



SHIRE OF
MERREDIN
INNOVATING THE WHEATBELT

AGENDA

Ordinary Council Meeting

To be held in Council Chambers
Corner King & Barrack Street's, Merredin
Tuesday, 17 November 2020
Commencing 4.00pm



Notice of Meeting



Dear President and Councillors,

The next Ordinary Meeting of the Council of the Shire of Merredin will be held on Tuesday, 17 November 2020 in the Council Chambers, corner of King and Barrack Streets, Merredin. The format of the day will be:

2.00pm Briefing Session

4.00pm Council Meeting

MARK DACOMBE
TEMPORARY CHIEF EXECUTIVE OFFICER

13 November 2020

DISCLAIMER

PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING:

Statements or decisions made at this meeting should not be relied or acted on by an applicant or any other person until they have received written notification from the Shire. Notice of all approvals, including planning and building approvals, will be given to applicants in writing. The Shire of Merredin expressly disclaims liability for any loss or damages suffered by a person who relies or acts on statements or decisions made at a Council or Committee meeting before receiving written notification from the Shire.

The advice and information contained herein is given by and to Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

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
T/CEO	Temporary Chief Executive Officer
DCEO	Deputy Chief Executive Officer
EMDS	Executive Manager of Development Services
EMES	Executive Manager of Engineering Services
EMCS	Executive Manager of Corporate Services
MCO	Media and Communications Officer
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

Shire of Merredin
Ordinary Council Meeting
4:00pm Tuesday, 17 November 2020



1. Official Opening

2. Record of Attendance / Apologies and Leave of Absence

Councillors:

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

Staff:

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

Members of the Public:

Apologies:

Approved Leave of Absence: Cr MD Willis

3. Public Question Time

Members of the public may submit questions up to 2pm on the day of the meeting by emailing ea@merredin.wa.gov.au

4. Disclosure of Interest

5. Applications of Leave of Absence

6.	Petitions and Presentations
7.	Confirmation of Minutes of Previous Meetings
7.1	Ordinary Council Meeting held on 20 October 2020
8.	Announcements by the Person Presiding without discussion
9.	Matters for which the Meeting may be closed to the public
19.1	Chief Executive Officer Recruitment and Selection Process
10.	Receipt of Minutes of Committee Meetings
10.1	Bush Fire Advisory Committee Pre-Season Meeting held on 15 October 2020
11.	Recommendations from Committee Meetings for Council consideration
12.	Officer's Report – Development Services
12.1	Lot 501 Cnr Neening and Goldfields Roads, Hines Hill – Application for Development Approval, Placement on Site of two Sea Containers for Storage Purposes
13.	Officer's Report – Engineering Services
	Nil
14.	Officer's Reports – Corporate and Community Services
14.1	List of Accounts Paid
14.2	Statement of Financial Activity
14.3	Proposed Public Piazza Pilot Project Budget Adjustment
15.	Officer's Reports - Administration
15.1	Councillors and Staff Christmas Function – Review of Policy
15.2	Merredin Regional Community and Leisure Centre User Group Fees and Contributions Working Party
15.3	Shire of Merredin Christmas\New Year's Opening Hours
15.4	2021 Council Meeting Dates

16. Motions of which Previous Notice has been given

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

18. Urgent Business Approved by the Person Presiding of by Decision

19. Matters Behind Closed Doors

19.1 [Chief Executive Officer Recruitment and Selection Process](#)

20. Closure

7. Confirmation of Minutes of the Previous Meetings

- 7.1 Ordinary Council Meeting held on 20 October 2020
[Attachment 7.1A](#)

Voting Requirements

- Simple Majority Absolute Majority

Officer's Recommendation / Resolution

That the Minutes of the Ordinary Council Meeting held on 20 October 2020 be confirmed as a true and accurate record of proceedings.

10. Receipt of Minutes of Committee Meetings

- 10.1 Bush Fire Advisory Committee Pre-Season Meeting held on 15 October 2020
[Attachment 10.1A](#)

Voting Requirements

- Simple Majority Absolute Majority

Officer's Recommendation / Resolution

That the Minutes of the Local Emergency Management Committee Meeting held on 15 October 2020 be received.

