



SHIRE OF  
**MERREDIN**  
INNOVATING THE WHEATBELT

# AGENDA

## Ordinary Council Meeting

To be held in Council Chambers Corner  
King & Barrack Streets, Merredin  
Tuesday, 27 February 2024  
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, 27 February 2024 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

LEAH BOEHME  
ACTING CHIEF EXECUTIVE OFFICER  
23 February 2024

## 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.

<b>Common Acronyms Used in this Document</b>	
CBP	Corporate Business Plan
CEACA	Central East Accommodation & Care Alliance Inc
CEO	Chief Executive Officer
CSP	Community Strategic Plan
CWVC	Central Wheatbelt Visitors Centre
EO	Executive Officer
EMCS	Executive Manager Corporate Services
EMDS	Executive Manager Development Services
EMES	Executive Manager Engineering Services
EMS&C	Executive Manager Strategy & Community
GECZ	Great Eastern Country Zone
GO	Governance Officer
LGIS	Local Government Insurance Services
LPS	Local Planning Scheme
MCO	Media and Communications Officer
MoU	Memorandum of Understanding
MP	Manager of Projects
MRCLC	Merredin Regional Community and Leisure Centre
SRP	Strategic Resource Plan
WALGA	Western Australian Local Government Association
WEROC	Wheatbelt East Regional Organisation of Councils



## February Ordinary Council Meeting

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Shire of Merredin  
Ordinary Council Meeting  
4:00pm Tuesday, 27 February 2024



**1. Official Opening**

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

**Councillors:**

Cr M McKenzie	President
Cr R Manning	Deputy President
Cr H Billing	
Cr D Crook	
Cr L O'Neill	
Cr M Simmonds	
Cr P Van Der Merwe	

**Staff:**

J Merrick	T/CEO
L Boehme	EMCS
A Tawfik	EMES
K Swinwood	A/EMS&C
P Zenni	EMDS
M Wyatt	EO
A Bruyys	GO

**Members of the Public:**

**Apologies:**

**Approved Leave of Absence:** Cr B Anderson

**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](mailto:ea@merredin.wa.gov.au).

**4. Disclosure of Interest**

**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 23 January 2024  
Attachment 7.1A
- 7.2 Special Council Meeting held 13 February 2024  
Attachment 7.2A

### Voting Requirements

- Simple Majority  Absolute Majority

### Officer's Recommendation

That the following Minutes be confirmed as true and accurate records of proceedings:

- 1. Ordinary Council Meeting held on 23 January 2024; and
- 2. Special Council Meeting held on 13 February 2024.

## 8. Announcements by the Person Presiding without Discussion

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

- 19.1 Disposal of Land
- 19.2 Award of Contract – RFQ17 2023/24 Apex Park – Amenities Upgrade
- 19.3 Rateable Property Assessment A9370 – 6 Cummings Street – Write off of Rates and Service Charges

## 10. Receipt of Minutes of Meetings

- 10.1 Minutes of the Audit Committee Meeting held on 27 February 2024.  
Attachment 10.1A (*to be circulated prior to the meeting*)
- 10.2 Minutes of the Local Emergency Management Committee Meeting held on 1 February 2024.  
Attachment 10.2A

### Voting Requirements

- Simple Majority  Absolute Majority

### Officer's Recommendation

That Council;

- 1. RECEIVE the Minutes of the Audit Committee Meeting held 27 February 2024; and
- 2. RECEIVE the Minutes of the Local Emergency Management Committee Meeting held 1 February 2024.

## 11. Recommendations from Committee Meetings for Council Consideration

### Voting Requirements

Simple Majority

Absolute Majority

### Audit Committee Recommendation – Audit Committee Meeting held 27 February 2024

*Please note this Recommendation will be added to the Agenda after the Audit Committee Meeting on 27 February 2024.*

## 12. Officer's Reports – Development Services

### 12.1 Application for Subdivision (WAPC 164482) Lot 340 Collgar South Road, Norpa

<h2>Development Services</h2>		
Responsible Officer:	Peter Zenni, EMDS	
Author:	As above	
Legislation:	<i>Planning and Development Act 2005</i> Shire of Merredin Local Planning Scheme No.6	
File Reference:	A7063	
Disclosure of Interest:	Nil	
Attachments:	Attachment 12.1A – WAPC Referral Documentation.	

#### Purpose of Report



Executive Decision



Legislative Requirement

To recommend to Council that it advises the Western Australian Planning Commission (WAPC) that it has no objection to the proposed subdivision of Lot 340 Collgar South Road, Norpa.

