



SHIRE OF MERREDIN

20 May 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 20 May 2014



1. Official Opening

The President welcomed those in attendance and declared the meeting open at 3.00pm.

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 MD Willis	

3.2 Executive:

G Powell	Chief Executive Officer (CEO)
V Green	Executive Assistant to CEO
R McCall	Deputy Chief Executive Officer (3.10pm)

3.3 Members of the Gallery:

M Gill, Merredin-Wheatbelt Mercury (3.10pm)
W, D & M Last, Hiway Photography & Imaging
L Fischer & S Oldcorn, Merredin Community Resource Centre

3.4 Apologies:

Cr ML Young
S Lowe, Media & Communications Officer

3.5 Approved Leave of Absence:

Nil

Resolution

Moved: Cr Blakers

Seconded: Cr Hayes-Thompson

81351 That Agenda Item 15.2, Lot 200 Barrack Street, Merredin – Council Buildings – Requests for Use, be bought forward and considered as the first item of business.

CARRIED 8/0

15.2 Lot 200 Barrack Street, Merredin – Council Buildings – Requests for Use

Administration



Reporting Officer:	Chief Executive Officer
Author:	Greg Powell
Legislation:	Local Government Act 1995
File Reference:	A225
Disclosure of Interest:	Nil
Attachments:	Correspondence
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision

Legislative Requirement

Background

Located on Lot 200 Barrack Street, Merredin are the Women's Rest Centre building, currently leased on a rent-free basis by the Merredin Community Resource Centre (CRC), and the old Council Chambers and offices, now partly occupied by the Wheatbelt Development Commission on a commercial basis with the remainder of the building being vacant.

Two proposals in relation to occupation of these buildings have been received. A copy of each of the proposals is attached at **Attachment 15.2A**.

Comment

Both proposals are self-explanatory in their intent and outcomes when considered individually. However, they may be complimentary in that each organisation may achieve a positive outcome and so will the community and Council. These broader outcomes are not restricted to only financial terms.

Merredin CRC

A range of options has been identified in the correspondence from the CRC. There is an opportunity for some refurbishment of the old Council building if Council supports a move from the Women's Rest Centre (WRC). As this building (WRC) has been refurbished at no cost to Council there is merit in supporting this option.

It is noteworthy that if this occurs there will be a long term saving to Council as the refurbishment of the old Council building will be undertaken by the CRC and it will also be responsible for ongoing maintenance of the building. It will also result in a building (WRC) that has had some renovations being available for lease by others.

For this to be achievable it will be necessary to offer a lease over 10 years. It is suggested that the lease be an initial five year term on a rent free basis in exchange for refurbishment of the building with an option of a further five years with a rent applying on a sliding scale over the term of the option.

In essence, this is Option 2 as outlined in the correspondence although the cost of \$60,000 may not be accurate given the increase in the floor area of this building over the WRC and the likely cost associated with any renovations which is arguably higher if of a similar nature to those undertaken at the WRC.

Other options are of course open to Council to vary the proposals put forward by the CRC or indeed favour any of the other options or none of them.

Hiway Photography and Imaging

Should this proposal come to fruition there could be a number of benefits. The existing constraints in internet connections will be addressed, there will be a local internet service provider, increased surveillance through CCTV and a WIFI hotspot covering the CBD area of Merredin.

If the proposal outlined above is agreed, the WRC building could be made available to Hiway. Although there is limited capacity to meet a commercial rent, the community benefits outlined above could be seen to discount this in the short term. It is suggested that a commercial lease arrangement be offered on a term of five years with an option to renew at Council's discretion with the initial 12 months being rent free and a sliding scale to 100% of a commercial rent being applied over the remainder of the term.

Should Council not agree to the proposals outlined above, there may be potential for Hiway to occupy the old Council Chambers or the North Merredin Primary School buildings on a yet to be determined basis.