11. Recommendations from Committee Meetings for Council consideration

Nil

12. Officers' Reports - Development Services

12.1 Lot 501 Cnr Neening and Goldfields Roads, Hines Hill – Application for Development Approval, Placement On Site of two Sea Containers For Storage Purposes

Development Services



Responsible Officer:	Peter Zenni, EMDS
Author:	Peter Zenni, EMDS
Legislation:	<i>Shire of Merredin Local Planning Scheme No 6.</i>
File Reference:	A9511
Disclosure of Interest:	Nil
Attachments:	Attachment 12.1A - Application for development approval and associated documentation. Attachment 12.1B – Local Planning Scheme Policy No. 1 - Movable Buildings
Maps / Diagrams:	Aerial image of lot in question.

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Shire of Merredin has received an application for development approval for the placement of two sea containers to be used for storage purposes on site at Lot 501 Cnr Neening and Goldfields Road, Hines Hill.

Comment

The two sea containers will be located at Lot 501 Cnr Neening and Goldfields Roads, Hines Hill, which is zoned 'general farming' in accordance with the Shire of Merredin Local Planning Scheme No. 6 (LPS).

The sea containers will be used for the secure storage of personal items, with plans for a future house and shed to follow in due course.

Council has a local planning policy in place which controls movable buildings (including sea containers) and which requires that an application for planning consent be lodged with Council.

Whilst sea containers under Council's policy on movable buildings are not permitted in residential areas, they can be permitted by Council in other (non-residential) zoned areas.

Council Local Planning Policy No.1 – Moveable Buildings, states as follows;

“The Council may give special consideration for the use of ‘**containers**’ outside the townsite areas of the Shire. In these circumstances the Council will need to be satisfied that there is no viable alternative to the use of these structures, and that the location of these ‘**containers**’ will not detract from the amenity of the locality.”

In this case the lot is zoned ‘general farming’, the size and location of the lot will minimise any impact on the visual amenity of the surrounding area. In addition, the applicant advises that **“to lessen the visual impact, despite the large setback from the road, it is our intention to paint the containers in a neutral colour to further blend in with the surrounding landscape, as well as utilising some kind of screening.”**

The objectives of the Council Local Planning Policy No.1 – Moveable Buildings, are as follows;

- a) To maintain high amenity standards of buildings, especially within the residential areas in the Townsites of the Shire.
- b) To ensure that the visual aesthetics of residential areas are not compromised by the introduction of moveable buildings that are generally out of character with the predominant housing style in the locality.
- c) To ensure that moveable buildings, established within the Shire, do not use materials considered by Council to be unacceptable (eg. Asbestos).
- d) To avoid the erection and use of extensive areas of moveable structures for accommodating temporary workforces, or other businesses or company activities, in inappropriate areas.
- e) To prevent the introduction of housing, or other structures, that are designed to be used on a temporary or short stay basis and that may detract from the standards already established in the residential areas of the Townsites.
- f) To protect the visual amenity of the urban environment by not permitting the establishment, storage or use of ‘**containers**’ within the non-residential areas of the townsite.

The proposed development does not contravene any of the objectives of the Shire policy on moveable buildings.

The Shire of Merredin Council has previously granted development approval for the placement of sea containers in general farming zoned areas for storage purposes.

Policy Implications

Compliance with Shire of Merredin local planning policy on movable buildings

Statutory Implications

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

Strategic Implications

➤ Strategic Community Plan

Zone: Communication and Leadership
Zone Merredin Council engages with its community and leads by
Statement: 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 upgrade 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

The relevant development application fees have been paid.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That Council

- 1. Grant development approval for the placement of two sea containers for storage purposes on site at Lot 501 Cnr Neening and Goldfields Roads, Hines Hill, as per the plans forming part of Attachment 12.1A.**
- 2. Advises the applicant, that;**
 - The proposed development will be classified as a Class 10a structure (non-habitable building) under the National Construction Code (BCA). The construction of Class 10a structures outside of town site boundaries within the Shire of Merredin does not require a building permit. However, it is the responsibility of the applicant to ensure that the proposed structure complies with all structural requirements specified by the relevant Australian Standards.**
 - The proposed sea containers may only be used for storage purposes and must not be used for habitation at any time.**

13. Officers' Reports - Engineering Services

Nil

14. Officers' Reports – Corporate and Community Services

14.1 List of Accounts Paid

<h2 style="margin: 0;">Corporate Services</h2> 	
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 October under Delegated Authority is provided for Council's information.

Comment

Nil

Policy Implications

Nil

Statutory Implications

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

Strategic Implications

- [Strategic Community Plan](#)

Zone: Zone 4 – Communications & 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 the 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 also give Council some direction regarding 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* should this item not be 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

That the schedule of accounts paid as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$759,616.30 from Council's Municipal Fund Bank Account and \$6,087.25, from Council's Trust Account be endorsed by Council.

