



SHIRE OF
MERREDIN
INNOVATING THE WHEATBELT

Minutes

Ordinary Council Meeting

Held in Council Chambers
Corner King & Barrack Street's, Merredin
Tuesday, 19 January 2021
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, 19 January 2021 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

A handwritten signature in black ink, appearing to read 'Mark Dacombe', written in a cursive style.

MARK DACOMBE
TEMPORARY CHIEF EXECUTIVE OFFICER
14 January 2021

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 | |
|--|--|
| CBP | Corporate Business Plan |
| CEACA | Central East Aged Care Alliance |
| CSP | Community Strategic Plan |
| CWVC | Central Wheatbelt Visitors Centre |
| DCEO | Deputy Chief Executive Officer |
| 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 and Communications Officer |
| MoU | Memorandum of Understanding |
| MRCLC | Merredin Regional Community and Leisure Centre |
| SRP | Strategic Resource Plan |
| T/CEO | Temporary Chief Executive Officer |
| WALGA | Western Australian Local Government Association |
| WEROC | Wheatbelt East Regional Organisation of Councils |



Shire of Merredin Ordinary Council Meeting 4:00pm Tuesday, 19 January 2021

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Shire of Merredin
Ordinary Council Meeting
4:00pm Tuesday, 19 January 2021



1. Official Opening

The President acknowledged the Traditional Owners of the land on which we meet today and paid her respects to the Elders past and present. The President then welcomed those in attendance and declared the meeting open at 4.04pm

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 RM Manning | |
| Cr RA Billing | |

Staff:

| | |
|-----------|-------|
| M Dacombe | T/CEO |
| C Brown | EMCS |
| G Garside | AEMCS |
| P Zenni | EMDS |
| A Brice | EA |

Members of the Public: Nil

Apologies: A Prnich (DCEO)
C Shotter (EMES)

Approved Leave of Absence: Cr MD Willis (Deputy President)
Cr PM Van Der Merwe

3. Public Question Time

Nil

4. Disclosure of Interest

Nil

5. Applications of Leave of Absence

Nil

6. Petitions and Presentations

Nil

7. Confirmation of Minutes of Previous Meetings

7.1 Ordinary Council Meeting held on 15 December 2020
[Attachment 7.1A](#)

Voting Requirements



Simple Majority



Absolute Majority

Resolution

Moved: Cr Butler

Seconded: Cr Billing

82666

That the Minutes of the Ordinary Council Meeting held on 15 December 2020 be confirmed as a true and accurate record of proceedings.

CARRIED 7/0

8. Announcements by the Person Presiding without Discussion

The Shire President took the opportunity to wish Councillors, CEO and Staff a happy 2021, and to speak to Council regarding her activities from the previous month.

Cr Flockart spoke about attending the following events;

- 15 December 2020 - Merredin College Merrydin Concert K-2
- 16 December 2020 Merredin College High Achievers Year 7-10 assembly
- 16 December 2020 - Merredin College Merrydin Concert Year 3-6
- 17 December 2020 - Gala Night opening and meeting with RACWA representatives
- 18 December 2020 - Weekly CEO meeting
- 4 January 2021 - CEACA Executive and Management meeting
- 6 January 2021 - Weekly CEO meeting
- 15 January 2021 - Weekly CEO meeting

Cr Flockart made note that stakeholder engagement conversations were had with the following;

- T/CEO, Susan Hall. Wheatbelt Development Commission regarding Merredin Airport December

- CEO, Rob Cossart, Wheatbelt Development Commission regarding Merredin Airport January
- Chair, Tuck Waldron, Regional Development Australia Wheatbelt regarding Merredin Airport January
- Darren West MLC regarding Merredin Airport January

9. Matters for Which the Meeting may be Closed to the Public

Nil

10. Receipt of Minutes of Committee Meetings

- 10.1 Rural Water Council of WA (Inc) Meeting held on 16 October 2020
[Attachment 10.1A](#)

Voting Requirements

Simple Majority Absolute Majority

Resolution

Moved: Cr Billing **Seconded:** Cr Butler

82667 **That the Minutes of the Rural Water Council of WA (Inc) Meeting held on 16 October 2020 be received.**

