



SHIRE OF
MERREDIN
INNOVATING THE WHEATBELT

MINUTES

Ordinary Council Meeting

Held in Council Chambers
Corner King & Barrack Street's, Merredin
Tuesday 17 March 2020
Commencing 4.00pm



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Common Acronyms Used in this Document

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

Shire of Merredin
Ordinary Council Meeting
4.00pm Tuesday 17 March 2020



1. Official Opening

The President welcomed those in attendance and declared the meeting open at 4.08pm.

2. Record of Attendance / Apologies and Leave of Absence

Councillors:

Cr JR Flockart	Shire President
Cr MD Willis	Deputy Shire President
Cr RA Billing	
Cr LN Boehme	
Cr AR Butler	
Cr RM Manning	
Cr MJ McKenzie	
Cr PR Patroni	
Cr PM Van Der Merwe	

Staff

M Dacombe	A/CEO
K Hall	MCO
A Prnich	DCEO
C Brown	EMCS
P Zenni	EMDS

Members of the Public: Nil

Apologies: Nil

Approved Leave of Absence: Nil

C. Brown – EMCS left the Meeting at 4.08pm.

3. Public Question Time

Nil

4. Disclosure of Interest

Cr Boehme declared an indirect financial interest in item 12.1

Cr Manning declared an impartiality interest in item 12.2

5. Applications for Leave of Absence

Nil

6. Petitions and Presentations

Nil

7. Confirmation of Minutes of the Previous Meetings

7.1 Ordinary Council Meeting held on 18 February 2020

[Attachment 7.1A](#)

7.2 Audit Committee Meeting held on 17 March 2020

[Attachment 7.2A](#)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Boehme

Seconded: Cr Willis

82519 That the Minutes of the Ordinary Council Meeting held on 18 February 2020 be confirmed as a true and accurate record with the correction to include a note for Agenda Item 15.3 that Cr Flockart left the room and Cr Willis took the chair.

The minutes of the Audit Committee Meeting held on 17 March 2020 be confirmed as a true and accurate record of proceedings and the recommendations contained therein be adopted.

CARRIED 9/0

8. Announcements by the Person Presiding without discussion

President Flockart

18th Feb – Cummins theatre welcomed new elected members

19th Feb – District emergency meeting

26th Feb – Kellerberrin

28th Feb – Mick Hayden

7th March – Merredin Police Station open day

9th March – Northam Swimming pool complex / Wheatbelt

10th March – welcome medical students to Merredin

10TH March - Waste container deposit scheme meeting

10th march – WEROC support staff

11th March – Municipal heritage meeting – Laura Gray

12th March – Medical students farewell

13th March – Bowls competition

13th March – Merredin Show meeting with chair Martin Morris / Debbie Morris – Cancelled show

16th March – Tammin to attend Road group meeting

16th March – Webinar

17th March – EMES Farewell breakfast

C Brown – EMCS returned to the Meeting at 4.13pm.

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

Nil

10. Receipt of Minutes of Committee Meetings

10.1 Regional Water Council of WA (Inc) Meeting held on 30 January 2020

[Attachment 10.1A](#)

10.2 Central East Aged Care Alliance Inc Management Committee Meeting held on 4 February 2020

[Attachment 10.2A](#)

10.3 WEROC Inc Board Meeting held on 26 February 2020

[Attachment 10.3A](#)

10.4 Great Eastern Country Zone Meeting held on 26 February 2020

[Attachment 10.4A](#)

10.5 Great Eastern District Operations Advisory Committee held on 9 March 2020

[Attachment 10.5A](#)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Boehme

Seconded: Cr Butler

82520 That the Minutes of the Regional Water Council of WA (Inc) Meeting held on 30 January 2020, Central East Aged Care Alliance Inc Management Committee Meeting held on 4 February 2020, WEROC Inc Board Meeting held on 26 February 2020, Great Eastern Country Zone Meeting held on 26 February 2020 and Great Eastern District Operations Advisory Committee held on 9 March 2020 be received.

CARRIED 9/0

11.

Recommendations from Committee Meetings for Council consideration

Nil

12. Officer's Reports - Development Services

12.1 22 Craddock Road – Building Application for a Garage/Shed

<h2>Development Services</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Peter Zenni, EMDS	
Author:	Peter Zenni, EMDS	
Legislation:	Shire of Merredin Policy Manual, Policy 8.22 – Outbuildings in Residential Areas. Building Act 2011	
File Reference:	A826	
Disclosure of Interest:	Nil	
Attachments:	Attachment 12.1A – Application for building approval and associated plans and specifications	

Purpose of Report

Executive Decision Legislative Requirement

Background

The Shire of Merredin has received an application for building approval for the construction of a garage/shed at Lot 431 (No 22) Craddock Road, Merredin.