14.2 Statement of Financial Activity

Corporate Services



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:	<p><u>Attachment 14.2A</u> - Statement of Financial Activity</p> <p><u>Attachment 14.2B</u> - Detailed Statements</p> <p><u>Attachment 14.2C</u> - Investment Statement</p> <p><u>Attachment 14.2D</u> - Capital Works Progress</p> <p><u>Attachment 14.2E</u> - Variances by Sub Program</p>

Purpose of Report



Executive Decision



Legislative Requirement

Background

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

Comment

The statements are in a slightly different format this year, with a more detailed summary sheet on page 3. Included as a separate attachment is Variances by Sub Program. This is in place of note 15 Variance by Program. It is felt a more meaningful explanation can be given at sub program level than at program.

Income reports a 0.36% increase above anticipated budget expectations, whilst Operating Expenditure shows a 15.30% deficit on anticipated expenditure. This should flatten out over the coming months as projects get started.

Capital Expenditure

A detailed look at capital expenditure can be found in note 8, as well as Attachment 14.2D showing levels of expenditure.

Policy Implications

Nil

Statutory Implications

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

Strategic Implications

➤ Strategic Community Plan

Zone: Zone 4 – Communications & 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 also give Council some direction regarding 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.

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 on the Monthly Financial Report is retrospective. Accordingly, the financial implications associated with adopting the Monthly Financial Report are nil.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

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 October 2020 be received.

14.3 Proposed Public Piazza Pilot Project Budget Adjustment

Community Services



Responsible Officer:	Andrina Prnich, Deputy CEO
Author:	Andrina Prnich, Deputy CEO
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
File Reference:	CM82627
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report

- Executive Decision Legislative Requirement

Background

At its Ordinary Council Meeting held 20 October 2020, Council resolved (Minute 82627) to:

- a) authorise the CEO to arrange the temporary closure of Barrack Street, for the maximum of period five months to allow for the development of the Public Piazza Pilot Project;
- b) accept the RAC grant offer of \$58,197;
- c) note that the \$20,805 contribution will be a charge on budget item RC135 Barrack Street Capital

Comment

To provide for the implementation of the above resolution it is now necessary to make the appropriate budget provision.

The total project expenditure of \$79,002 (\$58,197+\$20,805) will be a charge on RC135 Barrack Street Capital. The grant will be reflected by increasing CO131201330 ROADC other Contributions & Donations by \$58,197. The shortfall of \$20,805 will be provided from RCO00 Expenditure to be Allocated.

Policy Implications

Nil

Statutory Implications

Local Government Act 1995

Local Government (Financial Management) Regulations 1996

Strategic Implications

➤ Strategic Community Plan

Zone: Economy and Growth
Zone Statement: Merredin seeks new opportunities for growth and strives to develop a rich and multifaceted economy
Key Priority: Developing and maintaining local government infrastructure that increases the potential for business development and investment

➤ Corporate Business Plan

Key Action: Implement the CBD redevelopment project: Stages 2 and 3 (improve the functionality and amenity of Barrack and Bates Streets)
Directorate: Engineering Services
Timeline: Ongoing

Sustainability Implications

➤ Strategic Resource Plan

This Project is a low cost – low risk opportunity for the Shire. The Project will minimise risk to the Shires long term financial and asset management by allowing the community to test the opportunity of developing a public piazza within the CBD, before any significant outlay is made.

➤ Workforce Plan

Directorate: Engineering Services, Community Services
Activity: Construction and Maintenance; Community Development
Current Staff: 2 FTE +
Focus Area: Attract and Retain Outstanding People
Strategy Code: 1.4
Strategy: Provide appropriate training and development opportunities
Implications: This project will have a direct impact on the Community Services and Engineering Services directorates. Resources will be required from Community Development, Maintenance and Construction with direct project management by both the Deputy CEO and Executive Manager Engineering Services, with opportunities to train staff in this area. This will be integrated into current workload and may directly impact delivery of some services.

Risk Implications

Failing to make this budget adjustment would potentially breach the provisions of the Local Government (Financial Management) Regulations 1996.

Financial Implications

This Project requires a Shire contribution of \$20,805.

The project cost including contingency was initially estimated at \$104,002 and \$83,197 was sought from RAC through their 'Reinvigorating Streets and Spaces Fund'.