#### Background

An application for subdivision of land located approximately 10 kilometres southeast of the Merredin townsite, has been referred to the WAPC for approval. The WAPC is seeking comments from Council prior to issuing a determination on the application.

The proposed subdivision will divide existing Lot 340 Collgar South Road, Norpa into 2 new lots. Lot 1 (12.8ha) which will contain all existing building and structures (homestead lot) and Lot 2 (43.99ha) which will contain the balance of the rural land.

#### Comment

#### Planning Considerations

The land in question is zoned General Farming (Rural). All existing buildings incorporating the farmhouse and sheds will be located on the proposed Lot 1. There are currently no buildings located on the proposed Lot 2.

The WAPC Development Control Policy 3.4 – Subdivision of Rural Land, as well as provisions of the Shire of Merredin Local Planning Scheme No. 6, highlight the need to maintain the viability and rural character of the land in question.

With respect to the creation of a homestead lot, Development Control Policy 3.4 – Subdivision of Rural Land, states as follows;

*The creation of homestead lots is intended to allow primary producers to continue to occupy their dwelling when they cease to farm, and provide settlement opportunities in areas where land fragmentation is limited and unlikely to increase. Homestead lots are to be created in a manner that is consistent with the rural character of the landscape of a locality. Homestead lots may be facilitated through boundary rationalisation or the creation of a new lot.*

*Homestead lots may therefore be created to enable an approved existing house on a rural lot to continue to be occupied provided that;*

- a) The land is in the DC 3.4 Homestead lot policy area;*
- b) The homestead lot has an area between one and four hectares, or up to 20 hectares to respond to the landform and include features such as existing outbuildings, services or water courses;*
- c) There is an adequate water supply for domestic land management and fire management purposes;*
- d) The dwelling is connected to a reticulated electricity supply or an acceptable alternative demonstrated;*
- e) The homestead lot has access to a constructed public road;*
- f) The homestead lot contains an existing residence that can achieve an appropriate buffer from adjoining rural land uses;*
- g) a homestead lot has not been excised from the farm in the past;*
- h) the balance lot is suitable for the continuation of the rural land use, and generally consistent with the prevailing lot sizes, where it can be shown that this is consistent with the current farming practices at the property; and*
- i) the dwelling on a homestead lot must be of a habitable standard and may be required to be certified as habitable by the local government.*

In this case, given the lot sizes in question, their location and constraints associated with natural boundaries posed by the adjoining roads which precludes the amalgamation of Lot 2 with other adjoining properties, it is believed that the proposed subdivision meets the required criteria in that the viability of the rural land is not jeopardised and at the same time, the creation of the homestead lot will not generate any undue additional need for government and community services.

### **Bush Fire Management**

The supporting documentation forwarded to the Shire of Merredin (the Shire) by the WAPC incorporates a Bush Fire Attack Level (BAL) Assessment Report prepared by Bushfire Safety Consulting dated 11 December 2023.

The Report outlines that the assessed BAL for the site varies from BAL-LOW to BAL-29.

WAPC State Planning Policy 3.7 - Planning in Bushfire Prone Areas states that in cases of an application for a subdivision in a bush fire prone area where the BAL is identified as higher than BAL-12.5, a bushfire management plan is required.

On 23 January 2024, the Shire's Executive Manager Development Services (EMDS) spoke with the Department of Planning, Lands and Heritage's (DPLH) Planning Officer who is processing this application for the WAPC, and queried bushfire related considerations including the need for a dedicated bushfire management plan, suitable provision for onsite water storage and

potential referral of the application to the Department of Fire and Emergency Services (DFES) for comment. The EMDS was advised that DPLH are mindful of the requirements of WAPC State Planning Policy 3.7 – Planning in Bushfire Prone Areas and that the requirements of the Policy will be considered as part of the proposed subdivision assessment and approval process.

### Road Access

Lot 340 Collgar South Road currently has potential road access from both the Collgar South Road as well as the Merredin-Narembeen Road. Following the proposed subdivision, both Lots 1 and 2 will have potential road access from the Collgar South Road, with Lot 2 having additional potential road access from the Merredin-Narembeen Road.

### Policy Implications

Compliance with WAPC Development Control Policy 3.4 – Subdivision of Rural Land.

### Statutory Implications

Compliance with the *Planning and Development Act 2005*.

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

### Strategic Implications

#### Ø Strategic Community Plan

Theme: 5. Places and Spaces  
Service Area Objective: 5.4 Town Planning & Building Control  
5.4.2 The Shire has current local planning scheme and associated strategy which is flexible and able to suitably guide future residential and industrial growth  
Priorities and Strategies for Change: Nil

#### Ø Corporate Business Plan

Theme: 5. Places and Spaces.  
Priorities: Nil  
Objectives: 5.4 Town Planning & Building Control.  
5.4.2 The Shire has a current local planning scheme and associated strategy which is flexible and able to suitably guide future residential and industrial growth.

