

SHIRE OF
MERREDIN
INNOVATING THE WHEATBELT

AGENDA

Ordinary Council Meeting

To be held in Council Chambers
Corner King & Barrack Street's, Merredin
Tuesday, 18 May 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, 18 May 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', is positioned above the printed name.

MARK DACOMBE
TEMPORARY CHIEF EXECUTIVE OFFICER
14 May 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 Accommodation & Care Alliance Inc
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 May Ordinary Council Meeting

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Shire of Merredin
Ordinary Council Meeting
4:00pm Tuesday, 18 May 2021



1. Official Opening

2. Record of Attendance / Apologies and Leave of Absence

Councillors:

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

Staff:

M Dacombe	T/CEO
A Prnich	DCEO
G Garside	EMCS
C Shotter	EMES
P Zenni	EMDS
A Brice	EA

Members of the Public:

Apologies:

Approved Leave of Absence: NIL

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.

Mrs Julie Nicoletti of Merredin

Q: Can we please have an enlarged plan of the CBD proposal?

CEO has taken the question on notice and will respond to Mrs Nicoletti by email and include the response in the next Council agenda.

A: The CBD proposal, which is the first stage, of a multi-year multi-stage project, is now on display in the Shire Administration Building, the Library and the Visitor Centre. The plans are also available on the Shire webpage and will be available on

the two lecterns in the CBD. Each of the displays has information on how to make a submission on the plans.

<https://www.merredin.wa.gov.au/community/news-notice/community-engagement.aspx>

Mr Grant Stainer of Merredin

Q: In December 2020, the Department of Planning, Lands and Heritage published a dark sky policy (available at <https://www.dplh.wa.gov.au/getmedia/ec1ff72e-dfed-4f5e-843a-a91c436221b3/POS-draft-Dark-Sky-astrotourism>).

Given the high levels of light pollution in Merredin, what plans does the Merredin Shire have underway to implement the dark sky principles outlined in the policy?

A: The Dark Sky and Astrotourism Position Statement has been adopted by the WAPC for public advertising only and is not currently in force. The main intent of the proposed policy if adopted is to address issues relating to applying dark sky principles as part of subdivisional and strategic planning controls adjacent to observatories.

The proposed policy will not be binding on local governments with respect to their infrastructure and will not be retrospective in nature with respect to existing development.

The Shire of Merredin will consider dark sky principles in reviewing the Local Planning Strategy and Plan.

The Shire does not currently have any local planning scheme policies in place or any special control areas forming part of its LPS that would require the implementation of dark sky principles.

The Shire could ensure dark sky principles are taken into consideration when changing over existing street lighting infrastructure with a move towards LED type lighting. This aspect has been referred to the Executive Manager Corporate Services for consideration.

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 April 2021
Attachment 7.1A

Voting Requirements



Simple Majority



Absolute Majority

Officers Recommendation / Resolution

That the Minutes of the Ordinary Council Meeting held on 20 April 2021 be confirmed as a true and accurate records of proceedings.

8. Announcements by the Person Presiding without Discussion

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

10. Receipt of Minutes of Committee Meetings

- 10.1 Wheatbelt Eastern District Health Advisory Committee held 21 April 2021
Attachment 10.1A
- 10.2 Great Eastern Country Zone held on 27 April 2021
Attachment 10.2A
- 10.3 WEROC Inc. Board Meeting held on 27 April 2021
Attachment 10.3A
- 10.4 Local Emergency Management Committee held on 6 May 2021
Attachment 10.4A

Voting Requirements



Simple Majority



Absolute Majority

Officers Recommendation / Resolution

That the Minutes of the following committee meetings received;


- **Wheatbelt Eastern District Health Advisory Committee held 21 April 2021;**
- **Great Eastern Country Zone held on 27 April 2021;**
- **WEROC Inc. Board Meeting held on 27 April 2021; and**
- **Local Emergency Management Committee held on 6 May 2021.**

11. Recommendations from Committee Meetings for Council Consideration

Nil

12. Officers' Reports - Development Services

12.1 Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in Western Australia – Discussion Paper

<h2 style="margin: 0;">Development Services</h2> 	
Responsible Officer:	Peter Zenni, EMDS
Author:	Peter Zenni, EMDS
Legislation:	<i>Health (Miscellaneous) Provisions Act 1911</i> <i>Public Health Act 2016</i>
File Reference:	PH/9/1
Disclosure of Interest:	Nil
Attachments:	Attachment 12.1A – Discussion Paper

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Department of Health (DoH) has recently released the 'Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in Western Australia' discussion paper. The discussion paper highlights proposed changes from current legislative requirements which are prescriptive in nature to a more risk-based approach. The proposed changes include the adoption of a AS1547 – On-site Domestic Wastewater Management and will result in more complicated and costly on-site effluent disposal requirements than those currently in place under the existing arrangements.