CARRIED 7/0

11. Recommendations from Committee Meetings for Council Consideration

Nil

12. Officers' Reports - Development Services

12.1 Lot 1229 Doyle Street Merredin Proposed Extension to Existing DPLH Lease – Hutchings Nominees Pty Ltd

| | |
|---|--|
| <h2>Development Services</h2>  | |
| Responsible Officer: | Peter Zenni, EMDS |
| Author: | Peter Zenni, EMDS |
| Legislation: | Shire of Merredin Local Planning Scheme No 6. |
| File Reference: | A247 |
| Disclosure of Interest: | Nil |
| Attachments: | Attachment 12.1A - Associated correspondence property location details and site photos |

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Shire of Merredin has received a request for comment from the Department of Planning Lands and Heritage (DPLH) regarding proposed extension of an existing lease for a period of a further 10 years for the purpose of 'Storage of Vehicles' on Lot 1229 on Deposited Plan 174776 by Hutchings Nominees Pty Ltd.

Comment

On 22nd December 2000, the then Shire of Merredin CEO, Mr Bill Fensome wrote on behalf of the Shire of Merredin to Mr Gordon Riddle of the Department of Land Administration, stating as follows;

“I refer to your letter of 25 October 2000. In reply I advise that Council raises no objections to replacing the existing annual renewable lease over Merredin Lot 1229 with a 10 year lease (for the purpose of “storage of vehicles”).”

On 26th February 2009, the then Shire of Merredin EMDS, Mr John Mitchell wrote on behalf of the Shire of Merredin to Ms Carolyn Ashfield of the Eastern Districts Panel Beaters, stating as follows;

“Thank you for your email of 26 February 2009 requesting confirmation that the Shire of Merredin has approved of the operation of the above business.

Eastern Districts Panel Beaters is located within the “light industry” zone of the Shire of Merredin Town Planning Scheme No. 1 and is an “AP” use. The use as a motor vehicle panel beating and repair premises is a non-conforming use as the business was established prior to the commencement of the Town Planning Scheme No.1 (1983).

The premises – Eastern Districts Panel Beaters is considered an approved premises.

The proposed Local Planning Scheme No.6 (nee 3) zones the area of land as light industry – and motor vehicle repair use will still be a permitted use. The Shire of Merredin currently has no local government issues with the operation of the business.”

The Shire of Merredin last considered a request for comment relating to a proposed 10-year extension to the original lease at its meeting held on 21 September 2010, where it resolved as follows;

CMRef: 30420

That the Department of Regional Development and Lands be advised that the issue of the extension of lease should include the following conditions of operation for a car wreckers yard on Lot 1229 Doyle Street, Merredin:

- 1. the approval is subject to any required works approval and operating licence of the Department of Environment and Conservation. The applicant shall provide evidence to the Shire of Merredin of the advice from the Department of Environment and Conservation;**
- 2. car wrecking and scrap steel is for the purposes of this application to include car metal components, light gauge steel, metal alloys and plastic bumpers, dashboards and wheel rims but excludes seat fabric materials, toxic door and roof lining materials, tyres of any size- excluding working plant used in the operation of the car wrecking scrap steel process, paper, cardboard, battery acid or general waste of any description;**
- 3. the site shall be limited to an area of 3m off fence lines for fire fighting purposes and a height of 2m and there shall be no storage of petrol tanks or oil sumps on site that have not been properly punctured and emptied prior to storage at Lot 1229 Doyle Street, Merredin;**
- 4. a maximum of 410 vehicles or parts thereof shall be stored on site;**

- 5. all stored disused materials shall be deposited behind screened fence which shall be maintained at all times in a good condition and capable of screening the stored steel components;**
- 6. the storage area shall be graded away from the middle to prevent ponding of water within the storage area. This can be achieved via a 2% fall from centre;**
- 7. provide a fire hose reel and fire extinguishers for fighting oil fires that can occur on site as a result of the storage of steel waste and associated products;**
- 8. maintain internal fire breaks to a 3m width around the property at all times materials are stored on site and during any statutory period; and**
- 9. provide satisfactory signage (min height lettering of 90mm) on site detailing emergency contact details and a description of all materials stored on site for emergency personnel information.**

A copy of a portion of the annexure forming part of the existing lease as provided by DPLH confirms that the conditions identified in Councils resolution have been incorporated into the lease document.

