

SHIRE OF  
**MERREDIN**  
INNOVATING THE WHEATBELT

# MINUTES

## Ordinary Council Meeting

Held in Council Chambers  
Corner King & Barrack Street's, Merredin  
Tuesday, 20 July 2021  
Commencing 4.00pm



<b>Common Acronyms Used in this Document</b>	
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 July Ordinary Council Meeting

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Shire of Merredin  
Ordinary Council Meeting  
4:00pm Tuesday, 20 July 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, present and emerging. The President then welcomed those in attendance and declared the meeting open at 4pm.

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

**Councillors:**

Cr JR Flockart	President
Cr MD Willis	Deputy President
Cr LN Boehme	
Cr RA Billing	
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
P Zenni	EMDS
A Brice	EA

**Members of the Public:** 5

**Apologies:** Nil

**Approved Leave of Absence:** Cr MD Willis (Deputy President)  
Cr RA Billing

### 3. Public Question Time

Nil

### 4. Disclosure of Interest

Cr Butler declared an Impartiality Interest in Items 14.5 and 15.1.  
Cr Patroni declared an Impartiality Interest in Items 14.5 and 15.1.

### 5. Applications of Leave of Absence

## 6. Petitions and Presentations

Nil

## 7. Confirmation of Minutes of Previous Meetings

- 7.1 Ordinary Council Meeting held on 15 June 2021  
Attachment 7.1A
- 7.2 Special Council Meeting held 22 June 2021  
Attachment 7.2A
- 7.3 Special Council Meeting held 6 July 2021  
Attachment 7.3A

### Voting Requirements

- Simple Majority  Absolute Majority

### Resolution

**Moved:** Cr Boehme **Seconded:** Cr Willis

**82760** That the following Minutes be confirmed as true and accurate records of proceedings;

- Ordinary Council Meeting held on 15 June 2021;
- Special Council Meeting held 22 June 2021; and
- Special Council Meeting held 6 July 2021.
  - Note: Item 14.2 to correct the Substantive Motion Mover as Cr Boehme and the Seconder as Cr Billing.

**CARRIED 9/0**

## 8. Announcements by the Person Presiding without Discussion

The Shire President spoke to Council regarding her activities since the Ordinary Council Meeting on 15 June 2021.

22 June	Shire of Merredin Special Council Meeting	Merredin
23 June	WEROC Meeting	Bruce Rock
24 June	Shire Auction	Merredin
28 June	GECZ Meeting via videoconference (due to Covid 19 lockdown)	
29-30 June	Building the Foundations of Drought Resilience	Merredin Dryland Research Station
1 July	Meeting with Steve Martin MLC	Merredin
1 July	Merredin College video with student and teacher in regard to NAIDOC week Heal Country	Merredin
1 July	Shire of Merredin Staff farewell	Merredin

6 July	Meeting with CEO and elector regarding Merredin Airport	Merredin
6 July	Shire of Merredin Special Council Meeting	Merredin
8 July	Meeting with CEO	Merredin
10 July	Coffee with a Councillor	Merredin
16 July	Meeting with CEO	Merredin

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

Nil

## 10. Receipt of Minutes of Committee Meetings

- Central East Accommodation & Care Alliance Inc Management Committee
- 10.1 Meeting held 23 February 2021  
Attachment 10.1A
- 10.2 Great Eastern Country Zone Meeting held 27 April 2021  
Attachment 10.2A
- 10.3 Audit Committee Meeting held 15 June 2021  
Attachment 10.3A
- 10.4 Wheatbelt Eastern District Health Advisory Committee held 16 June 2021  
Attachment 10.4A
- 10.5 Great Eastern Country Zone Meeting held 28 June 2021  
Attachment 10.5A

### Voting Requirements



Simple Majority



Absolute Majority

### Resolution

**Moved:** Cr Billing

**Seconded:** Cr Butler

**82761**

**That the Minutes of the following committee meetings be received;**

- **Central East Accommodation & Care Alliance Inc Management Committee Meeting held 23 February 2021;**
- **Great Eastern Country Zone Meeting held 27 April 2021;**
- **Audit Committee Meeting held 15 June 2021;**
- **Wheatbelt Eastern District Health Advisory Committee held 16 June 2021; and**
- **Great Eastern Country Zone Meeting held 28 June 2021.**