Comment

The owner of Lot 431 (No 22) Craddock Road, Merredin wishes to construct a 144m² garage/shed on the premises to store his vehicles, lawn mower and other garden items as well as equipment forming part of his wood working hobby. The proposed garage/shed will be located at the rear of the property and there should be no impact on the visual amenity of the surrounding area.

The owners of the adjoining properties have confirmed in writing that they have no objection to the proposed construction of the garage/shed at Lot 431 (No 22) Craddock Road, Merredin.

Policy Implications

The Shire of Merredin Policy 8.22 – Outbuildings in Residential Areas, permits the Shire's Executive Manager of Development Services to approve outbuildings in

residential areas as long as their height, size and the aggregate area of all outbuildings complies with Policy Table 8.22.

In this case the Policy stipulates a maximum area for an individual building at 94m² and the aggregate area at 125m². There are currently two existing outbuildings on the lot that are constructed of asbestos and these will be demolished and removed as part of preparing the site for the construction of the proposed garage/shed.

However, the maximum area for the individual building as well as the overall aggregate area upon construction of the proposed garage/shed will still exceed the limits specified by Policy 8.22.

As such the Executive Manager of Development Services does not possess delegated authority to approve this application and therefore the matter has been referred to Council for its consideration.

Council has previously approved the construction of over height and oversize sheds as well as development that exceed the overall aggregate area for all outbuildings on a lot, in residential areas within Merredin.

The objectives of the Shire's of Merredin Policy Manual, Policy 8.22 – Outbuildings in Residential Areas are as follows;

“To ensure a level of consistency with the size, the height and setbacks of outbuildings in residential areas, to minimise any adverse impact on the amenity to neighbouring property owners and to contribute towards the aesthetics of the streetscape.”

It should be noted that although the individual as well as overall aggregate area of outbuildings will exceed the provisions of the Policy once the proposed garage/shed is constructed, the development on the lot will still comply with the minimum open space provisions of the Residential Design Codes.

The proposed development will **not** contravene the objectives of the Shire of Merredin Policy 8.22 – Outbuildings in Residential Areas.

The Shire's Executive Manager Development Services has spoken with the applicant in relation to the use of mechanical equipment such as saws on residential premises and potential noise related concerns. Whilst this has no bearing on the building application currently before Council, the applicant is aware of this concern and has confirmed that the activity in question relates to a personal hobby and is not commercial in nature, that the shed compartment utilised for the wood working hobby will be sound insulated and that he will comply with requirements of the Environmental Protection (Noise) Regulations 1997.

Statutory Implications

Compliance with the *Building Act 2011*

Strategic Implications

➤ **Strategic Community Plan**

Zone: Communication & Leadership
Zone Statement: Merredin Council engages with its Community and leads by example
Key Priority: Ensuring all planning, reporting and resourcing is in accordance with best practice, compliance and statutory requirements

➤ **Corporate Business Plan**

Key Action: 4.1.1 – Continue to update the Integrated Planning Framework, meet statutory requirements of the Local Government Act and Regulations and regulatory obligations required under other regulations.
Directorate: Development 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

Building application fees have been paid.

Cr Boehme left the meeting at 4.27pm

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

Moved: Cr Willis

Seconded: Cr Patroni

82521 That Council authorise the Executive Manager Development Services to issue a building permit for the construction of the proposed garage/shed at Lot 431 (No 22) Craddock Road, Merredin, as outlined in attachment 12.1A, subject to compliance with the relevant provisions of the Building Act 2011 and the National Construction Code (BCA).

Voting Requirements



Simple Majority



Absolute Majority

Amendment

Moved: Cr Billing

Seconded: Cr Butler

That it be recommended to the Developer to consider surface run off management so that it is contained within the property.

LOST 2/6

Voting Requirements



Simple Majority



Absolute Majority

Resolution

82521 That Council authorise the Executive Manager Development Services to issue a building permit for the construction of the proposed garage/shed at Lot 431 (No 22) Craddock Road, Merredin, as outlined in attachment 12.1A, subject to compliance with the relevant provisions of the Building Act 2011 and the National Construction Code (BCA).