Comment

The WA Department of Health (DoH) are currently reviewing and redrafting all of the health regulations as part of the move away from the current *Health (Miscellaneous) Provisions Act 1911* to the new *Public Health Act 2016*. The Department of Health has published a discussion paper requesting comment on proposed Wastewater Regulations for WA. Deadline for submissions has been extended to the 11 June 2021. Environmental Health Officers (EHO's) working in Local Government across WA have significant concerns about the proposed direction of the new Wastewater Regulations for several reasons that will have negative impacts upon development in WA.

KEY ISSUES

AS1547 – On-site Domestic Wastewater Management.

The proposed introduction of AS1547 without adequate and meaningful consultation with Local Government (LG) is a mistake. If adopted, it will throw a well-established and understood, smoothly operating system of rules and regulations into chaos across all of WA and complicate the uniform application of onsite effluent disposal system parameters throughout the state.

The measures in AS1547 are not needed, do not represent best practice in WA, nor are they beneficial to the wastewater industry in WA.

AS1547 serves to:-

- 1) overly complicate a legislative system that operated very effectively,
- 2) increase the size of footprints for onsite sewage systems,
- 3) increase the complexity of onsite sewage systems,
- 4) increase the complexity of the application process,
- 5) increase the complexity and frequency of maintenance,
- 6) increase the use of power and chemicals, and
- 7) significantly increase the costs at every stage including installation and ongoing maintenance for no appreciable advantage to public health or to the environment.

The measures that form part of the current regulations have served us perfectly well for many decades. No evidence has been provided to LG to substantiate that the sizes of onsite systems under the current regulation are inadequate and to support an increase in the size or type of onsite effluent disposal systems with the associated additional cost burden to the community. The general thrust to move away from using conventional septic systems, that have operated safely, economically and effectively in rural settings for a century with negligible detrimental impact on human health or the environment, to using overly complex packaged wastewater treatment systems, is unnecessary and misguided.

Lack of Adequate Consultation

The release of the wastewater discussion paper has caused grave concern to LG about the future direction of wastewater legislation in WA. Whilst it is recognised that the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* is in need of reform as part of the transition to the *Public Health Act 2016*, however there does not appear to be justification provided for the significant changes being proposed.

Previous consultation documents related to the introduction of regulations for the introduction of the *Public Health Act 2016* have explored the various public health matters at hand and sought open and genuine feedback the content and structure of future regulation, and potential implications to LG and associated industries. This balanced approach to the review of a regulation has not been applied in this case. The current wastewater discussion paper has been carefully crafted to fully adopt AS1547 – *On-site Domestic Wastewater Management* as an outcome of the consultation, in addition to the formal adoption of AS1546.1, AS1546.2, AS1546.3, and AS1546.4 – which are respectively used at present by the Department of Health

to control the manufacturers fabrication specifications for septic tanks, composting toilets, secondary treatment systems and domestic grey water systems.

LG has previously raised concerns about the use of AS1547 – *On-site Domestic Wastewater Management* for onsite wastewater disposal from as far back as 2018. At that time a working group was formed, and several meetings were held with the Department of Health concerning the introduction of new regulations and wholesale adoption of AS1547, however it appears the concerns raised at that time by Local Government have not been taken into consideration.

Complex Calculations

The proposed method of calculating wastewater volumes is complicated to a potential purchaser or developer. The old calculation method allowed a landowner or prospective purchaser/developer to know the maximum volume of effluent that could be discharged into the ground on each lot. The new arrangements are site specific and more flexible, but very complicated. A person could easily misinterpret the formulae and make costly mistakes at the planning stage because the size and type of septic system may not be known until the development stage which may involve DoH determination.

The old method of calculating maximum volume of effluent per lot, based on a residential equivalent limit or volume per space available should be retained, with ability to vary this subject to a detailed assessment. In the experience of EHO's the most appropriate and workable volume/formulae for a lot where sewer is unavailable is 1000L per 200sq/m. Recent advice from State Government indicates that the infill sewer program is unlikely to be rolled into industrial areas due to the larger lot sizes and costs of installing sewer.

Sizing of septic systems based upon AS 1547 results in much bigger footprints and/or the forced use of expensive ATU's

AS 1547 results in septic systems that take up a much bigger footprint than conventional septic systems and resulting in the forced selection of an ATU when an ATU is not required or desired. The installation cost of a typical conventional septic system for a 4 bed house is about \$8,000, compared to the installation of an ATU at about \$13,000 plus ongoing maintenance and power costs. This is a significant issue based upon the irrational principle that AS1547 represents best practice. Local Government EHO's dispute this and reject the unnecessary increase in the number of ATU's in industrial/commercial areas. The main reasons for this are that the conventional septic systems installed for the past 40 years have been suitably sized and have not failed. A survey of PEHO's across WA in July 2019 did not reveal any incidents where failure of a system sized as per the current regulations was found to be due to the size. Most cases of failure involved older single drain systems, or where systems were subject to inundation or were 'overused' e.g. as an unapproved backpacker accommodation.

