



# SHIRE OF MERREDIN

15 April 2014

Minutes of Ordinary Council Meeting

Held in Council Chambers  
Corner King & Barrack Street's, Merredin



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Shire of Merredin  
Ordinary Meeting of Council Minutes  
Tuesday 15 April 2014



**1. Official Opening**

The President welcomed those in attendance and declared the meeting open at 3.10pm, apologising for the late commencement.

**2. Public Question Time**

Nil

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

**3.1 Councillors:**

Cr KA Hooper	Shire President
Cr RM Crees	Deputy President
Cr BJ Anderson	
Cr CA Blakers	
Cr JP Flockart	
Cr DN Hayes-Thompson	
Cr TS Thomas	
Cr ML Young	

**3.2 Executive:**

G Powell	Chief Executive Officer (CEO)
V Green	Executive Assistant to CEO
S Lowe	Media & Communications Officer
R McCall	Deputy Chief Executive Officer

**3.3 Members of the Gallery:** M Gill, Merredin Wheatbelt Mercury

**3.4 Apologies:** Nil

**3.5 Approved Leave of Absence:** Councillor Willis has been granted Leave of Absence for this Ordinary Meeting of Council (CMRef 81319)

**4. Disclosure of Interest**

Cr Flockart declared an Impartiality Interest in Agenda Item 14.3

**5. Applications for Leave of Absence**

Nil

**6. Petitions and Presentations**

Nil

**7. Confirmation of Minutes of the Previous Meeting**

7.1 Ordinary Council Meeting held on 18 March 2014

**Attachment 7.1A**

**Officer's Recommendation / Resolution**

Moved: Cr Young

Seconded: Cr Crees

**81335** That the Minutes of the Ordinary Council Meeting held on 18 March 2014 be confirmed as a true and accurate record of proceedings, subject to the correction of Cummings Street to Cummings Crescent in Item 12.4.

**CARRIED 8/0**

**8. Announcement by the Person Presiding without discussion**

The President congratulated staff on the Shire of Merredin's stand at the Merredin Show stating it was one of the busiest stands and created good opportunities for discussion with the community.

**9. Matters for which the Meeting may be closed to the public**

Nil

**10. Receipt of Minutes of Committee Meetings**

10.1 Shire of Merredin Bush Fire Control Officers Annual General Meeting held on 13 March 2014

**Attachment 10.1A**

10.2 Central Wheatbelt Rangers Service Annual General Meeting held on 21 March 2014

**Attachment 10.2A**

10.3 Great Eastern Country Zone Executive Meeting held on 27 March 2014

**Attachment 10.5A**

**Officer's Recommendation / Resolution**

Moved: Cr Crees

Seconded: Cr Thomas

**81336** That the minutes of the Shire of Merredin Bush Fire Control Officers Annual General Meeting held on 13 March 2014; the Central Wheatbelt Rangers Service Annual General Meeting held on 21 March 2014 and the Great Eastern Country Zone Executive Meeting held on 27 March 2014 be received.

**CARRIED 8/0**

**11. Recommendations from Committee Meetings for Council consideration**

Nil

**12. Officer's Reports - Development Services**

**12.1 Planning Application 13-09; Lot 24 Barrack Street, Merredin; Breach of Planning Consent**

## Development Services



<b>Reporting Officer:</b>	Chief Executive Officer
<b>Author:</b>	Greg Powell
<b>Legislation:</b>	Building Code of Australia; Health (Public Building) Regulations 1995; Local Government Act 1995; Local Planning Scheme No. 6; Planning and Development Act 2005
<b>File Reference:</b>	A186
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Correspondence from McLeods Barristers and Solicitors
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

In 2004 Council approved a proposed extension to the licensed area of the Commercial Hotel, Lot 24 Barrack Street, Merredin which included a beer garden and additional toilets, as required by the *Building Code of Australia* and the *Health (Public Building) Regulations 1992*. A component of that town planning consent was that any additions were to remain in character with the existing building.

In November 2009 planning consent was granted (Application PA13/09) for the purpose of building the proposed ablution block. The conditions of the planning consent (in part) included:

1. *“Placement of the ablution block is valid for two years and the ablution block must be replaced with a brick and iron roofed structure or the unit clad with brick and a false gabled iron roof by 31 October 2011 – all works complete;”*

At its October 2011 meeting Council resolved to extend the planning consent until 30 June 2012 with the same building structure conditions (**CMRef 30740**).

Correspondence was received from the owner of the Commercial Hotel on 28 June 2012 requesting that the use of limestone cladding be approved in lieu of the brick cladding specified in the planning consent. At its October 2012 meeting Council approved the use of limestone cladding (**CMRef 30989**). A further 2 resolutions at that meeting (**CMRef 30990**) stated *“that the requirement for a false gable roof or other method that meets the intent of the planning condition remains”* and (**CMRef 30991**) *“that the owner be advised that he must complete all works by 31 March 2013 or legal action will be taken and that the CEO be granted delegated authority to initiate the action after 31 March 2013 should the works not be completed.”*

Despite numerous meetings and correspondence with the owners since that time, the work on the gabled iron roof has not occurred and the owner has refused to re-roof the structure. As such the CEO forwarded the matter to Council’s legal advisors, McLeods Barristers and Solicitors, who wrote to the owners in August 2013. Council’s legal advisors were informed by the owners that they would not comply with the condition of planning approval. A copy of the correspondence is included in **Attachment 12.1A**.

### Comment

As can be seen from the information above this matter is of long standing. The key issue is the integrity of Council’s Local Planning Scheme 6 (and its predecessor Town Planning Scheme 5) and ensuring that the decisions of Council, based on ensuring the amenity and character of the Shire, are complied with.

