



SHIRE OF  
**MERREDIN**  
INNOVATING THE WHEATBELT

# MINUTES

## Ordinary Council Meeting

Held in Council Chambers  
Corner King & Barrack Street's, Merredin  
Tuesday 20 June 2017



### Common Acronyms Used in this Document

WEROC	Wheatbelt East Regional Organisation of Councils
GECZ	Great Eastern Country Zone
WALGA	Western Australian Local Government Association
CEACA	Central East Aged Care Alliance
CEO	Chief Executive Officer
DCEO	Deputy CEO
EMDS	Executive Manager of Development Services
EMES	Executive Manager of Engineering Services
EMCS	Executive Manager of Corporate Services
EA	Executive Assistant to CEO
LPS	Local Planning Scheme
LGIS	Local Government Insurance Services
SRP	Strategic Resource Plan
CBP	Corporate Business Plan
CSP	Community Strategic Plan
MRCLC	Merredin Regional Community and Leisure Centre
CWVC	Central Wheatbelt Visitors Centre
MoU	Memorandum of Understanding

# Table of Contents



<b>1.</b>	<b>Official Opening</b>
<b>2.</b>	<b>Record of Attendance / Apologies and Leave of Absence</b>
<b>3.</b>	<b>Public Question Time</b>
<b>4.</b>	<b>Disclosure of Interest</b>
<b>5.</b>	<b>Applications for Leave of Absence</b>
<b>6.</b>	<b>Petitions and Presentations</b>
<b>7.</b>	<b>Confirmation of Minutes of the Previous Meeting</b>
7.1	<a href="#"><u>Ordinary Council Meeting held on 16 May 2017</u></a>
<b>8.</b>	<b>Announcements by the Person Presiding without discussion</b>
<b>9.</b>	<b>Matters for which the Meeting may be closed to the public</b>
19.1	<a href="#"><u>Staff – Engineering Services Outside Workforce – Enterprise Bargaining Agreement</u></a>
<b>10.</b>	<b>Receipt of Minutes of Committee Meetings</b>
10.1	<a href="#"><u>WEROC Executive Meeting held on 24 May 2017</u></a>
<b>11.</b>	<b>Recommendations from Committee Meetings for Council consideration</b>
<b>12.</b>	<b>Officer’s Reports – Development Services</b>
12.1	<a href="#"><u>Consultation - Waroona Special Inquiry Recommendation 9 - Voluntary Registration of Farmer Firefighting Units</u></a>
<b>13.</b>	<b>Officer’s Reports – Engineering Services</b>
	Nil
<b>14.</b>	<b>Officer’s Reports – Corporate and Community Services</b>
14.1	<a href="#"><u>List of Accounts Paid</u></a>
14.2	<a href="#"><u>Statement of Financial Activity</u></a>
14.3	<a href="#"><u>Lot 6 Todd Street, Merredin – Rates Write Off</u></a>
14.4	<a href="#"><u>2017/18 Schedule of Fees and Charges - Adoption</u></a>

<b>15.</b>	<b>Officer's Reports – Administration</b>
15.1	<a href="#"><u>Policy Manual Review – Policy 3.12 – Purchasing Policy</u></a>
15.2	<a href="#"><u>CEACA Inc – Payment of Building Application Fees</u></a>
15.3	<a href="#"><u>Change of Council Meeting Date – October 2017</u></a>
<b>16.</b>	<b>Motions of which Previous Notice has been given</b>
<b>17.</b>	<b>Questions by Members of which Due Notice has been given</b>
<b>18.</b>	<b>Urgent Business Approved by the Person Presiding or by Decision</b>
18.1	<a href="#"><u>Councillor Representation to the Merrittville Retirement Village Committee</u></a>
<b>19.</b>	<b>Matters Behind Closed Doors</b>
19.1	<a href="#"><u>Staff – Engineering Services Outside Workforce – Enterprise Bargaining Agreement</u></a>
<b>20.</b>	<b>Closure</b>

Shire of Merredin  
Ordinary Council Meeting  
Tuesday 20 June 2017



**1. Official Opening**

The President welcomed those in attendance and declared the meeting open at 3.07pm.

**2. Record of Attendance / Apologies and Leave of Absence**

**Councillors:**

Cr KA Hooper	President
Cr RM Crees	Deputy President
Cr BJ Anderson	
Cr LN Boehme	
Cr CA Blakers	(from 3.09pm)
Cr JP Flockart	
Cr MD Willis	
Cr ML Young	

**Staff:**

G Powell	CEO
R McCall	Deputy CEO
P Zenni	EMDS (until 3.36pm)
V Green	EA to CEO

**Members of the Public:** T Garlett, J Hayden (until 3.14pm)

**Apologies:** Cr MA Crisafio

**Approved Leave of Absence:** Nil

**3. Public Question Time**

Tanya Garlett and Jeanette Hayden addressed Council in relation to a proposal for Council to conduct joint NAIDOC Week celebrations next year with Merredin College.

Councillor Blakers entered the meeting at 3.09pm.

The proposed activities will be conducted at the College and are likely to include a BBQ in the morning, games and sports on the oval, art and mural projects with involvement by Merredin Police and St Mary's Primary School. It is hoped that the whole community can be involved with plenty of time to plan and organise the necessary arrangements.