An inspection of Lot 1229 Mitchell Street was undertaken by the Shires of Merredin EMDS and Contract Ranger on Monday 4th January 2021.

The inspection revealed that whilst some of the conditions relating to the provision of a 3-meter fire break around the perimeter of the property are not being complied with, in the opinion of the Contract Ranger the low fuel load present and availability of internal access paths on the property for use by fast attack response vehicles in case of a fire related incident minimise the risk of the spread of fire to adjoining properties.

Mr Grant Hutchinson the proprietor of Eastern Districts Panel Beaters stated that he minimises the potential fuel load through an annual application of herbicides as well as ensuring that all vehicles stored on the lot are drained of all fuel and oil.

Implementation of any conditions forming part of the lease agreement falls to the parties forming part of the lease agreement. Should any concerns arise they can be brought at that time to the attention of DPLH as well as being addressed by the Shire Ranger as part of compliance provisions relating to enforcement of the Shire of Merredin Annual Fire Break Notice.

Given that this lease relates to an existing long term business activity that should not be unnecessarily jeopardised it is suggested that the Shire of Merredin Council provide comment to DPLH that it has no objection to the proposed lease extension

subject to the ongoing compliance with the Annual Shire of Merredin Fire Break Notice as well as the existing lease conditions.

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 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

Nil

Voting Requirements



Simple Majority



Absolute Majority

Resolution

Moved: Cr Boehme

Seconded: Cr Patroni

82668

That Council advises the Department Planning Lands and Heritage that it is not opposed to the renewal of an existing lease for storage of vehicles on Lot 1229 Doyle Street, Merredin, subject to compliance with the Annual Shire of Merredin Fire Break Notice and the following conditions;


- 1. the approval is subject to any required works approval and operating licence of the Department of Environment and Conservation. The applicant shall provide evidence to the Shire of Merredin of the advice from the Department of Environment and Conservation;**
- 2. car wrecking and scrap steel is for the purposes of this application to include car metal components, light gauge steel, metal alloys and plastic bumpers, dashboards and wheel rims but excludes seat fabric materials, toxic door and roof lining materials, tyres of any size- excluding working plant used in the operation of the car wrecking scrap steel process, paper, cardboard, battery acid or general waste of any description;**
- 3. the site shall be limited to an area of 3m off fence lines for fire fighting purposes and a height of 2m and there shall be no storage of petrol tanks or oil sumps on site that have not been properly punctured and emptied prior to storage at Lot 1229 Doyle Street, Merredin;**
- 4. a maximum of 410 vehicles or parts thereof shall be stored on site;**
- 5. all stored disused materials shall be deposited behind screened fence which shall be maintained at all times in a good**

- condition and capable of screening the stored steel components;**
- 6. the storage area shall be graded away from the middle to prevent ponding of water within the storage area. This can be achieved via a 2% fall from centre;**
 - 7. provide a fire hose reel and fire extinguishers for fighting oil fires that can occur on site as a result of the storage of steel waste and associated products;**
 - 8. maintain internal fire breaks to a 3m width around the property at all times materials are stored on site and during any statutory period; and**
 - 9. provide satisfactory signage (min height lettering of 90mm) on site detailing emergency contact details and a description of all materials stored on site for emergency personnel information.**

CARRIED 7/0

13. Officers' Reports - Engineering Services

13.1 Award of eQuotes Tender – 2020/21 Asphalt Program

| | |
|--|--|
| <h2 style="margin: 0;">Engineering Services</h2>  | |
| Responsible Officer: | Calvin Shotter, EMES |
| Author: | Calvin Shotter, EMES |
| Legislation: | <i>Local Government Act 1995</i> <i>Local Government (Functions and General) Regulations 1996</i> |
| File Reference: | Nil |
| Disclosure of Interest: | Nil |
| Attachments: | Attachment 13.1A – Evaluation Sheet |