Conditional approval has been given from RAC for a total of \$58,197. This will not impact the Shire's contribution as the reduced funding relates specifically to one project element with a very high specification. Shire officers will review the scope of this element and provide for an adequate solution within these budgetary parameters.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That Council:

a) Amend the 2020/21 budget to:

- i. Increase CO131201330 ROADC other Contributions & Donations by \$58,197**
- ii. Increase Job RC135 Barrack Street Construction by \$79,002; and**
- iii. Allocate the balance of \$20,805 being the Council's contribution from RC000 Expenditure to be Allocated (\$450,000)**

15. Officers' Reports – Administration

15.1 Councillors and Staff Christmas Function – Review of Policy

<h2>Administration</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Mark Dacombe, T/CEO	
Author:	Mark Dacombe, T/CEO	
Legislation:	<i>Local Government Act 1995</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 15.1A – Current Policy Attachment 15.1B – Proposed Policy	

Purpose of Report



Executive Decision



Legislative Requirement

Background

Each year Council provides a Christmas function for Councillors and staff to celebrate the season and acknowledge the work achieved throughout the year.

Council policy 1.12 – Annual Christmas Function States that an agenda item be presented to council by no later than November each year requesting Council confirm the date and venue of the function.

An agenda item was submitted to the October 2020 ordinary meeting of the Council where it was resolved (Minute 82621):

- 1. That the Shire of Merredin 2020 Christmas function for Councillors, staff and their partners be held at Merredin Bowling Club on Saturday 5th of December 2020, and**
- 2. That the relevant policy 1.12 be reviewed at the November Council Meeting to include dependent children and that they be included in the 2020 Christmas Function, and**
- 3. That the policy be further reviewed to consider the supply and payment of alcohol.**

CARRIED 6/1

Comment

The Council resolution 82621 was subsequently discussed by the TCEO with staff across the organisation where the consensus expressed was:

1. Staff welcome the inclusion of dependent children in the event;
2. Staff appreciate a modest allowance of alcohol limited to beer and wine at the Christmas function.

A small working party of staff has been set up to plan this year's event taking account of the staff feedback and the Council's resolution.

In the same context a draft amended Policy 1.12 is attached for consideration by the Council.

Policy Implications

Policy 1.12 – Annual Christmas Function has been reviewed in accordance with the Council's resolution 82621.

Statutory Implications

Council's Code of Conduct applies

Strategic Implications

➤ Strategic Community Plan

Zone: Nil
Zone Statement: Nil
Key Priority: Nil

➤ Corporate Business Plan

Key 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

An allocation is included in the 2020/21 Annual Budget for the function

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That Council:


Adopt the reviewed Policy 1.12 Councillors and Staff Christmas Function providing for:

“The Council “to provide a joint Christmas Function for Councillors, employees, and their partners/spouses and dependent children.

Where the format of the function is such that the service of alcohol is appropriate a limit of two drinks per person, limited to beer or wine, will be provided within the cost of the function. Any such function will be conducted in accordance with the responsible service of alcohol guidelines.

The CEO is to place an item on the Council agenda no later than November of each year requesting Council to confirm a date, location and format for the function”.

15.2 Merredin Regional Community and Leisure Centre User Group Fees and Contributions Working Party

<h2>Administration</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Mark Dacombe, T/CEO	
Author:	Mark Dacombe, T/CEO	
Legislation:	<i>Local Government Act 1995</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 15.2A - Terms of Reference	

Purpose of Report



Executive Decision



Legislative Requirement

Background

At the October Ordinary meeting the Council considered a report on MRCLC User Group Fees and Contributions.

The Council also confirmed the fees for the 2020/21 financial year and established a Working Party to consider the outstanding matters and report back to Council at the Ordinary Council Meeting in December.

It was resolved (82622):

That Council:

1. **Approves the 2020/21 fee structure without any increase over the 2019/20 fees. (Fee table inserted)**
2. **Declines the request from the Merredin Sports Council to waive the balance of the 2020/21 winter sports fees on the grounds a substantial discount has already been provided;**
3. **Agrees to work with the Merredin Sports Council and, where appropriate, with Belgravia Leisure on the outstanding matters:**
 - a) **the possible restructure of the fees for 2020/21**
 - b) **Sports Clubs contribution to sports infrastructural renewals**
 - c) **Addressing performance under the contract**
4. **Establish a working party comprising of Councillors Flockart and McKenzie, the T/CEO and DCEO, and invite two representatives from Belgravia**

Leisure and two representatives from the Merredin Sports Council, to consider the outstanding matters and report back to Council at the Ordinary Council Meeting in December.