In this instance, the condition is one of amenity with the condition imposed to ensure the character of a building deemed important to Merredin’s heritage is not prejudiced by another structure not in keeping with its architectural style and character.

It should also be noted that the owner had appeal rights to the condition when it was first imposed. These rights were not exercised. It could be inferred there was tacit agreement to comply with the condition when the extension of time was sought in 2012.

It is clear that the owner will disregard the obligation to comply with the condition effectively snubbing Council’s right to impose conditions imposed in a fair manner. Should this position have been known in 2012, it may not have been recommended by Staff that an extension of time be offered but rather that legal action be commenced at that time.

Photos of the ablution block from the rear of the Commercial Hotel are included in **Attachment 12.1B**. From the photos it could be interpreted that with the new cladding on the ablution block and the colour of the roofing viewed from ground level that the ablution block is not out of character with the building and other additions on the site and the general area. That is, Council could determine that the applicant has made a sufficient effort to meet the requirements of the condition of the planning consent. If Council takes this view it may resolve to take no further action on this matter.

### Policy Implications

Nil

### Statutory Implications

Nil

### Strategic Implications

Nil

### Sustainability Implications

Nil

➤ Asset Management Plan

Nil

➤ Long Term Financial Plan

Nil

➤ Workforce Plan

Nil

### Financial Implications

There will be a cost involved in progressing with legal prosecution. Council has allocated \$15,000 in its 2013/14 Budget at E042306 Legal Expenses which has a current balance of \$10,099.04.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

Moved: Cr Anderson

Seconded: Cr Young

**81337** That legal action not be instigated against the owner(s) of the Commercial Hotel, Lot 24 Barrack Street, Merredin in relation to non-compliance with Planning Consent 13/09.

**CARRIED 5/3**

Cr Young requested that all votes be recorded as specified in Section 5.21(4)(b) of the *Local Government Act 1995*.

**Councillors Anderson, Blakers, Flockart, Thomas and Young voted for the motion  
Councillors Crees, Hayes-Thompson and Hooper voted against the motion**



**12.2 Nangeenan Hall, Lot 155 Cahill Street, Nangeenan – Breach of Heritage Memorandum of Understanding**

## Development Services



<b>Reporting Officer:</b>	Environmental Health and Compliance
<b>Author:</b>	Rebecca Bowler
<b>Legislation:</b>	Health Act 1911; Shire of Merredin Health Local Laws 1999; Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974.
<b>File Reference:</b>	CM/09/01; P6511
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Heritage Memorandum of Understanding and photographs of Nangeenan Hall showing its previous and current state
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report

Executive Decision

Legislative Requirement

### Background

In 2002 a Heritage Memorandum of Understanding (MoU) (**Attachment 12.2A**) was signed between the Shire of Merredin and Mr William Badger regarding the welfare and upkeep of Nangeenan Hall (the Hall) located at Lot 155 Cahill Street, Nangeenan.

Mr Badger has failed to uphold the terms of the Heritage MoU and has allowed the building to deteriorate to a currently unliveable condition resulting in an assessment that the Hall is currently unfit for human habitation.

Environmental Health Officers, Rebecca Bowler and Ken Lowth, carried out an inspection of the Hall on 6 March 2012. Photos showing the then condition of the site are included at **Attachment 12.2B**. The inspection highlighted the following issues:

1. The toilet at the premise is a bore hole type of facility which cannot be connected to an apparatus for the treatment of sewage and therefore did not comply with the Shire of Merredin Health Local Laws 1999.
2. The laundry did not comply with the Shire of Merredin Health Local Laws 1999.
3. The bathroom did not comply with the Shire of Merredin Health Local Laws 1999.
4. The kitchen did not comply with the Shire of Merredin Health Local Laws 1999.

5. The toilet, laundry, bathroom and kitchen facilities are to be connected to an apparatus for the treatment of sewage.

The *Health Act 1911* provides that:

1. *“No person shall erect, rebuild, maintain, or use any house, or keep or use or suffer to be kept or used any public place or private place without providing for the same sanitary conveniences, and also bathroom and laundry and cooking facilities, to the number prescribed, constructed and equipped in accordance with the local laws of the local government.*
2. *If it appears to the local government to be advisable that any house, public place, or private place should be provided with an apparatus for the treatment of sewage, it may cause written notice to be served on the owner of the house or place requiring him within a time specified in the notice to provide and install such apparatus for and in connection with such house or place, and such owner shall comply with such notice, and shall observe in connection with the provision and installation of the apparatus the provisions of section 107 and of the relative local laws.”*

The lack of these facilities render the place unfit for human habitation under the provisions of the *Health Act 1911* and it was suggested at the time that the Shire should declare the premise unfit.

A Schedule of Works was issued indicating the following:

**SCHEDULE OF WORKS**

**To:** Mr William M Badger, Lot 155 Cahill Street, Nangeenan WA

**Take Notice**, that under the provisions of the *Health Act 1911*, the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974* and the *Shire of Merredin Local Laws 1999* you, the owner of Lot 155 Nangeenan Western Australia on Certificate of Title Volume 1968 Folio 460, are required to complete the following works by 31 March 2013:

1. Construct toilet, laundry, bathroom, and cooking facilities in accordance with the requirements of the *Health Act 1911* and the *Shire of Merredin Health Local Laws 1999*, and
2. Connect the abovementioned facilities to an apparatus for the treatment of sewage in accordance with the requirements of the *Health Act 1911* and the *Health (Treatment of Sewage and Disposal of Effluent and Liquid Waste) Regulations 1974*.