Purpose of Report

Executive Decision

Legislative Requirement

Background

This item seeks Council approval to engage a supplier determined as best value for money through a Request for Quotation process for the supply and installation of asphalt sealing works for the 2020/2021 Asphalt Sealing Program. In accordance with the Shire of Merredin Purchasing Policy – 3.12 and regulation 11 (2) (f) the Local Government (Functions and General) Regulations 1996, this purchase can be made via the WALGA preferred Supplier arrangement, which is exempted from public tender process. The tendering process has been initiated via the WALGA preferred supplier eQuotes system, which in accordance with “Using a Tender Exempt Panel of PreQualified Suppliers” guidelines within the Purchasing Policy and the Local Government (Function and General) Regulations 1996. The value of the purchase is more than the Chief Executive Officer’s delegation limit and requires a resolution of Council to progress the purchase. A Request for Quote (RFQ) being Reference Number: VP222009 - Shire of Merredin 2020/21 Asphalt Program was issued via the WALGA Preferred Supplier eQuotes on January 4, 2021.

The RFQ utilised selection criteria set out under the category of Road Building Contractors, Materials and Related Services – Asphalt Supply & Services).

The following WALGA preferred suppliers were requested to provide quotations:

1. Roads 2000 PTY LTD
2. Boral Resources
3. Downer Infrastructure
4. Malatesta Road Paving
5. Asphaltech PTY LTD

The RFQ closed to submission on the January 13, 2021 and two suppliers submitted a quotation in accordance with the RFQ.

Comment

The evaluation of the submissions was conducted in accordance with the purchasing policy and incorporated the “value for money assessment accounting for the whole of life cost, technical requirements and service delivery”. The evaluation of the submissions was undertaken by Calvin Shotter (EMES) and Troy Davies (Construction Supervisor). The evaluation spreadsheet is included in the attachments. During the evaluation, the following was noted:

- All suppliers are WALGA Preferred Suppliers and have been assessed and determined capable of delivering a conforming result.
- Supplier 1 price is the cheapest of the preferred suppliers and offers the best value for money when the principles of value for money are applied.
- Supplier 1 has previously undertaken asphaltting works within the Shire of Merredin.
- Supplier 1 has a proven track record with service and backup support.

Policy Implications

Council Policy 3.12 – Purchasing Policy. This Policy outlines how the Shire of Merredin will deliver best practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance whereby establishing efficient, effective, economical and sustainable procedures in all purchasing activities. This Policy was used to undertake the procurement process via WALGA eQuotes. This policy also establishes the evaluation requirement for Council procurement.

Statutory Implications

This procurement process has been completed in accordance with section 3.75 of the Local Government Act 1995 and the Regulation 11 (2)(f) of the *Local Government (Functions and General) Regulations 1996*.

Strategic Implications

➤ Strategic Community Plan

| | |
|-----------------|---|
| Zone: | Zone 6 – Transport and networks |
| Zone Statement: | Merredin provides transport networks that connect it locally, nationally and internationally. |
| Key Priority: | 6.1 – Developing and maintaining a road hierarchy and providing an appropriate level of service for the road network. |

➤ Corporate Business Plan

| | |
|--------------|--|
| Key Action: | 6.1.1 – Deliver annual drainage and road program |
| Directorate: | Engineering Services |
| Timeline: | 2020/2021 |

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

Adoption of this item has been evaluated against the Shire of Merredin's Risk Management Policy 3.24 - Risk Matrix. The perceived level of risk is low risk and can be managed by the routine procedures.

Financial Implications

Council has set aside funds in the 2020/21 Capital Expenditure Program to undertake works on a range of locations, across several budget codes. The work program will be managed to ensure total asphalt costs remain within the budget allocations.

Voting Requirements

Simple Majority Absolute Majority


Resolution

Moved: Cr Patroni **Seconded:** Cr Billing

82669 That Council awards RFQ VP222009 – Shire of Merredin 2020/21 Asphalt Program to the supplier Roads 2000 to deliver the asphalt program to the specified areas at the cost of \$14.64 per square metre.