The recommendations outlined below are based on achieving outcomes for both organisations but it is recognised that there are alternatives both in terms of buildings and rental arrangements that could apply. Should Council wish other options to be considered the matter could be referred back to staff for discussion with the organisations concerned to determine whether other acceptable arrangements can be put in place.

Policy Implications

Nil

Statutory Implications

The provisions of Section 3.58 of the Local Government Act 1995 must be complied with. Any arrangement would need to be advertised for public comment prior to finalising.

Strategic Implications

Nil

Sustainability Implications

➤ Asset Management Plan

There would be a positive impact in that a Council asset would be renovated at no expense to Council and the ongoing maintenance would become the obligation of the tenant whereas these costs currently rest with Council.

➤ Long Term Financial Plan

There would be a reduction in the asset maintenance costs over the term over the term of the Plan with a minor increase in revenue from lease revenue.

➤ Workforce Plan

Nil

Financial Implications

See above.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

Moved: Cr Crees

Seconded: Cr Thomas

1. That, subject to the requirements of the Local Government Act 1995, the Merredin Community Resource Centre be permitted to occupy the premises known as the old Council Chambers, Lot 200 Barrack Street, Merredin subject to the following:
 1. Execution of a commercial lease for a term of five years with an option of a further five year term;
 2. No rental applicable for the first term but a minimum of \$60,000 being expended on refurbishment of the building over the term or a sum that ensures refurbishment to the satisfaction of Council and that a rental on a sliding scale apply to the second term of five years to ensure 100% of a commercial rent is paid in the final year;

3. Confirmation of the expenditure of \$60,000 on the Women's Rest Centre evidenced by way of invoices.
2. That, subject to the requirements of the Local Government Act 1995 and acceptance of the offer, Hiway Photography and Imaging be permitted to occupy the premises known as the Women's Rest Centre, Lot 200 Barrack Street, Merredin subject to the following:
 1. Execution of a commercial lease for a term of five years with an option of a further five year term exercisable at Council's discretion;
 2. That rental over the initial term of five years be on a sliding scale to ensure 100% of a commercial rent is paid in the final year.

MOTION WITHDRAWN

Cr Anderson left the meeting at 3.22pm.

Cr Anderson entered the meeting at 3.24pm.

Resolution

Moved: Cr Hayes-Thompson

Seconded: Cr Thomas

81352

1. **That, subject to the requirements of the Local Government Act 1995, the Merredin Community Resource Centre be permitted to occupy the premises known as the old Council Chambers, Lot 200 Barrack Street, Merredin subject to the following:**
 1. **Execution of a commercial lease for a term of five years with an option of a further five year term;**
 2. **No rental applicable for the first term but a minimum of \$60,000 being expended on refurbishment of the building over the term or a sum that ensures refurbishment to the satisfaction of Council and that a rental on a sliding scale apply to the second term of five years to ensure 100% of a commercial rent is paid in the final year;**
 3. **Confirmation of the expenditure of \$60,000 on the Women's Rest Centre evidenced by way of invoices.**

CARRIED 8/0

Resolution

Moved: Cr Crees

Seconded: Cr Blakers

81353 That agreement in principle be granted to Hiway Photography and Imaging to occupy the premises known as the Women's Rest Centre, Lot 200 Barrack Street, Merredin or the North Merredin Primary School site, Reserve 13876 Lot 165 Coronation Street, Merredin subject to further consideration and negotiation.

CARRIED 8/0

Reason:

Council believed further investigation be conducted and information provided back to Council in relation to the proposal from Hiway Photography and Imaging.

D, W & M Last, L Fischer & S Oldcorn left the meeting at 3.50pm and did not return.