### Sustainability Implications

#### Ø Strategic Resource Plan

Nil

### Risk Implications

Nil

### Financial Implications

Nil

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation

That Council **ADVISES** the Western Australian Planning Commission that it has no objection to the proposed subdivision of Lot 340 Collgar South Road, Norpa, (WAPC Application No: 164482) resulting in the creation of two new lots, proposed Lot 1 (12.8ha) and proposed Lot 2 (43.99ha), as identified in Attachment 12.1A, subject to;

- the proposed boundaries not encroaching upon any existing structures or onsite effluent disposal facilities;
- all new lots being connected to a constructed road; and
- compliance with WAPC State Planning Policy 3.7 – Planning in Bushfire Prone Areas.

## 13. Officer’s Reports – Engineering Services

### 13.1 Policy Review – 3.20 Asset Disposal Policy

<h1>Engineering Services</h1> 	
<b>Responsible Officer:</b>	Amer Tawfik, EMES
<b>Author:</b>	Lawrence Carr, AMO
<b>Legislation:</b>	<i>Local Government Act 1995</i>
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Attachment 13.1A – Policy 3.20 Disposal of Assets Policy (track changes) Attachment 13.1B – Policy 3.20 Disposal of Assets Policy (final)

#### Purpose of Report



Executive Decision



Legislative Requirement

For Council to consider a revision to Policy - 3.20 Disposal of Assets, which is used to guide the Shire of Merredin’s (the Shire) strategic asset management practices. This Policy applies to all Shire of Merredin assets that are due for disposal and will guide the development of the future Asset Management Strategy and Plans.

#### Background

The Shire’s Disposal of Assets Policy was last reviewed in June 2014. While the general content of the Policy was comprehensive compared to other local governments, work was required to fully align it with current disposal management practices.

The review concentrated on disposal consideration for the assets, and adopts a realistic approach, whilst setting the direction and compliance aspects for the future. As the Administration already has a Road Hierarchy and three (3) Asset Management Plans in development, this Policy aims to align a consistent approach for development of the Asset Management Strategy and future planning.

#### Comment

During the review of the Policy several key changes were made. The main points of note include:

- The structure was updated to reflect the current Shire’s policy template;
- Information within the Policy was relocated within the different sections to make it clear what the Policy was setting out to achieve, while trying to keep the original intent where relevant;
- An amendment was made to the Apparent Value definition;
- Reference to the updated disposal form has been added;
- Some minor wording changes have been made throughout;
- The Methods of Disposal section has been amended to match current processes;
- Reference to DCEO updated to Executive Manager Strategy and Community; and
- The Buyers Risk section has been updated to match current processes.

The intent of the above changes is to bring the Policy up to date and enable easier implementation across the Organisation, set a strong direction for the future, as well as meeting the requirements of the *Local Government (Functions and General) Regulations 1996*.

**Policy Implications**

Changes to Policy 3.20, as documented in Attachment 13.1A and B.

**Statutory Implications**

As outlined in the *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996*.

**Strategic Implications**

∅ Strategic Community Plan

Theme:	4. Communication and Leadership
Service Area Objective:	4.2 Decision Making 4.2.2 The Shire is progressive while exercising responsible stewardship of its built, natural and financial resources
Priorities and Strategies for Change:	Nil
Theme:	5. Places and Spaces
Service Area Objective:	5.3.2 The Shire is continually improving its asset management practices
Priorities and Strategies for Change:	Nil

∅ Corporate Business Plan

Theme:	4. Communication and Leadership
Priorities:	Nil
Objectives	4.2 Decision Making

**Sustainability Implications**

∅ Strategic Resource Plan

Nil

#### **Risk Implications**

By not adopting the reviewed Policy, the policy will remain out of date and not match the current processes used. The changes made are not believed to change the direction set by the original Policy, only make it clearer and more accurate to the current processes undertaken.

#### **Financial Implications**

There is no cost related to the review of this Policy, however there will be financial implications moving forward relating to the outputs of strategic asset management planning and it's impacts on the Long-Term Financial Plan.