As AS1547 loading rates do not take into consideration the infiltration of wastewater through the sidewalls of the leach drains, thus the size of a primary disposal system is much larger. This can result in a larger cost burden to developers and members of the public, either through the need to construct much larger leach drains or through the adoption of secondary treatment units to reduce the required effluent disposal footprint. This cost increase is not accompanied by evidence to demonstrate a public health benefit.

Secondary treatment systems have a smaller footprint at considerable ongoing expense to the homeowner plus ongoing maintenance requirements and costs. This also creates an additional burden upon the property owner as well as LG to ensure that an appropriate level of ongoing maintenance is being undertaken.

Effluent Volumes in Industrial/Commercial Areas

Prediction of effluent volumes in industrial/commercial areas needs to have a sensible minimum criterion. Otherwise, a speculative developer of several industrial units may claim that there will only be 2 staff in each unit and size the septic system for only 2 staff. This results in an undersized septic system and no margin for increased numbers of workers on site. This is particularly relevant where the ultimate use of a unit is unknown, and number of workers cannot be identified. Given that the minimum toilet provisions are one WC under the BCA and that this is adequate for 10 people it is recommended to size a disposal system to also be suitable for 10 people.

Site and Soil Evaluations (SSE)

The Regulations need to allow flexibility for the LG to determine when it is necessary for a SSE to be conducted and the detail of information required, to enable necessary costs to the landowner or developer to be minimized where possible. The proposed method of SSE is excessively onerous and complicated for the majority of scenarios.

Minimum Qualifications

It is considered appropriate for minimum qualifications be required for installers, service persons and professionals preparing SSE's. This process for approving and certifying these persons should be determined by the DoH together with industry including the Plumbers Licensing Board.

Other Development Considerations not addressed.

The consultation document fails to address the significant stock of existing lots, already developed. There are two factors to this scenario that need to be considered in regulation, being:

- i) Triggers for upgrade or replacement of an existing on-site effluent disposal systems, such as due to extensions or development of the site. Given the large housing stock that is on existing effluent disposal, there needs to be clearly defined triggers for when upgrades to on-site effluent disposal systems are required and how they should be designed; and
- ii) The discussion paper does not address what to do if it is not possible to install an AS1547 compliant leach drain arrangement onto an existing lot.

Limited Sewerage Schemes

A number of country local government authorities currently operate limited effluent disposal schemes which have been approved by the Minister for Health under provisions of the *Health (Miscellaneous) Provisions Act 1911*, many of these schemes have been operating since the 1960's and have been a source of income (sewerage rates) for the local government as well as providing a safe method of effluent disposal for their communities. These sewerage schemes have not come under provisions of the Water Services Act and are exempt from the Economic Regulation Authority (ERA) licensing requirements. With the change over to the new Public Health Act 2016 there are concerns around lack of certainty with respect to the

ongoing operation of these sewerage schemes and possible additional regulatory burden via future ERA requirements.

Mandatory Connection to Sewer Criteria

Currently existing provisions of the *Health (Miscellaneous) Provisions Act 1911* empower local governments to require the mandatory connection of any land or buildings to a sewerage scheme where that land or building is within 91 meters of such sewer. Normally this provision is used in cases where an existing onsite effluent disposal system has failed, and the local government believes that connection to sewer is warranted from a public health perspective. The discussion paper proposes that the 91-meter criteria be replaced with the term (within a reasonable distance). This ambiguity will lead to conflicts with landowners and certainly result in litigation and appeals. Any change to a new criterion should be based on a specific specified distance, that is easy to interpret and enforce.

Policy Implications

Nil

Statutory Implications

Health (Miscellaneous) Provisions Act 1911 and *Public Health Act 2016*

Strategic Implications

➤ Strategic Community Plan

Theme: 2. Economy and Growth
Service Area Objective: 2.1. Economic Development
2.1.2. Merredin is a place of choice for business investment and for new residents settling to enjoy a balanced lifestyle and employment opportunities.
Priorities and Strategies for Change: N/A

➤ 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


Officers Recommendation

That Council;

- 1. Advises the Department of Health that it does not support the proposed adoption of AS1547 – On-site Domestic Wastewater Management, and its implementation with respect to the regulation of onsite effluent disposal systems in Western Australia;**
- 2. Advises the Western Australian Local Government Association (WALGA) of its concerns with respect to the proposed adoption of AS1547 – On-site Domestic Wastewater Management; and**
- 3. Authorises the T/CEO to prepare a submission to the Department of Health on the ‘Managing Public Health Risks from Wastewater Conveyance, Treatment and Disposal in Western Australia’ discussion paper incorporating the analysis and comment presented in the agenda item.**