4. Disclosure of Interest

Cr Blakers declared an Impartiality Interest in Agenda Item 12.2
Cr Hayes-Thompson declared a Financial Interest in Agenda Item 14.6
Cr Hooper declared a Financial Interest in Agenda Item 14.10
Cr Blakers declared an Impartiality Interest in Agenda Item 15.1
Cr Willis declared an Impartiality Interest in Agenda Item 15.1
Cr Hayes-Thompson declared an Impartiality Interest in Agenda Item 15.1
The CEO has a direct Financial Interest in Agenda Item 19.1

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 15 April 2014
Attachment 7.1A

Officer's Recommendation / Resolution

Moved: Cr Anderson **Seconded:** Cr Blakers

81354 That the Minutes of the Ordinary Council Meeting held on 15 April 2014 be confirmed as a true and accurate record of proceedings.

CARRIED 8/0

8. Announcements by the Person Presiding without discussion

Nil

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

19.1 [Staff – Chief Executive Officer - Contract](#)

10. Receipt of Minutes of Committee Meetings

10.1 Wheatbelt East Regional Organisation of Councils Executive Meeting held on 26 March 2014
Attachment 10.1A

10.2 Great Eastern Country Zone Executive Meeting held on 27 March 2014
Attachment 10.2A

10.3 Rural Water Council Meeting held on 28 March 2014
Attachment 10.3A

10.4 Wheatbelt Health MoU Meeting held on 1 April 2014
Attachment 10.4A

- 10.5 Merredin Sports Council Meeting held on 8 April 2014
Attachment 10.5A
- 10.6 Great Eastern Country Zone Meeting held on 10 April 2014
Attachment 10.6A
- 10.7 Wheatbelt East Regional Organisation of Councils Meeting held on 23 April 2014
Attachment 10.7A
- 10.8 Great Eastern Country Zone Meeting held on 1 May 2014
Attachment 10.8A

Officer's Recommendation / Resolution

Moved: Cr Blakers **Seconded:** Cr Hayes-Thompson

81355 That the minutes of the Wheatbelt East Regional Organisation of Councils Executive Meeting held 26 March 2014, Great Eastern Country Zone Meeting held 27 March 2014, Rural Water Council Meeting held 28 March 2014, Wheatbelt Health MoU Meeting held 1 April 2014, Merredin Sports Council Meeting held 8 April 2014, Great Eastern Country Zone Executive Meeting held 10 April 2014, Wheatbelt East Regional Organisation of Councils Meeting held 23 April 2014 and the Great Eastern Country Zone Meeting held 1 May 2014 be received.

CARRIED 8/0

11. Recommendations from Committee Meetings for Council consideration

- 11.1 Wheatbelt East Regional Organisation of Councils meeting held 23 April 2014 – Item 5.5 2014/2015 Budget
Attachment 11.1A

Moved: Cr Truran Seconded: Cr Forsyth

That the WE-ROC Budget for 2014/2015 with a Member Subscription of \$15,500 and Consultancy and Project Reserve contribution of \$6,000 per Member Council, subject to an amendment to include an income amount in account 0500 - Central East Aged Care Alliance of \$55,000 and an expenditure amount in account 1563 - Central East Aged Care Alliance of \$55,000, be adopted.

CARRIED

Moved: Mr Griffiths Seconded: Cr Truran

That:

- 1. WE-ROC write to all Councils involved in the Central East Aged Care Alliance (CEACA) requesting that each Council give consideration to making a provision of \$5,000 in their 2014/2015 budget to allow for further work on the CEACA project;*
- 2. a copy of the letter from WE-ROC be forwarded to the Executive Officer of the North-East Wheatbelt Regional Organisation of Councils (NEWROC), with a request that the matter be discussed at the next meeting of the NEWROC; and*

3. *a copy of the letter from WE-ROC be forwarded to the Wendy Newman as Chair of CEACA, with a request that the matter be discussed at the next meeting of CEACA.*

CARRIED

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Thomas

- 81356**
1. That \$21,500 be allocated in the 2014/15 Budget for the Shire of Merredin's Wheatbelt East Regional Organisation of Councils member subscription.
 2. That \$5,000 be allocated in the 2014/15 Budget for progression of the Central East Aged Care Alliance project.