**CARRIED 9/0**

## 11. Recommendations from Committee Meetings for Council Consideration

Nil

## 12. Officers' Reports - Development Services

### 12.1 No 41-45 (Lots 198, 199 and 200) Bates Street Merredin – Proposed JCB Tractor Dealership

<h2>Development Services</h2>		
<b>Responsible Officer:</b>	Peter Zenni, EMDS	
<b>Author:</b>	Peter Zenni, EMDS	
<b>Legislation:</b>	Shire of Merredin Local Planning Scheme No 6.	
<b>File Reference:</b>	A323	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	Attachment 12.1A – Application for development approval and associated plans and specifications	

#### Purpose of Report

Executive Decision

Legislative Requirement

#### Background

The Shire of Merredin has received an application for development (planning) approval for a proposed JCB Tractor Dealership at No 41-45 (Lots 198, 199 and 200) Bates Street, Merredin.

#### Comment

The applicant advises that they intend to use the existing premises located at No 41-45 (Lots 198, 199 and 200) Bates Street, Merredin for a JCB Tractor Dealership that will incorporate sales, parts and service of JCB equipment for customers in the Merredin area.

#### Statutory Requirements

The property located at No 41-45 (Lots 198, 199 and 200) Bates Street, Merredin is zoned 'Commercial' under the Shire of Merredin Local Planning Scheme No. 6 (LPS).

Components of the proposed JCB Tractor dealership fit in to several use classes in the zoning tables forming part of the LPS. These being "Trade Display", "Motor Vehicle, Boat or Caravan Sales" and "Motor Vehicle Repair". All the above use classes are a 'D' use in a Commercial zoned area. This means that the activity is not permitted unless the local government has exercised its discretion by granting development approval.



The *Planning and Development (Local Planning Schemes) Regulations 2015*, define the above use classes as follows;

**Trade Display – means premises used for the display of trade goods and equipment for the purpose of advertisement.**

**Motor Vehicle, Boat or Caravan Sales – means premises used to sell or hire motor vehicles, boats or caravans.**

**Motor Vehicle Repair – means premises used for or in connection with:-**

- a) **electrical and mechanical repairs, or overhauls, to vehicles other than panel beating, spray painting or chassis reshaping of vehicles; or**
- b) **repairs to tyres other than recapping or re-treading of tyres.**

The Shires Executive Manager of Development Services has spoken with Mr Stuart Boekeman regarding the proposed JCB Tractor dealership and has received advice that the dealership will incorporate sales, parts and service of JCB equipment but will not involve any panel beating, spray painting, sand blasting or chassis reshaping activity.

When considering the suitability of the proposed JCB Tractor dealership activity on the site, Council should be mindful of previous development approvals issued with respect to No 41—45 (Lots 198, 199 and 200) Bates Street, Merredin, these being:-

- Development Approval PA09/04 issued on 9th August 2004, granting approval to use the premises for the purpose of **motor vehicle sales and repairs**; and
- Development Approval PA07/12 issued on 9th November 2012, granting approval for **use of existing for a car and caravan sales yard, showroom, minor vehicle repairs and fitment of accessories and for the short and long term storage of caravans.**

The applicant has indicated that he wishes to erect a JCB pylon sign for advertising purposes, but this will be the subject of a separate application for development approval and will in addition require building approvals to be obtained from the Shire of Merredin.

For additional security the site will be fenced with a 1.8m high steel mesh fence in compliance with Shire of Merredin Local Laws relating to fencing.

## **IMPACTS**

### **Environmental (Noise)**

The proposed development is in proximity to noise sensitive premises (dwellings) located in Duff Street and Coronation Street, Merredin which are directly behind No 41-45 Lots 198, 199 and 200 Bates Street, Merredin.

The JCB Tractor dealership will operate during weekdays as well as on Saturdays from 8.00am to 12.00pm. This activity will therefore be in close proximity to adjoining dwellings and there is potential for noise related complaints being lodged with the Shire of Merredin.