The President advised that an amount of funding had been set aside in the draft 2017/18 Budget for NAIDOC week activities and that Council would be happy to collaborate with Aboriginal representatives and Merredin College in coordinating the event.

A meeting of the organising committee is due to be held on 25 July 2017 and either the DCEO or Community Liaison Officer was invited to attend.

T Garlett and J Hayden left the meeting at 3.14pm and did not return.

R McCall, DCEO, left the meeting at 3.14pm and re-entered the meeting at 3.17pm.

#### 4. Disclosure of Interest

Councillor Flockart declared a Impartiality Interest in Item 12.1

#### 5. Applications for Leave of Absence

Councillors Hooper and Blakers requested Leave of Absence for July meetings.

#### Voting Requirements

Simple Majority

Absolute Majority

#### Officer's Recommendation / Resolution

**Moved:** Cr Young

**Seconded:** Cr Flockart

**81979** That Councillors Hooper and Blakers be granted Leave of Absence for July meetings.

**CARRIED 8/o**

#### 6. Petitions and Presentations

Nil

#### 7. Confirmation of Minutes of the Previous Meeting

7.1 Ordinary Council Meeting held on 16 May 2017

[Attachment 7.1A](#)

#### Voting Requirements

Simple Majority

Absolute Majority

#### Officer's Recommendation / Resolution

**Moved:** Cr Young

**Seconded:** Cr Blakers

**81980** That the Minutes of the Ordinary Council Meeting held on 16 May 2017 be confirmed as a true and accurate record of proceedings, subject to a correction to the Financial Interest declaration by Councillor Young being for Item 14.6, rather than Item 12.6 as listed.

**CARRIED 8/o**

## 8. Announcements by the Person Presiding without discussion

The President advised that WEROC Council and WALGA GECZ meetings were being conducted in Merredin on Wednesday and Thursday next week respectively, and encouraged other Councillors to attend as Observers if possible.

The President also advised he will be away in July.

## 9. Matters for which the Meeting may be closed to the public

### 19.1 Staff – Engineering Services Outside Workforce – Enterprise Bargaining Agreement

Refer to [Page 37](#) for the resolution of this Item.

## 10. Receipt of Minutes of Committee Meetings

10.1 WEROC Executive Meeting held on 24 May 2017

[Attachment 10.1A](#)

### Voting Requirements

Simple Majority

Absolute Majority

## Officer's Recommendation / Resolution

**Moved:** Cr Blakers

**Seconded:** Cr Crees

**81981** That the Minutes of the WEROC Executive Meeting held on 24 May 2017 be received.

**CARRIED 8/o**

## 11. Recommendations from Committee Meetings for Council consideration

Nil

## 12. Officer's Reports - Development Services

Councillor Flockart declared an Impartiality Interest in this Item 12.1.

### 12.1 Consultation - Waroona Special Inquiry Recommendation 9 - Voluntary Registration of Farmer Firefighting Units

<h2>Development Services</h2>		 SHIRE OF <b>MERREDIN</b> INNOVATING THE WHEATBELT
<b>Responsible Officer:</b>	Peter Zenni, EMDS	
<b>Author:</b>	As above	
<b>Legislation:</b>	<i>Bush Fires Act 1954; Emergency Management Act 2005</i>	
<b>File Reference:</b>	ES/19/3	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	<a href="#"><b>Attachment 12.1A</b></a> - Correspondence and Discussion Paper	
<b>Maps / Diagrams:</b>	Nil	

#### Purpose of Report



Executive Decision



Legislative Requirement

#### Background

The Shire of Merredin has received correspondence from the Office of Emergency Management (OEM) stating that it has been tasked with progressing a number of recommendations from the Waroona Fire Enquiry undertaken by Euan Ferguson AFSM.

Recommendation 9 of the report is as follows:

*“The State Emergency Management Committee, in consultation with Western Australian Farmers Federation (WAFF), the Association of Bush Fire Brigades (ABFB), the Contractors Association of WA, and the Forrest Industries Federation of WA (FIFWA), to establish systems for the voluntary registration of:*

- *Farmer firefighting units;*
- *Contractor firefighting units;*
- *Forestry industry brigades*

*The purpose of the arrangement is to facilitate the safe, efficient and effective recognition, organisation, deployment, management and coordination of farmer, contractor and forestry firefighting resources.*

*The systems would include a process of enabling access through traffic management points during bushfires. Progress towards establishing these systems are to be reported by State Emergency management Committee in its annual preparedness report.”*

In response the OEM has developed a discussion paper for broader consultation with relevant stakeholders.

Feedback on the discussion paper is sought by 24 July 2017.

### Comment

The discussion paper states that there are three options for consideration by WA stakeholders, these being:

Option 1 – Increasing the understanding of existing processes.

Option 2 – Improving current processes and practices.

Option 3 – Pre-registration of farmer firefighting equipment.

#### **Option 1 – Increasing the understanding of existing processes.**

This option involves the retention of existing processes for the use of farmers, contractors, forestry workers including tenders and agency operational arrangements. However, agency understanding of the current process of engaging non-contract resources in an emergency response would be required. The implementation of this option would include the development of education strategies, programs and activities to promote community learning and understanding of existing processes and procedures. This will ensure the development of the capacity of individuals, groups and incident management teams to improve the understanding of resources currently vested in the community.