Comment

Since the Council meeting draft Terms of Reference have been circulated to the parties and considered by the Working Party. These are now submitted for the approval of the Council.

Merredin Regional Community and Leisure Centre User Group Fees and Contributions Working Party – Terms of Reference

Membership

Shire of Merredin: Councillor Julie Flockart (Shire President), Councillor Mark McKenzie, TCEO Mark Dacombe, DCEO Andrina Prnich

Belgravia Leisure: Two representatives to be appointed

Merredin Sports Council: Two representatives to be appointed

Chairperson

The Working Party will be Chaired by the Shire President

Officers Responsible

Chief Executive Officer
Deputy Chief Executive Officer

Meeting Schedule

The first meeting will be set by the Shire of Merredin after which the Working Party will determine its meetings schedule

Meeting Location

Council Chambers, Merredin or the Merredin Regional Community and Leisure Centre

Quorum

Four (4) members of the Working Group including at least one member from each of the three organisations.

Delegated Authority

Nil

1. NAME

The name of the Working Party is the Merredin Regional Community and Leisure Centre (MRCLC) User Group Fees and Contributions Working Party (The Working Party)

2. PURPOSE

To advise the Council on the resolution matters of concern to the Shire of

Merredin, Belgravia Leisure and the Merredin Sports Council, including, but not limited to:

- the basis on which the Sports Clubs using the MRCLC are charged
- any alternative methods of charging
- the basis on which contributions are required from Clubs towards the renewal of sports infrastructure (surfaces)
- approaches to increasing participation in the various sports and administration of the clubs
- developing a shared understanding of the respective operational responsibilities of Belgravia, the Shire and the Clubs
- any other matters that the Working Party members agree should be addressed
- any other matters that the Council refers to the Working Party.

3. ESTABLISHMENT

The Working Group was established by the Council by resolution on 20 October 2020 and will terminate when the report and recommendations are submitted to the Council, unless the Council decides otherwise.

4. MEMBERSHIP

4.1 General

The Council will appoint two (2) Elected Members to the Working Group who are entitled to one vote each, and two senior staff members who will be non-voting members. Belgravia Leisure and Merredin Sports Council will be invited to appoint two (2) representatives each who will be entitled to one vote each.

4.2 Tenure of Membership

Where a person is appointed as a member of the Working Party the person's membership continues until:

- The person's appointment is withdrawn by the organisation nominating
- The Working Party is disbanded by the Council
- The person resigns from membership of the Working Party

Staff may be appointed by the Chief Executive Officer to support the work of the Working Party and may be removed by the CEO.

5. WORKING PARTY

5.1 Chairperson

The Chairperson of the Working Party will be the Shire President

5.2 Secretariat

A Shire Officer will undertake this administrative role

6. MEETINGS

6.1 Working Group Meetings
The first meeting will be set by the Shire of Merredin after which the Working Party will determine its meetings schedule.

6.2 Quorum
Four (4) Working Group Members including one (1) Councillor

6.3 Voting
Voting shall be by consensus or by a show of hands as directed by the Chairperson.

6.4 Notes of the Meetings
The CEO is to ensure that notes of the meeting proceedings are kept.

The Meeting Notes may be confirmed by a majority of members present at the meeting in writing via email, after the completion of the meeting. Once Meeting Notes have been confirmed by members, they are to be included in the Information Bulletin.

Recommendations requiring Council action arising from the Meeting Notes shall be presented to Council at the next Ordinary Council Meeting.

6.5 Members Interests to be Disclosed
Members of the Working Group are required to disclose their financial interests and complete a Disclosure form where relevant for all meetings in person and approvals via email, as per the provisions of the Local Government Act Section 5.65-5.70 with respect to disclosure of financial, impartiality or proximity interests. 5.65. Members' interests in matters to be discussed at meetings to be disclosed.

7. LIMITATIONS

The Working Party considerations are limited by the provisions of the contract between the Council and Belgravia Leisure.

The Working Party does not have any delegated authority.

8. REPORTING REQUIREMENT

The Working Party is requested to submit its report by 4 December 2020 to enable recommendations to be considered by the Council at its OCM on 15 December 2020.

It has also been noted that the resolution confirming the fees contains an error that requires to be corrected. The Council declined the request to waive the balance of the "2020/21" winter sports fees. This should refer to the "2019/20"

winter sports fees. There is a consequential amendment to 2020/21 winter sports fees required.

