

SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 20 MARCH 2025

1. Declaration of Opening	2
2. Record of Attendance/Apologies/Leave of Absence (Previously Approved)	2
3. Declarations of Interest	2
4. Response to Previous Public Questions Taken on Notice	2
5. Public Question Time	2
6. Petitions/Deputations/Presentations/Submissions	2
7. Applications for Leave of Absence	2
8. Announcements by the Person Presiding without Discussion	3
9. Confirmation of Minutes	3
10. Matters for Decision	5
10.1 Manager of Works and Services	5
10.2 Manager of Finance	6
10.2.1 Schedule of Accounts Paid – February 2025.....	6
10.3 Regulatory Services	9
10.3.1 Development Application – Proposed Hockey Clubrooms Pavillion	9
10.4 Manager of Governance and Community Services	12
10.4.1 2025 Delegations Register	12
10.4.2 Record Keeping Plan 2024	16
10.5 Chief Executive Officer	19
10.5.1 Senior Employee Recruitment – Manager of Finance	19
10.5.2 Transfer of Crown Reserve 35044	22
10.5.3 Annual Compliance Audit Return - 2024	25
11. New Business of an Urgent Nature Introduced by Discussion of the Meeting	28
12. Confidential Items	28
13. Closure of the Meeting	28

SHIRE OF BRUCE ROCK

MINUTES – ORDINARY MEETING 20 MARCH 2025

1. Declaration of Opening

The Shire President Cr R Rajagopalan declared the meeting open at 3.07pm

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

Record of Attendance

Shire President	CR R Rajagopalan
Deputy Shire President	Cr AR Cooks
Councillors	CR S Strange
	Cr KP Foss
	Cr PK Hodgkiss
	Cr BJ Waight
	Cr J Verhoogt
Chief Executive Officer	Mr M Furr
Manager of Governance and Community Services	Mrs N Ugarte
Executive Services Officer	Ms S Wood (Minutes)

Apology

Manager of Finance	Mr M Darby
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3. Declarations of Interest

In accordance with section 5.65 of the Local Government Act 1995, the following disclosures of **Financial** interest were made at the Council meeting.

Date	Name	Item No	Reason

In accordance with section 5.65 of the Local Government Act 1995, the following disclosures of **Closely Association Person and Impartiality** interest were made at the Council meeting.

Date	Name	Item No	Reason
20.03.2025	Mrs N Ugarte	10.4.1	Authorising Officer

In accordance with sections 5.60B and 5.65 of the Local Government Act 1995, the following disclosures of **Proximity** interest were made at the Council meeting.

Date	Name	Item No	Reason

4. Response to Previous Public Questions Taken on Notice

5. Public Question Time

6. Petitions/Deputations/Presentations/Submissions

7. Applications for Leave of Absence

8. Announcements by the Person Presiding without Discussion

9. Confirmation of Minutes

Annual General Meeting of Electors held on Thursday, 20 February 2025.

COUNCIL DECISION

Resolution OCM March 25 – 9.1

Moved: Cr Crooks

Seconded: Cr Foss

That the minutes of the Annual General Meeting of Electors held on Thursday 20 February 2025 be received.

For: Cr AR Crooks, Cr KP Foss, Cr PK Hodgkiss, Cr R Rajagopalan, Cr S Strange, Cr J Verhoogt and Cr BJ Waight

Against: Nil

Carried 7/0

Ordinary Meeting of Council held on Thursday, 20 February 2025.

COUNCIL DECISION

Resolution OCM March 25 – 9.1

Moved: Cr Hodgkiss

Seconded: Cr Foss

That the minutes of the Ordinary Council Meeting held on Thursday 20 February 2025 be received as true and correct record.

For: Cr AR Crooks, Cr KP Foss, Cr PK Hodgkiss, Cr R Rajagopalan, Cr S Strange, Cr J Verhoogt and Cr BJ Waight

Against: Nil

Carried 7/0

Local Emergency Management Committee Meeting held on Thursday, 6 February 2025.

COUNCIL DECISION

Resolution OCM March 25 – 9.1

Moved: Cr Crooks

Seconded: Cr Hodgkiss

That the minutes of the Local Emergency Management Committee Meeting held on Thursday 6 February 2025 be received.

For: Cr AR Crooks, Cr KP Foss, Cr PK Hodgkiss, Cr R Rajagopalan, Cr S Strange, Cr J Verhoogt and Cr BJ Waight

Against: Nil

Carried 7/0

Bush Fire Advisory Committee Meeting held on Wednesday, 5 March 2025.

COUNCIL DECISION

Resolution OCM March 25 – 9.1

Moved: Cr Hodgkiss

Seconded: Cr Strange

That the minutes of the Bush Fire Advisory Committee Meeting held on Thursday 5 March 2025 be received.