CARRIED 8/0

12. Officer's Reports - Development Services

12.1 Local Planning Scheme No. 6 – Amendment No.3

Development Services



Reporting Officer:	Executive Manager of Development Services
Author:	John Mitchell
Legislation:	Planning & Development Act 2005, Shire of Merredin Local Planning Scheme No. 6
File Reference:	A487 & LUP5.13 (New File – Amendment 3)
Disclosure of Interest:	Nil
Attachments:	Amendment No. 3 – Whelans Town Planning on behalf of State Government WA (Attachment 12.1A) Subdivision Guide Plan Lots 984 & 1016 French Avenue Merredin (Attachment 12.1B)
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

At its January 2014 meeting Council resolved (**CMRef 81282**):

- 1) *“That Whelans be advised that the Shire of Merredin supports a local planning scheme amendment to rezone lots 984 and 1016 French Avenue to Residential with the following modifications to the proposed amendment:*
 - a. *Reclassifying to ‘Residential R10/50’ shall apply to lots 984, 1016 and the UCL land directly south of Lot 1016;*
 - b. *The report must include reference to the government department providing Native Title clearance/extinguishment i.e. a letter of support or advice of extinguishment. This issue could be resolved during the advertising period;*
 - c. *The additional uses component is to be applicable to area shown as proposed Lot 1 (1.21Ha) comprising the old school and “A” uses shall reflect the current provisions of Councils Planning scheme and “D” uses shall not include a Veterinary Centre or an Exhibition Centre;*
 - d. *There shall be no public open space and cash in lieu payment is sought in line with the guidelines issued by the WAPC*

- 2) *That the proponent be advised that an outline development plan is required for subdivision development which must comply with the requirements of the Scheme and must include evidence to support extinguishment of Native Title, a stormwater/nutrient management plan and a site-specific contamination analysis to support the placement of residential development on the site."*

The decision was referred to Whelan's, along with the fees and charges applicable to the amendment and to Planwest, Council's Consultant Planner, for review comment and required changes.

Mr Bashall advised on 21 April 2014 that the changes relating to the modified area additional use and resolutions page have been amended.

Comment

The proponent has advised under clause 4.0 Servicing & Infrastructure Part 4.7 that stormwater management is to be via overland flow to existing road and drainage systems. A stormwater management plan would be required at the time of subdivision approval.

This current application is to rezone the land and provide appropriate uses for the land.

At the completion of this process the application will be resubmitted with additional information for consent of an "Outline Development Plan – subdivision guide".

Council may wish to inform the applicant that the application is supported and to reduce lead time Council is prepared, whilst this requirement for consent is being met, to commence processing the Outline Development Plan for subdivision consent.

Council can decline the application at any time up to the determination of submissions received during the advertising period. If Council resolves the final approval (page18) then the application proceeds to Western Australian Planning Commission consent and submission of the Outline Development Plan.

Policy Implications

Nil

Statutory Implications

Clause 5.9 and 5.10 of the Shire of Merredin Local Planning Scheme No. 6 determine the process for the consideration of a subdivision or development of land.

Additionally the *Planning & Development Act 2005* Section 75 permits the local authority to amend a local planning scheme. Clauses 77 – 81 determine process. Upon receipt of consent from Environmental Protection Agency, Council may then commence the advertising process prior to final approval.

All neighbours must be consulted as part of the advertising period.