13. Officers' Reports - Engineering Services

13.1 Restricted Access Vehicle Network

<h1>Engineering Services</h1> 	
Responsible Officer:	Calvin Shotter, EMES
Author:	Calvin Shotter, EMES
Legislation:	<i>Road Traffic Act 2014</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 13.1A – Council Policy 7.6 Streets and Roads (Trucks – Extra Mass Permits)

Purpose of Report



Executive Decision



Legislative Requirement

Background

Main Roads Western Australia (MRWA) has received a 32.44m Tri Drive A Double Performance Based Standard (PBS) Scheme Vehicle Access Approval application, requesting AMMS level 3 Mass (23.5t for tri axle groups and 28.5t for quad axle groups).

The table below shows the change which MRWA are considering for endorsement onto the PBS network:

Road Name	Road Number	Start Point	Start SLK	End Point	End SLK	Access Currently Approved	Support Required
McKenzie Cr	4140226	East Barrack St	0.00	Fuel Terminal	0.35	Tandem Drive 4 & 4.3 Tri Drive 1 & 1.3	PBS 2B Tri Drive 3 & 3.3
East Barrack St	4140244	McKenzie Cr	1.06	Great Eastern Hwy	1.60	Tandem Drive 6 & 4.3 Tri Drive 1 & 1.3	PBS 2B Tri Drive 3 & 3.3

Comment

The PBS scheme offers potential for heavy vehicle operators to achieve higher productivity and improved safety through innovative vehicle designs. There are many benefits to the transport system in providing access for PBS vehicles, including:

- Braking capability and vehicle stability is improved with a mandatory requirement in WA for Electronic Braking Systems (EBS) and Rollover Stability Systems (RSS), which is not a requirement on conventional road trains;
- PBS vehicles are often height restricted, which is determined by the PBS assessment which further reduces the rollover risk and improves overall stability;
- PBS vehicles are subject to stringent axle spacing requirements, reducing the impact on the road infrastructure; and
- PBS vehicles reduce the number of vehicle movements compared to conventional heavy vehicles which overall reduces congestion and the crash risk exposure.

This application will support local businesses further strengthening the local economy.

Council Policy 7.6 - Streets and Roads (Trucks - Extra Mass Permits) currently does not allow for these vehicles to have access to council roads, and a resolution of council is required to allow access.

A negative to allowing access would be the increased length of vehicles travelling in the Merredin Industrial Area, although in this case the number of vehicle movements is not likely to be significant.

Policy Implications

The application is not consistent with Policy 7.6. At this time it is not proposed to change the policy to generally allow this class of vehicle. The result of this is that future applications that are not consistent with Policy 7.6 will be referred to Council to be determined on the merits of each case.

Statutory Implications

Road Traffic Act 2014 and Road Traffic Regulations 2014

Strategic Implications

➤ Strategic Community Plan

Theme: 6. Transport and Networks
6.1. Roads and Footpaths
Service Area Objective: 6.1.1. The Shire's road system, footpaths and cycle trails are well maintained and safe.

Priorities and Strategies for Change: Development of a Road hierarchy and ten-year capital works plan to establish clear, transparent and affordable priorities to meet the needs of residents and industry.

➤ Corporate Business Plan

Key Action: N/A

Directorate:

Timeline:

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

This item has been evaluated against the Shire’s Risk Assessment and Acceptance Criteria. The perceived level of risk is considered to be “low”. The “Low” risk rank is considered acceptable with adequate controls, managed by routine procedures.

Financial Implications

Main Roads WA has not provided advice as to whether the swept path is adequate. Support of this application should not be assumed as approval to any road upgrade should that be required.

Voting Requirements


Simple Majority

Absolute Majority

Officers Recommendation / Resolution

That Council supports Main Roads Heavy Vehicle Services application to amend the PBS Scheme Vehicle Access Approval for Barrack Street East and McKenzie Crescent Merredin.

13.2 Shire of Merredin Regional Standpipe Strategy

<h1>Engineering Services</h1> 	
Responsible Officer:	Calvin Shotter, EMES
Author:	Calvin Shotter, EMES
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 13.1A – Standpipe Report

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Council provides access to water from standpipes at various locations in the Shire.

The Water Corporation required Local Government Authorities (LGA) to restrict access to high flow rate standpipes from 1 July 2019 to retain their concessional water rates. To maintain the lower rate the restricted standpipes could only be used for the operations and works conducted by the Local Government. As part of this change, LGAs could nominate eligible standpipes as either commercial or community for continued access at the increased cost.

The attached report is provided to inform the Council on the Shire's approach to the management of standpipes and the control and accounting for water supplied through this system.