If you are dissatisfied with what is being asked of you in this schedule of works, you may apply to the State Administrative Tribunal for review of this decision.

“Applications for Review” are to be lodged with the State Administrative Tribunal, Level 4, 12 St. Georges Terrace, Perth WA 6000 within twenty eight (28) days of receiving Notice of this decision.’

### Comment

Environmental Health Officer, Rebecca Bowler, and Building Project Manager, John Gearing, carried out a more recent inspection on 7 April 2014 and photos showing the current condition are included in **Attachment 12.2C**.

There has been further deterioration of the building since the 2012 inspection with no improvements made to the building nor any attempt to install the required facilities associated with a habitable dwelling. The Schedule of Works had not been attempted in any way.

In accordance with the MoU, Mr Badger has failed to abide by the terms the document.

It is stated in the MoU that *'If the Owner fails to comply with the requirements contained in a notice served pursuant to clause 7.1, the Owner shall be deemed to dispute its liability to comply with the requirements. The Council shall refer the matter in dispute to the Regional Heritage Advisor of the Heritage Council of WA for consideration for a recommendation to seek resolution to the dispute.'*

Advice received from the Heritage Council of WA indicates that the Hall is not of State significance and therefore the Heritage Council of WA would not be involved. Any heritage agreement on the site is therefore a matter between the Shire of Merredin and the owner of the site.

The Shire of Merredin has a caveat on the Title of the Hall as a result of the signed MoU.

### Policy Implications

Nil

### Statutory Implications

The Shire can declare the Hall unfit for human habitation in accordance with the *Health Act 1911*.

### Strategic Implications

Nil

### Sustainability Implications

Nil

➤ Asset Management Plan

Nil

➤ Long Term Financial Plan

Nil

➤ Workforce Plan

Nil

### Financial Implications

Nil

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Hayes-Thompson

**81338** That Mr William Badger be requested to provide an explanation on why the terms of the 2002 Heritage Memorandum of Understanding have not been met nor the works required under the Schedule of Works issued in 2012 undertaken at the Nangeenan Hall, Lot 155 Cahill Street, Nangeenan.

**CARRIED 7/1**

**12.3 Njaki-Njaki Aboriginal Culture Tours**

## Development Services



<b>Reporting Officer:</b>	Environmental Health and Compliance
<b>Author:</b>	Rebecca Bowler
<b>Legislation:</b>	Nil
<b>File Reference:</b>	EM/11/6
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

The concept for the Njaki-Njaki Aboriginal Culture Tour was born as a result of the Community Liaison Officer's involvement in the Activ8 Merredin concept group. Mr Michael Hayden attended an Activ8 Merredin meeting held in November 2012 to discuss possible indigenous contributions that may form a part of the ongoing effort to lift the community's strategic profile as a naturally resourceful, developing, inclusive and liveable township within the Wheatbelt region.

After the meeting Mr Hayden sought further information and advice regarding the establishment of an Aboriginal tourism venture. He has been proactive in his approach to the setup of a walking tour group; he is currently working with the Small Business Development Corporation; recently attended a national indigenous tourism conference in Alice Springs; sought guidance from the Golden Outback tourism group and is liaising, on an ongoing basis, with an indigenous mentor in the Great Southern as well as other Aboriginal groups that have established their own walking tours/tourism operations in various parts of the State.

He has now approached the Shire of Merredin with a proposal to establish walking tours within the Merredin Rock Reserve.

A summary of the proposed tour is detailed in email correspondence:

*'It will be Njaki-Njaki Aboriginal Culture Tour. There will be two sections of the tour, a talk about Merredin Native Reserve, a walk through the bush and around and on top of the rock then back to the dam, then return to reserve site. I'll be the only person involved at this stage. It will start at plaque site and also finish there.'*

*There will be no impact on the reserve, the visitors will be told and information will be on tourist brochure when available what to do with their rubbish. At this stage I'll keep it short, but later on I would like to add different experiences to the tour. The community/tourist will get first-hand knowledge of an authentic Aboriginal culture experience that they may not of experienced before'*

The talk will go into detail about Mr Hayden's childhood, living on the Reserve, the bush as his playground, significant trees/flora/fauna in the Reserve and the important role that they played in the survival of the tribe, various bush tucker that can be found in the area and some of the tools that were created using the natural resources that were around e.g. wood from trees to make spears and didgeridoos. He will also touch on law enforcement within the township of Merredin as a way of life for his people and the spiritual significance of the land.

Into the future Mr Hayden has suggested that he may like to provide bush tucker and incorporate craft making into his tours, as a couple of ideas that are more than achievable given the likely success of the initial cultural walking tours.

#### **Comment**

The Njaki-Njaki Aboriginal Culture Tour fits in well with the Shire's overall vision and the 2012/13-2022/23 strategic goals for the community. The Njaki-Njaki Aboriginal Culture Tour looks to benefit the community through a continued effort to 'bridge the gap' and work towards a greater, inclusive understanding and reconciliation between our many cultures within the community. The Njaki-Njaki Aboriginal Culture Tour group is another economic revenue source for the town as it encourages a new option for tourists that pass through the area. Educating people about the importance and significance of our native bushland can only enhance the understanding of the need to protect the remanent bushland that remains, thereby enhancing the quality of the natural environment. A cultural tour of such significance will only contribute to the rich fabric that is Merredin's cultural history, both present and future.

