new scoreboards and the Mezzanine Sound System.**
- 4. Transfer the sum of \$7530 from the Recreation Centre Floor & Solar Reserve (\$260,892) to Bridgetown Leisure Centre Programs RE23 Wet Area Programs to cover the cost of purchasing a new swimming pool sound system.**
- 5. Note that in approving recommendation 1-4 the budget amendment will increase the 'materials and contracts' allocation for**

- **Account GL Code 1346640.11 increases from \$20,000 to \$74,732.00**

**Carried 8/0**

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

**Against:** Nil

Cr Lansdell - Are we compromising any works that need to be done in those areas by relocating this money?

*Executive Manager - Community & Economic Development - Currently we have \$57,000 in the reserve.*

*That reserve has not been added to for several years. These works are essential to the operations of the facility, both wet and dry. We have staff members yelling at the aquatics classes rather than using the microphone, bringing their own equipment and our bigger user groups - basketball and netball cannot keep hand scoring. We can't have big competitions anymore.*

<b>ITEM NO.</b>	C.25/0224	<b>FILE REF.</b>	123
<b>SUBJECT</b>	Repeal Policies CS 1 – Library – Personal Use of Computer, CS 2 – Library Membership and CS 3 – Library Loans		
<b>OFFICER</b>	Manager Community Services		
<b>DATE OF REPORT</b>	February 2024		

Attachment 42      CS 1 – Library – Personal Use of Computer

Attachment 43      CS 2 – Library Membership

Attachment 44      CS 3 – Library Loans

#### OFFICER RECOMMENDATION

*That Council repeal the CS 1 – Library – Personal Use of Computer as shown in Attachment 42, CS 2 – Library Membership as shown in Attachment 43 and CS 3 – Library Loans as shown in Attachment 44.*

#### Summary/Purpose

This recommendation seeks to repeal the three policies (above) relating to the Library given the operational nature of the subject matter which they contain and the more appropriate and effective way to cover this content through internal administrative processes.

#### Background

Council adopted the CS 1 – Library – Personal Use of Computer in October 2002, CS 2 – Library Membership in November 2017 and CS 3 – Library Loans in November 2017.

Repealing these policies will allow more flexibility in service provision and can be more effectively implemented through administrative methods including procedures,

operating guidelines on terms and conditions of membership form and educating patrons through staff engagement and promoting guidelines that govern library use.

#### Officer Comment

The information included in the terms of Library computer use by patrons, Library membership and loans, are essentially guidelines for patrons and the administrative procedures for Library staff, rather than internal Council policy. The information contained within the policies can be easily, and more effectively captured and implemented as procedures and operational guidelines to be promoted at the library so that patrons understand their responsibilities and Library staff can continue to administer these elements of everyday Library operations.

The day-to-day administration of library loans and memberships, including enrolment, renewal, and record-keeping, are already managed by library staff who are well-equipped to handle these tasks efficiently. Removing formal policy requirements can provide administrators with the flexibility to adapt membership and library loan procedures and management to meet changing needs and circumstances promptly through the CEO rather than formally through Council.

The requirements and responsibilities of patrons using the Library will continue to evolve in response to changing community demographics, technological advancements, and service offerings. An example of this was seen last year with the change in state library funding and the response of the consortia to fill the gap in service delivery. Permitting Library staff to react quickly to these changes and develop procedures to optimize service delivery, allows flexibility and responsiveness in real-time and enables the library to better meet the diverse needs and expectations of its patrons.

While administrative management of library memberships loans and computer use provides a level of autonomy, it is crucial to implement the procedures and develop monitoring mechanisms to ensure accountability, transparency, and compliance with relevant regulations. Regular reporting and evaluation of membership-related practices can help maintain high standards of service delivery.

#### Statutory Environment

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

#### Integrated Planning

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

Policy/Strategic Implications - Nil

Budget Implications - Nil

Whole of Life Accounting - Nil  
Risk Management - Nil

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 Redman, Seconded Cr Fletcher*

**C.25/0224** *That Council repeal the CS 1 – Library – Personal Use of Computer as shown in Attachment 42, CS 2 – Library Membership as shown in Attachment 43 and CS 3 – Library Loans as shown in Attachment 44.*

**Carried 8/0**

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

<b>ITEM NO.</b>	C.26/0224	<b>FILE REF.</b>	
<b>SUBJECT</b>	Update on Works & Services Programme		
<b>OFFICER</b>	Manager Infrastructure & Works		
<b>DATE OF REPORT</b>	22/02/2024		

**OFFICER RECOMMENDATION**

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

**Summary/Purpose**

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

**PROJECT UPDATES**



## Construction:

### **Eedle Terrace**

The sealing of approximately 250m on Eedle Terrace was completed in February. Due to an unexpected pavement fault on the sealing day, a small section adjacent to the road to a property boundary was not able to be completed. This will be completed at a later date. Overall project cost is still expected to be within budget.