For: Cr AR Crooks, Cr KP Foss, Cr PK Hodgkiss, Cr R Rajagopalan, Cr S Strange, Cr J Verhoogt and Cr BJ Waight

Against: Nil

Carried 7/0

10. Matters for Decision

10.1 Manager of Works and Services

Nil

10.2 Manager of Finance

10.2.1 Schedule of Accounts Paid – February 2025

File Reference	0325.10.2.1
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interest that requires disclosure.
Applicant	Nil
Previous Item Numbers	Nil
Date	7 March 2025
Author	Mike Darby – Manager of Finance
Authorising Officer	Mark Furr – Chief Executive Officer
Attachments	1. Schedule of Accounts Paid – February 2025

Summary

Council is requested to note the payments made during February 2025, as presented in the Schedule of Accounts Paid.

Background

Pursuant to section 6.8 (2)(b) of the Local Government Act 1995 (WA), where expenditure has been incurred by a Local Government, it is to be reported to the next Ordinary Meeting of Council.

Consultation

Consultation has been undertaken with the Chief Executive Officer and the Finance Officer – Creditors.

Statutory Environment

The following statutes relate:

- Local Government Act 1995 (WA), section 6.8 (2)(b); and
- Local Government (Financial Management) Regulations 1996 (WA), regulation 13.

Policy Implications

The Council's Policy Manual contains no policies that relate, nor are there any proposed.

Financial Implications

All expenditure has been approved via adoption of the 2024/25 Annual Budget or resulting from a Council resolution.

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2022-2032	
Outcome:	4.0 Governance Priorities
Strategy:	4.1 Our organisation is well positioned and has capacity for the future.

Risk Implications

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Failure to present a detailed listing of payments in the prescribed form would result in non-compliance with regulation 13 of the Local Government (Financial Management) Regulations 1996, which may result in a qualified audit.	Rare (1)	Minor (2)	Low (1-4)	Compliance Requirements	Accept Officer Recommendation

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: work health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of **two (2)** has been determined for this item. Any items with a risk rating of ten (10) or greater (considered to be a high or extreme risk) will be added to the Risk Register, and any item with a risk rating of 16 or greater will require a specific risk treatment plan to be developed.

Comment/ Conclusion

The Schedule of Accounts Paid for February 2025 is presented to Council for notation. Below is a summary of activity:

<i>As at 28 February 2025</i>		
Payment Type	\$	%
Cheque	\$152.34	0.02
EFT (incl. Payroll)	\$620,116.98	95.02
Direct Debit	\$29,795.05	4.57
Credit Card	\$858.00	0.13
Fuel Card	\$1,727.41	0.26
Store Cards	N/A	N/A
Total Payments	668,964.54	100.00

Voting Requirements

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

Resolution OCM March 25 – 10.2.1

Moved: Cr Verhoogt

Seconded: Cr Strange

That, with respect to the Schedule of Accounts Paid for February 2025, Council note the Report as presented.

For: Cr AR Crooks, Cr KP Foss, Cr PK Hodgkiss, Cr R Rajagopalan, Cr S Strange, Cr J Verhoogt and Cr BJ Waight

Against: Nil

Carried 7/0

10.3 Regulatory Services

10.3.1 Development Application – Proposed Hockey Clubrooms Pavillion

File Reference	0325.10.3.1
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interest that requires disclosure.
Applicant	Office of Regional Architecture
Previous Item Numbers	Item 10.3.3, 23 June 2022, Resolution OCM June 22 – 10.3.3.1 and 10.3.3.2
Date	12 March 2025
Author	Steve Thompson – Consultant Planner
Authorising Officer	Mark Furr – Chief Executive Officer
Attachments <ol style="list-style-type: none"> 1. Development Submission for Hockey Clubrooms Pavilion Development; and 2. Supporting Information and Site Plan Details for Hockey Clubrooms Pavilion Development 	

Summary

That Council consider a Development Application for the proposed Hockey Clubrooms Pavilion at the Recreation Centre in Lot 521 Dunstall Street.

Background

At its Ordinary Council meeting on 23 June 2022, Council resolved as follows in Resolution OCM June 22 – 10.3.3.1:

“That Council:

- 1) *Approve the Development Application for the Hockey Clubrooms Pavilion to be located at the Recreation Centre grounds (Lot 521) on Dunstall Street, and the construction being a single-story pavilion building and the associated site works and landscaping, on an elevated and retained sand pad inclusive of tiered steps for seating to be constructed at the location adjacent to, and west side the existing hockey fields as detailed in Attachment B Plan Pg 1 to 6, although accepting there could be some minor and require alterations that should they not significantly alter the overall development application design and amenity, and that the following conditions are to be put in place being:*
 - a) *the final colour scheme for the building walls and roof, inclusive of awning on the building and the ancillary balustrades and other structures and features requiring a colour scheme is to be endorsed by Council before construction and/or painting is commenced,*
 - b) *the request for this development proposal to have a timeline of two years.”*

Council also resolved:

“Council resolves to waiver the \$2,072.65 Planning Development Application fee as an in-kind contribution.” (Resolution 10.3.3.2)

Since 23 June 2022, there has been no substantive commencement of the pavilion and, accordingly, the development approval has lapsed.