Amendment was lost and the original motion put

CARRIED BY ABSOLUTE MAJORITY 7/1

Cr Boehme returned to the meeting at 4.39

12.2 41 Bates Street – Proposed Container Deposit Scheme

<h2>Development Services</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Peter Zenni, EMDS	
Author:	Peter Zenni, EMDS	
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
File Reference:	A323	
Disclosure of Interest:	Nil	
Attachments:	Attachment 12.2A – Application for development approval and associated plans and specifications.	

Purpose of Report

Executive Decision

Legislative Requirement

Background

The Shire of Merredin has received an application for development (planning) approval for a storage and sorting facility forming part of a Container Deposit Scheme at Lot 200 (No 41) Bates Street, Merredin.

Comment

The Western Australian Government is in the process of implementing a Container Deposit Scheme to complement existing kerbside recycling services. Merredin has been identified as a regional population hub that warrants the existence of a Container Deposit Scheme facility.

A representative of the Scheme administrator has been in contact with Shire Executive officers in relation to expressions of interest relating to the operation of a Contained Deposit Scheme facility in Merredin and stated that initial interest from the Merredin Community Resource Centre and the Men's Shed has not progressed.

However, an expression of interest from an individual has resulted in an application for Development Approval being submitted to the Shire of Merredin for a storage and sorting facility forming part of a Container Deposit Scheme at Lot 200 (No 41) Bates Street, Merredin.

Statutory Requirements

Lot 200 (No 41) Bates Street is zoned 'Commercial' under the Shire of Merredin Local Planning Scheme No. 6 (LPS).

The proposed container deposit scheme facility is not specifically listed as a use class in the zoning tables forming part of the LPS. The closest use class related is that of Warehouse/storage which is a 'D' use in a Commercial zoned area. This means that the activity is not permitted unless the local government has exercised its discretion by granting development approval.

Clause 3.4.2 of the LPS states as follows;

“If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Tables and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may –

- a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;***
- b) determine that the use may be consistent with the objectives of the particular zone and therefore follow the advertising procedures of clause 64 of the deemed provisions in considering an application for development approval; or***
- c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.”***

The proposed activity will be in close proximity to existing sensitive premises (dwellings) and it is suggested that Council, before exercising its discretion require that the application be subject to advertising for public comment.

Impacts

Environmental (Noise)

The proposed development is in proximity to noise sensitive premises (dwellings) located in Duff Street and Coronation Street, Merredin which are directly behind Lot 200 (No 41) Bates Street, Merredin.

The Container Deposit Scheme facility will have collections brought to it during weekdays as well as being open to the public on Saturdays from 9.00am to 5.00pm. Public will be accessing the facility via Bates Street and dropping the collected containers at the rear of the premises for collection and sorting before exiting the premises via Duff Street. This activity will therefore be in close proximity to adjoining dwellings and this could result in noise related complaints being lodged with the Shire of Merredin.

The applicant advises that the existing chain mesh fence at the rear of the property will be replaced with a colorbond fence and trees and shrubs will be planted along the new fence to improve aesthetics of the site and reduce any noise impact on the neighbouring residences. Whilst these measures (once the trees and shrubs have grown to sufficient height and density) will mitigate some of the noise impacts, the associated vehicular movements to and from the site and general visitor noise may still result in complaints being lodged with the Shire of Merredin.

Environmental (Waste/Nuisance)

Not all containers are eligible for refund under the Container Deposit Scheme, there exists a concern that the storage of large quantities of used containers on site may result in pest activity as well as potential litter associated with the disposal on site and on adjoining properties of rejected containers. The extent of this problem is unknown at this time and would depend on the development and implementation of effective litter and pest control programs.

The applicant provides the following comments;

“Waste collection services will be provided at the Site by Avon Waste, for general waste and recyclables. These services will cater for waste generated by the refund point, and any ineligible containers received at the refund point. Generally ineligible containers will be recyclable, such as milk bottles, so will not be burden to the landfill site, but from time to time litter collections in the vicinity of the refund point will generate waste which is not recyclable. This litter may or may not be as a result of the refund point being present but will be collected if it is in the vicinity no matter what the origin is.

The operator has the right to reject containers which are particularly unclean or malodorous. Generally this will be because of the retention of liquids inside, which may also attract insect or rodent pests. Sorting benches will have inbuilt drainage to allow for any liquids to be drained and disposed of at the point of exchange.

All containers and aggregation receptacles will be stored inside within the facility/ and will not collect standing water where pests such a mosquitoes can breed.