Policy Implications

The resolution of all matters related to the MRCLC may require new policy development or amendment of existing policies depending on the package of measures required. Consideration will be given when the report of the Working Party is available.

Statutory Implications

The recommendations are consistent with the Council’s legal obligations under the *Local Government Act 1995*.

Strategic Implications

➤ Strategic Community Plan

Priorities and Strategies for Change	Whilst not yet formally adopted the Council’s draft strategic priorities include “Development of sport and recreation – infrastructure and participation”. This specifically envisages the Shire working with Department of Local Government, Sport and Cultural Industries, State sport organisations and local clubs to increase participation at player and Committee level.
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➤ Corporate Business Plan

Key Action: N/A

Directorate:

Timeline:

Sustainability Implications

➤ Strategic Resource Plan

Nil pending the report of the Working Party

➤ Workforce Plan

Directorate: Nil

Activity: Nil

Current Staff: Nil

Focus Area: Nil

Strategy Code: Nil

Strategy: Nil

Implications: Nil

Risk Implications

The main risk is that the working party fails to arrive at agreed recommendations.

Financial Implications

Nil pending the report of the Working Party

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That Council:

1. Adopts the Terms of Reference for the Merredin Community and Leisure Centre User Group Fees and Contributions Working Party:

“Merredin Regional Community and Leisure Centre User Group Fees and Contributions Working Party – Terms of Reference”

Membership

Shire of Merredin: Councillor Julie Flockart (Shire President), Councillor Mark McKenzie, TCEO Mark Dacombe, DCEO Andrina Prnich

Belgravia Leisure: Two representatives to be appointed

Merredin Sports Council: Two representatives to be appointed

Chairperson The Working Party will be Chaired by the Shire President

Officers Responsible Chief Executive Officer
Deputy Chief Executive Officer

Meeting Schedule The first meeting will be set by the Shire of Merredin after which the Working Party will determine its meetings schedule

Meeting Location Council Chambers, Merredin or the Merredin Regional Community and Leisure Centre

Quorum Four (4) members of the Working Group including at least one member from each of the three organisations.

Delegated Authority Nil

1. NAME

The name of the Working Party is the Merredin Regional Community and Leisure Centre (MRCLC) User Group Fees and Contributions Working Party (The Working Party)

2. PURPOSE

To advise the Council on the resolution matters of concern to the Shire of Merredin, Belgravia Leisure and the Merredin Sports Council, including, but not limited to:

- **the basis on which the Sports Clubs using the MRCLC are charged**
- **any alternative methods of charging**
- **the basis on which contributions are required from Clubs towards the renewal of sports infrastructure (surfaces)**
- **approaches to increasing participation in the various sports and administration of the clubs**
- **developing a shared understanding of the respective operational responsibilities of Belgravia, the Shire and the Clubs**
- **any other matters that the Working Party members agree should be addressed**
- **any other matters that the Council refers to the Working Party.**

3. ESTABLISHMENT

The Working Group was established by the Council by resolution on 20 October 2020 and will terminate when the report and recommendations are submitted to the Council, unless the Council decides otherwise.

4. MEMBERSHIP

4.1 General

The Council will appoint two (2) Elected Members to the Working Group who are entitled to one vote each, and two senior staff members who will be non-voting members. Belgravia Leisure and Merredin Sports Council will be invited to appoint two (2) representatives each who will be entitled to one vote each.

4.2 Tenure of Membership

Where a person is appointed as a member of the Working Party the person's membership continues until:

- **The person's appointment is withdrawn by the organisation nominating**
- **The Working Party is disbanded by the Council**
- **The person resigns from membership of the Working Party**

Staff may be appointed by the Chief Executive Officer to support the work of the Working Party and may be removed by the CEO.

5. WORKING PARTY

5.1 Chairperson

The Chairperson of the Working Party will be the Shire President

5.2 Secretariat

A Shire Officer will undertake this administrative role

6. MEETINGS

6.1 Working Group Meetings

The first meeting will be set by the Shire of Merredin after which the Working Party will determine its meetings schedule.

6.2 Quorum

Four (4) Working Group Members including one (1) Councillor

6.3 Voting

Voting shall be by consensus or by a show of hands as directed by the Chairperson.

6.4 Notes of the Meetings

The CEO is to ensure that notes of the meeting proceedings are kept.