#### **Option 2 – Improving current processes and practices.**

This option involves local governments undertaking a more detailed recording of resources within their Local Emergency Management Arrangements, which would be informed by way of a standing agenda item at the Local Emergency Management Committee meetings. Information would include the location of firefighting equipment, operators and the number of vehicles registered via the 'vehicle sticker' system. Subsequently, the local resource register could be linked to the broader resource management database being developed under Ferguson Recommendation 10.

#### **Option 3 – Pre-registration of farmer firefighting equipment.**

This option proposes the development of a process and guideline similar to the South Australia and Victorian models, where farmers voluntarily pre-register their firefighting equipment with the local bush fire brigade for use during large scale fires.

This is undertaken using a method whereby farmers and their equipment meet a number of conditions/criteria including the need to undertake basic training. These units are then provided registration stickers which is placed on the vehicle indicating that they have met all requirements.

That way, when these registered resources are required during an incident, they attend the control point and log on. The units will then be integrated into the response arrangements through the provision of a briefing to ensure they understand the safety requirements, and then tasked and possibly linked up with fire crews (via strike team, supporting a crew and or shadowing).

It should be noted that the coordination of such a program would require the identification of a host agency, and implementation and maintenance of such a model would require resources and an education program. The education program would support staff, volunteers and community participants by providing them with the latest information on techniques, processes and procedures providing them with the tools and strategies to combat fires within the community and to promote best possible practice and safe working standards. This proposed model should reduce liability and ensure quality as a foundation to improve and strengthen practice and collaboration in the response to fires. The model is also designed to be transferable, and support the new structures and legislative change that are anticipated in the near future.

The Shire of Merredin has been actively engaging the bushfire brigade (BFB) volunteers to register their vehicles and trailers for the Department of Fire and Emergency Services (DFES) vehicle permits. This has been discussed at the Fire Control Officer's (FCO) meeting, the AGM and at station level by Ranking Officers, however to date the take-up of this program has been poor. The Shire of Merredin has just under 200 volunteer members on its list but since 27 September 2016 the Shire issued only 10 permits for BFB volunteer vehicles with a further 5 permits still awaiting collection from the Shire.

The Shire of Merredin has previously highlighted the need for the provision of basic training for its volunteer BFBs, this has been reinforced at the Bush Fire Control Officers AGM held in March where a number of senior FCO's expressed the need for additional training for their brigade volunteers.

DFES is in the process of organising training for local volunteer bush firefighters. This training is to be held later in the year. In the absence of formal training it is unlikely that brigade members will understand the need for certain procedures to be in place and commit themselves to implementing and adhering to these procedures.

The discussion paper has been circulated to the Shire's Chief Bushfire Control Officer (CBFCO) and Deputy Chief Bushfire Control Officer (DCBFCO) as well as the farming Councillors for comment. The EMDS met with the CBFCO and DCBFCO and discussed the implications associated with the implementation of the various options forming part of the discussion paper. The CBFCO and DCBFCO have indicated that the ongoing improvement of volunteer firefighter skills and knowledge through the provision of training is encouraged.

They have also indicated that the successful implementation of Option 3 is unrealistic given the inertia experienced within any voluntary organisation and is likely to result in a reduction in numbers of rural volunteer firefighters attending fire related emergencies.

Option 1 has the least impact on existing volunteer bushfire fighting arrangements currently in place within the Shire of Merredin, with options 2 and 3 bringing more rigorous requirements into place.

Option 3 meets the needs of Recommendation 9 of the Ferguson Enquiry and is supported by the current stakeholders (Farmer's Federation, Forestry Industries, Bushfire Brigade Association) however its implementation is unrealistic within the context of current volunteer firefighting arrangements.

### Policy Implications

The Shire of Merredin has previously highlighted the need for the provision of basic training for its volunteer bush firefighters. This goes hand in hand with Option 1 which calls for the development of education strategies programs and activates to promote community learning and understanding of existing processes and procedures.

### Statutory Implications

Compliance with the *Bush Fires Act 1954* and the *Emergency Management Act 2005*.

### Strategic Implications

#### ➤ Strategic Community Plan

Vision Element: Nil  
Strategic Goal: Nil  
Key Priority: Nil

#### ➤ Corporate Business Plan

Strategy: Nil  
Action #: Nil  
Action: Nil  
Directorate: Nil  
Timeline: Nil

### Sustainability Implications

#### ➤ Strategic Resource Plan

Nil

#### ➤ Workforce Plan

Directorate: Nil  
Activity: Nil  
Current Staff: Nil

Focus Area: Nil  
Strategy Code: Nil  
Strategy: Nil  
Implications: Nil

### Risk Implications

The successful implementation of Option 3 is unrealistic given the inertia experienced within any voluntary organisation and is likely to result in a reduction in numbers of rural volunteer fire fighters attending fire related emergencies.

### Financial Implications

Option 1 has minimal impact on Shire of Merredin resources, Option 2 has higher resource implications and Option 3 may have a significant impact on staff resources with respect to the promotion, implementation and ongoing management of the requirements forming part of this option.

### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Young

**Seconded:** Cr Willis

**81982** That the Shire of Merredin respond to the Office of Emergency Management and advise it that:

1. whilst the implementation of option 3 would be the preferred option, the Shire of Merredin believes that the successful implementation of option 3 is unrealistic within the context of current volunteer firefighting arrangements;
2. the Shire of Merredin supports the implementation of option 1 identified in the discussion paper; and
3. the Shire of Merredin supports the ongoing rollout of the current Department of Fire and Emergency Services vehicle permit program which allows unobstructed access to the fire ground.

**CARRIED 8/o**

P Zenni, EMDS, left the meeting at 3.36pm and did not return.

**13. Officer's Reports - Engineering Services**

Nil items to report

## 14. Officer's Reports – Corporate and Community Services

### 14.1 List of Accounts Paid

<h2>Corporate Services</h2>		 SHIRE OF <b>MERREDIN</b> INNOVATING THE WHEATBELT
<b>Responsible Officer:</b>	Charlie Brown, EMCS	
<b>Author:</b>	As above	
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
<b>File Reference:</b>	Nil	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	<a href="#">Attachment 14.1A</a> - List of Accounts Paid	
<b>Maps / Diagrams:</b>	Nil	

#### Purpose of Report



Executive Decision



Legislative Requirement

#### Background

The attached List of Accounts Paid during the month of May 2017 under Delegated Authority is provided for Council's information.

#### Comment

Nil

#### Policy Implications

As outlined in the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

#### Statutory Implications

As outlined in the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

## Strategic Implications

### ➤ Strategic Community Plan

Vision Element: Developing  
Strategic Goal: The population and economic base is expanding sustainably  
Key Priority: Governance

### ➤ Corporate Business Plan

Strategy: SP.D4.3 – Practice prudent management of financial resources  
Action #: 1  
Action: Deliver long term financial planning for asset replacement and new capital projects  
Action #: 2  
Action: Continue to provide prudent financial controls and compliance systems  
Directorate: Corporate Services

## Sustainability Implications

### ➤ Strategic Resource Plan

Nil

### ➤ Workforce Plan

Directorate: Nil  
Activity: Nil  
Current Staff: Nil  
Focus Area: Nil  
Strategy Code: Nil  
Strategy: Nil  
Implications: Nil

## Risk Implications

Council would be contravening the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* if this item was not presented to Council.

## Financial Implications

All liabilities settled have been in accordance with the Annual Budget provisions

### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Young

**Seconded:** Cr Crees

**81983** That the schedule of accounts paid as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$1,104,039.22 from Council's Municipal Fund Bank Account and \$3,205.73 from Council's Trust Account be endorsed.

**CARRIED 8/o**

**14.2 Statement of Financial Activity**

<h2 style="margin: 0;">Corporate Services</h2> 	
<b>Responsible Officer:</b>	Charlie Brown, EMCS
<b>Author:</b>	As above
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#"><b>Attachment 14.2A</b></a> - Statement of Financial Activity, Detailed Schedules and Investment Report
<b>Maps / Diagrams:</b>	Nil

**Purpose of Report**



Executive Decision



Legislative Requirement

**Background**

The Statement of Financial Activity is attached for Council's information.

**Comment**

Operating Income and Expenditure is mainly consistent with Council's YTD Budget, with Expenditure being 8% lower than expected for this period. A detailed report is attached for Council's consideration.

**Operating Expenditure**

All programs except Governance, General Purpose, Law Order & Public Safety and Other Property & Services, are under expended and outside the allowable variance.

**Operating Income**

All programs are within the allowable variance with the exception of Governance and Community Amenities for this period of time.

**Capital Expenditure**

A detailed look at capital expenditure can be found in Note 13.

## Others

Councillors may note the discrepancies between Financial Activity (PR) and Note 3, and the Trust Bank Note 4 against the Trust Summary on Note 12.

These both currently show a \$1,831,352.86 variance and this relates to invoices raised on behalf of CEACA for site works on Stage I and Stage II. Once the invoices are paid this variance will not be reported.

### Policy Implications

Nil

### Statutory Implications

As outlined in the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*.

### Strategic Implications

#### ➤ Strategic Community Plan

Vision Element: Developing  
Strategic Goal: The population and economics base is expanding sustainably  
Key Priority: Governance

#### ➤ Corporate Business Plan

Strategy: SP.D4.3 – Practice prudent management of financial resources  
Action #: 2  
Action: Continue to provide prudent financial controls and compliance systems  
Directorate: Corporate Services  
Timeline: Ongoing

### Sustainability Implications

#### ➤ Strategic Resource Plan

Compliance with the *Local Government (Administration) Regulations 1996* and to give Council some direction in regards to its management of finance over an extended period of time.

#### ➤ Workforce Plan

Directorate: Nil  
Activity: Nil  
Current Staff: Nil  
Focus Area: Nil  
Strategy Code: Nil  
Strategy: Nil  
Implications: Nil

### Risk Implications

Council would be contravening the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* if this item was not presented to Council.

### Financial Implications

As outlined in Attachment 14.2A.

### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Blakers

**Seconded:** Cr Willis

**81984** That in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, the Statement of Financial Activity and the Investment Report for the period ending 31 May 2017 be received.

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**14.3 Lot 6 Todd Street, Merredin – Rates Write Off**

## Corporate Services



<b>Responsible Officer:</b>	Charlie Brown, EMCS
<b>Author:</b>	As above
<b>Legislation:</b>	<i>Local Government Act 1995</i>
<b>File Reference:</b>	A1766
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

Rates Assessment A1766 for Lot 6 Todd Street, Merredin currently has rates outstanding of \$10,466.72. The owner passed away in March 2012 and the public trustee has been handling the estate. In August 2015 they advised they had debts as at March 2014 totalling \$12,016.22 and the indicative sale price of the vacant lot was \$12,500.

The Public Trustee requested the Shire of Merredin, in conjunction with the Water Corporation, resume the land in return for Shire and Water Rates.

At its April 2016 meeting Council resolved (CMRef 81768):

***“That Council, in accordance with Section 6.64 of the Local Government Act 1995, determine the parcel of land at Lot 6 Todd Street, Merredin should be transferred directly to the Shire of Merredin as opposed to being sold via public auction.”***

The Public Trustee has now finalised this process and transferred the property into the name of the Shire of Merredin.

### Comment

Council are now required to write off the outstanding rates on the property, currently \$12,446.89

## Policy Implications

Nil

## Statutory Implications

Section 6.12 of the *Local Government Act 1995* states:

*“6.12. Power to defer, grant discounts, waive or write off debts*

(1) *Subject to subsection (2) and any other written law, a local government may —*

(a) *when adopting the annual budget, grant\* a discount or other incentive for the early payment of any amount of money; or*

(b) *wave or grant concessions in relation to any amount of money; or*

(c) *write off any amount of money,*

*which is owed to the local government.*

*\*Absolute majority required.*

(2) *Subsection (1)(a) and (b) do not apply to an amount of money owing in respect of rates and service charges.*

(3) *The grant of a concession under subsection (1)(b) may be subject to any conditions determined by the local government.*

(4) *Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.”*

## Strategic Implications

### ➤ Strategic Community Plan

Vision Element: Developing

Strategic Goal: The population and economic base is expanding sustainability

Key Priority: Governance

### ➤ Corporate Business Plan

Strategy: SP.D4.3 Practice prudent management of financial resources

Action #: 2

Action: Continue to provide prudent financial controls and compliance systems

Directorate: Corporate Services

Timeline: Ongoing

## Sustainability Implications

### ➤ Strategic Resource Plan

Nil

➤ Workforce Plan

Directorate: Nil  
Activity: Nil  
Current Staff: Nil  
Focus Area: Nil  
Strategy Code: Nil  
Strategy: Nil  
Implications: Nil

**Risk Implications**

The risk assessment has been assessed as low.

**Financial Implications**

There is a loss of income of \$12,446.89, however this has been treated as a doubtful debt over the last two years and as such has little effect on Council's actual position.

**Voting Requirements**

Simple Majority

Absolute Majority

**Officer's Recommendation / Resolution**

**Moved:** Cr Blakers

**Seconded:** Cr Boehme

**81985** That Council, in accordance with Section 6.19 of the *Local Government Act 1995*, write off the outstanding rates and charges on A1766 Lot 6 Todd Street, Merredin totalling \$12,446.89.

**CARRIED BY ABSOLUTE MAJORITY 8/o**

**14.4** 2017/18 Schedule of Fees and Charges - Adoption

<h2>Corporate Services</h2>		 SHIRE OF <b>MERREDIN</b> INNOVATING THE WHEATBELT
<b>Responsible Officer:</b>	Charlie Brown, EMCS	
<b>Author:</b>	As above	
<b>Legislation:</b>	<i>Local Government Act 1995</i>	
<b>File Reference:</b>	2017/18 Budget	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	<a href="#">Attachment 14.4A</a> – Schedule of Fees and Charges	
<b>Maps / Diagrams:</b>	Nil	

### Purpose of Report

- Executive Decision                       Legislative Requirement

### Background

Historically fees and charges are adopted as part of the budget process. However, this usually occurs after the new financial year has commenced. Reviewing the fees and charges for the new financial year now allows them to be ready for implementation on 1 July 2017.

### Comment

The fees and charges have been reviewed not only on the basis of cost recovery but also to allow for clear application by staff and not to be cost prohibitive.

The proposed fees and charges for the 2017/18 financial year are included in Attachment 14.4A. The attachment also details the 2016/17 financial year fees and charges for comparison purposes.

The fees and charges are expected to account for 13% (\$1,147,292) of the Shire's total revenue. In reviewing the fees and charges for 2017/18, the following procedures and processes have been taken into consideration:

1. input has been sought from all Managers and key members of staff;
2. comparison made with other Shires;
3. actual cost a service delivery;
4. CPI increases; and
5. statutory charges which remain the same, although these may alter after review by the State Government.

The attachment shows a comparison proposed charges against the last two financial years.