There are some matters affecting the possible success of the Njaki-Njaki Aboriginal Culture Tour that Council should consider. After one of the trial Njaki-Njaki Aboriginal Culture Tour walks undertaken by a group of young medical students from the city, in a short survey a large majority made mention of the amount of rubbish, and in particular glass, that was scattered throughout the Reserve.

Glass and other rubbish would need to be considered carefully before removal. There are some historical dumps resulting from the hospital camp which was in service during World War II. These historical dumps include pieces of broken glass, tin, equipment and other such items that are considered to be periodically and historically significant. There are obvious and significant risks associated with Public Open Spaces and Reserves that have been vested in the Shire and the presence of broken glass and other items that have deteriorated over time to create a potential hazard to its users.

There are currently no waste disposal receptacles near the dedication plaque (the site from where the tour will both depart and return to).

In their current state the ablution facilities are unusable. The fixtures and all other functional items are missing. All solar hot water panels for the male and female showers have been destroyed and/or stolen. The toilets themselves remain but the functionality of the toilets has not been maintained. Lime will be needed to destroy the current contents of the toilets and an alternative waste disposal system may need to be investigated to ensure the longevity of the facilities (an alternative includes an alternating septic tank and leach drain system). Should these facilities become operational it could provide an increased opportunity for tourism to be extended using the site as an overnight RV camping location.

### **Policy Implications**

Nil

### **Statutory Implications**

Nil

### **Strategic Implications**

As mentioned above, the Njaki-Njaki Aboriginal Culture Tour fits in well with the Shire's overall vision and the 2012/13-2022/23 strategic goals for the community. The Njaki-Njaki Aboriginal Culture Tour looks to benefit the community through a continued effort to 'bridge the gap' and work towards a greater, inclusive understanding and reconciliation between our many cultures within the community. The Njaki-Njaki Aboriginal Culture Tour group is another economic revenue source for the town as it encourages a new option for tourists that pass through the area. Educating people about the importance and significance of our native bushland can only enhance the understanding of the need to protect the remanent bushland that remains, thereby enhancing the quality of the natural environment. A cultural tour of such significance will only contribute to the rich fabric that is Merredin's cultural history, both present and future.

### **Sustainability Implications**

Once established, the Njaki-Njaki Aboriginal Culture Tour will add to the economic sustainability of the Shire.

#### **➤ Asset Management Plan**

Monitoring and maintenance of the ablution facilities and the addition of facilities onto the Asset Management Register.

#### **➤ Long Term Financial Plan**

Monitoring and maintenance of the ablution facilities.

#### **➤ Workforce Plan**

Nil

### Financial Implications

It would be expected that the amount of time that the Engineering Services crew spends in the area ensuring that the Reserve remains in an acceptable state would increase.

There are costs associated with rectifying the current ablution facilities and addressing the rubbish issue. Tourism/Aboriginal grant funding may be available to assist in the rectification of these ablution facilities.

Should the site be provided with adequate facilities, development in the area is likely to increase the amount of tourism and subsequent business to Merredin and potentially, a clean, aesthetically pleasing RV 24hr stopover tourist opportunity could exist as a result of the Njaki-Njaki Aboriginal Culture Tour.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

Moved: Cr Hayes-Thompson

Seconded: Cr Anderson

- 81339**
- 1. That approval in principle be granted to Mr Michael Hayden to establish Njaki-Njaki Aboriginal Culture Tours on the Merredin Peak Reserve.**
  - 2. That staff investigate the potential to obtain grant funding to provide infrastructure on the Merredin Peak Reserve to support the Njaki-Njaki Aboriginal Culture Tour.**
  - 3. That staff assess the requirements and costs to undertake a site clean-up before 10 May 2014 which is the proposed launch date of the Njaki-Njaki Aboriginal Culture Tour, which also coincides with the Destination Merredin event.**

**CARRIED 8/0**



**13. Officer's Reports - Engineering Services**

**13.1 Removal of Dead Wood from Roadsides**

## Engineering Services



<b>Reporting Officer:</b>	Executive Manager of Engineering Services
<b>Author:</b>	Kevin Paust
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	EM/10/2
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

At its September 2012 meeting Council resolved (**CMRef 30980**) *“that the practice of granting approval to collect wood from roadsides cease until a survey of roads is undertaken with a view to issuing approvals on an annual basis based on the estimated tonnage of wood available.”* The Natural Resource Management Officer subsequently conducted an investigation into the sustainable amount of firewood available for collection within the Shire’s road reserves.

At its May 2013 meeting Council resolved (**CMRef 31124**) *“that the collection of roadside firewood be approved on a permit basis with up to 8 permits being issued in 2013 to Shire residents only for roads where recent construction/heavy maintenance has occurred or where storm damage has occurred, subject to EMES approval, and not on roads having a high conservation value.”*

All 8 permits were utilised in 2013.

### Comment

The Natural Resource Management Officer conducted his annual roadside inspection for sustainable firewood collection within the Shires road reserves on 11 March 2014 and recommends *“that the Shire issue only 8 firewood collection permits in 2014, though there has been quite a bit of storm damage in north-western part that requires clean-up.*

*Given the firewood depletion every year due to widening of roads or clearing for road verges for other road works, I believe with 8 permits there will still be fair amount of dead woods left within the roadside boundaries to sustain this for next season.*

*The Department of Environment and Conservation's Roadsides Survey in June 2011 highlights the number of roadsides within the Shire boundaries determined as having high conservation values or potential to be declared as a flora road. I would suggest that these roadsides be declared as environmentally sensitive areas for firewood collection irrespective of any recent roadwork. The roadsides determined as having high conservation values within the shire boundaries are: Spring Well Valley Road, Davies Road, Cahill Road, Clarke Road, Burke Road, Thiel Road, Old Nukarni Road, Clarke Road, Giles Road, Hearles Road and Gigney Road."*

2 permits have already been issued for the 2014 winter season.