Comment

Provision of \$30,000 was made in the 2020/21 budget for the installation of two standpipe controllers. This sum is not adequate to purchase and install two units. This situation has caused a re-evaluation of the approach as set out in the attached report. An amended approach is called for and the following is proposed:

- Install a single Swipecard Controller as covered in the current budget to the Hubeck Road Standpipe (Meter No: FK1350043) and convert from a Local Authority Standpipe to a publicly available Commercial Standpipe;
- Revert the Telfer Avenue depot standpipe (Meter No: FK1000350) to a Local Government Authority standpipe;

- Downgrade the Burracoppin South Road/Koonadgin Road standpipe (Meter No: FK9601128) from 50mm to 20/25mm to make it eligible to be a community standpipe, with cost to downgrade covered in the remainder of the budget allocation;
- Use logbooks onsite for the existing Bullshead/Booran (Meter No: BCo755535) and Burracoppin South Road/Koonadgin Road standpipes to track and charge community water usage at the appropriate fees and charges on an honour system; and
- Continue to monitor the two publicly accessible community standpipes logbook records and actual usages to prevent misuse and identify if there is any need for further action.

The Council's discussion and input to this intended solution is invited.

Policy Implications

There are no policy implications.

Statutory Implications

The Water Corporation has the statutory authority to supply and regulate water in the region.

Strategic Implications

➤ Strategic Community Plan

Theme:	3. Environment and Sustainability
Service Area Objective:	3.1. Environmental Management 3.1.1 The Shire of Merredin observes a number of sustainable water and energy harvesting, conservation and usage practices.
Priorities and Strategies for Change:	Ensure continuous potable and non-potable water supply

➤ Corporate Business Plan

Key Action:	Continue to identify and implement appropriate water reuse, water harvesting and sustainable water practices.
Directorate:	Engineering Services
Timeline:	Ongoing

Sustainability Implications

➤ Strategic Resource Plan

Nil

➤ Workforce Plan

Directorate:	Nil
Activity:	Nil

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

Risk Implications

The on-going risk is that water is taken without being recorded and paid for. The actions proposed are intended to mitigate that risk in a cost effective manner.

Financial Implications

Budget provision in 2020/21 is \$30,000.

Voting Requirements

Simple Majority Absolute Majority

Officers Recommendation / Resolution

That Council endorse the proposed actions as set out in this report.

14. Officers' Reports – Corporate and Community Services

14.1 List of Accounts Paid

<h2>Corporate Services</h2>		
Responsible Officer:	Geoff Garside, AEMCS	
Author:	Geoff Garside, AEMCS	
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 April 2021 under delegated Authority is provided for Council's information and endorsement.

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

Theme: N/A

Service Area Objective:

Priorities and Strategies for Change:

➤ Corporate Business Plan

Key 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

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

Officers Recommendation

That the schedule of accounts paid during April 2021 as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$1,421,745.65 from Council's Municipal Fund Bank Account and \$1,289.72, from Council's Trust Account be endorsed by Council.

14.2 Statement of Financial Activity (March 2021)

<h1>Corporate Services</h1> 	
Responsible Officer:	Geoff Garside, AEMCS
Author:	Geoff Garside, AEMCS
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

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

Theme: N/A

Theme Statement:

Service Area Objective:

➤ Corporate Business Plan

Key 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

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

Officers 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 March 2021 be received.

15. Officer's Reports - Administration

15.1 Merredin Community Resource Centre Lot 200 Barrack Street – Review of existing lease

<h1>Administration</h1> 	
Responsible Officer:	Mark Dacombe, T/CEO
Author:	Mark Dacombe, T/CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	L47
Disclosure of Interest:	Nil
Attachments:	Attachment 15.1A – Letter Merredin Community Resource Centre Attachment 15.1B – Extract from Council minutes 15 September 2020

Purpose of Report



Executive Decision



Legislative Requirement

Background

At the September 2020 ordinary meeting the Council resolved:

82610 That Council:

1. Agree to vary the following leases to remove the provision for the progressive imposition of full commercial market rents:
 - Lease 47 – Merredin CRC – formerly the Old Council Chambers Building
 - Lease 63 – Merredin CRC – Women's Rest Centre
 - Lease 47 – Merredin CRC – portion of the Old Council Chambers Building
2. Propose to the Merredin CRC that the commercial rent provision be replaced with a clause limiting the lease rental payments for each of the three (3) separate lease to the nominal sum of \$520.00 per annum (total of \$1,560.00 annually) with the Merredin CRC being responsible under the lease for the maintenance of the property including the external grounds. Effective from the 1 October 2020

3. Instruct the Chief Executive Officer that, subject to the agreement of the Merredin CRC, a Deed of Variation to the leases be prepared and submitted to the Council for consideration and approval.

Comment

The Merredin CRC has advised that it accepts the proposed reviewed lease arrangements with the exception of the provision that requires them to meet the cost of external grounds maintenance.