A rodent baiting program and regular insect pest deterrent spray application will be conducted by a registered pest controller.

Site cleanliness will be kept to a high standard, and regular weekly or fortnightly collection of aggregated containers will reduce the opportunity for pests to become established.”

Road Infrastructure

The proposed Container Deposit Scheme facility will be accessed by the public in vehicles from Bates Street and exit the premises via Duff Street. The Shire’s Executive Manager Engineering Services has confirmed that the vehicular traffic will not pose a hazard to other road users at the nearby Bates Street/Duff Street intersection, but has pointed out that costs associated with the ongoing maintenance of crossovers in Bates Street and Duff Street should be borne by the applicant.

Policy Implications

Nil

Statutory Implications

Compliance with the Shire of Merredin Local Planning Scheme No. 6

Strategic Implications

➤ Strategic Community Plan

Zone: Economy and Growth

Zone Statement: Merredin seeks new opportunities for growth and strives to develop rich and multifaceted economy

Key Priority: 2.3 Supporting initiatives from local businesses for growth

➤ Corporate Business Plan

Key Action: 4.1.1 – Continue to update the Integrated Planning Framework, meet statutory requirements of the Local Government Act and Regulations and regulatory obligations required under other regulations.

Directorate: Development 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

Potential for complaints to be lodged with the Shire relating to the operation of the Container Deposit Scheme in relation to noise, vermin and litter. However, if the facility is managed properly the potential for vermin and litter should be minimal.

Financial Implications

The relevant development application fees have been paid.

Voting Requirements



Simple Majority



Absolute Majority

Cr Manning declared an impartiality interest in Item 14.2

Officer's Recommendation / Resolution

Moved: Cr Boehme

Seconded: Cr McKenzie

82522 That Council;

1. Advertise the development application relating to the proposed Container Deposit Scheme facility to be located at Lot 200 (No 41) Bates Street, Merredin for public comment for a period of 14 days; and;
2. Subject to there being no adverse comments received during the advertising period, authorise the Shire's Executive Manager Development Services to grant development approval for the Container Deposit Scheme facility at Lot 200 (No 41) Bates Street, Merredin as outlined in appendix 12.2A, subject to;
 - a. Compliance with the provisions of the Environmental Protection (Noise) Regulations 1997.
 - b. The applicant developing and implementing a litter control program for the property located at Lot 200 (No 41) Bates Street, Merredin and the surrounding road reserve.
 - c. The applicant developing and implementing a vermin control program for the property located at Lot 200 (No 41) Bates Street, Merredin.
 - d. The applicant being responsible for all costs associated with the ongoing maintenance of the crossovers adjacent to the property in Bates Street and Duff Street

CARRIED 9/o

13. Officer's Reports - Engineering Services

14. Officers Reports – Corporate and Community Services

14.1 List of Accounts Paid

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

Purpose of Report

Executive Decision

Legislative Requirement

Background

The attached List of Accounts Paid during the month of February 2020 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**

Zone: Zone 4 – Communication & Leadership
Zone Statement: Merredin Council engages with its Community and leads by example.
Key Priority: 4.1 – Ensuring all planning, reporting and resourcing is in accordance with best practice, compliance and statutory requirements.

➤ **Corporate Business Plan**

Key Action: 4.1.1 – Continue to update the Integrated Planning Framework, meet statutory requirements of the Local Government Act and Regulations and regulatory obligations required under other regulations.
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

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.

P Zenni EMDS - left the meeting at 4.50pm and did not return.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Patroni

Seconded: Cr McKenzie

82523 That the schedule of accounts paid as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$704,679.47 from Council's Municipal Fund Bank Account and \$0.00, from Council's Trust Account be endorsed by Council.

* It was noted that the Shire President referred to a question that was asked at the audit committee earlier in the day regarding 3 items appearing on the CEO credit card. The A/CEO advised that these 3 items have been confirmed with the then CEO as not authorised by him and have now been formally addressed to the bank for reversal.

CARRIED 9/0

14.2 Statement of Financial Activity

<h2>Corporate Services</h2>		 <p>SHIRE OF MERREDIN INNOVATING THE WHEATBELT</p>
Responsible Officer:	Charlie Brown, EMCS	
Author:	Charlie Brown, ECMS	
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	<p>Attachment 14.2A - Statement of Financial Activity</p> <p>Attachment 14.2B – Detailed Statements</p> <p>Attachment 14.2C – Monthly Investment Report</p> <p>Attachment 14.2D – Financial Ratios</p> <p>Attachment 14.2E – Capital Expenditure</p>	

Purpose of Report

- Executive Decision
 Legislative Requirement

Background

The Statement of Financial Activity, which includes the Detailed Schedules, Statement of Financial Position, Current Ratios and Investment Register, are attached for Council’s information.