CARRIED 7/0

13.2 Award of eQuotes Tender – 2020/21 Spray Seal Program

| | |
|---|--|
| <h1>Engineering Services</h1>  | |
| Responsible Officer: | Calvin Shotter, EMES |
| Author: | Calvin Shotter, EMES |
| Legislation: | <i>Local Government Act 1995</i> <i>Local Government (Functions and General) Regulations 1996</i> |
| File Reference: | Nil |
| Disclosure of Interest: | Nil |
| Attachments: | Attachment 13.2A – Evaluation Sheet |

Purpose of Report

Executive Decision

Legislative Requirement

Background

This item seeks Council approval to engage a supplier determined as best value for money through a Request for Quotation (RFQ) process for the supply and application of spray seal works for the 2020/21 Spray Seal Program. In accordance with Policy 3.12 – Purchasing Policy and Regulation 11(2)(f) of the Local Government (Functions and General) Regulations 1996, this purchase can be made via WALGA’s Preferred Supplier Arrangements (PSA), which is exempted from public tender process. The tendering process has been initiated via WALGA’s PSA eQuotes system in accordance with “Using a Tender Exempt Panel of Pre-Qualified Suppliers” guidelines within the Policy 3.12 – Purchasing Policy and the Local Government (Function and General) Regulations 1996. The value of the purchase is more than the CEOs delegation limit and requires a resolution of Council to progress the purchase. An RFQ, being Reference Number: VP222008 - Shire of Merredin 2020/21 Spray Seal Program, was issued via eQuotes on January 4, 2021. The RFQ utilised selection criteria set out under the category of Road Building Contractors, Materials and Related Services – Spray Seal Supply and Services.

The following WALGA preferred suppliers were requested to provide quotations:

1. Bitumen Surfacing.
2. Bitutek PTY LTD.
3. Boral Resources
4. Colas Western Australia
5. Downer Infrastructure – Australia West; and
6. Fulton Hogan.

The RFQ submissions closed on 13 January 2021 and two suppliers submitted a quotation in accordance with the RFQ.

Comment

The evaluation of the submissions was conducted in accordance with the purchasing policy and incorporated the “value for money assessment accounting for the whole of life cost, technical requirements and service delivery”. The evaluation of the submissions was undertaken by Calvin Shotter (EMES) and Troy Davies (Construction Supervisor). The evaluation spreadsheet is included in the attachments. During the evaluation, the following was noted:

- All suppliers are WALGA Preferred Suppliers and have been assessed and determined capable of delivering a conforming result.
- Supplier 2 price is the cheapest of the preferred suppliers and offers the best value for money when the principles of value for money are applied.
- Supplier 2 has previously undertaken sealing works within the Shire of Merredin.
- Supplier 2 has a proven track record with service and backup support.

Policy Implications

Council Policy 3.12 – Purchasing Policy. This Policy outlines how the Shire of Merredin will deliver best practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance whereby establishing efficient, effective, economical and sustainable procedures in all purchasing activities. This Policy was used to undertake the procurement process via WALGA eQuotes. This policy also establishes the evaluation requirement for Council procurement.

Statutory Implications

This procurement process has been completed in accordance with section 3.75 of the Local Government Act 1995 and the Regulation 11 (2)(f) of the *Local Government (Functions and General) Regulations 1996*.

Strategic Implications

➤ Strategic Community Plan

| | |
|-----------------|---|
| Zone: | Zone 6 – Transport and networks |
| Zone Statement: | Merredin provides transport networks that connect it locally, nationally and internationally. |
| Key Priority: | 6.1 – Developing and maintaining a road hierarchy and providing an appropriate level of service for the road network. |

➤ Corporate Business Plan

| | |
|--------------|--|
| Key Action: | 6.1.1 – Deliver annual drainage and road program |
| Directorate: | Engineering Services |
| Timeline: | 2020/2021 |

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

Adoption of this item has been evaluated against the Shire of Merredin's Risk Management Policy 3.24 - Risk Matrix. The perceived level of risk is low risk and can be managed by the routine procedures.