### Policy Implications

Nil

### Statutory Implications

Nil

### Strategic Implications

Nil

### Sustainability Implications

By allocating 8 permits for firewood collection per year Council will be able to sustain ongoing firewood collections.

#### ➤ Asset Management Plan

Nil

#### ➤ Long Term Financial Plan

Nil

#### ➤ Workforce Plan

Nil

### Financial Implications

Nil

### Voting Requirements



Simple Majority



Absolute Majority

**Officer's Recommendation / Resolution**

Moved: Cr Crees

Seconded: Cr Thomas

**81340** That the collection of roadside firewood on a permit basis with a limit of up to 8 permits being issued in 2014 be endorsed.

**CARRIED 8/0**

**13.2 2014/2015 Five Year Road Program**

## Engineering Services



<b>Reporting Officer:</b>	Executive Manager of Engineering Services
<b>Author:</b>	Kevin Paust
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	5 Year Road Program
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

To assist Council in adopting the 2014/2015 road works program for budget purposes, a draft 5 year road program (**Attachment 13.2A**) is developed annually by the Executive Manager of Engineering Services.

Included in the five year road program are the proposed:

- Road Works
- Drainage Works
- Footpath Works
- Road Maintenance budget allocations

Funding for the 2014/2015 road program comes from grant money received from the Regional Road Group (RRG) funding pool, Roads to Recovery (R2R2) and Councils own resources. Over this financial year the Shire will also receive funds for road upgrades covered by the Grain Freight Network.

Roads that are funded from Regional Road Group grants are on a 2/3 RRG and 1/3 Councils own resources.

### Comment

Regional Road Group grant funds for the 2014/2015 financial year, as endorsed at its October meeting are as follows:

Road(s)	RRG	Own Resources	TOTAL
Chandler/Merredin Road	\$198,103	\$99,051	\$297,154
Bruce Rock/Doodlakine Road	\$269,482	\$134,741	\$404,223
<b>TOTAL</b>	<b>\$467,585</b>	<b>\$233,792</b>	<b>\$701,377</b>

Merredin/Naremben Road will receive \$931,000 of Grain Freight Network funds.

### Policy Implications

Nil

### Statutory Implications

Local Government Act 1995

### Strategic Implications

### Sustainability Implications

- Asset Management Plan

As per Section 6.2.2 Engineering Works/Services

- Long Term Financial Plan

The next round of Roads to Recovery is with Parliament, but as yet has not been endorsed.

- Workforce Plan

An ageing workforce within the road construction crew and without younger skilled employees wanting to join Local Government the reliance on contractors will increase.

### Financial Implications

2014/15 Budget resources (own resources) \$2,202,513

### Voting Requirements



Simple Majority



Absolute Majority

**Officer's Recommendation / Resolution**

Moved: Cr Blakers

Seconded: Cr Crees

**81341** That the 2014/15 5 Year Road Program, as included at Attachment 13.2A, be adopted and it be included in the draft 2014/15 Budget.

**CARRIED 8/0**

**14. Officer's Reports – Corporate and Community Services**

**14.1 List of Accounts Paid**

## Corporate and Community Services



<b>Reporting Officer:</b>	Greg Powell, Chief Executive Officer
<b>Author:</b>	Coco Shi, Finance Officer
<b>Legislation:</b>	Local Government Act 1995 and Financial Management Regulations
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	List of Accounts Paid
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

The attached List of Accounts Paid (**Attachment 14.1A**) during the month under Delegated Authority is provided for Council's information.

### Comment

Nil

### Policy Implications

As outlined in the Local Government Act 1995 and Financial Management Regulations.

### Statutory Implications

As outlined in the Local Government Act 1995 and Financial Management Regulations.

### Strategic Implications

Nil

### Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

Nil

- Workforce Plan

Nil

### Financial Implications

All liabilities settled have been in accordance with the Annual Budget provisions. It should be noted that outstanding Creditors total \$147,053.25.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Young

- 81342** That the schedule of accounts as listed in Attachment 14.1A, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$649,858.35 from Council's Municipal Fund Bank Account and \$81.00 from Council's Trust Account be received.

CARRIED 8/0



**14. Officer's Reports – Corporate and Community Services**

**14.2 Monthly Finance Report**

## Corporate and Community Services



<b>Reporting Officer:</b>	Greg Powell, Chief Executive Officer
<b>Author:</b>	Coco Shi, Finance Officer
<b>Legislation:</b>	Local Government Act 1995 and Financial Management Regulations
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Monthly Finance Report
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

The Monthly Finance Report is attached for Council's information (**Attachment 14.2A**)

### Comment

Please be aware that RSS and Notes are out of balance by \$81.00. This is due to trust cheques being drawn in March but the payment being processed in April.

### Policy Implications

As outlined in the Local Government Act 1995 and Financial Management Regulations.

### Statutory Implications

As outlined in the Local Government Act 1995 and Financial Management Regulations.

### Strategic Implications

Service Area: 5.3 - Governance and Corporate Services

Activities: Finance and Asset Management

Link to Vision: Developing

Link to Strategic Priorities: Civic Leadership

Service Level: Financial management meets all legislated requirements

Service Level Change: No service level change

### Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

Compliance with the *Local Government (Administration) Regulations 1996* and to also give Council some direction in regards to its management of finances over an extended period of time.

- Workforce Plan

Nil

### Financial Implications

As outlined in **Attachment 14.2A**.

### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Young

**81343** That the Monthly Finance Report, as included in Attachment 14.2A, for March 2014 be received.

**CARRIED 8/0 BY ABSOLUTE MAJORITY**

Cr Flockart declared an Impartiality Interest in this Agenda Item 14.3 and left the meeting at 4.06pm.

**14.3 Community Funding Applications for 2014/15 Budget Consideration**

## Corporate and Community Services



<b>Reporting Officer:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Rebecca McCall
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	Shire of Merredin Policy Manual - 3.19 Community Funding
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Applications Received and Evaluation Table
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

Council often receives requests for funding from local groups for a variety of projects. Council seeks to support these groups and in doing so acknowledges the contribution made by local volunteers and not-for-profit groups to the cultural, economic and social fabric of our community.

As a consequence, 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 the Shire funding resources are allocated in a way that are transparent, compliant and 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

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

### Comment

The Shire advertised in the Merredin Mercury on 12 February 2014 calling for expressions of interest from not-for-profit, incorporated community groups and organisations with project and program funding needs for Council consideration when developing the 2014/15 Budget. A summary of the applications received is stated in the below table and a copy and evaluation of each application is included in **Attachment 14.3A**.

Organisation	Project	Requested \$ Amount	Recommended \$ Support
Merredin Playgroup Incorporated	Upgrade of outdoor facility	\$5,000	\$5,000
Merredin Community Resource Centre Incorporated	Hosting two volunteer events	\$1,452	\$1,452
Merredin Men's Shed Incorporated	Installation of 4 water tanks	\$15,000	\$7,600
<b>TOTAL</b>			<b>\$14,052</b>

### Policy Implications

Shire of Merredin Policy Manual - 3.19 Community Funding.

### Statutory Implications

As outlined in the Local Government Act 1995 and Financial Management Regulations.

### Strategic Implications

Merredin Playgroup Incorporated

Service Area: 3.4 Property Management

Activities: Building Construction

Link to Vision: Nil

Link to Strategic Priorities: Nil

Service Level: New works carried out in accordance with the building facilities asset management plan

Service Level Change: Nil

Merredin Community Resource Centre Incorporated

Service Area: 4.1 Community Services

Activities: Events

Link to Vision: Community Spirit, Inclusive, Liveable

Link to Strategic Priorities: Community involvement/support

Service Level: Calendar of events

Service Level Change: Develop partnerships to better align resources in delivering the community's vision

Merredin Men's Shed Incorporated

Service Area: 2.7 Natural Resource Management

Activities: Providing support to related community groups

Link to Vision: Naturally Resourceful

Link to Strategic Priorities: Energy and water efficient

Service Level: Provide support to community groups on request

Service Level Change: Nil

**Sustainability Implications**

➤ **Asset Management Plan**

Merredin Playgroup Incorporated

The Merredin Playgroup Incorporated operates in a Council building located on 1 Throssell Road, Merredin and is identified as Asset Number 56. The Plan identifies renewal of the asset in terms of minimal maintenance. No projects for upgrades have been included. Maintenance of the new infrastructure will be the responsibility of the Merredin Playgroup Incorporated. In the event of the Merredin Playgroup Incorporated disbanding or relocating the responsibility falls back on Council. If the project is supported the new infrastructure (shade sails, synthetic turf and concrete bike track) will need to be populated into the Plan.

Merredin Community Resource Centre Incorporated

There are no implications to the Asset Management Plan.

Merredin Men's Shed Incorporated

On completion of this development located within the Merredin Recreation Precinct, the asset will be included in the Asset Management Plan. Maintenance of the Men's Shed and surrounding infrastructure (water tanks and pumps) will be the responsibility of the Merredin Men's Shed Incorporated. In the event of the Merredin Men's Shed Incorporated disbanding the asset will become the responsibility of Council.

➤ **Long Term Financial Plan**

An allocation to support annual community budget submissions is included in the Long Term Financial Plan.

➤ **Workforce Plan**

No outlined implications for the Workforce Plan.

### Financial Implications

A provision for \$14,052 can be included in the 2014/15 Budget from E041170 – Public Relations and Donations.

Merredin Men’s Shed Incorporated - \$7,600

Merredin Community Resource Centre Incorporated – \$1,452

Merredin Playgroup Incorporated – \$5,000

### Voting Requirements

Simple Majority

Absolute Majority

### Officer’s Recommendation / Resolution

Moved: Cr Hayes-Thompson

Seconded: Cr Blakers

**81344** That financial support be provided to the community projects listed below:

Organisation	Project	Amount
Merredin Playgroup Incorporated	Upgrade of outdoor facility	\$5,000
Merredin Community Resource Centre Incorporated	Hosting two volunteer events	\$1,452
Merredin Men’s Shed Incorporated	Installation of 4 water tanks	\$7,600

being a cash allocation of \$14,052 in the 2014/15 Budget under the following conditions:

1. The Merredin Playgroup Incorporated is responsible for the maintenance of the proposed new infrastructure to include synthetic turf, shade sails and bike track.
2. The Merredin Playgroup Incorporated work with Council with the aim to relocate the service to the Merredin Regional Community and Leisure Centre within the next five years.
3. The Merredin Men’s Shed Incorporated will be responsible for the maintenance of the water tanks and pumps.
4. The Merredin Men’s Shed Incorporated work with Council staff to seek external funding options to support and offset the cost of the project.

**CARRIED 5/2 BY ABSOLUTE MAJORITY**

Cr Flockart returned to the meeting at 4.25pm.