The Meeting Notes may be confirmed by a majority of members present at the meeting in writing via email, after the completion of the meeting. Once Meeting Notes have been confirmed by members, they are to be included in the Information Bulletin.

Recommendations requiring Council action arising from the Meeting Notes shall be presented to Council at the next Ordinary Council Meeting.

6.5 Members Interests to be Disclosed

Members of the Working Group are required to disclose their financial interests and complete a Disclosure form where relevant for all meetings in person and approvals via email, as per the provisions of the Local Government Act Section 5.65-5.70 with respect to disclosure of financial, impartiality or proximity interests. 5.65. Members' interests in matters to be discussed at meetings to be disclosed.

7. LIMITATIONS

The Working Party considerations are limited by the provisions of the contract between the Council and Belgravia Leisure.

The Working Party does not have any delegated authority.

8. REPORTING REQUIREMENT

The Working Party is requested to submit its report by 4 December 2020 to enable recommendations to be considered by the Council at its OCM on 15 December 2020.”

2. Rescinds that part of resolution 82622 that reads:

“Declines the request from the Merredin Sports Council to waive the balance of the 2020/21 winter sports fees on the grounds a substantial discount has already been provided”

and replace it with:

“Declines the request from the Merredin Sports Council to waive the balance of the 2019/20 winter sports fees on the grounds a substantial discount has already been provided”.

3. Approve the consequential adjustment to the winter sports fees for 2020/21

Club	2019/20 (charged rate)	2020/21
Burracoppin Football Club	\$5,209.31	\$5,209.31
Merredin Junior Football	\$2,315.25	\$2,315.25
Merredin Junior Hockey Association	\$2,894.06	\$2,894.06
Merredin Men’s Hockey Club	\$2,894.06	\$2,894.06
Merredin Netball Association	\$9,261.00	\$9,261.00
Merredin Women’s Hockey Club	\$2,894.06	\$2,894.06
Nukarni Football Club	\$5,209.31	\$5,209.31

15.3 Shire of Merredin Christmas/New Year's Opening Hours

<h2>Administration</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Andrina Prnich, DCEO	
Author:	Gabriella Rechichi, ASO	
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Nil	

Purpose of Report



Executive Decision



Legislative Requirement

Background

For the last few years most Council venues have closed during the Christmas/New Year period as it is an extremely quiet period with minimal public visitations and phone enquires. It is also common for many residents of the Shire to travel elsewhere at this time of year with many other businesses also closing.

Comment

The Christmas Day public holiday will be observed on Friday, 25 December 2020. As Boxing Day will fall on a Saturday, the public holiday will be observed on Monday, 28 December 2020, meaning Council offices will be closed on both of these days. Similarly, the New Year's Day public holiday will be observed on Friday, 1 January 2021 meaning Council offices will also be closed on that day.

It is therefore proposed that the Shire venues close from 12 noon Thursday, 24 December 2020, to Friday, 1 January 2021 inclusive. The venues will reopen as usual on Monday, 4 January 2021.

The opening times for all venues over the Christmas/New Year period will be extensively advertised and circulated in advance.

As per previous years, on-call arrangements will be put in place prior to the proposed Christmas closure to ensure emergencies can be responded to. Senior staff will be available on mobile phone and emergency contact details will also be distributed where required.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

➤ **Strategic Community Plan**

Zone: Nil

Zone Statement: Nil

Key Priority: Nil

➤ **Corporate Business Plan**

Key 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

Senior staff will be available on mobile and if required for any major emergencies, relevant staff will be called if required.

Financial Implications

Staff will be required to take time off in lieu, annual leave or accrued rostered days off. These costs are contained within the 2020/21 budget.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That Council:

Approves the closure of all Shire venues for the Christmas/New Year period from 12 noon Thursday, 24 December 2020 to Monday, 4 January 2021, with the exception of the Merredin Landfill and Resource Recovery Site which will be closed only on Friday, 25 December 2020, and Friday, 1 January 2020, with the hours of operation and emergency contacts advertised to the community.

15.4 2021 Council Meeting Dates

<h2>Administration</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Andrina Prnich, DCEO	
Author:	Gabriella Rechichi, ASO	
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 15.4A – 2021 Council Meeting Dates	

Purpose of Report

Executive Decision

Legislative Requirement

Background

The *Local Government Act 1995* requires a local government, at least once a year, to give local public notice of the dates, times and places at which Ordinary Meetings of Council are held within the next 12 months.