#### **Voting Requirements**



Simple Majority



Absolute Majority

#### **Officer's Recommendation**

**That Council ADOPT the revised Policy 3.23 - Asset Management Policy, as presented in Attachment 13.1B.**

## 14. Officer’s Reports – Corporate and Community Services

### 14.1 Statement of Financial Activity – January 2024

<h2>Corporate Services</h2> 	
<b>Responsible Officer:</b>	Leah Boehme, EMCS
<b>Author:</b>	Lisa Davis, Manager Corporate Services
<b>Legislation:</b>	<i>Local Government Act 1995</i> <i>Local Government (Financial Management) Regulations 1996</i>
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Attachment 14.1A – Statement of Financial Activity Attachment 14.1B – Detailed Statements Attachment 14.1C – Capital Works Progress Attachment 14.1D – Investment Report

#### Purpose of Report

Executive Decision

Legislative Requirement

For Council to receive the Statements of Financial Activity and Investment Report for the month of January 2024, and be advised of associated financial matters.

#### Background

The Statement of Financial Activity, Detailed Statements, Capital Works Progress and Investment Report are attached for Council’s information.

#### Comment

#### Statement of Financial Activity

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* 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. These reports are included at Attachments 14.2A to D inclusive.

#### 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:	4. Communication and Leadership
Service Area Objective:	4.2.2 The Shire is progressive while exercising responsible stewardship of its built, natural and financial resources
Priorities and Strategies for Change:	Nil

#### ∅ Corporate Business Plan

Theme:	4. Communication and Leadership
Priorities:	Nil
Objectives:	4.2 Decision Making

### 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.

### Risk Implications

The Statement of Financial Activity 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 (CEO) 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 10% or \$10,000 whichever is greater, for operating and capital, 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 Statements of Financial Activity is retrospective. Accordingly, the financial implications associated with adopting this are nil.

### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation

**That Council RECEIVE the Statements of Financial Activity and Investment Report for the period ending 31 January 2024 in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996.**

## 14.2 List of Accounts Paid – January 2024

<h3>Corporate Services</h3> 	
<b>Responsible Officer:</b>	Leah Boehme, EMCS
<b>Author:</b>	Lisa Davis, Manager Corporate Services
<b>Legislation:</b>	<i>Local Government Act 1995</i> <i>Local Government (Financial Management) Regulations 1996</i>
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Attachment 14.2A - Payments Listing January 2024

### Purpose of Report

Executive Decision

Legislative Requirement

For Council to receive the schedule of accounts paid for the month of January 2024.

### Background

The attached list of accounts paid during the month of January 2024, 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:

4. Communication and Leadership

Service Area Objective: 4.2.2 The Shire is progressive while exercising responsible stewardship of its built, natural and financial resources

Priorities and Strategies for Change: Nil

∅ Corporate Business Plan

Theme: 4. Communication and Leadership

Priorities: Nil

Objectives: 4.2 Decision Making

### 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.

### Risk Implications

Council would be contravening the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* should this item not be presented.

### Financial Implications

All liabilities settled have been in accordance with the Annual Budget provisions.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation

That Council RECEIVE the schedule of accounts paid during January 2024 as listed, covering cheques, EFT's, directly debited payments and wages, as numbered and totaling \$708,151.60 from the Merredin Shire Council Municipal bank account and \$0 from the Merredin Shire Council Trust bank account.

## 15. Officer's Reports – Administration

### 15.1 Status Report – February 2024

<h1>Administration</h1>		 <b>SHIRE OF MERREDIN</b> INNOVATING THE WHEATBELT
Responsible Officer:	CEO	
Author:	Meg Wyatt, EA	
Legislation:	<i>Local Government Act 1995</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 15.1A – Status Report – February 2024	

#### Purpose of Report



Executive Decision



Legislative Requirement

For Council to consider the updated Status Report for February 2024.

#### Background

The Status Report is a register of Council Resolutions that are allocated to the Shire of Merredin's (the Shire) Executive Staff for actioning. When the Executive Staff have progressed or completed any action in relation to the Council Resolution, comments are provided until the process is completed or superseded by a further Council Resolution.

#### Comment

In the interest of increased transparency and communication with the community and Council, the Status Report is provided for information.

#### Policy Implications

Nil

#### Statutory Implications

Nil

**Strategic Implications**

∅ Strategic Community Plan

Theme: 4. Communication and Leadership  
Service Area Objective: 4.4 Communications  
4.4.1 The Shire is continuously working to maintain efficient communication, providing open, transparent and factual information, through a variety of channels  
Priorities and Strategies for Change: Nil

∅ Corporate Business Plan

Theme: 4. Communication and Leadership  
Priorities: Nil  
Objectives 4.4 Communications  
4.4.1 The Shire is continuously working to maintain efficient communication, providing open, transparent and factual information, through a variety of channels

**Sustainability Implications**

∅ Strategic Resource Plan

Nil

**Risk Implications**

Nil

**Financial Implications**

Nil

**Voting Requirements**

Simple Majority  Absolute Majority

**Officer's Recommendation**

**That Council RECEIVES the Status Report on Council Resolutions for February 2024.**

## 15.2 Appointment to Council Committees

### Administration



Responsible Officer:	CEO
Author:	Meg Wyatt, EA
Legislation:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Nil

#### Purpose of Report



Executive Decision



Legislative Requirement

For Council to appoint Councillors to the remaining committees that have not yet had a Councillor appointed to them.