Job	Description	Budget	Forecast	YTD Actual	Order Value	Total Actual	Variance
RC01	Eedle Terrace	\$40,000.00	\$20,635.17	\$15,322.25	\$(1,230.00)	\$34,727.42	\$5,272.58



### **Geegelup View**

The sealing of approximately 100m at the end of Geegelup View was completed in February. The site is extremely steep and was difficult for machinery to access. The result at the top end of the road is less than ideal and will require some hand applied patching in the near future. Despite the rough finish, the project goal of improving property access has been achieved. Current financial figures show the project is over budget however the final contractor sealing cost will depend on actual materials used.

Job	Description	Budget	Forecast	YTD Actual	Order Value	Total Actual	Variance
RC65	Geegelup View	\$15,000.00	\$3,437.82	\$16,230.24	\$1,230.00	\$20,898.06	\$(5,898.06)





Maintenance:

**Grading** – Maintenance grading of Carburnup Brook Road and Polina Road complete. Maintenance grading continuing along Elwins road and gravel school bus routes. Currently only one grader is in operation due to staffing issues. One of our Parks crew (experienced grader operator) is temporarily carrying out grader road maintenance and basic construction works when required. Due to our reduced capacity we are prioritising school bus routes and capital works which means not all roads in particular areas are being graded at the moment.

**Parks & Gardens** – Several Total Fire Bans during the months of January and February saw a reduction in mowing, however, have managed to have parks back up to 99% completed. Time during TFB was allocated to general park clean-ups, retic repairs, electric pruning and watering. The Shire assisted the Water Corp during recent town water supply issues by turning off the lawn reticulation at our sites for extended periods. While not ideal during a heatwave, the impact on the lawns was minimal and temporary.

Winter plantings are currently being planned. Since many garden beds in the Bridgetown and Greenbushes CBD require hand watering, we are looking at native species to allow for more sustainable gardens and a reduction in water use.

The Leisure Centre underwent a garden revamp with new plantings, mulching and repairs to retic. The Bridgetown Sportsground has been top-dressed following completion of the reticulation and drainage works. General spot spraying of weeds is in progress around the towns.

**Trees** – A contractor has been busy around the Shire undertaking extensive powerline pruning works. The work is ongoing however the bulk of the scope has been

completed. Some trees in Hester have been completely removed by another contractor after they were indentified as very high risk.

**Storms** – Various cleanup works are still planned from the last storm. Some non-urgent verge cleanups are being done and Elphick-Fleeton Rd requires some work to reinstate impacted drainage infrastructure.

Job	Description	Budget	Forecast	YTD Actual	Order Value	Total Actual	Variance
ZA09	Storm Damage Roads Built Up Areas	\$51,779.00	\$57,175.87	\$-	\$-	\$57,175.87	\$(5,396.87)
ZA10	Storm Damage Roads Outside Sealed	\$64,384.00	\$20,242.13	\$-	\$-	\$20,242.13	\$44,141.87
ZA11	Storm Damage Roads Outside Unsealed	\$66,395.00	\$32,976.01	\$-	\$-	\$32,976.01	\$33,418.99

**Bridges** – Main Roads WA have recently completed a scheduled detailed inspection of bridge 3332 on Old Bridgetown Road. This inspection has identified some emergency works that need to be undertaken. Quotes are currently being sought so the cost is not yet known. Being a very small bridge it is expected the cost will be manageable.

Job	Description	Budget	Forecast	YTD Actual	Order Value	Total Actual	Variance
BM01	General Bridge Maintenance	\$106,757.00	\$76,353.58	\$4,790.00	\$-	\$81,143.58	\$25,613.42

Plant:

**Sweeper** – The new street sweeper has been put to work around town and is having an impact. Despite the increased performance compared to the old sweeper, it's been slow going due to all the material on the footpaths from the hot weather.





**Light Vehicles** – Two utilites were sold by public auction in February with both achieving sale prices well above reserve. Sales are yet to be completed so are not present in the financials.

Statutory Environment  
*Local Government Act 1995*

Integrated Planning

➤ Strategic Community Plan

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

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

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

Objective 9.1    Improve road safety and connectivity.