The CRC has provided updated information regarding its financial position that indicates the operating surplus for the last two years has been close to break even. The CRC has confirmed the State funding commitment is to June 2022 and provides approximately 25% of their income. The State Government Contract is likely to be tendered and if successful the CRCs have been advised that there will be no increase in income from that source.

The value of the CRC and the services it provides to the community are not in dispute and have been acknowledged in previous reports to the Council.

Considering the points made in the submission from the CRC it is recommended that the Council amend its decision of 15 September 2020 and waive the requirement that the CRC meet the costs of maintenance of the external grounds of the property.

Policy Implications

Policy 8.20 *Rental charges for agreements to occupy Council non-residential property* applies to this lease.

Statutory Implications

Powers to lease property under the *Local Government Act 1995*.

Strategic Implications

➤ Strategic Community Plan

Theme:	4. Communication and Leadership
Service Area Objective:	4.1. Community Engagement 4.1.2. The Council works closely with the community to successfully achieve projects or outcomes that delivery the community's vision for Merredin
Priorities and Strategies for Change:	N/A

➤ Corporate Business Plan

Key Action:	Continue to work with business networks to identify opportunities for programs that support small business (Business Local, Progress Associations, Wheatbelt Business Network)
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Directorate:	Office of the CEO
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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 recommended lease terms reflect a low-risk approach that should have a positive reputational outcome for the Council.

Financial Implications

The cost of the Shire maintaining the grounds at Lot 200 Barrack Street is approximately \$100 per week. Recovery of this from the CRC has not been budgeted so waiving the requirement will have no effect on the Council's current budget.

Voting Requirements

Simple Majority

Absolute Majority

Officers Recommendation

That Council:

1. **Accept the submission from the Merredin Community Resource Centre (CRC) and agree to amend the provisions of the proposed extension of the lease of Lot 200 Barrack Street, Merredin by removing the requirement that the CRC is to be responsible for the maintenance of the external grounds; and**
2. **Instruct the Chief Executive Officer to proceed with the preparation of the Deed of Variation to the leases to give effect to the Council decisions on the matter and submit same to the Council for approval and execution.**

15.2 Local Roads and Community Infrastructure Program Round 2

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:	Nil
Attachments:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Shire is eligible for a grant of up to \$473,000 for projects that are additional to the budgeted capital and maintenance program. This includes projects that might be pulled forward from future financial years. This sum will be included in the 2022/22 budget.

Eligible grant activity

Eligible local road projects are projects that involve the construction or maintenance of roads managed by local governments. Local governments are encouraged to consider how works can support improved road safety outcomes. This could include projects involving any of the following associated with a road:

- traffic signs;
- traffic control equipment;
- street lighting equipment;
- a bridge or tunnel;
- a facility off the road used by heavy vehicles in connection with travel on the road (for example, a rest area or weigh station);
- facilities off the road that support the visitor economy; and
- road and sidewalk maintenance, where additional to normal capital works schedules.

Eligible community infrastructure projects are projects that involve the construction, maintenance and/or improvements to council-owned assets (including natural assets) that are generally accessible to the public.

Projects that involve the construction, maintenance and/or improvements to state/territory and crown owned land/assets and Commonwealth owned land/assets, can also be eligible projects where the Council can confirm that they have the authority of the land or asset owner to undertake the project at the nominated site(s) and the sites are accessible to the public (including natural assets).

These projects must deliver benefits to the community, such as improved accessibility, visual amenity, and/or safety. Examples of eligible works include:

- Closed Circuit TV (CCTV);
- bicycle and walking paths;
- painting or improvements to community facilities;
- repairing and replacing fencing;
- improved accessibility of community facilities and areas;
- landscaping improvements, such as tree planting and beautification of roundabouts;
- picnic shelters or barbeque facilities at community parks;
- playgrounds and skate parks (including all ability playgrounds);
- noise and vibration mitigation measures; and
- off-road car parks (such as those at sporting grounds or parks).

The projects selected are required to be completed by 31 December 2021.

Councillors identified a number of potential projects and this item seeks confirmation of the projects to be submitted.

Projects discussed include Apex Park redevelopment, including skate park, the Merredin Pool precinct development, Cemetery Toilet Block, Plantation near Dam 3, CCTV around town, Emergency Services provisions, Dog park and the acquiring of the Merredin Airport.

	Comment
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Whilst other possibilities are noted, Apex Park redevelopment has been a high priority since 2018. Public consultation was undertaken in 2019 and the matter further canvassed in the strategic review engagement process in 2020. The redevelopment is included in the Shire of Merredin **Strategic Community Plan** as one of the strategies for change to be pursued by the Council as a priority. Currently the Shire is progressing the initial concept design. A recent Councillor workshop produced the longlist of design requirements to be incorporated into the project and these have formed the core of the scope for consultants to develop the concept.