### Policy Implications

Nil

### Statutory Implications

Section 6.16 and 6.19 of the *Local Government Act 1995* states:

#### *“6.16. Imposition of fees and charges*

- (1) *A local government may impose\* and recover a fee or charge for any goods or service it provides or proposes to provide, other than a service for which a service charge is imposed.*

*\*Absolute majority required.*

- (2) *A fee or charge may be imposed for the following —*

- (a) *providing the use of, or allowing admission to, any property or facility wholly or partly owned, controlled, managed or maintained by the local government;*
- (b) *supplying a service or carrying out work at the request of a person;*
- (c) *subject to section 5.94, providing information from local government records;*
- (d) *receiving an application for approval, granting an approval, making an inspection and issuing a licence, permit, authorisation or certificate;*
- (e) *supplying goods;*
- (f) *such other service as may be prescribed.*

- (3) *Fees and charges are to be imposed when adopting the annual budget but may be —*

- (a) *imposed\* during a financial year; and*
- (b) *amended\* from time to time during a financial year.*

*\*Absolute majority required.*

#### *6.19. Local government to give notice of fees and charges*

*If a local government wishes to impose any fees or charges under this Subdivision after the annual budget has been adopted it must, before introducing the fees or charges, give local public notice of —*

- (a) *its intention to do so; and*
- (b) *the date from which it is proposed the fees or charges will be imposed.”*

### Strategic Implications

#### ➤ Strategic Community Plan

Vision Element: Developing  
Strategic Goal: The population and economic base is expanding sustainably  
Key Priority: Governance

#### ➤ Corporate Business Plan

Strategy: Sp.D4.3 – Provide prudent management of financial resources  
Action #: 2  
Action: Continue to provide prudent financial controls and compliance systems  
Directorate: Corporate Services  
Timeline: Ongoing

### Sustainability Implications

#### ➤ Strategic Resource Plan

Nil

#### ➤ Workforce Plan

Directorate: Nil  
Activity: Nil  
Current Staff: Nil  
Focus Area: Nil  
Strategy Code: Nil  
Strategy: Nil  
Implications: Nil

### Risk Implications

The risk in not adopting the revised Schedule of Fees and Charges for 2017/18 is that they will remain the same as those previously adopted by Council.

### Financial Implications

Nil

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Young

**Seconded:** Cr Blakers

**81986** That the Schedule of Fees and Charges for the 2017/18 financial year, as presented in Attachment 14.4A, be adopted to become effective from 1 July 2017 and, in accordance with Section 6.19 of the *Local Government Act 1995*, local public notice of these Fees and Charges be given.

**CARRIED BY ABSOLUTE MAJORITY 8/o**

**15. Officer's Reports – Administration**

**15.1 Policy Manual Review – Policy 3.12 – Purchasing Policy**

## Administration



<b>Responsible Officer:</b>	Greg Powell, CEO
<b>Author:</b>	Vanessa Green, EA to CEO
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Functions and General) Regulations 1996</i>
<b>File Reference:</b>	Policy Manual
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#">Attachment 15.1A</a> – Purchasing Policy
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

Council's Purchasing Policy was last updated in December 2016 (CMRef 81894). A review of the policy in light of Council's Waterwise accreditation actions has highlighted a requirement for the policy to make specific mention to the WELS rating of water-consuming products.

### Comment

WELS is Australia's water efficiency labelling scheme. It allows consumers to compare the water efficiency of different products by requiring that certain products have water rating labels at the point of sale or display/advertising.

All WELS products must be registered with the regulator, rated and labelled according to the requirements of the WELS Standard AS/NZS6400:2005 *Water-efficient products - Rating and labelling*.

The stars used on the rating label indicate a product's water efficiency - the more stars on the label, the less water that product will use. The benefit for the consumer is therefore lower water bills and protection of the environment by using less water. However, it is generally accepted that products with a higher star rating have a higher purchase price than those with a lower star rating.

WELS products include:

- lavatory equipment (toilet pans, cisterns, flushing mechanisms & suites);
- urinal equipment;
- taps intended for use over a basin, sink or tub (excluding over a bath);
- showers for personal bathing;
- flow controllers;
- washing machines, including combination washer/dryers; and
- the dryer function of combination washer/dryers.

Aside from the star rating the water rating labels carry other useful information:

- labels for washing machines, dishwashers and toilets display the water consumption in litres per use. Toilets display their full, half and average flush consumptions; and
- tap and shower labels show water use as the flow rate in litres per minute. A higher figure means more water is used over a given time.

By adding the reference to considering products with a 3 star WELS rating or above, it is anticipated that whole of life costs would be factored into the purchase of any new products.

It should also be noted that a 3 WELS star rating is often considered to be the minimum acceptable standard in the building world, with most plumbing fixtures sold today being closer to 5 WELS stars.

### Policy Implications

An update to the Policy as highlighted in the Attachment. The update would then require, when purchasing a water-consuming product, consideration to be given to purchasing an item with at least a 3 star rating, or above. The consideration requirement would become part of the selection and evaluation criteria.

### Statutory Implications

Compliance with the *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996*.