Strategic Implications

Service Area: 3.3 Town Planning

Activities: Administration of Local Planning Scheme No. 6

Link to Vision: Liveable

Link to Strategic Priorities: Town Enhancement

Service Level: As determined by legislation and the Local Planning Scheme No. 6

Service Level Change: No service level change

Sustainability Implications

Nil

➤ Asset Management Plan

Nil

➤ Long Term Financial Plan

Nil

➤ Workforce Plan

Nil

Financial Implications

Application fees of \$7,000 have been paid.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees


Seconded: Cr Willis

- 81357**
1. That the Local Planning Scheme No. 6 Amendment No. 3 relating to rezoning of Lots 984 and 1016 French Avenue, Merredin be referred to the Environmental Protection Authority for comment and review as required by Section 81 of the Planning Act 2005;
 2. That the Local Planning Scheme No. 6 Amendment No.3 relating to Lots 984 and 1016 French Avenue, Merredin be adopted for advertising purposes upon clearance from Environmental Protection Authority;
 3. That the Shire President and Chief Executive Officer be authorised to sign the adoption and resolution pages of the proposed Amendment No. 3 to the Local Planning Scheme No. 6;
 4. That the applicant be advised that Council will immediately consider an outline development plan application for development of Lots 984 and 1016 French Avenue Merredin pursuant to Clause 5.9 of the Shire of Merredin Local Planning Scheme No.6.

CARRIED 8/0

Cr Blakers declared an Impartiality Interest in this Agenda Item 12.2.

12.2	Home Occupation Application - Massage/Beauty Therapy Clinic - Lot 12, 1 Jackson Way, Merredin
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<h2>Development Services</h2> 	
Reporting Officer:	Environmental Health & Compliance Officer
Author:	Rebecca Bowler
Legislation:	Planning and Development Act 2005, Local Planning Scheme No. 6, Shire of Merredin Home Occupation Policy 8.12, Health Act 1911, Health (Skin Penetration Procedure) Regulations 1998, Code of Practice for Skin Procedures
File Reference:	A2127
Disclosure of Interest:	Nil
Attachments:	Planning application and supporting documentation
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

A planning application (**Attachment 12.2A**) and supporting documentation has been received from Ms Stephanie Welsh of Lot 12, 1 Jackson Way, Merredin, to establish a home occupation business - Massage/Beauty Therapy Clinic.

The property is zoned 'residential' and the home occupation is nominated as "not permitted unless the local government has exercised its discretion by granting planning approval".

Comment

An inspection of the proposed location of the premises was conducted on 12 May 2014. The inspection revealed that Ms Welsh has addressed and satisfied all of the requirements and considerations relating to the *Health Act 1911* (and all subsidiary legislation) as well as the *Shire of Merredin Home Occupation Policy* and *Local Planning Scheme No.6* (LPS6). Ms Welsh has provided detailed plans, documentation and photographs relating to the proposed operation of the business.

Ms Welsh has been advised that any deviations from the current proposal, in particular in the type of activity undertaken, will require the submission of another application for Council consideration, or the potential termination of the home occupation permit.

Should Council approve the application, formal correspondence specifying the conditions of the permit will be issued to Ms Welsh.

Policy Implications

Policy 8.12 - Home Occupation applies.

The application from Ms Welsh complies with all requirements listed in Policy 8.12.

Statutory Implications

The provisions of the *Shire of Merredin Town Planning Scheme No. 6* under the *Planning and Development Act 2005* are applicable. The provisions of the *Health Act 1911* are applicable.

Strategic Implications

Service Area: 3.1 Environmental Health

Activities: Property Compliance, Hairdressers and skin penetration premises

Link to Vision: Liveable

Link to Strategic Priorities: Nil

Service Level: Annual audits

Service Level Change: No service level change

Service Area: 3.3 Town Planning

Activities: Administration of LPS6

Link to Vision: Liveable

Link to Strategic Priorities: Town Enhancement

Service Level: As determined by legislation and the LPS

Service Level Change: No service level change

Sustainability Implications

➤ Asset Management Plan

Nil

➤ Long Term Financial Plan

Income will be received from annual statutory fees and charges.

➤ Workforce Plan

Nil

Financial Implications

Statutory application fees of \$222 are applicable and will be charged if the application is approved.

Annual fees of \$73 are applicable for home occupation permit renewal (as at 12/05/2014).