#### Background

At the October 2023 Ordinary Council Meeting, Council appointed Councillors to the below committees:

- Shire of Merredin Audit Committee
- Eric Hind Scholarship Committee
- Shire of Merredin Local Emergency Management Committee (LEMC)
- Western Australian Local Government Association Great Eastern Country Zone (GECZ)
- Wheatbelt East Regional Organisation of Councils (WEROOC)
- Wheatbelt North Regional Road Group (RRG)
- Central East Aged Care Alliance Inc (CEACA)

The above committees were considered urgent and needed to have Councillors appointed to them before a review of the committees could be completed.

The Administration conducted a review of the committees and briefed Council on the remaining committees during the Briefing Session held 23 January 2024. At this Briefing Session it was decided which committees Council still wanted to appoint representatives to.

#### Comment

The below committees Council agreed to appoint representatives to:

- Shire of Merredin Bush Fires Advisory Committee (BFAC)
- Easten Wheatbelt Biosecurity Group (EWBG)

Council must now appoint representatives to these committees. Once appointed the Administration will advise the committees of the representatives.

### Policy Implications

Nil

### Statutory Implications

*Local Government Act 1995.*

*Bush Fires Act 1954.*

### Strategic Implications

∅ Strategic Community Plan

Theme: Nil

Service Area Objective: Nil

Priorities and Strategies  
for Change: Nil

∅ Corporate Business Plan

Theme: Nil

Priorities: Nil

Objectives Nil

### Sustainability Implications

∅ Strategic Resource Plan

Nil

### Risk Implications

Nil.

### Financial Implications

Nil.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation

#### That Council:

1. In accordance with section 5.10 and 5.11A of the Local Government Act 1995 and section 67 of the Bush Fires Act 1954, appoint Councillor \_\_\_\_\_ as the delegate to the Shire of Merredin Bush Fire Advisory Committee, with all other Councillors appointed as Deputies; and
2. In accordance with section 5.10 and 5.11A of the Local Government Act 1995 appoint Councillor \_\_\_\_\_ as the delegate to the Eastern Wheatbelt Biosecurity Group.

The following Item was laid on the table at the January Ordinary Council Meeting held on 23 January 2024. The Item is being brought back for a decision of Council.

### 15.3 Proposed Waiver of Swimming Pool Admission for the Remainder of the 2023/24 Season

<h2>Administration</h2> 	
Responsible Officer:	Codi Brindley-Mullen, Acting Chief Executive Officer
Author:	As above
Legislation:	<i>Local Government Act 1995</i> <i>Local Government (Functions and General) Regulations 1996</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Nil

#### Purpose of Report



Executive Decision



Legislative Requirement

The purpose of this report is for Council to consider waiving the pool admission fees for the remainder of the 2023/24 swimming pool season.

#### Background

An Elected Member has approached the Acting Chief Executive Officer (A/CEO) to investigate the potential of waiving fees for the remainder of the 2023/24 swimming pool season.

For this to be actioned, a decision of Council is required.

#### Comment

It has been proposed that a number of factors are having a negative effect on members of the Merredin community currently. These include:

- rising cost of living;
- families and individuals experiencing financial hardship;
- recent essential services disruptions; and
- more frequent extreme weather events bringing warmer weather to the region.

Therefore, it is proposed that Council waive admission fees for the remainder of the 2023/24 pool season.

As we are three (3) months into the 2023/24 season, the waiver of admission will be for the remainder of the season being effective from Monday, 29 January, and including the months of February, and March 2024.

Consideration will need to be given to those community members who have already purchased season passes for the entire pool season. This could be either via a pro-rata reimbursement or by carrying passes over to the 24/25 season which would then have a financial implication on the 2024/25 Annual Budget.

Pro-rata reimbursement of 40% of the total season passes cost, will equate to \$6,030.

Once Council have made a decision, the Administration would need to contact affected members and provide the proposed option. Should Council opt to refund part of the season pass payment, each individual would need to be added to the Shire’s creditor system to allow the refund to be processed.