Financial Implications

Council has set aside funds in the 2020/21 Capital Expenditure Program to undertake the spray sealing program of several locations across several budget codes. The work program will be managed to ensure the spray seal costs remain within the budget allocation.

Voting Requirements



Simple Majority



Absolute Majority

Resolution

Moved: Cr Butler

Seconded: Cr Billing

82670

That Council awards RFQ VP222008 – Shire of Merredin 2020/21 Spray Seal Program to the supplier Bitutek PTY LTD to deliver the spray seal program to the specified areas at a per square metre cost of \$3.00 for reseal and \$4.00 for primer seal.

CARRIED 7/0

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 December 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

Resolution

Moved: Cr McKenzie

Seconded: Cr Billing

82671

That the schedule of accounts paid as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$919,533.99 from Council's Municipal Fund Bank Account and \$581.70, from Council's Trust Account be endorsed by Council.

CARRIED 7/0

14.2 Statement of Financial Activity

| <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="flex: 1;"> <h1 style="margin: 0;">Corporate Services</h1> </div> <div style="flex: 0.5; text-align: right;">  </div> </div> | |
|--|---|
| 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 14.2A – Statement of Financial Activity Attachment 14.2B – Detailed Statements Attachment 14.2C – Investment Statement Attachment 14.2D – Capital Works Progress Attachment 14.2E – Variances by Sub Program |

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

Income reports a 2.25% variance on anticipated budget expectations, whilst Operating Expenditure shows a 15.59% deficit on anticipated expenditure. This will adjust after the mid-year review has been completed.

Capital Expenditure

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

Attachment 14.2 (E) reports variances by Sub Program, making it easier to drill down on variances to a greater degree.

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

Resolution

Moved: Cr McKenzie

Seconded: Cr Patroni

82672 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 December 2020 be received.

CARRIED 7/0

14.3 Half Yearly Budget Review

| | |
|---|--|
| <h2>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 14.3A – 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 2020/2021 Budget.

A number of budget variations are proposed as part of this review.

The proposed changes are identified in attachment 14.3A.

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; and
- 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 2020-21 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 2019-20 was higher than the budget estimate by \$ 10,803, however this has not been confirmed by signed off annuals and I am suggesting leaving to the March quarter review to deal with.

Operating Income and Expenditure

Various amendments have been proposed as detailed in attachment 14.3A

Transfers to Reserves.

A transfer to the Land and Development reserve from the sale of 20 Priestly street is proposed.

Changes to the Australian Accounting Standards resulted in unspent grants be treated as a "contract liability" on council's balance sheet.

This council, to isolate grant funds, has transferred any unspent grants to the reserve fund, and then transferred them back to municipal fund as they are expended. The result of the changes to the AAS is that the Unspent Grants Reserve Fund now becomes obsolete.

With this in mind, we are proposing a Reserve Fund Name change from the Unspent Grants Reserve Fund to the Unspent Capital Works Reserve Fund, with a proposal to

transfer \$150,000.00 being budgeted works on South Avenue that will be completed in stage II of the works proposed in conjunction with Main Roads WA.

Along with the name change is a purpose change which will be “to be utilised for the quarantining of funds awaiting completion of works”.

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*. &

Local Government Act 1995

6.11. Reserve accounts

- (1) Subject to subsection (5), where a local government wishes to set aside money for use for a purpose in a future financial year, it is to establish and maintain a reserve account for each such purpose.
- (2) Subject to subsection (3), before a local government —
 - (a) changes* the purpose of a reserve account; or
 - (b) uses* the money in a reserve account for another purpose,it must give one month’s local public notice of the proposed change of purpose or proposed use.

**Absolute majority required.*
- (3) A local government is not required to give local public notice under subsection (2) —
 - (a) where the change of purpose or of proposed use of money has been disclosed in the annual budget of the local government for that financial year; or
 - (b) in such other circumstances as are prescribed.
- (4) A change of purpose of, or use of money in, a reserve account is to be disclosed in the annual financial report for the year in which the change occurs.
- (5) Regulations may prescribe the circumstances and the manner in which a local government may set aside money for use for a purpose in a future financial year without the requirement to establish and maintain a reserve account.