### Strategic Implications

#### ➤ Strategic Community Plan

Vision Element: Developing  
Strategic Goal: The population and economics base is expanding sustainably  
Key Priority: Governance

#### ➤ Corporate Business Plan

Strategy: SP.D4.1 – Implement accountable and good governance  
Action #: 2  
Action: Ensure policies, procedures and practice are effective, transparent and aligned with program delivery

Directorate: Corporate Services  
Timeline: Ongoing

### Sustainability Implications

➤ Strategic Resource Plan

Nil

➤ Workforce Plan

Directorate: Nil  
Activity: Nil  
Current Staff: Nil  
Focus Area: Nil  
Strategy Code: Nil  
Strategy: Nil  
Implications: Nil

### Risk Implications

Nil

### Financial Implications

Nil

### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Blakers

**Seconded:** Cr Boehme

**81987** That Policy 3.12 – Purchasing Policy, as presented in Attachment 15.1A, be adopted.

**CARRIED 8/o**

## 15.2 CEACA Inc – Payment of Building Application Fees

### Administration



<b>Responsible Officer:</b>	Greg Powell, CEO
<b>Author:</b>	Vanessa Green, EA to CEO
<b>Legislation:</b>	<i>Local Government Act 1995; Building Act 2011</i>
<b>File Reference:</b>	CS/16/20
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil
<b>Maps / Diagrams:</b>	Nil

#### Purpose of Report



Executive Decision



Legislative Requirement

#### Background

The matter of payment of development application (DA) fees by CEACA Member Councils recently generated a great deal of debate amongst the Members. As a result, the CEACA Executive Committee considered how the payment of building application (BA) fees should be dealt with by the Committee as a whole.

In considering the matter when it met on 17 May 2017 the CEACA Executive resolved:

*“That the CEACA Executive Committee recommend to the CEACA Committee that CEACA requests Member Councils not to include the revenue from building fees associated with the CEACA Seniors Housing Project in their 2017/2018 budgets, with all Member Councils refunding the cost of lodging its building applications by way of a donation for the amount involved to the Shire of Merredin for transfer back to the CEACA account.”*

The CEACA Executive’s recommendation is based upon the fact that, like DA fees, BA fees are statutory fees which are only paid upon the lodgement of a building application. Other than the cost of processing a BA there is no significant cost to a local government when a BA is lodged by an applicant. Payment of these fees also represents an unbudgeted source of income for a local government.

The CEACA Member Councils considered the matter when it met on 7 June 2017 resolving:

*“That CEACA requests Member Councils not to include the revenue from building fees associated with the CEACA Seniors Housing Project in their 2017/2018 budgets, with all Member Councils refunding the cost of lodging its building applications by way of a donation for the amount involved to the Shire of Merredin for transfer back to the CEACA account.”*

### Comment

For a BA to be legal it must be submitted to the local government and the relevant statutory fees paid. Therefore CEACA must pay BA fees to each of the Member Councils for their respective housing developments.

The development in Merredin is expected to cost around \$6.85million, resulting in a BA fee of around \$21,950. While this unbudgeted income could be considered a windfall for Council, as the CEACA budget currently indicates a deficit for the overall project, it is unbudgeted income for the Shire of Merredin and in good will for the project, it is recommended that the Shire of Merredin endorse the CEACA resolution and donate its portion of the BA fee back to CEACA for use within the project.

Council may wish to condition any agreement by requiring all Member Councils to resolve in the same manner.

It should be noted that other statutory fees will need to be paid and remitted to the State Government.

### Policy Implications

Nil

### Statutory Implications

Section 6.12(1)(b) of the *Local Government Act 1995* states that, with an absolute majority, a local government may waive or grant concessions in relation to any amount of money.

The *Building Act 2011* requires applications for building permits to be accompanied by fees, with the BA fees themselves set under Schedule 2 of the *Building Regulations 2012*.

### Strategic Implications

#### ➤ Strategic Community Plan

Vision Element: Developing

Strategic Goal: The population and economics base is expanding sustainably

Key Priority: Accommodation

Vision Element: Liveable

Strategic Goal: Merredin has the services, facilities, characteristics and heritage that continue to make Merredin a great place to live and contribute to a liveable region

Key Priority: Health Facilities and Services

➤ **Corporate Business Plan**

Strategy: SP.D2.2 – Collaborate and facilitate the development of aged accommodation

Action #: 1

Action: Support CEACA Inc in the implementation of identified outcomes outlined in the Verso Report to construct 50 independent living units within Merredin to accommodate seniors

Directorate: Office of the CEO

Timeline: 2017/18; 2018/19

Strategy: SP.L1.2 – Continue to assist with the facilitation of aged care services

Action #: 2

Action: Through CEACA Inc the Shire will continue to lobby the Federal and State Governments to ensure the necessary services to support aged care are accessible in Merredin

Directorate: Office of the CEO

Timeline: Ongoing

**Sustainability Implications**

➤ **Strategic Resource Plan**

Nil

➤ **Workforce Plan**

Directorate: Nil

Activity: Nil

Current Staff: Nil

Focus Area: Nil

Strategy Code: Nil

Strategy: Nil

Implications: Nil

**Risk Implications**

There are no risks to Council in donating the BA fee back to CEACA as the fee is unbudgeted income.

There may be a risk to the CEACA Inc project as a whole however, as the extent of works it can carry out is directly linked to the amount of the grant funds received. By receiving the BA fees back as a donation, CEACA can allocate those funds to other work within the project itself, and not towards the costs associated with it.