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

Policy/Strategic Implications – not applicable

Budget Implications – none

Whole of Life Accounting – not applicable

Risk Management – not applicable

Measures of Likelihood			
Rating	Description	Frequency	Probability
<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 Christensen, Seconded Cr Pratico**  
***C.26/0224    That Council note the current status of the Works & Services programme for the month of February 2024.***

***Carried 8/0***

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

**Against:** Nil

Shire President – Congratulated Steele Alexander and the Infrastructure team for their work.

Cr Pearce – Questioned the overspending of \$5,800 on Geegelup View and whether this was compliant with the Purchasing Policy.

*CEO Response – Taken that on notice.*

*After the fact – Steele Alexander advised that The \$5,800 overspend on Geegelup View included a Materials & Contracts component of \$1,230. In accordance with policy, a Budget Variance Notification was completed to account for this amount.*

### **Receival of Minutes from Management Committees**

### **Urgent Business Approved by Decision**

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

### **Elected Members Questions With Notice**

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

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

In accordance with Section 5.23(2) of the Local Government Act the CEO has recommended Item C.27/0224 be considered behind closed doors as the subject matter relates to the following matters prescribed by Section 5.23(2):

- (b) The personal affairs of any person

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

**Council Decision** ***Moved Cr Mahoney, Seconded Cr Pearce***  
***C.27/0224 That Council go behind closed doors to consider Items C.27/0224, C.28/0224 and C.29/0224 at 8.20pm.***

***Carried 8/0***

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

Cr Boyle returned to the meeting at 8:21pm

<b>ITEM NO.</b>	C.27/0224	<b>FILE REF.</b>	
<b>SUBJECT</b>	Employment of Executive Manager Corporate Services		
<b>OFFICER</b>	Chief Executive Officer		
<b>DATE OF REPORT</b>	26 February 2024		

**Council Decision** ***Moved Cr Fletcher, Seconded Cr Christensen***  
***C.27/0224a That Council approve the employment of Senior Employee – Executive Manager, Corporate Services, Santosh Pande.***

***Carried 9/0***

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

**Against:** Nil

In accordance with Section 5.23(2) of the Local Government Act the CEO has recommended Item C.28/0224 be considered behind closed doors as the subject matter relates to the following matters prescribed by Section 5.23(2):

(b) The personal affairs of any person

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

<b>ITEM NO.</b>	C.28/0224	<b>FILE REF.</b>	
<b>SUBJECT</b>	Appointment of new member to the Cultural Inclusion Advisory Committee		
<b>PROPONENT</b>	Cultural Inclusion Advisory committee		
<b>OFFICER</b>	Manager Community Services		
<b>DATE OF REPORT</b>	February 2024		

**Council Decision** ***Moved Cr Christensen, Seconded Cr Pratico***  
***C.28/0224 That Council endorse the appointment of Mary Elgar as the Historical Society representative on Council's Cultural Inclusion Advisory Committee***

***Carried 9/0***

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

**Against:** Nil

In accordance with Section 5.23(2) of the Local Government Act the CEO has recommended Item C.29/0224 be considered behind closed doors as the subject matter relates to the following matters prescribed by Section 5.23(2):

(b) The personal affairs of any person

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

<b>ITEM NO.</b>	C.29/0224	<b>FILE REF.</b>	
<b>SUBJECT</b>	RFT 01–23/24 Bush Fire Brigade Appliance Servicing and Repairs		
<b>PROPONENT</b>	Shire of Bridgetown-Greenbushes		
<b>OFFICER</b>	Community Emergency Services Manager		
<b>DATE OF REPORT</b>	19 February 2024		

Name	Cr Lyndon Pearce
Type of Interest	Impartiality
Item No.	C.29/0224 RFT 01 – 23/24 Bush Fire Brigade Appliance Servicing and Repairs
Nature of Interest	I am a member of the Bush Fire Brigade

Cr Pearce left the room at 8.27pm

**Council Decision Moved Cr Pratico, Seconded Cr Fletcher**  
**C.29/0224 That Council;**

- 1. For tender RFT 01-23/24, accepts the tender submitted by Infield Servicing Pty Ltd for Bush Fire Brigade Appliance Servicing and Repairs.**
- 2. Authorises the Chief Executive Officer to sign the Goods and/or Services Contract Conditions between the Shire of Bridgetown-Greenbushes and Infield Servicing Pty Ltd for Bush Fire Brigade Appliance Servicing and Repairs for a three-year contract term commencing on 1 March 2024 and concluding on 28 February 2027.**

**Carried 8/0**

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

**Council Decision Moved Cr Pratico, Seconded Cr Fletcher**  
**C.29/0224a That Council come out from behind closed doors at 8.28pm.**

**Carried 8/0**

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

At 8.38pm Council opened the doors to the meeting. It is noted that no members of the public returned to the meeting.