The design should offer or utilise design elements as follows;

- Provide the Merredin CBD with an individual, natural identity;
- Provide an alternative experience to that offered throughout the rest of Merredin;
- Quality infrastructure;

- Connectivity is essential to ensure that sustainable transport options are on offer to the community;
- Key site-lines to entice passing tourists into the town centre;
- Key pathway connectivity to railway corridor and along Barrack Street;
- Universal Access;
- Crime Prevention Through Environmental Design (CPTED);
- Landscaping which considers the exposed, windy, dry, hot environment, including sensory garden elements, suited to a wheatbelt climate;
- Quality Lighting;
- Public Art / Wayfinding opportunities;
- Fencing along railway corridor and Barrack Street;
- Play facilities to include:
 - At a minimum, an outdoor youth hang-out space; basket-ball half court;
 - a selection of ‘mega’ play elements including but not limited to a climbing tower with slides;
 - adventure ropes and flying fox;
 - A combination of natural and traditional play elements (demonstrating strong durability in a wheatbelt climate);
 - Consideration of how the existing skate park can be integrated into the design, with additional elements and/or opportunities for revitalisation;
- Other amenities to include:
 - Equipment that offers a minimum expected lifespan of ten years (noting the harsh elements that Merredin, located within the central wheatbelt, is exposed to);
 - Elements catering to all ages and abilities, including a variety of sensory elements;
 - Elements of green space though respectful to water sensitive urban design principles and the ongoing cost of water to the Principal;
 - Improvements to the appearance and usability of existing open shed structure;
 - Upgrades to existing Picnic / BBQ facilities;
 - Upgrades to existing Toilets;
 - Shading;
 - Drinking fountains;
 - The inclusion of innovative lighting features, artistic shading elements and potentially other ‘Smart’ design elements such as wi-fi and solar charging facilities;
 - Lighting appropriate to evening use including floodlighting to youth facilities;
 - Irrigation is to be incorporated with in the design and all turf areas, garden beds and trees are to be irrigated. Connection into the Principal’s existing irrigation system is to be explored; and
 - Consideration of ongoing maintenance costs to the Principal.

The timeline has the concept plan available by the end of June (subject to confirmation) and that includes a Councillor workshop to be held on 15 June. The consultant brief also includes identifying sub-project/s that can be delivered by 31 December 2021. It also includes a scope of works for the selected project to progress the plan from concept to construction.

It is proposed that a first stage of the redevelopment utilise funds from the Local Roads and Community Infrastructure Program Round 2.

Policy Implications

Nil

Statutory Implications

There are no statutory implications.

Strategic Implications

➤ Strategic Community Plan

Theme: 5. Places and Spaces
Service Area Objective: 5.2 Parks And Gardens
5.2.1 Parks within the Shire are maintained to a high standard, with adequate facilities for community members of all ages and abilities
Priorities and Strategies for Change: Improve public open space - Revitalise Apex Park

➤ Corporate Business Plan

If this project is approved it will be incorporated into the Corporate Business Plan currently being prepared.

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 key risk is that the project would not be able to be completed by 31 December 2021. This risk is being mitigated by progressing with the design and project scoping of the project at the present time.

Financial Implications

It is proposed that the full amount of the available grant be applied to the Apex Park project. This amount will be supplemented from Shire funds of \$300,000 currently set aside in reserve.

Voting Requirements

Simple Majority

Absolute Majority

Officers Recommendation

That Council:

- 1. Confirm the selection of Apex Park redevelopment for funding from the Local Roads and Community Infrastructure Program Stage 2; and**
- 2. Authorise the Chief Executive Officer to progress the project with the Department of Infrastructure, Transport and Regional Development.**

15.3 Shire of Merredin – Provision of Contract Ranger Services

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:	Nil
Attachments:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Shire of Merredin has recently engaged WA Contract Ranger Services to provide a ranger service to the Shire of Merredin until the 30th of June 2021. The purpose of this report is to inform Council of proposed changes to the ranger services delivery from that of an inhouse permanent staff member to a contract ranger service for the 2021/22 financial year.

Comment

In February 2021, Stacey Jaskiewicz resigned from her position as the Shire of Merredin Ranger after approximately a 12-month period. Stacey was initially contracted to the Shire of Merredin as a contract ranger through WA Contract Ranger Services before becoming a full-time employee of the Shire of Merredin. Prior to Stacey, the Shire ranger role was held by Mr George ward and Mr Kim Friis respectively.

Under the provisions of the Local Government Act 1995, the Shire of Merredin is required to provide good governance for its community including the enforcement of various statutory provisions relating to the Dog Act, Cat Act, Litter Act etc as well as numerous local laws relating to parking and community policing responsibilities. This requires an experienced and suitable officer to ensure that a balanced approach is taken that will ensure good governance and minimise any potential reputational damage.