**Financial Implications**

Nil, as the effect of the recommendation on Council's Budget is zero.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Blakers

**Seconded:** Cr Willis

**81988** That the Shire of Merredin not include the revenue from the building application fees associated with the Merredin portion of the CEACA Inc Seniors Housing Project in its 2017/18 Budget, and instead refunds the fees associated with lodging the building application by way of a donation for the amount involved for transfer back to the CEACA Inc account, subject to all CEACA Member Councils giving the same undertaking.

**CARRIED BY ABSOLUTE MAJORITY 8/0**

**15.3 Change of Council Meeting Date – October 2017**

## Administration



<b>Responsible Officer:</b>	Greg Powell, CEO
<b>Author:</b>	Vanessa Green, EA to CEO
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Administration) Regulations 1996</i>
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

In accordance with Regulation 12(1) of the *Local Government (Administration) Regulations 1996* once a year Council is required to provide local public notice of the date, time and place the Ordinary Council Meetings for the next 12 months are to be held.

Council determined its 2017 meeting dates at its September 2016 meeting (CMRef 81840) which, in compliance with Policy 1.11 – Council Meetings, endorsed the meetings being held on the third Tuesday of the month commencing at 3.00pm. These were subsequently advertised through the usual media channels.

### Comment

The date for the October 2017 meeting is currently set as Tuesday 17 October 2017. The local government elections are due to be held in October 2017 with the election date generally set as the third Saturday in October, being 21 October 2017.

To enable the new Councillors to be sworn in, and to avoid the need for a Special Council Meeting for that purpose, it is recommended to change the date of the October 2017 meeting to be the Tuesday following the local government elections.

### Policy Implications

Nil

### Statutory Implications

Regulation 12(2) of the *Local Government (Administration) Regulations 1996* states that a local government is to give local public notice of any change to the date, time or place of a meeting which has previously been given local public notice under Regulation 12(1).

### Strategic Implications

#### ➤ Strategic Community Plan

Vision Element: Nil  
Strategic Goal: Nil  
Key Priority: Nil

#### ➤ Corporate Business Plan

Strategy: Nil  
Action #: Nil  
Action: Nil  
Directorate: Nil  
Timeline: Nil

### Sustainability Implications

#### ➤ Strategic Resource Plan

Nil

#### ➤ Workforce Plan

Directorate: Nil  
Activity: Nil  
Current Staff: Nil  
Focus Area: Nil  
Strategy Code: Nil  
Strategy: Nil  
Implications: Nil

### Risk Implications

Nil

### Financial Implications

There will be costs associated with advertising the required local public notice to change the meeting date, however these costs are minimal and can be allocated to the existing advertising budget.

It should be noted that local public notice in calling a Special Council Meeting to swear in the new Councillors is also required under the Regulations, hence the advertising expense will be incurred regardless of the option chosen.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Crees

**Seconded:** Cr Anderson

**81989** That, because of the date of the 2017 local government elections, the Ordinary Meeting of Council for October 2017 be changed so it be held in Council Chambers of the Shire Administration Centre on Tuesday 24 October 2017 commencing at 3.00pm.

**CARRIED 8/o**

**16. Motions of which Previous Notice has been given**

Nil

**17. Questions by Members of which Due Notice has been given**

Nil

**18. Urgent Business Approved by the Person Presiding or by Decision**

**18.1 Councillor Representation to the Merrittville Retirement Village Committee**

In accordance with Regulation 4 of the *Local Government (Administration) Regulations 1996* Councillor Anderson advised of his intent to resign as Council's representative to the Merrittville Retirement Village committee.

The President thanked Councillor Anderson for his time representing Council on the Committee, and advised he would be happy to take the position of Council's representative until the October 2017 local government elections.

Therefore, in accordance with Section 5.10(4) of the *Local Government Act 1995*, the President was appointed as Council's representative to the Merrittville Retirement Village Committee until 21 October 2017.

**19. Matters Behind Closed Doors**

In accordance with Section 5.23(2)(a) and Section 5.23(2)(c) of the *Local Government Act 1995* Council went Behind Closed Doors to discuss a matter affecting employees and a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

**Resolution**

**Moved:** Cr Flockart

**Seconded:** Cr Blakers

**81990 That Council move Behind Closed Doors at 4.04pm.**

**CARRIED 8/o**

**Resolution**

**Moved:** Cr Young

**Seconded:** Cr Blakers

**81991 That Council return from Behind Closed Doors at 4.09pm.**

**CARRIED 8/o**

**19.1 Staff – Engineering Services Outside Workforce – Enterprise Bargaining Agreement**

**Voting Requirements**

Simple Majority

Absolute Majority

**Officer's Recommendation / Resolution**

**Moved:** Cr Blakers

**Seconded:** Cr Young

- 81992**
1. That the Enterprise Bargaining Agreement, as presented in Attachment 19.1A, be endorsed.
  2. That Council offers salary packaging to all employees, substantially in accordance with the agreement outlined in Attachment 19.1B, to be implemented in the 2017/18 financial year.

**CARRIED 8/0**

**20. Closure**

There being no further business the President thanked those in attendance and declared the meeting closed at 4.10pm.