The current fees for pool admissions are as follows:

Admissions Adult (18 Years + )	\$4.50
Admission Children (5 to 17 Years Old)/ Seniors	\$3.50
Vacation Swim Lessons (Includes Parent Supervisor/ Spectator)	\$3.50
In Term Swimming Lessons (10 Day Pass)	\$28.00
Season Ticket - Children (Attending School)/Seniors	\$139.50
Season Ticket - Adult Single	\$241.50
Season Ticket - Family (2 Parents and 4 Children <=17 )	\$348.50
Season Ticket - Family (each additional child)	\$29.50
1/2 Season Pass - Family (Expires on 12th January)	\$241.50
Adult Multi Pass 10 Visits (Must be used in current season)	\$41.00
Child Multi Pass 10 Visits (Must be used in current season)	\$31.00
Family Multi Pass 10 Visits (Must be used in current season) 2 Adults, 4 Children (<=17)	\$155.00
Family Multi Pass 5 Visits (Must be used in current season) 2 Adults, 4 Children (<=17)	\$80.00
Monthly Pass – Adult	\$82.00
Monthly Pass – Child	\$63.00
Spectators	\$1.50
Children Under Five Years Old	Free

The below table represents pool income for the past five (5) years, including the year to date 2023/24 income:

SWIM AREAS – Admissions (Income)				
19/20	20/21	21/22	22/23	23/24
\$40,222.91	\$40,465.53	\$41,073.38	\$37,422.73	\$27,689.61

The current budgeted income for pool admissions for this season is \$35,000. This was a conservative figure, approximately \$5,000 less than a usual year and \$2,500 less than the previous financial year.

Should Council choose to waive pool admission fees for the remainder of the 2023/24 season, there would be a shortfall to the budgeted pool income of around \$8,000, which would then be compounded by any refunds offered. The total reduction in income would likely be around \$14,000.

It is proposed that to match the decrease to the Shire’s income, a number of Council expense accounts are to be decreased. Proposed budget amendments are represented in the table below.

GL/Job	Description	Current Budget	To date Expenditure/ Income	Variation Amount	Revised Budget	Remaining Budget	Reason
3110220 Income	SWIM AREAS – Admission Mun	\$35,000	\$27,689	(\$14,000)	\$21,000	N/A	Decrease in income, should Council waive pool fees for remainder of the season and reimburse 40% of season passes already purchased
2040104 Expenditure	MEMBERS – Training and Development Muni	\$45,000	\$15,719	\$6,000	\$39,000	\$23, 281	Cover lost income
2040186 Expenditure	MEMBERS – Expensed Minor Asset Purchases	\$8,000	\$0	\$5,000	\$3,000	\$3,000	Cover lost income
2040187 Expenditure	MEMBERS – Other Expenses	\$5,000	\$1,037	\$3,000	\$2,000	\$923	Cover lost income

Reimbursements will be processed through the Shire’s reimbursement account, with income journalled from the SWIM AREAS – Admission Mun to cover the reimbursement amounts.

The waiving of pool admission fees will assist community members to access our facility free of charge and allow them to focus on other costs of living. It provides a safe space for people of all ages and demographics to enjoy.

Free pool entry may also attract visitors from the wider region which may result in them spending the day in Merredin and enjoy what it has to offer.

**Policy Implications**

Nil

**Statutory Implications**

As outlined in the *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996*.

**Strategic Implications**

Ø Strategic Community Plan

Theme: 1. Community & Culture

Service Area Objective: 1.1 Events, Arts and Culture

1.1.1 A community that is engaged in a variety of inclusive events, arts and other cultural activities which enrich their community experience and increase their sense of belonging  
1.4 Community Development  
1.4.2 An improved sense of belonging for our Njaki Njaki Nyoongar and wider Aboriginal community

Priorities and Strategies  
for Change:

Nil

∅ Corporate Business Plan

Theme: Economy and Growth

Priorities: Nil

Objectives 2.1 Economic Development  
2.1.1 Merredin is well known by those not local to the area, as a great place to live, work and visit

#### Sustainability Implications

∅ Strategic Resource Plan

Nil

#### Risk Implications

Risk implications will be mitigated by accepting the proposed budget amendments.

#### Financial Implications

Predicted decrease in income could be up to \$14,000 (depending on how Council resolve to handle the season passes already purchased).

It is proposed that this shortfall will be covered by decreasing the following expenditure accounts:

- \$6,000 from GL 2040186 - MEMBERS – Expensed Minor Asset Purchases;
- \$5,000 from GL 2040104 - MEMBERS – Training & Development; and
- \$3,000 from GL 2040187 - MEMBERS – Other Expenses.