The applicant advises that the nature of the proposed activity will not differentiate from that previously approved on the site by the Shire of Merredin, that the majority of the site will be used for storage and display purposes and that any servicing activity will be undertaken taken during daylight hours and contained inside the rear workshop area.

The applicant further advises that all staff will be made aware of potential noise impacts and the need to comply with provisions of the *Environmental Protection (Noise Regulations) 1997*.

#### **Environmental (Waste/Nuisance)**

The property is connected to mains sewer, the quantity of trade waste generated should be minimal but any waste oil forming part of the area washdown would need to be disposed of in compliance with Water Corporation requirements.

#### **Road Infrastructure**

The Shires Executive Manager Engineering Services has confirmed that vehicular traffic associated with the use of the premises will not pose a hazard to other road users at the nearby Bates Street/Duff Street intersection but has pointed out that costs associated with the ongoing maintenance of crossovers in Bates Street and Duff Street should be borne by the applicant.

The area immediately adjacent to No 41-45 (Lots 198, 199 and 2000 Bates Street, Merredin, is provided with ample street parking facilities for use by customers of the proposed JCB Tractor dealership.

#### **Conclusion**

Given that the proposed activity does not differentiate markedly from the previous development approvals granted by the Shire of Merredin and that the proponent is aware of the need to minimise noise emissions in compliance with legislative requirements the Executive Manager of Development Services believes that the Shire of Merredin should grant development approval for the proposed activity.

#### **Policy Implications**

Nil

#### **Statutory Implications**

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

#### **Strategic Implications**

##### ➤ Strategic Community Plan

Theme:	2. Economy and Growth
Service Area Objective:	2.1. Economic Development 2.1.2. The Shire of Merredin is a place of choice for business investment and for new residents settling to enjoy a balance lifestyle and employment opportunities
Priorities and Strategies for Change:	Strengthening the economy through local business development

##### ➤ 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
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Directorate: Development Services

Timeline: Ongoing

### Sustainability Implications

➤ Strategic Resource Plan

Nil

➤ Workforce Plan

Directorate: Nil

Activity: Nil

Current Staff: Nil

Focus Area: Nil

Strategy Code: Nil

Strategy: Nil

Implications: Nil

### Risk Implications

Potential for complaints to be lodged with the Shire relating to the operation of the JCB Tractor dealership in relation to noise. However, if the facility is managed properly the potential for unreasonable noise emissions and associated complaints should be minimal.

### Financial Implications

The relevant development application fees have been paid.

### Voting Requirements

Simple Majority

Absolute Majority

### Resolution

**Moved:** Cr McKenzie

**Seconded:** Cr Boehme

**82762** That Council;

1. Grant development approval for a JCB Tractor Dealership that will incorporate sales, parts and service of JCB equipment on No 41-45 (Lots 198, 199 and 200) Bates Street, Merredin, as outlined in attachment 12.1A, subject to;
  - a. A landscape plan incorporating 10% of the overall area of No 41-45 (Lots 198, 199 and 200) Bates Street, Merredin being used for landscape purposes, including plants being capable of growing to a maximum of 1.0 metre along Bates Street and Duff Street frontage being provided to

- the Shire of Merredin for approval within 3 months from the date of this development approval;**
  - b. Planting in accordance with the approved landscape plan is to be completed within 6 months of the landscape plan being approved.**
  - c. The applicant being responsible for all costs associated with the ongoing maintenance of crossovers used to access No 41-45 (Lots 198, 199 and 200) Bates Street, Merredin, and;**
- 2. Advises the applicant of the following;**
- a. All trade waste to be disposed of in accordance with Water Corporation requirements;**
  - b. All new fencing on the property must comply with requirements specified by the Shire of Merredin Local Laws Relating to Fencing;**
  - c. The proposed pylon advertising sign does not form part of this development approval and will require a separate application for development approval incorporating details and graphics of the proposed sign and will require a building permit from the Shire of Merredin;**
  - d. Compliance is required with provisions of the National Construction Code (BCA) – building classification applicable to the use of the premises; and**
  - e. Compliance is required with provisions of the Environmental Protection (Noise Regulations) 1997.**