Comment

Operating Income and Expenditure is consistent with Council’s year to date Budget with Operating Income variance 0% and Expenditure showing a 1% variance.

The Mid Year budget review is presented at item 14.3 which involved an in depth look at all accounts forms part of that process.

Capital Expenditure

A detailed look at capital expenditure can be found in Note 7 and a separate attachment showing Capital Expenditure is also attached for your information.

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

Zone: Zone 4 – Communication & Leadership
Zone Statement: Merredin Council engages with its Community and leads by example.
Key Priority: 4.1 – Ensuring all planning, reporting and resourcing is in accordance with best practice, compliance and statutory requirements.

➤ Corporate Business Plan

Key Action: 4.1.1 – Continue to update the Integrated Planning Framework, meet statutory requirements of the Local Government Act and Regulations and regulatory obligations required under other regulations.
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 regard 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

The Financial Activity report is presented monthly and provides a retrospective picture of the activities at the Shire. Contained within the report is information pertaining to the financial cost and delivery of strategic initiatives and key projects.

In order to mitigate the risk of budget over-runs or non-delivery of projects, the Chief Executive Officer has implemented internal control measures such as regular Council and management reporting and a quarterly process to monitor financial performance against budget estimates. Materiality reporting thresholds have been established at half the adopted Council levels, which equate to \$10,000 for operating budget line items and \$10,000 for capital items, to alert management prior to there being irreversible impacts.

It should also be noted that there is an inherent level of risk of misrepresentation of the financials through either human error or potential fraud. The establishment of control measures through a series of efficient systems, policies and procedures, which fall under the responsibility of the CEO as laid out in the *Local Government (Financial Management Regulations) 1996* Regulation 5, seek to mitigate the possibility of this occurring. These controls are set in place to provide daily, weekly and monthly checks to ensure that the integrity of the data provided is reasonably assured.

Financial Implications

The adoption of the Monthly Financial Report is retrospective. Accordingly, the financial implications associated with adopting the report are nil.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Billing

82524 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 29 February 2020 be received.

CARRIED 9/0

14.3 Half Yearly Budget Review

Corporate Services



Responsible Officer:	Charlie Brown, EMCS
Author:	Charlie Brown, ECMS
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 14.3A – Budget Variations

Purpose of Report

- Executive Decision Legislative Requirement

Background

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* provides that the Council is required to conduct a review of its approved annual budget after considering the changes in its operating environment since the beginning of the financial year with a view to forecasting the financial impacts likely to arise for the remainder of the year.

Comment

Council is required to consider the budget review submitted to it (regulation 33A of the *Local Government (Financial Management) Regulations 1996*) and make a determination in relation to the outcomes and recommendations.

This report presents the statutory Budget Review of the 2019/2020 Budget. A number of budget variations are proposed as part of this review.

The proposed changes are identified in attachment 14.3A.

The review highlights a surplus position, which will be considered by Council after the March Quarter Budget Review.

DETAILS

Issues and options considered

The budget review has comprised:

- a review of the adopted budget and an assessment of actual results to date against that budget
- an assessment and projection of likely results over the remainder of the financial year against the adopted budget
- Consideration of any issues not provided for in the adopted budget that may need to be addressed.

The review of the adopted budget has taken into account what has transpired in the first half of the year, the likely operating environment over the remaining part of the year under prevailing economic conditions and the most likely impact on the Council's financial position.

The focus in this review has been on ensuring that there is sufficient operational capacity to deliver the services and budget programs as set out in the adopted 2019-20 Budget and to accommodate events and issues that have arisen since budget adoption.

The most significant variations between the original adopted budget and the revised budget are as follows:

Surplus Brought Forward

The actual surplus brought forward from 2018-19 was higher than the budget estimate by \$ 269,058.00.

Operating Income and Expenditure

Various amendments have been proposed as detailed in attachment 14.3A

Transfers to Reserves

Further to briefing session discussions, transfers to reserves have been put on hold until after strategic planning sessions have been held by council.

Current Budget Surplus

The item as presented leaves a current budget surplus, which will be dealt with by council after strategic planning discussions.