The Hockey Clubrooms Pavilion is proposed to be built adjacent to, and on the west side of, the hockey grounds located at the Recreation Centre on Lot 521 Dunstall Street (**Attachment 1**). Supporting information detailing the Development Application is provided in **Attachment 2**.

Consultation

Consultation has been undertaken with the following:

- Chief Executive Officer;
- Planning Consultant – Edge Planning;
- Office of Regional Architects; and
- Bruce Rock Hockey Club.

Statutory Environment

The following statutes relate:

- Planning and Development (Local Planning Schemes) Regulations 2015; and
- Shire of Bruce Rock Local Planning Scheme No. 3.

Policy Implications

Shire of Bruce Rock Local Planning Strategy.

Financial Implications

Based on the previous Council resolution (June 21-10.3.3.1 and 10.3.3.2), it is recommended that the Development Application fee be waived.

Strategic Implications

<i>Shire of Bruce Rock Strategic Community Plan 2022 – 2032</i>		
Outcome:	1.0	Community Priorities
Strategy:	1.1	Our community are engaged and have a healthy lifestyle.
Strategy:	1.2	Inclusive community activities, events, and initiatives

Risk Implications

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
The Shire has an obligation to enforce planning laws and may be scrutinised if unauthorised developments occur.	Rare (1)	Moderate (3)	Low (1-4)	Compliance Requirements	Accept Officer Recommendation

Risk Matrix

Consequence \ Likelihood		Consequence				
		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: work health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of **three (3)** has been determined for this item. Any items with a risk rating of ten (10) or greater (considered to be a high or extreme risk) will be added to the Risk Register, and any item with a risk rating of 16 or greater will require a specific risk treatment plan to be developed.

Comment/Conclusion

This Development Application, as presented, is required to be considered by Council pursuant to the Shire of Bruce Rock Local Planning Scheme No. 3 (Scheme) for development on a 'Parks & Recreation' Reserve (Recreation Grounds). The Development Application is consistent with the local planning framework, including the Scheme and Local Planning Strategy.

The Development Application proposes a single-story pavilion building of a skillion roof design of approximately 132m² area (internal floorspace) and clad with metal. The associated site works and landscaping are on an elevated sand pad. The building will include an east facing awning style projection. The development will be on a built-up and retained foundation inclusive of tiered steps for seating. The development use will be for public viewing and clubrooms. The proposed development is similar to the main buildings already on site, having a skillion style or very shallow pitched roofing slopes, which are predominantly metal clad.

Voting Requirements

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

Resolution OCM March 25 – 10.3.1

Moved: Cr Strange

Seconded: Cr Foss

That Council approve the Development Application for the Hockey Clubrooms Pavilion at the Recreation Centre grounds (Lot 521 on Deposited Plan 407467 in Dunstall Street) for a single-storey pavilion building and the associated site works, landscaping and tiered steps for seating, as detailed in Attachment 2, subject to the following conditions:

1. The final colour scheme for the building walls and roof, inclusive of awning on the building and the ancillary balustrades and other structures and features requiring a colour scheme, is to be endorsed by the Local Government before construction commences.
2. If the Hockey Clubrooms Pavilion is not substantially commenced within a period of three (3) years from the date of this approval being granted, the approval shall lapse and be of no further effect. Where an approval has lapsed, no development shall be carried out without the further approval being obtained from the Local Government.
3. The development is connected to a sewerage system, to the satisfaction of the Local Government, prior to occupation.
4. The development is provided with appropriate drainage, to the satisfaction of the Local Government, prior to occupation.

Advice Notes

- A. There is a requirement to comply with all relevant laws in the commencement and carrying out of the Hockey Clubrooms Pavilion.
- B. Part 14 of the Planning and Development Act 2005 (WA) provides the right to apply to the State Administrative Tribunal for review of this decision. The State Administrative Tribunal Rules 2004 require that any such applications for review be lodged with the Tribunal.