**CARRIED 9/0**

**12.2 Lot 25400 Tandegin East Road, Tandegin - Application for Development Approval (Telecommunications Infrastructure)**

## Development Services



<b>Responsible Officer:</b>	Peter Zenni, EMDS
<b>Author:</b>	Peter Zenni, EMDS
<b>Legislation:</b>	<i>Planning and Development Act 2005</i> Shire of Merredin Local Planning Scheme No 6.
<b>File Reference:</b>	A8024
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Attachment 12.2A – Application for development approval and associated details

### Purpose of Report

Executive Decision

Legislative Requirement

### Background

The Shire of Merredin has received an application for development approval for the erection of telecommunications infrastructure on Lot 25400 Tandegin East Road, Tandegin.

### Comment

The proposed telecommunications infrastructure will comprise of a single 30m telecommunications tower and single 20-foot sea container housing telecommunications equipment and will be located on Lot 25400 Tandegin East Road, Tandegin. The property in question is zoned “general farming” in accordance with the Shire of Merredin Local Planning Scheme No. 6. (LPS).

The proposed telecommunications infrastructure is a “D” use in a general farming zone and as such the proposed development is not permitted by the LPS unless Council decides to use its discretion and approve the application. The proposed telecommunications infrastructure will be located on a farming property and will not interfere with the use of the property for farming purposes. There are no sensitive premises in the vicinity and there should be no adverse impact on the amenity of the surrounding area as a result of the proposed development.

The Shire of Merredin Council has previously granted development approval for the installation of telecommunication infrastructure in the general farming zone within the Shire.

The proposed development incorporates the use of a 20-foot sea container for housing telecommunications equipment.

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

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

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

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

In this case the lot is zoned ‘general farming’, the size and location of the lot will minimise any impact on the visual amenity of the surrounding area.

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

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

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

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

The proposed development incorporates Class 10a and 10b structures (non-habitable buildings – sea container and mast/antenna) under the National Construction Codes (BCA). The construction of Class 10 structures outside of town site boundaries within the Shire of Merredin does not require a building permit. However, it is the responsibility of the applicant to ensure that the proposed structures comply with all structural requirements specified by the relevant Australian Standards.

### Policy Implications

Compliance with Shire of Merredin Local Planning Scheme Policy No. 1 – Moveable Buildings.

### Statutory Implications

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

### Strategic Implications

#### ➤ Strategic Community Plan

Theme:	2. Economy and Growth
Service Area Objective:	2.1. Economic Development 2.1.2. The Shire of Merredin is a place of choice for business investment and for new residents settling to enjoy a balance lifestyle and employment opportunities
Priorities and Strategies for Change:	Strengthening the economy through local business development

#### ➤ Corporate Business Plan

Key Action:	4.1.1 Continue to upgrade the Integrated Planning Framework, meet statutory requirements of the Local Government Act and regulations and regulatory obligations required under other regulations
Directorate:	Development Services
Timeline:	Ongoing

### Sustainability Implications

#### ➤ Strategic Resource Plan

Nil

#### ➤ Workforce Plan

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

### Risk Implications

Nil

### Financial Implications

The relevant planning application fees have been paid.

### Voting Requirements

Simple Majority

Absolute Majority

### Resolution

**Moved:** Cr Boehme

**Seconded:** Cr Patroni

**82763**

**That Council;**

1. Grant development approval for the erection of telecommunication infrastructure comprising of a single 30m telecommunications tower and a single 20-foot sea container housing telecommunications equipment on Lot 25400 Tandegin East Road, Tandegin, as outlined in attachment 12.2A; and
2. Advise the applicant that the proposed development incorporates Class 10a and 10b structures (non-habitable buildings – sea container and mast/antenna) under the National Construction Codes (BCA). The construction of Class 10 structures outside of town site boundaries within the Shire of Merredin does not require a building permit. However, it is the responsibility of the applicant to ensure that the proposed structures comply with all structural requirements specified by the relevant Australian Standards.