Strategic Implications

➤ Strategic Community Plan

Zone: Developing

Zone Statement: The population and economic base is expanding sustainably

Key Priority: Governance

➤ Corporate Business Plan

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

Action #: 1

Action: Deliver long term financial planning for asset replacement and new capital projects

Directorate: 2

Timeline: Continue to provide prudent financial controls and compliance systems

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 regards 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

Resolution

Moved: Cr McKenzie

Seconded: Cr Boehme

82673

That Council;

- 1) Approves the Mid - Year Review of the 2020/2021 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 2020/21 annual budget review and determination to the Department of Local Government and Communities.
- 3) The Unspent Grants Reserve Fund be Renamed the Unspent Capital Works Reserve Fund, with the purpose being, “to be utilised for the quarantining of funds awaiting completion of works”.
- 4) As required by section 6.11 of the Local Government Act 1995, one month’s public notice be given for the Change of Name and Change of Purpose of this reserve.
- 5) In addition to the amendments as detailed in attachment 14.3 (A), the following adjustments be made;

Reduce RC000 by \$321,492.00

Increase 2040187 by \$30,000.00

Reduce 2130642 by \$30,000.00

Increase Transfers to Reserves by \$321,492.00

Apex Park Reserve \$100,000.00

Building Reserve \$100,000.00

Unspent Capital Works Reserve \$121,492.00

CARRIED 6/1

14.4 Policy 2.9 Rostered Days Off & Flexible Working Arrangements

| | |
|---|---|
| <h1>Corporate Services</h1>  | |
| Responsible Officer: | Charlie Brown, EMCS |
| Author: | Charlie Brown, EMCS |
| Legislation: | <i>National Employment Standards & Fair Work Act 2009</i> |
| File Reference: | Nil |
| Disclosure of Interest: | Nil |
| Attachments: | Attachment 14.4A – Hours of Work/Leave Arrangements Policy (as proposed) Attachment 14.4B – Current Policy 2.9 |

Purpose of Report

Executive Decision

Legislative Requirement

Background

Councils current policy allows for a 19-day month flexitime/rostered day off system for administration staff. Outside staff are covered by their Enterprise Bargaining Agreement which allows a nine-day fortnight.

Comment

A new policy is proposed, the objectives of the policy to define the hours of work and to provide for flexible working hours, including rostered days off for administrative staff.

This policy is intended to inform all employees of their rights and responsibilities when accruing and taking rostered days off and to establish consistent standards across all departments of Council.

The *Fair Work Act 2009* encourages flexibility in the workplace. This policy framework assists the CEO to create an approach to flexible work hours that meets the needs of the Shire organisation and the staff members concerned. The provision of rostered days off and flexible working arrangements reflects the Shire's

commitment to flexibility in the workplace and assists employees to achieve a healthy work/life balance.

The policy provides for;

- Nineteen Day Month (RDO)
- Nine Day Fortnights
- Flexible Working arrangements/Time in Lieu

Policy Implications

Update to Policy 2.9 Hours of Work/Leave Arrangements Policy.

Statutory Implications

As outlined in the *Local Government Act 1995, Local Government (Financial Management) Regulations 1996* and *Fair Work Act 2009*.

Strategic Implications

➤ Strategic Community Plan

| | |
|-----------------|---|
| Zone: | Developing |
| Zone Statement: | The population and economic base is expanding sustainably |
| Key Priority: | Governance |

➤ Corporate Business Plan

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

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 going against a recommendation of the Auditor General if it did not consider this agenda item.

Financial Implications

Not Applicable

Voting Requirements



Simple Majority



Absolute Majority

Resolution

Moved: Cr Patroni

Seconded: Cr Boehme

82674 That Policy 2.9 Rostered day off and flexible working arrangements as amended in attachment 14.4 (A) be adopted by the Council.

CARRIED 7/0

15. Officer's Reports - Administration

Nil

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

Nil

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

Nil

19. Matters Behind Closed Doors

Nil

20. Closure

There being no further business, the President thanked those in attendance and declared the meeting closed at 4.47pm.

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