For: Cr AR Crooks, Cr KP Foss, Cr PK Hodgkiss, Cr R Rajagopalan, Cr S Strange, Cr J Verhoogt and Cr BJ Waight

Against: Nil

Carried 7/0

10.4 Manager of Governance and Community Services

10.4.1 2025 Delegations Register

File Reference	0325.10.4.1
Disclosure of Interest	The Authorising Officer has an impartiality interest as the Delegation Register confers powers onto the officer under written law.
Applicant	Nil
Previous Item Numbers	Item 10.4.4, 16 March 2023
Date	6 March 2025
Author	Nathan Waye – Governance and Grants Officer
Authorising Officer	Nerea Ugarte – Manager of Governance and Community Service
Attachments	<ol style="list-style-type: none"> 3. Memo – Summary of Recommended Changes to the Delegations Register 4. Shire of Bruce Rock Delegations Register 2025 (under separate cover)

Summary

The purpose of this report is to seek Council’s approval to amend the Shire of Bruce Rock’s (Shire) Delegations Register. The Delegations Register has been reviewed and subsequently updated in a manner that increases the delegated authority to the Chief Executive Officer (CEO) and the Manager of Governance and Community Services (Manager of Governance). These changes have been recommended to assist the Shire’s administration in meeting its obligations under the Local Government Act 1995 (WA) (Act).

Background

Section 5.46(2) of the Act requires that delegations made under the Act be reviewed at least once every financial year. The Shire last reviewed its Delegations Register at the Ordinary Meeting of Council (OCM) of 16 March 2023. At that meeting, Council resolved, pursuant to resolution number OCM Mar 23 – 10.4.4, as follows:

“That the Chief Executive Officer be provided with the specified delegations as per Attachment A, March 23 Delegation Register.”

Since the March 2023 OCM, the State Government has significantly reformed the Act, including redefining the roles of Council and the CEO, via the Local Government Amendment Bill 2024. These amendments have significantly changed the responsibilities of the CEO, and provided clearer distinctions between the responsibilities of the CEO and Council. The changes to the Act have been reflected in the Delegations Register, with the register being updated in a manner that delegates further responsibilities to both the CEO and the Manager of Governance.

Consultation

Consultation has been undertaken with the Shire’s CEO and Manager of Governance.

Furthermore, to assist in ensuring the updated Delegations Register reflects current best practice, the WALGA Template Delegations Register was used as a reference.

Statutory Environment

The following statutes relate:

- Local Government Act 1995 (WA);
- Local Government (Administration) Regulations (WA), regulation 19;
- Building Act 2011 (WA);
- Bush Fires Act 1954 (WA);
- Cat Act 2011 (WA);
- Dog Act 1976 (WA);
- Food Act 2008 (WA);
- Health (Miscellaneous Provisions) Act 1911 (WA);
- Public Health Act 2016 (WA);
- Local Government (Miscellaneous Provisions) Act 1960 (WA);
- Planning and Development Act 2005 (WA);
- Graffiti Vandalism Act 2016 (WA);
- Caravan Parks and Camping Grounds Act 1995 (WA);
- Control of Vehicles (Off-road Areas) Act 1978 (WA);
- Environmental Protection Act 1986 (WA);
- Strata Titles Act 1985 (WA);
- Main Roads Act 1930 (WA);
- Road Traffic (Vehicles) Act 2012 (WA);
- Interpretation Act 1984 (WA); and
- All Local Laws of the Shire.

Policy Implications

The proposed changes to the Delegations Register mean that the Council Policy Manual will require updating to ensure that all governance documents remain aligned. This process is currently underway.

Financial Implications

There are no known meaningful financial implications relative to this matter in excess of Officer time and minor administrative cost.

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2022-2032	
Outcome:	4.0 Governance Priorities
Strategy:	4.3 A proactive and well governed Shire.

Risk Implications

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Failure to adopt a Delegations Register in the 2024/25 financial year would result in Council breaching section 5.46 of the Act.	Rare (1)	Moderate (3)	Low (1-4)	Compliance Requirements	Accept Officer Recommendation
Failure to adopt the Delegations Register with the proposed amendments would result in Council potentially being in breach of Section 2.7(3) of the Act.	Unlikely (2)	Moderate (3)	Medium (5-9)	Compliance Requirements	Accept Officer Recommendation

Risk Matrix

Consequence \ Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: work health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and risk ratings of **three (3) and six (6)** have been determined for this item. Any items with a risk rating of ten (10) or greater (considered to be a high or extreme risk) will be added to the Risk Register, and any item with a risk rating of 16 or greater will require a specific risk treatment plan to be developed.

Comment/Conclusion

The proposed changes delegate greater authority to both the CEO and the Manager of Governance. These changes give the administration greater flexibility to deal with operational issues, and better align with the legislative changes enacted in the Local Government Amendment Bill 2024 as well as WALGA’s best practice standards. Each change has been carefully considered and, for each proposed change, a clear rationale has been given. **Attachment 1** contains a summary of each proposed change and the corresponding rationale.