**CARRIED 9/0**




### **13. Officers' Reports - Engineering Services**

Nil

## 14. Officers' Reports – Corporate and Community Services

### 14.1 List of Accounts Paid

<h2>Corporate Services</h2>		 SHIRE OF <b>MERREDIN</b> INNOVATING THE WHEATBELT
<b>Responsible Officer:</b>	Geoff Garside, EMCS	
<b>Author:</b>	Geoff Garside, EMCS	
<b>Legislation:</b>	<i>Local Government Act 1995, Local Government (Financial Management) Regulations 1996</i>	
<b>File Reference:</b>	Nil	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	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 June 2021 under delegated Authority is provided for Council's information and endorsement.

#### Comment

The attachment provided is an interim listing for June. Whilst it includes all payments made by EFT and cheque, credit card transactions and bank charges have not yet been processed due to illness in the Finance team. An updated listing will be provided prior to the meeting.

The final attachment was circulated on Monday.

#### 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

**Resolution**

**Moved:** Cr Willis

**Seconded:** Cr McKenzie

**82764**

**That the schedule of accounts paid during June 2021 as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$2,080,251.12 from Council's Municipal Fund Bank Account and \$0, from Council's Trust Account be endorsed by Council.**

**CARRIED 9/0**

## 14.2 Statement of Financial Activity (May 2021)

<h1>Corporate Services</h1> 	
<b>Responsible Officer:</b>	Geoff Garside, EMCS
<b>Author:</b>	Geoff Garside, EMCS
<b>Legislation:</b>	<i>Local Government Act 1995, Local Government (Financial Management) Regulations 1996</i>
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Attachment 14.2A – Statement of Financial Activity Attachment 14.2B – Detailed Statements Attachment 14.2C – Investment Statement (Not yet available) 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

Attachments have not yet been processed due to illness in the Finance team and will be circulated Monday.

Regulation 34 of the Local Government (Financial Management) Regulations requires the Shire to prepare a monthly statement of financial activity for consideration by Council within 2 months after the end of the month of the report.

### 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

### Resolution

**Moved:** Cr Patroni

**Seconded:** Cr McKenzie

**82765**

**That in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, the Statement of Financial Activity and the Investment Report for the period ending 31 May 2021 be received.**

**CARRIED 9/0**

### 14.3 Statement of Financial Activity (June 2021)

<h2>Corporate Services</h2> 	
<b>Responsible Officer:</b>	Geoff Garside, EMCS
<b>Author:</b>	Geoff Garside, EMCS
<b>Legislation:</b>	<i>Local Government Act 1995, Local Government (Financial Management) Regulations 1996</i>
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Attachment 14.3A – Statement of Financial Activity Attachment 14.3B – Detailed Statements Attachment 14.3C – Investment Statement (Not yet available) Attachment 14.3D – Capital Works Progress Attachment 14.3E – 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

Attachments have not yet been processed due to illness in the Finance team and will be circulated Monday.

Regulation 34 of the Local Government (Financial Management) Regulations requires the Shire to prepare a monthly statement of financial activity for consideration by Council within 2 months after the end of the month of the report.

Please note: the figures in the June 2021 financial reports as presented in the attachments are provisional, to provide an estimate of the year-end position. There are still year-end transactions and adjustments that need to be completed before the financial statements for the year ended 30 June 2021 can be finalised for audit.



## 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

### Resolution

**Moved:** Cr Butler

**Seconded:** Cr Willis

**82766**

**That in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996, the interim Statement of Financial Activity and the Investment Report for the period ending 30 June 2021 be received.**

**CARRIED 9/o**

#### **14.4 2021/22 Rates Adoption**

This item was withdrawn by the T/CEO and will be dealt with at a Special Meeting of the Council.

## 14.5 Community Funding Application for 2021/22

*Cr Butler and Cr Patroni declared an Impartiality Interest in this Item 14.5.*

<h1>Community Services</h1>		 SHIRE OF <b>MERREDIN</b> INNOVATING THE WHEATBELT
<b>Responsible Officer:</b>	Andrina Prnich, DCEO	
<b>Author:</b>	Andrina Prnich, DCEO	
<b>Legislation:</b>	<i>Local Government Act 1995</i>	
<b>File Reference:</b>	FM/5/23	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	Attachment 14.5A – Funding Submissions Attachment 14.5B – Funding Evaluation	

### Purpose of Report

Executive Decision

Legislative Requirement

### Background

Council adopted Policy 3.19 – Community Funding at its March 2012 meeting (CMRef 30277) which coordinates Council’s response to community requests for financial support. It also ensures that Shire funding resources are allocated in a way that is transparent, compliant, equitable and that funded projects further the aims and objectives of the Shire and represent responsible use of public monies.