Cr Pearce did not return to the meeting prior to the closure of the meeting.

### **Closure**

*The Presiding Member closed the meeting at 8.29pm.*

### **List of Attachments**

Attachment	Item No.	Details
1	C.01/0224	Ordinary Council Minutes – 14 December 2023
2	C.02/0224	Ordinary Council Minutes – 25 January 2024
3	C.03/0224	Policy G 1 – Policy Manual
4	C.03/0224	Policy G 4 – Meetings of Council
5	C.03/0224	Policy G 5 – Elected Members – Presentations on Retirement.
6	C.03/0224	Policy G 9 – Public Attendance at Meetings – Agendas
7	C.03/0224	Policy G 15 – Provision of Information for Councillors
8	C.03/0224	Policy G 19 – Council Photographs
9	C.03/0224	Policy G 20 – Audio Recording of Meetings
10	C.03/0224	Policy G 21 – Advertising of Annual General Meeting of Electors
11	C.03/0224	Policy CM 1 – Decision Making
12	C.04/0224	G 11 Organisation Structure Policy
13	C.04/0224	R 2 Timber Royalties Policy
14	C.04/0224	G 7 Civic Receptions – Approvals/Rejections of Requests Policy
15	C.04/0224	RC 1 Art Acquisitions Policy
16	C.04/0224	CS 8 Swimming Pool Entry Age Policy
17	C.04/0224	G 8 Meetings of Council – Distribution and Release of Minutes Policy
18	C.04/0224	CR 5 Bereavement Notices Policy
19	C.04/0224	P 11 Staff Housing Policy
20	C.04/0224	P 10 Private Telephones Policy
21	C.05/0224	PR 1 – Functions in Shire Reserves or Parks Policy
22	C.06/0224	Draft Amended Policy CM 2 – Electoral Caretaker Period.
23	C.06/0224	Current Policy CM 2 – Electoral Caretaker Period.



24	C.07/0224	Risk Management Framework 2024
25	C.08/0224	Draft amended Policy RM 1 - Risk Management
26	C.08/0224	Current Policy RM 1 - Risk Management
27	C.09/0224	Adopted Delegations Register - Council to CEO 2024-25
28	C.10/0224	Draft amended Policy G 2 – Council Member Continuing Professional Development.
29	C.10/0224	Current Policy G 2 – Councillor Training/Conferences and Continuing Professional Development.
30	C.10/0224	Policy P 8 – Conferences/Fact Finding Tours
31	C.11/0224	Draft amended Policy LS 1 – Legal Representation For Elected Members and Employees
32	C.11/0224	Current Policy LS 1 – Legal Representation – Costs Indemnification
33	C.12/0224	Draft amended Policy P 15 – Accrual of Annual Leave
34	C.12/0224	Current Policy P 15 – Accrual of Annual Leave
35	C.13/0224	Draft amended P 5 - Equal Opportunity Employment Policy
36	C.13/0224	Current P 5 - Equal Opportunity Employment Policy
37	C.16/0224	2023 Compliance Audit Return
38	C.17/0224	January 2024 Partnering for the Future 2023 Report
39	C.18/0224	Agenda Item C.03/0124 – Talison Partnering the Future – Budget Amendment
40	C.20/0224	January 2024 – Financial Activity Statement
41	C.20/0224	January 2024 – List of Accounts
42	C.25/0224	CS 1 – Library – Personal Use of Computer
43	C.25/0224	CS 2 – Library Membership
44	C.25/0224	CS 3 – Library Loans

Minute Papers prepared and recommended by L Taramoeroa, Executive Assistant



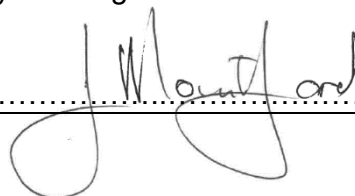
DATE 12 March 2023

Minute Papers authorised by N Gibbs, CEO



DATE 12 March 2023

As Presiding Member, I certify that the Minutes of the Ordinary Council Meeting held 29 February 2024 were confirmed as a true and correct record of the proceedings of that meeting at the Ordinary Meeting of Council held on 28 March 2024.



28 March 2024