At a minimum, Council must adopt a Delegations Register for the 2024/25 financial year to meet its statutory obligation in accordance with section 5.46 (2) of the Act. Council has the option to re-adopt the current Delegations Register without any of the proposed amendments. However, if Council fails to adopt the proposed Delegations Register with the proposed amendments, there is a risk that Council may be in breach of section 2.7 (3) of the Act, and fail to meet its strategic goal of having a proactive and well

governed Shire. Therefore, it is recommended that Council adopt the proposed Shire of Bruce Rock Delegations Register 2025 (**Attachment 2**).

Voting Requirements

Absolute Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

Resolution OCM March 25 – 10.4.1

Moved: Cr Waight

Seconded: Cr Hodgkiss

That, with respect to the 2025 Delegations Register, Council delegates its powers and duties as per Attachment 2, Shire of Bruce Rock Delegations Register 2025.

For: Cr AR Crooks, Cr KP Foss, Cr PK Hodgkiss, Cr R Rajagopalan, Cr S Strange, Cr J Verhoogt and Cr BJ Waight

Against: Nil

Carried 7/0

10.4.2 Record Keeping Plan 2024

File Reference	0325.10.4.2
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interest that requires disclosure.
Applicant	Nil
Previous Item Numbers	Nil
Date	6 March 2025
Author	Nathan Waye – Governance and Grants Officer
Authorising Officer	Nerea Ugarte – Manager of Governance and Community Service
Attachments	1. Shire of Bruce Rock Record Keeping Plan 2024

Summary

The purpose of this report is to seek Council’s endorsement of the Shire of Bruce Rock’s (Shire) Record Keeping Plan 2024 (**Attachment 1**).

Background

Section 28(5) of the State Records Act 2000 (WA) requires government organisations to review their Record Keeping Plans every five years. The Shire last reviewed its Record Keeping Plan in 2019 and, as such, is required to submit an updated plan to the State Records Office.

While maintaining records in accordance with the law is a responsibility of the Chief Executive Officer, Council approval is being sought as Councillors are required to comply with the Record Keeping Plan.

Consultation

Consultation has been undertaken with the State Records Office, as well as the Shire’s:

- Chief Executive Officer;
- Manager of Governance and Community Services;
- Finance and HR Officer; and
- Customer Service Officer.

The proposed Record Keeping Plan has been drafted in consultation with, and reviewed by, the State Records Office, which has advised that the plan will be presented to the State Records Commission for approval at their next meeting.

Statutory Environment

The following statutes apply:

- State Records Act 2000 (WA) – sections 17 and 28; and
- Local Government Act 1995 (WA) – section 5.41(e).

Policy Implications

The Record Keeping Plan contains draft policies that are yet to be endorsed by Council. The State Records Office has been made aware of this, and has accepted these draft policies on the condition that, should there be any substantive changes when considered by Council, the State Records Office must be notified.

The inclusion of draft policies occurred as administration staff are still in the process of reviewing the Council Policy Manual. These draft policies will be submitted to Council for review and approval at the conclusion of the review process. If there are any substantive changes to records related policies, the State Records Office will be notified.

Financial Implications

There are no known meaningful financial implications relative to this matter in excess of Officer time and minor administrative cost.

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2022-2032	
Outcome:	4.0 Governance Priorities
Strategy:	4.3 A proactive and well governed Shire.

Risk Implications

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Council fails to endorse the updated Record Keeping Plan and subsequently breaches section 28(5) of the State Records Act 2000 (WA).	Unlikely (2)	Moderate (3)	Medium (5-9)	Compliance Requirements	Accept Officer Recommendation

Risk Matrix

Consequence \ Likelihood		Consequence				
		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: work health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of **six (6)** has been determined for this item. Any items with a risk rating of ten (10) or greater (considered to be a high or extreme risk) will be added to the Risk Register, and any item with a risk rating of 16 or greater will require a specific risk treatment plan to be developed.

Comment/Conclusion

The Shire’s Record Keeping Plan 2024 has been drafted in consultation with the State Records Office and in accordance with the State Records Act 2000 (WA). The objectives of the Record Keeping Plan are to ensure:

- Compliance with section 28 of the State Records Act 2000 (WA);
- Processes are in place to facilitate the complete and accurate record of business transactions and decisions;

-
- Recorded information can be retrieved quickly, accurately, and inexpensively when required; and
 - The protection and preservation of the Shire's records.

While section 5.41(e) of the Local Government Act 1995 (WA) stipulates that keeping records in accordance with all written laws is the responsibility of the Chief Executive Officer, the Record Keeping Plan contains provisions requiring Councillors to comply with the plan. Due to these requirements, Council must also adopt the Record Keeping Plan. On this basis, it is recommended that Council adopt the Shire's Record Keeping Plan 2024 in order to meet the above objectives, and to assist the Chief Executive Officer in meeting his statutory obligations.

Voting Requirements

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

Resolution OCM March 25 – 10.4.4

Moved: Cr Waight

Seconded: Cr Verhoogt

That Council adopts the Shire of Bruce Rock Record Keeping Plan 2024 as per Attachment 1.