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

Zone: Zone 4 – Communication & Leadership
Zone Statement: Merredin Council engages with its Community and leads by example.
Key Priority: 4.1 – Ensuring all planning, reporting and resourcing is in accordance with best practice, compliance and statutory requirements.

➤ Corporate Business Plan

Key Action: 4.1.1 – Continue to update the Integrated Planning Framework, meet statutory requirements of the Local Government Act and Regulations and regulatory obligations required under other regulations.
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

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

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 Boehme

Seconded: Cr Butler

82525 That Council;

1. Approves the Mid – Year Review of the 2019/2020 budget and authorises the amendments as detailed in attachment 14.3A and;
2. In accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996 provide a copy of the 2019/20 annual budget review and determination to the Department of Local Government, Sport and Cultural Industries.

CARRIED 9/o

14.4 Financial Reserves Policy 3.18

<h2>Corporate Services</h2>		 <p>SHIRE OF MERREDIN <small>INNOVATING THE WHEATBELT</small></p>
Responsible Officer:	Charlie Brown, EMCS	
Author:	Charlie Brown, ECMS	
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 14.4A – Policy 3.18 Financial Reserves	

Purpose of Report

- Executive Decision
 Legislative Requirement

Background

One of the key roles of the Council under the Local Government Act 1995 (S2.7) is to determine the policies of the Local Government.

Some policies are required by statute and some are discretionary, representing good governance practices in guiding decision-making and operational matters for any area that the Council wishes to address. The Department of Local Government, Sport and Cultural Industries has also identified a number of policies which it considers highly desirable for local government to adopt in order to satisfy general guidelines and standards in relation to governance and probity.

The Council is progressively reviewing its Policy Manual updating policies as it considers appropriate and developing new policies where needed.

Comment

Council currently has a set policy to provide guidelines for Financial Reserves setting out the Purpose, Calculation Basis and Target Value. This policy was last reviewed in June 2018, however consultation with Council at the previous two briefing sessions have led the minor alteration to the Land & Development Reserve Purpose, being:

Current:

To ensure adequate funds are available to fund major land development/purchases within the Shire of Merredin.

Proposed:

To ensure adequate funds are available to fund major land development/purchases within the Shire of Merredin, in addition to any feasibility studies or business cases.

Policy Implications

Creation of a new policy as outlined in the *Local Government Act 1995*

Statutory Implications

Compliance with the *Local Government Act 1995*

Strategic Implications

➤ **Strategic Community Plan**

Zone: Zone 4 – Communication & Leadership
Zone Statement: Merredin Council engages with its Community and leads by example.
Key Priority: 4.1 – Ensuring all planning, reporting and resourcing is in accordance with best practice, compliance and statutory requirements.

➤ **Corporate Business Plan**

Key Action: 4.1.1 – Continue to update the Integrated Planning Framework, meet statutory requirements of the Local Government Act and Regulations and regulatory obligations required under other regulations.
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

There is a moderate risk to Council if it does not regularly review its Policy Manual.

Financial Implications

There are no direct financial implications arising from the adoption of these policies.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Patroni

Seconded: Cr McKenzie

82526 That Council adopts revised Policy 3.18 as presented in attachment 14.3A Financial Reserves with the acronym WANDRAA corrected to read DRFA-WA (Disaster Recovery Funding Arrangements - Western Australia).

CARRIED 9/0

14.5 Pioneers' Pathway – Renewal of Memorandum of Understanding

<h2 style="color: #0056b3;">Community Services</h2>		 <p>SHIRE OF MERREDIN <small>INNOVATING THE WHEATBELT</small></p>
<p>Responsible Officer:</p> <p>Author:</p> <p>Legislation:</p> <p>File Reference:</p> <p>Disclosure of Interest:</p> <p>Attachments:</p>	<p>Andrina Prnich, DCEO</p> <p>Andrina Prnich, DCEO</p> <p><i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i></p> <p>Nil</p> <p>Nil</p> <p>Attachment 14.5A – Pioneers' Pathway MOU 2017-2020</p> <p>Attachment 14.5B – Pioneers' Pathway Advisory Committee Update 2019</p> <p>Attachment 14.5C – Pioneers' Pathway Strategic Operational Plan 2018-2021</p> <p>Attachment 14.5D – Draft Pioneers' Pathway MOU 2020 – 2023</p> <p>Attachment 14.5E – Pioneers' Pathway Interpretive Recommendations</p>	

Purpose of Report

- Executive Decision
 Legislative Requirement

Background

Pioneers' Pathway aims to work collaboratively with Councils along the Pioneers' Pathway route (from Toodyay to Merredin) developing tourism in the region by promoting a self-drive trail from Perth reminiscing the path of pioneers during the gold rush of the eastern goldfields.