The aims of the Shire of Merredin’s Community Funding Program are:

1. To encourage the development of services, facilities and events that meet identified community needs;
2. To promote active participation of local residents in community initiatives and the development of skills, knowledge and opportunities;
3. To provide assistance to the community to develop initiatives and services that support the Shire of Merredin’s own objectives; and
4. To enhance the image of the Shire of Merredin within the community.

The following groups are eligible for funding support:

1. Incorporated non-for-profit organisations based within the Shire of Merredin;
2. Incorporated non-for-profit organisations undertaking projects for the benefit of the Shire of Merredin’s residents and whose primary aim is the improvement of the quality of life of the community; and

3. Non-incorporated community groups under the auspices of an incorporated organisation.

**Comment**

The Shire advertised the expressions of interest for the community grant funding in the Phoenix Community Newspaper along with its Community Newsletter, Social Media Channels and website from Monday, 22 February to Monday, 5 April 2021.

The Shire received a total of six funding applications (all meeting Council’s eligibility criteria).

The following is a brief summary of the projects outlined within the applications received, along with the funding sought and staff recommendation.

Organisation	Project	Amount Requested \$	Recommended Support \$
A Choired Taste (Merredin Community Singers)	Seeking funding to pay for the venue hire at the old North Merredin Primary School precinct.	\$1,941	\$1,421
Merredin Community Resource Centre	Hosting of three community events - Seniors Luncheon, Australia Day Breakfast, Thank a Volunteer event.	\$6,868	\$6,868
Merredin Museum & Historical Society	Installation of cupboard and refrigerator in Refreshments Room	\$1,500	\$1,500
Merredin Senior Centre Inc	Repair to pathway and installation of accessibility parking signage Note: Alternative arrangements made	\$300	
Merredin Show Inc	Merredin Show - held once a year, the show attracts people from all over the Wheatbelt (as well as visitors from elsewhere) and is one of the biggest annual events in the Wheatbelt.	\$10,000	\$10,000
Wheatbelt Endurance Riders Inc.	The Merredin 160km Tom Quilty Gold Cup Qualifier Endurance Ride - 24 hour horse riding event bringing competitors from Perth and interstate to region. Accommodation, meals and supplies to be sourced in Merredin.	\$2,000	\$2,000
<b>Total value:</b>		\$22,609	\$21,789

A copy of each application and the evaluation matrix is included as Attachment 14.5A and 14.5B respectively.

**Policy Implications**

The consideration of these submissions are under the guidance of Council Policy 3.19 – Community Funding.

### Statutory Implications

As outlined in the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* with regards to the 2020/21 Annual Budget. Council Policy 3.19 – Community Funding applies to this process. All submissions require to be incorporated bodies or “auspicing” under an incorporated association.

### Strategic Implications

#### ➤ Strategic Community Plan

Theme:	1. Community and Culture
Theme Statement:	1.4. Community Development 1.4.3. Merredin is rich with thriving community organisations and clubs who are working together with the Shire to increase the profile of arts and culture in Merredin
Service Area Objective:	N/A

#### ➤ Corporate Business Plan

Key Action:	Support community groups to deliver activities and services to the Community effectively and sustainably
Directorate:	Community Services
Timeline:	Ongoing

### Sustainability Implications

#### ➤ Strategic Resource Plan

Nil

#### ➤ Workforce Plan

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

### Risk Implications

There is minimal risk to the Shire. If the submissions are not considered there is a risk that the outlined events may not progress unless the organisations can identify another source of financial assistance.