The Shire of Merredin advertised the ranger position vacancy in late March 2021 but could not secure the services of a suitable person. The Shire then turned to WA Contract Ranger Services for the provision of a contract ranger services, initially until the end of the 2021/22 financial year.

WA Contract Ranger Services is operated by Mr Matt Sharpe and engages 6 full time and 2 casual staff and provides contract ranger services to 37 local government authorities in Western Australia, including the Shires of Bruce Rock, Kellerberrin, Yilgarn, Mukinbudin, Mt Marshall, Training, Koorda, Cunderdin, Tammin, Narembeen, and is currently commencing discussions with the Shires of Nungarin and Westonia in relation to the provision of contract ranger services in these shires.

Discussions with Matt Sharpe reveal that the Shire of Merredin Ranger role could be adequately covered via a part time arrangement of approximately 22 hours per week. Given that the ranger service extends into the adjoining Shires, the contract ranger would be based in Merredin resulting in a visible ranger presence in the Merredin area 7 days per week.

The benefits of a contract ranger service as opposed to an inhouse staff member are as follows;

- Access to a variety of experienced personnel;
- Minimal supervision or support required from EMDS/DCEO;
- On call 24-hour service and availability of staff;
- No need for Shire depot staff to deal with impounded animal supervision as all impounded animals will be relocated to the York animal holding facility;
- Any unwanted animals will be transported to relevant rescue services by WA Contract Ranger Services without a fee, currently the Shire incurs a \$60/animal rehoming fee;
- No overheads relating to staff superannuation and annual leave coverage;
- No vehicle running or staff uniform expenses; and
- Minimising inconvenience associated with recruitment process stemming from staff changeover.

It should be noted that the above relates to the provision of a dedicated ranger service which includes tasks related to firebreak inspections within the townsite but does not involve the provision of emergency services support role which were previously undertaken by the Shire Ranger in conjunction with the DCEO. The Shire will need to address this separately with a budget allocation for a part time position to address emergency services related support role.

Policy Implications

Nil

Statutory Implications

Compliance with *Local Government Act 1995*.

Strategic Implications

It is noted that this solution is consistent with the priorities in the WEROC Strategic Plan.

➤ Strategic Community Plan

Theme:	1. Community and Culture
Service Area Objective:	1.3. Community Safety 1.3.1. The Shire, Local Emergency Services and wider community working together to prevent bushfires and other emergencies as well as being well placed to respond and recover in such events
Priorities and Strategies for Change:	Collaborate with WEROC on arrangements for ranger and emergency management services

➤ Corporate Business Plan

Key Action:	1.5. Building resilience and the capacity to manage natural and man-made emergency events
Directorate:	Development Services
Timeline:	Ongoing

Sustainability Implications

➤ Strategic Resource Plan

Nil

➤ Workforce Plan

Directorate:	Development Services
Activity:	Ranger Services
Current Staff:	Normally 1 FTE (currently vacant position being replaced with temporary ranger service contract 22 hrs/week.)
Focus Area:	Nil
Strategy Code:	Nil
Strategy:	Nil
Implications:	Nil

Risk Implications

The employment of a sole ranger to provide a 24/7 service carries significant risk. The move to a contract ranger service employing several experienced personnel mitigates the risk. Further, employing a service which is also providing the service to most of the neighbouring Councils provides confidence in the strength and stability of the service further minimising the risk.

Financial Implications

The Shire of Merredin has recently engaged WA Contract Ranger Services to provide a ranger service to the Shire of Merredin until the 30th of June 2021. The current funds associated with the provision of this contract service are being sourced from the existing staff budget allocation relating to the Shire ranger, with this position having been vacant since February 2021. A suitable budget allocation will need to be made for the provision of a contract ranger service as part of the 2021/22 budget.

The existing budget allocation for an inhouse ranger as identified in the 2020/21 financial budget was \$93,000 (including overheads) as well as an additional \$8,000 allocation towards a relief officer during the ranger's annual leave period – all up \$111,000.

The provision of a contract ranger via the WA Contract Ranger Services on a part time 22hr/week basis at a rate of \$85.00 per hour (not including GST) will require a budgetary allocation of \$97,240 plus GST.

The Shire will need to also consider a suitable budget allocation for a part time position to address emergency services related support role.

Given the importance of the ranger role in the community and the possibility for it to be carried out by a suitable and experienced officer with the added benefit of minimal supervision by executive staff the benefits associated with engaging WA Contract ranger Services out way the additional costs associated with the provision of this service as compared to the employment of an inhouse ranger.

Voting Requirements

Simple Majority

Absolute Majority

Officers Recommendation

That the information forming part of this report be received.

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

In accordance with Section 5.23 (2) (b) and (c) of the *Local Government Act 1995* Council will go Behind Closed Doors to discuss this matter.

19.1 Recruitment of Chief Executive Officer – Appointment of Independent Panel Member

<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:	Nil	

20. Closure

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