All Committee and Council meetings are held in the Council Chambers at the Shire of Merredin Administration Building at Corner King & Barrack Streets, Merredin.

In accordance with Regulation 12 of the *Local Government (Administration) Regulation's 1996*, an advertisement will be placed in the local community paper. In addition, this advertisement will be placed on the Shire's website and on the Shire's notice boards.

Comment

There are a number of options that Council can consider when deciding Council meeting dates/structure for 2021. These are, but not limited to; what day; what time; whether Council has briefings; the frequency of meetings; and which week of the month.

In setting times for meetings, consideration should be given to:

- **Impact for Councillors** – Councils in Western Australia are not full time. The majority of Shire of Merredin Councillors work full time and have family responsibilities. They attend to Council obligations in addition to these roles. Councillor's duties are not limited to Council meetings and in many cases, a number of weeknights and weekends are occupied with Council obligations.

One of the principal roles of a Councillor is to participate in the decision-making process at Council meetings. Maximum Councillor attendance is important for debate and decision-making. Council's primary consideration to setting meeting times should be the availability of councillors and the optimal time to ensure effective decision-making.

- **Public Attendance** – meeting times of Council are during work hours and should be optimised for all the community. It is consideration that any one meeting time will not suit all sections of the community.

- **Impact for Senior Staff** – Longer meetings, if started later, will extend later into the evening. This may have impacts on Councillors and rostering of staff who attend meetings and potential Occupational Health and Safety impacts if meetings extend late into the evening.

Councillors should consider the suitability of meetings that extend into the later part of the evening, and how this impacts on them, members of the public and staff, and whether good decision making can still occur later in the night.

Options and Implications

- **Day:** Monday, Tuesday, Wednesday, Thursday, Friday

Council currently meets on a Tuesday. Majority of local governments meet on a Tuesday with some meeting on Mondays, Wednesdays.

- **Start Time:** Between the hours of 8.30 am and 6:00 pm.

Council currently meets at 4.00 pm; this varies between individual local governments in the Wheatbelt Region.

- **Agenda Briefings;**

Council currently holds an agenda briefing session prior to the Council meeting, which is closed to the public.

- **Frequency:** 1 a month, 2 a month; every 3 or 4 weeks.

Council currently meets on a 1 a month basis, which suits Council.

- **Cycle:** 1st week, 2nd week, 3rd week, 4th week, last week.

Shire of Merredin currently has their Council meetings on the 3rd week of the month.

Consideration also needs to be given to Council committees and Citizenship Ceremonies.

Policy Implications

This item is aligned with legislation and therefore not related to any policies

Statutory Implications

Section 5.25 (1) (g) of the *Local Government Act 1995* provides for giving of public notices of the date and agenda for Council or Committee meetings.

Regulation 12(1) of the *Local Government (Administration) Regulation's 1996* provides: -

“(1) At least once each year a local government is to give local public notice of the dates on which a time and place at which-

(a) the ordinary council meetings; and

(b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to the members of the public,

are to be held in the next 12 months.”

Strategic Implications

➤ Strategic Community Plan

Zone: Zone 4 – Communication & Leadership

Zone Statement: Merredin Council engages with its Community and leads by example.

Key Priority: 4.2 – Council engaging broadly and proactively with the community

➤ Corporate Business Plan

Key Action: 4.2.1 – Support Councillor engagement at functions and events

Directorate: All directorates

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 is relative low however the statutory risk would be non-compliance should the local government does not proceed to advertise or support this item.

Financial Implications

The cost of advertising in the local paper will form part of this item which is currently budgeted in the 2020/21 annual budget.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That Council:

1. **Meets on the 3rd Tuesday of the Month on the following dates in 2021: 19 January, 16 February, 16 March, 20 April, 18 May, 15 June, 20 July, 17 August, 21 September, 19 October, 16 November; and 21 December;**
2. **Meetings commence at 4:00 pm;**
3. **Has a closed agenda briefing sessions on the 3rd Tuesday of the month commencing at 2.00 pm;**
4. **That Audit Committee be held on the 3rd Tuesday of the month commencing at 1:00 pm.**

16. Motions of which Previous Notice has been given

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

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

19. Matters Behind Closed Doors

19.1 Chief Executive Officer Recruitment and Selection Process

Administration



Responsible Officer:	Mark Dacombe, T/CEO
Author:	Mark Dacombe, T/CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Nil
Disclosure of Interest:	Officer is the Temporary CEO
Attachments:	Nil

20. Closure

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