The original Pioneers' Pathway project commenced in 2001 and was launched in 2004. The project was funded through the Wheatbelt Development Commission in partnership with the Shire's of Toodyay, Goomalling, Dowerin, Wyalkatchem, Trayning, Nungarin and Merredin. Each Shire has since made annual financial contributions towards the upkeep and marketing of the trail.

The Pioneers' Pathway Advisory Committee (PPAC) comprises seven local governments who share a common interest and regional boundaries.

At its Ordinary Council Meeting (OCM) held 21 February 2017, Council resolved:

“That:

- 1. the Pioneers' Pathway Review prepared by Wayfound, as presented in Attachment 14.6A, be noted;**
- 2. Council supports the existing funds of \$42,490 for Pioneers' Pathway being utilised to implement the recommendations identified in the Review;**
- 3. the committee present to the partnering Councils by May 2017 detailed costings to employ an executive officer for the purpose of future marketing initiatives and trail upgrading for a 5 year period commencing July 2017; and**
- 4. Council does not commit to future support of the Pioneers Pathway until the information outlined in point 3 above is received and the position of other partnering Councils is known.”**

Upon this resolution, the PPAC invested in the feasibility review by Wayfound. The findings of this report instilled confidence in the initiative, specifically around its economic benefits for the region. An action plan was put forward to each of the participating Shire's which included the employment of an Executive Officer to project manage the Pioneer Pathway initiative, research and development of a range of new marketing collateral including signage/interpretive information and create a Memorandum of Understanding (MOU) between the contributing Councils.

At the OCM held 21 March 2017, Council resolved:

“That:

- 1. Council supports the ongoing annual financial contribution of \$1,500 for Pioneers Pathway product development and maintenance for a minimum of 3 years;**
 - 2. Council supports the additional financial contribution of \$2,000 to employ an executive officer to project manage the Pioneers Pathway initiative for a minimum of 3 years;**
 - 3. the Pioneers Pathway action plan prepared by the Stakeholder committee, as presented in Attachment 14.4A, be noted; and**
 - 4. Council will opt out of the Pioneers Pathway initiative if a commitment from all 7 Councils is not forthcoming by 31 March 2017.”**
-

Subsequently, an Executive Officer was employed by the PPAC and an MOU was drafted and executed for the period 1 July 2017 – 30 June 2020.

At its OCM held 17 April 2018, Council resolved:

“That:

- 1. the Pioneers’ Pathway Strategic Operational Plan 2018-21, as presented in Attachment 14.5A, be adopted; and**
- the Pioneers’ Pathway 2017-18 Annual Progress Summary, as presented in Attachment 14.5B, be received**

Comment

The current Pioneers’ Pathway MoU concludes at 30th June 2020 (Attachment 1). The purpose of the MoU is to document and be clear about the anticipated outcomes and Member Councils expectations and commitments.

A number of achievements have been made under the current MoU (Attachment 2).

Goal 7 in the endorsed Pioneers’ Pathway Strategic Operational Plan 2018-2021 (Attachment 3) outlines:

“We work together to achieve Pioneers’ Pathway goals”

A strategy within this goal is to ensure the Pioneers’ Pathway MoU is updated and commitment is made by each of the participating Shire’s towards the initiative’s goals by March 2020.

At the Pioneer’s Pathway Advisory Group meeting held 30 January 2020, participating Shire’s provided input around the usability of the initial MOU and a draft MOU was subsequently circulated for consideration (Attachment 4). The request for future financial contributions has not increased under the draft MOU.

With the exception of some minor grammatical and typographical errors, staff are supportive of the draft MOU.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

➤ [Strategic Community Plan](#)

Zone: Zone 2: Economy & Growth

Zone Statement: Merredin seeks new opportunities for growth and strives to develop a rich and multifaceted economy

Key Priority: 2.4 - Facilitating and strengthening the development of local and regional tourism
2.5 - Continuing to work with key partners to promote digital and internet connectivity across the region

➤ **Corporate Business Plan**

Key Action: 2.4.2 Collaborate with tourism stakeholders to increase the tourism profile of Merredin and the wider region
Directorate: Community Services
Timeline: 18/19 – 21/22

Sustainability Implications

➤ **Strategic Resource Plan**

The Strategic Resource Plan includes Council's annual financial commitment to Pioneers' Pathway.