For: Cr AR Crooks, Cr KP Foss, Cr PK Hodgkiss, Cr R Rajagopalan, Cr S Strange, Cr J Verhoogt and Cr BJ Waight

Against: Nil

Carried 7/0

10.5 Chief Executive Officer

10.5.1 Senior Employee Recruitment – Manager of Finance

File Reference	0325.10.5.1
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interest that requires disclosure.
Applicant	Nil
Previous Item Numbers	Nil
Date	10 March 2025
Author	Mark Furr – Chief Executive Officer
Authorising Officer	Mark Furr – Chief Executive Officer
Attachments	<ol style="list-style-type: none"> Confidential Attachment Proposed Contract, Cover Letter, Selection Criteria and Resume of Preferred Applicant (Provided under separate cover)

Summary

This item is a retrospective submission to Council to meet compliance requirements in accordance with section 5.37 of the Local Government Act 1995 (WA).

The Chief Executive Officer proposes to offer a five (5) year contract to the preferred applicant for the position of Manager of Finance (formerly Manager of Corporate Services), with the individual commencing this employment on 8 November 2024.

Copies of the applicant's resume and cover letter have been provided under separate cover, together with the proposed employment contract.

Background

In preparing the 2024 Compliance Audit Return, it was identified that the process associated with the recruitment of the Manager for Finance was not completed correctly, as the recruitment was not brought to Council for endorsement.

The employment of the Manager of Corporate Services ceased in September 2024, after being with the Shire for just under two (2) years. A State-wide recruitment process was undertaken with eight (8) applications received, shortlisted to three (3). These applicants were interviewed by the Interim Chief Executive Officer, Manager of Governance and Community Services and Manager of Executive Services.

Consultation

The Interim Chief Executive Officer discussed the proposal with the Shire President and the selection panel, comprising of the Manager of Governance and Community Services and the Manager of Executive Services.

Statutory Environment

Section 5.37 of the Local Government Act 1995 (WA) states:

“Senior employees

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

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

Further, section 5.40. Principles affecting employment by local governments states:

“The following principles apply to a local government in respect of its employees —

(a) employees are to be selected and promoted in accordance with the principles of merit and equity; and

(b) no power with regard to matters affecting employees is to be exercised on the basis of nepotism or patronage; and

(c) employees are to be treated fairly and consistently; and

(d) there is to be no unlawful discrimination against employees or persons seeking employment by a local government on a ground referred to in the Equal Opportunity Act 1984 or on any other ground; and

(e) employees are to be provided with safe and healthy working conditions in accordance with the Occupational Safety and Health Act 1984; and

(f) such other principles, not inconsistent with this Division, as may be prescribed.”

Policy Implications

Council Policy 7.10 Recruitment and Selection relates, and this report is in accordance with that Policy.

Financial Implications

The recruitment is replicating existing staffing level and is in accordance with current Budget provisions

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2022-2032	
Outcome:	4.0 Governance Priorities
Strategy:	4.1 Our organisation is well positioned and has capacity for the future.

Risk Implications

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Without the right executive structure, a Chief Executive Officer risks strategic misalignment, poor decision-making, overburdened leadership, decreased morale, inefficient resource allocation, compliance failures, hindered growth, and succession challenges,	Unlikely (2)	Minor (2)	Low (1-4)	Compliance Requirements	Accept Officer Recommendation

all of which can compromise the organisation's success and sustainability.					
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Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: work health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of **four (4)** has been determined for this item. Any items with a risk rating of ten (10) or greater (considered to be a high or extreme risk) will be added to the Risk Register, and any item with a risk rating of 16 or greater will require a specific risk treatment plan to be developed.

Comment/Conclusion

Council is requested to endorse the Chief Executive Officer’s recommendation.

Voting Requirements

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

Resolution OCM March 25 – 10.5.1

Moved: Cr Foss
Seconded: Cr Verhoogt

That, pursuant to section 5.37 of the Local Government Act 1995 (WA), the Council endorse the Chief Executive Officer’s recommendation to make an offer to the preferred candidate for the position of Manager of Finance.

For: Cr AR Crooks, Cr KP Foss, Cr PK Hodgkiss, Cr R Rajagopalan, Cr S Strange, Cr J Verhoogt and Cr BJ Waight
Against: Nil
Carried 7/0

10.5.2 Transfer of Crown Reserve 35044

File Reference	0325.10.5.2
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interest that requires disclosure.
Applicant	Nil
Previous Item Numbers	Nil
Date	10 March 2025
Author	Mark Furr – Chief Executive Officer
Authorising Officer	Mark Furr – Chief Executive Officer
Attachments	<ol style="list-style-type: none"> 1. Letter to the Shire of Bruce Rock 2. Reserve 35044 Land Enquiry.