## Financial Implications

A provision of \$21,789 to be included in the draft 2021/22 Budget to be presented to Council through budget deliberations, for the following organisations and amounts:

Proposed Donations & Contributions 21/22	Cash	In-Kind
A Choired Taste (Merredin Community Singers)		\$1,421
Merredin Community Resource Centre	\$5,500	\$1,368
Merredin Museum & Historical Society	\$1,500	
Merredin Show Inc		\$10,000
Wheatbelt Endurance Riders	\$2,000	
<b>Total</b>	<b>\$9,000</b>	<b>\$12,789</b>

## Voting Requirements

Simple Majority

Absolute Majority

## Resolution

**Moved:** Cr Flockart

**Seconded:** Cr Van Der Merwe

**82767**

**That financial support be provided to the following community projects, being cash and in-kind allocation of \$21,789 in the draft 2021/22 Budget, for the following amounts and under the following conditions;**

- 1. Merredin Repertory Club auspicing Achoired Taste (Merredin Community Singers);**
  - a. provide support of \$1,421;**
  - b. acknowledges the support provided by the Shire of Merredin in all communication and media material; and**
  - c. provides to Council a report upon completion of the event.**
- 2. Merredin Community Resource Centre Incorporated;**
  - a. provide support of \$6,868;**
  - b. acknowledges the support provided by the Shire of Merredin in all communication and media material; and**
  - c. provides to Council a report upon completion of the events.**
- 3. Merredin Museum & Historical Society Incorporated;**
  - a. provide support of \$1,500;**
  - b. acknowledges the support provided by the Shire of Merredin in all communication and media material; and**
  - c. provides to Council a report at the cessation of the funding period.**
- 4. Merredin Show Incorporated;**
  - a. provide support of \$10,000;**






## 15. Officer's Reports - Administration

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

*Cr Butler and Cr Patroni declared an Impartiality Interest in this Item 15.1.*

<h2>Administration</h2> 	
<b>Responsible Officer:</b>	Mark Dacombe, CEO
<b>Author:</b>	Peter Zenni, EMDS
<b>Legislation:</b>	<i>Local Government Act 1995</i>
<b>File Reference:</b>	L47 & L63
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Attachment 15.1A – Deed of Variation of Lease: Portion of Old Council Administration Office, Lot 200, 110 Barrack Street, Merredin Attachment 15.1B – Deed of Variation of Lease: Portion of Old Council Chambers, Lot 200, 108 Barrack Street, Merredin Attachment 15.1C – Deed of Variation of Lease: Women's Rest Centre, Lot 200, 108 Barrack Street, Merredin

#### Purpose of Report



Executive Decision



Legislative Requirement

#### Background

Council at its ordinary meeting held on Tuesday 15th September 2020, resolved as follows;

#### 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.**

Following further negotiations and advice provided by the Merredin CRC 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, Council at its ordinary meeting held on Tuesday 18<sup>th</sup> May 2021, resolved as follows;

**82733 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.**

**Comment**

In accordance with the above resolution the Deeds of Variation to the existing leases have been prepared and reviewed by Shire of Merredin solicitors. They are being presented to Council for authorisation to proceed with their execution by the Shire President and Chief Executive Officer on behalf of Council.

The Deeds of Variation incorporate maintenance schedules clarifying maintenance responsibilities required of the Lessee and Lessor under the lease agreements and are closely based on maintenance schedules forming part of existing lease agreements between the Shire of Merredin and other community organisations such as the;

- Merredin Military Cadets;
- Merredin Military Museum;
- Merredin Railway Museum and Historical Society; and
- Fine Arts Society.

**Policy Implications**

Policy 3.13 Use of Common Seal

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*.

Shire of Merredin Standing Orders Local Law 2017 – Use of Shire of Merredin Common Seal.

### 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)
Directorate:	Office of the CEO
Timeline:	Ongoing

### Sustainability Implications

#### ➤ Strategic Resource Plan

Nil

#### ➤ Workforce Plan

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

### Risk Implications

The recommended lease terms reflect a low-risk approach that should have a positive reputational outcome for the Council.

### Financial Implications

The Shire is moving away from progressing towards a full commercial rental contribution by the Merredin CRC instead implementing a flat rate of \$520.00 per annum for each of the three Merredin CRC leases applicable to Lot 200 Barrack Street. This is in line with rental contributions in place with other community groups that currently lease property from the Shire of Merredin.