**Voting Requirements**

Simple Majority

Absolute Majority

**Officer’s Recommendation**

**That Council;**

- 1. WAIVE pool admission fees for the remainder of the 2023/24 swimming pool season;**
- 2. ENDORSES the proposed budget amendments as listed in the table below:**

GL/Job	Description	Current Budget	To date Expenditure/ Income	Variation Amount	Revised Budget	Remaining Budget	Reason
3110220 Income	SWIM AREAS – Admission Mun	\$35,000	\$27,689	(\$14,000)	\$21,000	N/A	Decrease in income, should Council waive pool fees for remainder of the season and reimburse 40% of season passes already purchased
2040104 Expenditure	MEMBERS – Training and Development Muni	\$45,000	\$15,719	\$6,000	\$39,000	\$23,281	Cover lost income
2040186 Expenditure	MEMBERS – Expensed Minor Asset Purchases	\$8,000	\$0	\$5,000	\$3,000	\$3,000	Cover lost income
2040187 Expenditure	MEMBERS – Other Expenses	\$5,000	\$1,037	\$3,000	\$2,000	\$923	Cover lost income

- 3. INSTRUCTS the Chief Executive Officer to contact the affected 2023/24 season pass holders regarding refunds; and**
- 4. INSTRUCTS the Chief Executive Officer to advertise the waiver of pool admission fees for the remainder of the 2023/24 swimming pool season, effective from Monday, 29 January 2024.**

## 15.4 Merredin Train Station Second High-Level Platform

### Administration



Responsible Officer:	Leah Boehme, A/CEO
Author:	As above
Legislation:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 15.4A – Platform design diagrams

### Purpose of Report



Executive Decision



Legislative Requirement

The purpose of this Item is for Council to consider the Public Transport Authority (PTA) proposal to close the pedestrian crossing immediately east of the Merredin Train Station to allow construction of the second railway platform to be undertaken. ARC Infrastructure have requested formal acknowledgement from Council be received before they will allow any works to be undertaken.

### Background

Over a number of years Council has discussed the need for a second platform at the Merredin Train Station, with a number of community members providing feedback about this being an essential requirement for the Merredin Train Station.

It has been difficult to find the extent of the communications and processes that occurred over a period of more than five years, however a summary of what is known is below:

- In December 2018, Council was advised that the project was not listed for completion in that financial year, however would be included in the 2019/20 financial year. This was discussed in an evening briefing session of Council.
- On 15 January 2020, the Shire President and Temporary Chief Executive Officer (CEO) met with the General Manager of Transwa to discuss the plans for the second high-level platform.
- On 1 September 2020, the Executive Manager Development Services (EMDS) emailed Burges Rawson regarding concerns that had been raised by the community during focus group meetings that had taken place as part of the development of the Shire's Disability Access and Inclusion Plan (DAIP) in relation to there not being suitable facilities for persons with a disability at the Merredin Railway Station. This was in

relation to a portable platform with staircase only being situated on the southern side of the train line.

- On 24 December 2020, the Temporary CEO wrote a letter to the Minister for Transport, the Hon Rita Saffioti MLA regarding the Merredin Station High-Level Platform.
- On 16 March 2021, a response was received from PTA, due to the 'caretaker' arrangements the Minister had asked them to respond. The letter confirmed that PTA had received the Project Agreement back from Arc Infrastructure on 15 January 2021 and the PTA legal team were redrafting some aspects of it for Arc's consideration.
- On 14 December 2021, the Commercial Manager of TransWA contacted the Central Wheatbelt Visitor Centre Manager (CWVC) via email and provided this update:

#### ***Merredin Platform***

- *The Tender for the Design and Construction of the High Level Platform was released yesterday with a 27 Jan close.*
- *As per the tender, a mandatory briefing and site visit will be conducted at the Merredin Station on Wednesday 22<sup>nd</sup> Dec at 11am*
- In September 2022, the CEO reached out to the General Manager seeking information on where the project was at and when it would likely commence, as rumours around town were that commencement of building was imminent.
- The General Manager responded with an explanation that though the project was being moved forward, some legal issues delaying further progress had occurred during discussions with ARC Infrastructure. He highlighted that the Project Manager was working with the contractor behind the scenes to ensure the scope was fully understood and would be ready to go once sign off was received.
- In late October 2022, the General Manager made contact with the CEO and advised that the legal issue had been resolved and the Project Manager, along with PTA's Lands Department and Arc Infrastructure would be onsite the following week for a high level discussion and to better understand Arc Infrastructure's position on the construction. He also outlined that the Design and Construct Contract had hit problems with a requirement for a technical analysis of the gap between the scope and the engineering deliverables to understand technical implications possibly requiring legal intervention.
- In May 2023 the General Manager reached out to the CEO and requested a meeting to discuss the platform and speak about the potential closure of the eastern pedestrian crossing.
- On 23 January 2024 the General Manager reached out to the CEO via email to ask for a formal acknowledgement from Council that the pedestrian crossing would be closed due to sight line issues that would arise from the addition of the second platform. It was highlighted that there were only two options available, keep the crossing and not have a second platform, or have a platform and remove the crossing. This email was then forwarded on to the Acting CEO who reached out to the General Manager and requested further information. The Acting CEO confirmed that no resolution of Council existed to acknowledge the closure of the pedestrian crossing, so an Item would need to be taken to the February Ordinary Council Meeting (OCM). The General Manager