Summary

Council is requested to consider a proposal from the Water Corporation to transfer Crown Reserve 35044, Lot 28527 on Deposited Plan 182178, Shackleton-Bilbarin Road, Shackleton, WA to the Shire of Bruce Rock (Shire).

Background

On the 3 April 2024, the Acting Manager of Works received correspondence relating to Reserve 35044 from the Water Corporation, who has a management order for this Reserve. A summary of the correspondence is as follows:

“Whilst the Shackleton Tank was historically used for storage of drinking water for approximately 48 years, the tank has been confirmed redundant and the asset disconnected, cut and capped with the main pipe now ending outside of the compound fencing. Post the Water Corporation's standard due diligence investigations, the land comprising this Reserve has been identified as surplus to the Water Corporation's requirements and potentially available for revesting/ transfer to Shire of Bruce Rock ("Shire"). Potentially, as Shackleton is some 50km from West Kellerberrin, the tank may be purposed to provide reserve storage capacity/ fire backup for the town.

Accordingly, the Water Corporation seeks the Shire's comments as to whether it may be willing to accept the Management Order for Reserve 35044 conditional upon –

- *Any transfer of the Reserve is subject to the approval of the Department of Planning, Lands and Heritage (DPLH);*
- *The Reserve and all associated infrastructure is relinquished on an "as-is" basis at the time of transfer with no remediation works implied or offered;*
- *The Water Corporation makes no representations, implied or other, in relation to the condition, capability or suitability of the Reserve and associated infrastructure for any intended use;*
- *DPLH and the Shire agree to cover all costs associated with the proposed relinquishment and subsequent transfer of the subject land.*

Should the Shire wish to progress the proposal outlined, the Water Corporation requires the following in order to proceed -

- A Council Resolution confirming the Shire is willing to accept the transfer of the management order for Reserve 35044 under the conditions outlined above and;
- A covering letter from the Shire to Water Corporation detailing the resolution (and any additional requirements the Shire may have).

Upon receipt of the above, the Water Corporation will formally write to DPLH requesting the transfer of the Management Order to the Shire”.

Consultation

Consultation has been undertaken with the following:

- Mr Paul Warren – Senior Advisor, Water Corporation, Property Portfolio; Procurement and Property Business Unit;
- Mr Mark Furr – Chief Executive Officer;
- Mr Greg Stephens – Manager Works and Services;
- Mr Brock Williams – Works Supervisor;
- Mr Darren Mollenoyux – former Chief Executive Officer;
- Mr David Holland – former Manager of Works and Services; and
- Mrs Manisha Barthakur – former Manager of Finance.

Statutory Environment

The Land Administrations Act 1997 (WA) relates.

Policy Implications

The Council’s Policy Manual contains no policies that relate, nor are there any proposed.

Financial Implications

There will be no costs in receiving the land transfer from the Water Corporation. However there may be minor costs associated with conveyancing and settlement. These are currently unknown at this stage.

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2022-2032	
Outcome:	4.0 Governance Priorities
Strategy:	4.1 Our organisation is well positioned and has capacity for the future.

Risk Implications

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
If Council does not accept the transfer of Reserve 35044 or seek an interim access license, it would risk not being compliant with land use requirements and access restrictions to the land.	Unlikely (2)	Minor (2)	Low (1-4)	Asset Sustainability	Accept Officer Recommendation

Risk Matrix

Consequence Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: work health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of **four (4)** has been determined for this item. Any items with a risk rating of ten (10) or greater (considered to be a high or extreme risk) will be added to the Risk Register, and any item with a risk rating of 16 or greater will require a specific risk treatment plan to be developed.

Comment/Conclusion

This water tank has never been used by the Shire, and any other usage is unknown to the Shire. However, this asset could serve important purposes, such as aiding in roadworks or firefighting efforts. Repurposing existing infrastructure like this can be a cost-effective and practical solution, especially if it helps meet critical needs in the community.

Voting Requirements

Simple Majority

COUNCIL DECISION AND OFFICER RECOMMENDATION

Resolution OCM March 25 – 10.5.2

Moved: Cr Crooks

Seconded: Cr Strange

That, with respect to the offer by the Water Corporation to accept the Management Order for Reserve 35044, Council:

- 1. Accepts the offer to transfer the Management Order for Crown Reserve 35044, Shackleton-Bilbarin Road, Shackleton, WA, from the Water Corporation to the Shire of Bruce Rock, on the provision that there is no charge to Council for the acceptance of the land; and**
- 2. Instructs the Chief Executive Officer to write to the Water Corporation detailing the Council Resolution to accept the transfer of Management Order for Crown Reserve 35044.**

For: Cr AR Crooks, Cr KP Foss, Cr PK Hodgkiss, Cr R Rajagopalan, Cr S Strange, Cr J Verhoogt and Cr BJ Waight

Against: Nil

Carried 7/0

10.5.3 Annual Compliance Audit Return - 2024

File Reference	0325.10.5.3
Disclosure of Interest	Neither the Author nor Authorising Officer have any Impartiality, Financial or Proximity Interest that requires disclosure.
Applicant	Nil
Previous Item Numbers	Nil
Date	10 March 2025
Author	Mark Furr – Chief Executive Officer
Authorising Officer	Mark Furr – Chief Executive Officer
Attachments 1. Compliance Audit Return 2024	

Summary

The completed annual Compliance Audit Return for calendar year 2024 is presented to Council for consideration.