**14.4 Merredin Regional Library - Internet Use and Access Policy**

Corporate and Community Services



<b>Reporting Officer:</b>	Rebecca McCall, Deputy Chief Executive Officer
<b>Author:</b>	Wendy Porter, Manager Merredin Library
<b>Legislation:</b>	WA Censorship Act 1996; Copyright Law
<b>File Reference:</b>	Shire of Merredin Policy Manual
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Library – Internet Use and Access Policy
<b>Maps / Diagrams:</b>	Nil

**Purpose of Report**



Executive Decision



Legislative Requirement

**Background**

The Merredin Library provides two Public Access Computers for use within the Library with fees for use listed in the Schedule of Fees and Charges. At present there is no formal Internet Use and Access Policy to provide guidelines for staff to monitor the use of the Public Access Computers, or to stop one or two people from monopolising the computers to the detriment of others. Staff have little or no recourse if users of the Internet choose to ignore them.

**Comment**

The introduction of an Internet Use and Access Policy will provide a framework for use of the Internet as well as providing the Shire of Merredin with some protection from misuse of the Public Access Computers. The policy outlines not only a framework for the length of time of use but also highlights the type of use allowed under the *WA Censorship Act 1996* and *Copyright Law*.

**Policy Implications**

Policy 5.11 Merredin Regional Library – Internet Use and Access Policy (**Attachment 14.4A**) will be added to the Shire of Merredin's Policy Manual, and will be displayed prominently next to the Public Access Terminals in the Library.

**Statutory Implications**

WA Censorship Act 1996

### Strategic Implications

Service Area: 5.2 - Governance and Corporate Services  
Activities: Strategic Advice, General Management and Governance  
Link to Vision: Developing  
Link to Strategic Priorities: Civic Leadership  
Service Level Change: No service level change

### Sustainability Implications

➤ Asset Management Plan

Nil

➤ Long Term Financial Plan

Nil

➤ Workforce Plan

Nil

### Financial Implications

Nil

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

Moved: Cr Anderson

Seconded: Cr Blakers

**81345** That Policy 5.11 Merredin Regional Library – Internet Use and Access Policy, as included as Attachment 14.4A, be adopted and included in the Policy Manual.

**CARRIED 8/0**



## 14.5 Write-Off of Small Balances

### Corporate and Community Services



<b>Reporting Officer:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Rebecca McCall
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	List of Assessments and Amounts
<b>Maps / Diagrams:</b>	Nil

#### Purpose of Report

Executive Decision

Legislative Requirement

#### Background

A standard process in maintaining an accurate and clean Rates database is the regular write-off of small balances (each less than \$5) which can sometimes occur and are clearly not economically viable nor practical to collect. The *Local Government Act 1995* requires that these adjustments are approved by Council.

#### Comment

**Attachment 14.5A** itemises the individual assessment numbers and corresponding amounts where adjustments are required. There are 60 assessments in total with the largest individual amount being \$4.37 and the smallest amount being \$0.03c. The request to write-off the interest has been received from the ratepayers concerned.

#### Policy Implications

As outlined in the Local Government Act 1995 and Financial Management Regulations.

#### Statutory Implications

S6.12(1)(c) of Local Government Act 1995 '*Power to defer, grant discounts, waive or write off debts*'.

#### Strategic Implications

Service Area: 5.3 - Governance and Corporate Services

Activities: Finance and Asset Management

Link to Vision: Developing

Link to Strategic Priorities: Civic Leadership

Service Level: Financial management meets all legislated requirements

Service Level Change: No service level change

### Sustainability Implications

➤ Asset Management Plan

Nil

➤ Long Term Financial Plan

Rate revenue within the Long Term Financial Plan has been forecasted to increase by 7.5% each year over the next 10 years. It has been forecast that by the end of the Plan Council's greatest source of revenue will be rates revenue. The write-off of small balances will have very little impact of Council's forecasted rate revenue.

➤ Workforce Plan

Nil

### Financial Implications

This write-off of small balances will result in a reduction of the revenue by \$53.07.

### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Blakers

**81346** That various small balances totalling \$53.07, as included in Attachment 14.5A, be written off.

**CARRIED 8/0 BY ABSOLUTE MAJORITY**

**14.6 2013/14 Budget Amendment – Community Garden**

## Corporate and Community Services



<b>Reporting Officer:</b>	Deputy Chief Executive Officer
<b>Author:</b>	Rebecca McCall
<b>Legislation:</b>	Local Government Act 1995 and Financial Management Regulations
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

The establishment of a community garden in Merredin was one of the proposed initiatives under the Activat8 Merredin Project Plan. At its 18 June 2013 Meeting Council resolved **(CMRef 31151)** *“That in principle support be given to the establishment of a community garden on the lawn tennis courts area on Bates Street.”*

### Comment

A community garden group has formed and have initiated small projects whilst putting in place future plans.

Sourcing funding to develop the project is continuous with some success achieved with obtaining \$7,500 through the Collgar Community Fund. These secured funds will be utilised to install water tanks, pumps and irrigation to support the community garden. The water tank infrastructure will be located next to the Nukarni Hall to harvest the water and pump via irrigation onto the community garden.

To support the group to establish themselves it is proposed that the Shire of Merredin acts as the Auspice for the purpose of receiving and expending funds.

The income and corresponding expenditure is not recognised in the 2013/14 Budget. It is proposed to make the necessary amendments to the 2013/14 Budget to identify the income of \$7,500 and matching expenditure. There will be no roll-over of funds into the 2014/15 Budget as all funds received in 2013/14 will be expended by 30 June 2014.