confirmed this time frame suited PTA and agreed to attend the briefing session prior to the OCM to answer any questions Council may have.

Further to the above, in 2014, a GHD Australian Level Crossing Assessment Model (ACLAM) was undertaken. This report outlined that the 'Old Station West Crossing' was non-compliant and the addition of the new high-level platform would see it become even more non-compliant. A high-level observation was conducted on the GHD 2014 report by a PTA Signalling Engineer who supported the findings of the report.

### Comment

The Shire of Merredin (the Shire) has been advised that any structure adjacent to a working rail-line must meet an ALCAM. The issue with the proposed new high-level platform at the station, in relation to the existing passive pedestrian crossing (closest to the station), is that a train would not be able to stop if a pedestrian encroached onto the track.

PTA has provided advice that a Main Roads subject matter expert has advised the old station west crossing requires 404m of sighting and confirmed that if a high-level platform is constructed, it will impact the existing line of site achieved.

To ensure pedestrian safety, a longer sighting distance (such as the sighting distance to the more eastern pedestrian crossing 150m further down the track near the Pioneer Park) is required. This would then enable trains and pedestrians to be able to react accordingly to ensure everyone's safety.

The only alternative to closing the crossing would be to upgrade the existing passive crossing to an active crossing (with bells and a gate). This would cost approximately \$1 million and would need to be funded by the Shire. This is not a realistic expense for the Shire currently or into the future.

As the new platform will significantly reduce sight lines for train drivers and also for the public, it is necessary to close the pedestrian crossing immediately east of the train station prior to the new platform being placed on site.

The Shire will need to advertise the crossing closure as soon as possible to ensure the community are given sufficient notice.

PTA have also committed to fund the construction of a new pedestrian footpath from the train station to the Pioneer Park train crossing to ensure safe commuting for our community. The Shire will be responsible for the delivery of the works, with PTA covering the cost.

### Policy Implications

Nil

### Statutory Implications

Nil

### Strategic Implications

Ø Strategic Community Plan

Theme: 4. Communication and Leadership

Service Area Objective: 4.3 Advocacy  
4.3.2 The Shire continues to advocate for infrastructure and services which meet the need of its business and residential community

Priorities and Strategies for Change: Nil

∅ Corporate Business Plan

Theme: 4. Communication and Leadership

Priorities: Nil

Objectives 4.3 Advocacy  
4.3.2 The Shire continues to advocate for infrastructure and services which meet the need of its business and residential community

**Sustainability Implications**

∅ Strategic Resource Plan

Nil

**Risk Implications**

If Council choose not to adopt the resolution and give their acknowledgement that the pedestrian crossing will be closed, the project will be terminated, and the community will not get the second platform. This would have a large reputational impact on the Organisation, as the community have been expressing the need for the platform for a number of years and essentially have been assured that it will be delivered.

**Financial Implications**

Nil.

**Voting Requirements**



Simple Majority



Absolute Majority

**Officer's Recommendation**

That Council;

1. **ACKNOWLEDGES** the closure of the pedestrian crossing immediately east of the Merredin Train Station as part of the construction of the new high-level platform at the station;
2. **AUTHORISE** the Chief Executive Officer to advise PTA and Arc Infrastructure of this acknowledgement; and
3. **INSTRUCT** the Chief Executive Officer to advertise the closure of the platform within the community as soon as closure dates are known.

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

Nil

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

Nil

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

Nil

**19. Matters Behind Closed Doors**

**19.1 Disposal of Land**

**19.2 Award of Contract – RFQ17 2023/24 Apex Park – Amenities Upgrade**

**19.3 Rateable Property Assessment A9370 – 6 Cummings Street – Write off of Rates and Service Charges**

**20. Closure**

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