Background

It is a requirement of all Local Governments to complete the annual Compliance Audit Return as part of their regulatory obligations to the Department of Local Government, Sport and Cultural Industries (Department).

Consultation

Consultation has been undertaken with the:

- Chief Executive Officer;
- Manager of Governance and Community Services;
- Manager of Finance;
- Manager of Strategic Business Development;
- Manager of Works and Services; and
- Governance and Grants Officer

The Audit and Risk Committee will be considering the return at its meeting scheduled on 20 March 2025 immediately prior to the Ordinary Council Meeting, on that same day.

Statutory Environment

The following statutory provisions apply:

- Local Government (Audit) Regulations 1996 (WA), regulation 14 – Compliance audit return to be reviewed by Audit Committee and report made to Council; and
- Local Government (Audit) Regulations 1996 (WA), regulation 15 – Once considered by Council, the return is to be signed by the President and the Chief Executive Officer, and lodged with the Department by 31 March.

Policy Implications

The Council’s Policy Manual contains no policies that relate, nor are there any proposed.

Financial Implications

There are no known relevant financial implications.

Strategic Implications

Shire of Bruce Rock Strategic Community Plan 2022-2032	
Outcome:	4.0 Governance Priorities
Strategy:	4.1 Our organisation is well positioned and has capacity for the future.

Risk Implications

Risk	Risk Likelihood	Risk Impact / Consequence	Risk Rating	Principal Risk Theme	Risk Action Plan (Controls or Treatment proposed)
Failure to present the Compliance Audit Return would result in the non-compliance with regulation 14 of the Local Government (Audit) Regulations 1996 (WA), which may result in a qualified audit.	Rare (1)	Minor (2)	Low (1-4)	Compliance Requirements	Accept Officer Recommendation

Risk Matrix

Consequence \ Likelihood		Insignificant	Minor	Moderate	Major	Catastrophic
		1	2	3	4	5
Almost Certain	5	Medium (5)	High (10)	High (15)	Extreme (20)	Extreme (25)
Likely	4	Low (4)	Medium (8)	High (12)	High (16)	Extreme (20)
Possible	3	Low (3)	Medium (6)	Medium (9)	High (12)	High (15)
Unlikely	2	Low (2)	Low (4)	Medium (6)	Medium (8)	High (10)
Rare	1	Low (1)	Low (2)	Low (3)	Low (4)	Medium (5)

A risk is often specified in terms of an event or circumstance and the consequences that may flow from it. An effect may be positive, negative or a deviation from the expected and may be related to the following objectives: work health and safety, financial, service interruption, compliance, reputation and environment. A risk matrix has been prepared and a risk rating of **two (2)** has been determined for this item. Any items with a risk rating of ten (10) or greater (considered to be a high or extreme risk) will be added to the Risk Register, and any item with a risk rating of 16 or greater will require a specific risk treatment plan to be developed.

Comment/Conclusion

The Compliance Audit Return for the 2024 calendar year has been completed and is submitted for review. Any items of non-compliance identified have been reported accordingly in accordance with legislation.

As per the Local Government (Audit) Regulations 1996 (WA), this item will be presented to the Audit and Risk Committee, scheduled for the 20 March 2025.

Voting Requirements

Simple Majority

AUDIT AND RISK COMMITTEE RECOMMENDATION AND COUNCIL DECISION

Resolution OCM March 25 – 10.5.3

Moved: Cr Waight

Seconded: Cr Crooks

Subject to the outcome of the Audit and Risk Committee's consideration of the Compliance Audit Return for 2024, that Council accepts the Committee's recommendation.

For: Cr AR Crooks, Cr KP Foss, Cr PK Hodgkiss, Cr R Rajagopalan, Cr S Strange, Cr J Verhoogt and Cr BJ Waight

Against: Nil

Carried 7/0

11. New Business of an Urgent Nature Introduced by Discussion of the Meeting

12. Confidential Items

13. Closure of the Meeting

The Shire President Ram Rajagopalan thanked everyone for their attendance and declared the meeting closed at 3.34pm.

These minutes were confirmed at a meeting on 16 April 2025.

Cr R Rajagopalan
Shire President