### Policy Implications

As outlined in the Local Government Act 1995 and Financial Management Regulations.

### Statutory Implications

As outlined in the Local Government Act 1995 and Financial Management Regulations.

### Strategic Implications

Service Area: 2.7 Natural Resource Management

Activities: Providing support to related community groups

Link to Vision: Naturally Resourceful

Link to Strategic Priorities: Energy and water efficient

Service Level: Provide support to community groups on request

Service Level Change: Support the development of a community garden

### Sustainability Implications

#### ➤ Asset Management Plan

The installation of water tanks and cost implications for maintenance, renewal and replacement is not recognised in the Asset Management Plan. The proposed infrastructure will be grouped under Asset Parent 2020.

#### ➤ Long Term Financial Plan

The income and corresponding expenditure is not recognised in the Long Term Financial Plan. The income will be received and expenses expended in the 2013/14 Budget. If the Shire of Merredin acts as the 'Auspice' of the Merredin Community Garden future income received through grants and expenditure will need to be documented in the Long Term Financial Plan.

#### ➤ Workforce Plan

Nil

### Financial Implications

The financial implications relating to this item include unbudgeted income from the Collgar Community Fund valued at \$7,500. Corresponding expenditure of \$7,500 will be expended by 30 June 2014.

### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation / Resolution

Moved: Cr Anderson

Seconded: Cr Blakers

**81347** That the 2014/15 Budget be amended to reflect the additional income of \$7,500 from the Collgar Community Fund and corresponding expenditure of \$7,500 to be expended by 30 June 2014.

**CARRIED 8/0 BY ABSOLUTE MAJORITY**

**15. Officer's Reports – Administration**

**15.1 Review of Purchasing Policy 3.12**

## Administration



<b>Reporting Officer:</b>	Greg Powell, Chief Executive Officer
<b>Author:</b>	Vanessa Green, Executive Assistant to CEO
<b>Legislation:</b>	Local Government Act 1995; Local Government Act (Functions and General) Regulations 1996; State Records Act 2000
<b>File Reference:</b>	Shire of Merredin Policy Manual
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Purchasing Policy 3.12
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

WALGA have produced a Model Purchasing Policy to ensure full compliance and best practice in Local Government purchasing. The Policy has been reviewed by the Department of Local Government and Communities prior to its release to the local government sector.

### Comment

The model policy has been adapted for the Shire of Merredin and is included in **Attachment 15.1A**. The context of the model policy has not been changed.

### Policy Implications

Update of Council Policy 3.12.

### Statutory Implications

Adoption of the Policy and confirming compliance of the procedures and processes within the Policy will ensure that best practice and statutory requirements are met.

### Strategic Implications

Nil

### Sustainability Implications

Where appropriate the Shire of Merredin will endeavour to incorporate sustainable, socially responsible procurement considerations into all its purchasing objectives and this is specifically mentioned within the revised Policy.

#### ➤ Asset Management Plan

Nil

#### ➤ Long Term Financial Plan

Nil

#### ➤ Workforce Plan

Nil

### Financial Implications

All purchasing will be undertaken in accordance with relevant Budget constraints.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

Moved: Cr Hayes-Thompson

Seconded: Cr Thomas

**81348** That the Purchasing Policy 3.12, as included in Attachment 15.1A, be adopted and included in the Policy Manual.

**CARRIED 8/0**

## 15.2 Community Forums in Burracoppin, Hines Hill and Muntadgin

### Administration



<b>Reporting Officer:</b>	Greg Powell, Chief Executive Officer
<b>Author:</b>	Vanessa Green, Executive Assistant to CEO
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	CR/17/26
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report

Executive Decision

Legislative Requirement

### Background

It has been recent Council practice to provide an opportunity for residents in the vicinity of Burracoppin, Hines Hill and Muntadgin to interact with Council and senior staff in an informal manner in those towns.

### Comment

Community forums were held in 2011, not in 2012 but again last year (2013). Council needs to determine whether it wishes to hold community forums in these towns in 2014.

There is no prescribed format. The forums are advertised locally and residents given the opportunity to ask questions, express an opinion and interact with Council on their own "turf". The cost of light food and refreshments has previously been met by Council. The forums are usually scheduled to commence around 6.30pm and are usually over by 9.00pm.

In determining the dates of the forums Council should consider the timing of seasonal commitments and school holidays.

### Policy Implications

Nil

### Statutory Implications

Nil

### Strategic Implications

Nil

### Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

Nil

- Workforce Plan

Nil

### Financial Implications

The 2013/14 Budget contains an allocation at E041110 Refreshments and Receptions for expenses incurred whilst conducting these forums.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Flockart

**81349** That Council determine the dates for community forums to be held in Burracoppin, Hines Hill and Muntadgin in 2014 and that these be extensively advertised and promoted.

**CARRIED 5/3**

### Resolution

Moved: Cr Anderson

Seconded: Cr Young

**81350** That Council set tentative dates to hold community forums in:  
1. Burracoppin on Monday 21 July 2014;  
2. Hines Hill on Monday 25 August 2014; and  
3. Muntadgin on Monday 22 September 2014.

**CARRIED 8/0**



<b>16.</b>	<b>Motions of which Previous Notice has been given</b>
	Nil
<b>17.</b>	<b>Questions by Members of which Due Notice has been given</b>
	Nil
<b>18.</b>	<b>Urgent Business Approved by the Person Presiding or by Decision</b>
	Nil
<b>19.</b>	<b>Matters Behind Closed Doors</b>
	Nil
<b>20.</b>	<b>Closure</b>
	There being no further business the President declared the meeting closed at 4.35pm.