### Voting Requirements

Simple Majority  Absolute Majority

### Resolution

**Moved:** Cr McKenzie

**Seconded:** Cr Patroni


**82768**

**That Council;**

- 1. Approves the Deeds of Variation to the Existing Lease agreements in place between the Shire of Merredin and the Merredin Community Resource Centre with respect to the property located at Lot 200 Barrack Street Merredin, subject to an amendment to Clause 5 clarifying that the Shire of Merredin (the lessor) is responsible for the costs of preparation and execution of the Deeds of Variation documentation; and**
- 2. Authorises the Shire President and Chief Executive Officer to execute the Deeds of Variation on behalf of Council and to attach the Shire Common Seal to them.**

**CARRIED 9/0**

## 15.2 2021 WA Local Government Convention

<h1>Administration</h1>		 SHIRE OF <b>MERREDIN</b> INNOVATING THE WHEATBELT
<b>Responsible Officer:</b>	Mark Dacombe, T/CEO	
<b>Author:</b>	Mark Dacombe, T/CEO	
<b>Legislation:</b>	Nil	
<b>File Reference:</b>	Nil	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	Attachment 15.2A – Policy 1.20 Councillor Training and Professional Development Attachment 15.2B – Convention Program and Registration Form	

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

The Council supports the attendance of Councillors and partners at the annual WA Local Government Association Local Government Convention as per Policy 1.20.

### Comment

The 2021 Convention will be held in Perth from 19 to 21st September 2021. It is necessary to confirm registrations and appoint the Shire voting delegates to the WALGA Annual General Meeting to be held on 20 September 2021.

The Council is entitled to appoint two voting delegates who must register their attendance prior to the meeting. Custom and practice would suggest the appointment of the Shire President and Deputy President, if attending, as the voting delegates. If no other Councillors are attending with the President then it would be appropriate to appoint the CEO as the second voting delegate.

### Policy Implications

Councillor attendance will be in accordance with Policy 1.20 attached.

### Statutory Implications

There are no statutory implications.

## Strategic Implications

### ➤ Strategic Community Plan

Theme:	4. Communication and Leadership
Service Area Objective:	4.2. Decision Making 4.2.3. The Council is well informed in their decision-making, supported by a skilled administration team who are committed to providing timely, strategic information and advice
Priorities and Strategies for Change:	N/A

### ➤ Corporate Business Plan

Key Action:	Maximise advocacy benefits with membership of Great Eastern Country Zone, Wheatbelt East Regional Organisation of Councils, Western Australian Local Government Association and CEACA
Directorate:	CEO
Timeline:	Ongoing

## Sustainability Implications

### ➤ Strategic Resource Plan

Nil

### ➤ Workforce Plan

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

## Risk Implications

There are no risks associated with attending the Convention. If it is not represented at the Convention the Council risks not being fully informed on important issues affecting local government in Western Australia.

## Financial Implications

The cost of attendance at the Convention will be accommodated in the 2021/22 Budget.

### Voting Requirements

Simple Majority

Absolute Majority

### Officers Recommendation

**Moved:**

**Seconded:**

**ooooo**

**That Council;**

- 1. Is represented at the 2021 WALGA Convention by the Shire President, the following Councillors and the Chief Executive Officer:  
Councillor 1  
Councillor 2**
- 2. That the Shire President and Councillor \_\_\_\_\_ be appointed as the Shire's voting delegates at the 2021 WALGA AGM.**
- 3. Notes that Policy 1.20 provides that partners may accompany Councillor delegates.**

### Officers Alternative Recommendation

**Moved:** Cr Boehme

**Seconded:** Cr Van Der Merwe

**82769**

**That Council appoint the Shire President and Councillor Billing be the Shire's voting delegates at the 2021 WALGA AGM.**

**CARRIED 9/0**

### Reason

**The T/CEO withdrew the Officers Recommendation and presented the Alternative Recommendation.**

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

Nil

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

Nil

**18. Urgent Business Approved by the Person Presiding of 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 4:32pm.**



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