➤ **Workforce Plan**

Directorate: Community Services
Activity: Tourism Services
Current Staff: 2 FTE
Focus Area: 2.0 – Create a sustainable workplace with well-developed succession planning
Strategy Code: 2.1
Strategy: Encourage internal appointments
Implications: No further implications to existing Central Wheatbelt Visitor Centre (CWVC) resourcing. The CWVC Manager attends the Pioneers' Pathway Advisory Group – the Pioneer's Pathway project is a cross-regional initiative that needs to be undertaken independently.
Council may elect to nominate a representative to join the CWVC manager at future meetings.

Risk Implications

Without further investment the future of Pioneers' Pathway is at risk with the likelihood of removing the trail. With other competing trails within the Wheatbelt, the seven participating Shire's could experience further reduction in visitor numbers resulting in decreased economic and social benefits for each of the townships the trail passes.

Financial Implications

The signed execution of the MOU will require the Shire of Merredin to continue its ongoing annual financial contribution of \$3,500 for a minimum of 3 years, commencing 1 July 2020. This comprises \$1,500 per annum for Pioneers' Pathway Self Drive Trail Development and Marketing and \$2,000 per annum for the employment of personnel (Executive Officer) to assist the Pioneers' Pathway Advisory Group.

Some recent signage has been paid for through Shire signage funding. Other funds required to implement the strategic operational plan are currently being sourced by grant opportunities. In March 2020, the Pioneer's Pathway Advisory Group were advised by Lotterywest that they have been successful in receiving a grant of \$82,458 which will enable the implementation of the Pioneers' Pathway Interpretative Recommendations as prepared by consultant, Creative Spaces (Attachment 5). Merredin can opt to use its share of this funding to engage Creative Spaces (or similar consultant) to design and install the interpretive signage or it may opt to design the signage in-house and use savings for the actual infrastructure being installed.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Flockart

Seconded: Cr Boehme

82527 That Council:

1. **Supports the signing of the new Pioneers' Pathway MOU 2020-2023, subject to the following changes:**
 - a. **correct Section 3 clause 2a (vii) so that it reads: 'Work with other Local and Regional Tourism Organisations to identify and engage in opportunities of benefit to tourism in the region.'**
 - b. **correct Section 3 clause 2a (ix) so that it reads: 'The Pioneers' Pathway Advisory Group will have a nominated Chairperson who will be elected annually from the Member Councils 'delegates.'**
 - c. **correct Section 5 clause 2a (xi) so that it reads: 'Work with entities as represented by (but not limited to) Local Tourism Associations, Chambers of Commerce, special interest groups and industry associations to develop tourism at a local level.'**
 - d. **correct Section 9 so that it reads: 'If any dispute arises between the parties carrying out the principles of this Memorandum of Understanding, the parties will resolve that difference or dispute between them in good faith.'**
 - e. **correct page format/numbering in Section 11**
 - f. **correct formatting under Schedule A so that the words 'Strategic Areas, are listed below' is continued on the same line of the preceding text.**

- g. correct typographical errors in Table titled 'Performance Indicator' including the capitalisation of Member Council and replacing 'of' with 'on' in relation to social media activity.**
 - h. correct double-up in relation to meeting attendance in Schedule D Point 1.**
 - i. correct Schedule D Point 3 (bullet point 5) so that it reads: 'Meetings will be held 3-4 times per year for 2 hours, hosted on rotation by each Member Council.'**
 - j. inclusion of page numbers on the MOU document.**
- 2. Council supports the ongoing annual financial contribution of \$1,500 for Pioneers Pathway product development and maintenance for a minimum of 3 years.**
 - 3. Council supports the additional financial contribution of \$2,000 to employ an executive officer to project manage the Pioneers Pathway initiative for a minimum of 3 years.**
 - 4. Council will opt out of the Pioneers Pathway initiative if a commitment from all 7 Councils is not forthcoming by 30 April 2020**
 - 5. The CEO be requested to report to the next meeting of the council on the appointment of a council representative**

CARRIED 9/0

Cr McKenzie left the meeting at 5.12pm at did not return

15. Officer's Reports – Administration

Nil

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

19. Matters Behind Closed Doors

20. Closure

President Flockart made special mention to local resident and long-time community volunteer Mrs Joan Crook who has recently been recognised for 70 years of continuous service to the CWA WA at her local Branch Nukarni.

There being no further business the President then thanked those in attendance and declared the meeting closed at 5.15pm.

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