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Hayes-Thompson

Seconded: Cr Thomas

81358 That pursuant to clause 4.2.5 of the Shire of Merredin Town Planning Scheme No. 6 the Home Occupation application from Ms Stephanie Welsh to establish a home occupation business - massage/beauty therapy clinic within Lot 12, 1 Jackson Way, Merredin be approved.

CARRIED 8/0

12.3	Home Occupation - Crazy Fun Amusement Hire - Location 15175, 247 Nukarni East Road, Nukarni
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Development Services



Reporting Officer:	Environmental Health & Compliance Officer
Author:	Rebecca Bowler
Legislation:	Planning and Development Act 2005, Town Planning Scheme No. 6, Food Act 2008, 8.12 Shire of Merredin Home Occupation Policy, 8.25 Shire of Merredin Food Act 2008 Compliance and Enforcement Policy
File Reference:	A5102
Disclosure of Interest:	Nil
Attachments:	Planning Application and supporting documentation
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

A planning application (**Attachment 12.3A**) and supporting documentation has been received from Miss Jasmin Cockram of Location 15175, 247 Nukarni East Road, Nukarni, to establish a home occupation business - Low Risk Food Premises, Crazy Fun Amusement Hire (bouncy castles, slushy machines, popcorn machine and fairy floss machine).

The property is zoned 'general farming' and the home occupation is nominated as "not permitted unless the local government has exercised its discretion by granting planning approval".

Comment

An inspection of the proposed location of the premises was conducted on 9 May 2014. The inspection revealed that Miss Cockram has addressed and satisfied all of the requirements and considerations relating to the *Food Act 2008* (and all subsidiary legislation) as well as the *Shire of Merredin Home Occupation Policy* and *Local Planning Scheme No.6* (LPS6). Miss Cockram has provided detailed plans, documentation and photographs relating to the proposed operation of the business. A food business notification form with supporting information has also been submitted.

Miss Cockram has been advised that any deviations from the current proposal, in particular in the type of food produced, will require the submission of another application for Council consideration, or the potential termination of the home occupation permit.

Should Council approve the application, formal correspondence specifying the conditions of the permit will be issued to Miss Cockram.

Policy Implications

Policy 8.12 - Home Occupation applies.

Policy 8.25 – Food Act 2008 Compliance and Enforcement applies.

The application from Miss Cockram complies with all requirements listed in Policy 8.12 and 8.25.

Statutory Implications

The provisions of the *Shire of Merredin Town Planning Scheme No. 6* under the *Planning and Development Act 2005* are applicable.

The provisions of the *Food Act 2008* are applicable.

Strategic Implications

Service Area: 3.1 Environmental Health

Activities: Property Compliance, Hairdressers and skin penetration premises

Link to Vision: Liveable

Link to Strategic Priorities:

Service Level: Annual audits

Service Level Change: No service level change

Service Area: 3.3 Town Planning

Activities: Administration of LPS6

Link to Vision: Liveable

Link to Strategic Priorities: Town Enhancement

Service Level: As determined by legislation and the LPS

Service Level Change: No service level change

Sustainability Implications

➤ Asset Management Plan

Nil

➤ Long Term Financial Plan

Income will be received from annual statutory fees and charges.

➤ Workforce Plan

Nil

Financial Implications

Statutory application fees of \$222 are applicable and will be charged if the application is approved.

Annual fees of \$73 are applicable for home occupation permit renewal (as at 12/05/2014).

Annual food surveillance fees of \$100 are applicable as the proposed application is for a low risk based food business.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Blakers

81359 That pursuant to clause 4.2.5 of the *Shire of Merredin Town Planning Scheme No. 6* the Home Occupation application from Miss Jasmine Cockram, of Location 15175, 247 Nukarni East Road, Nukarni, to establish a home occupation business - Low Risk Food Premises, Crazy Fun Amusement Hire be approved.

CARRIED 8/0

13.	Officer's Reports - Engineering Services
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Nil items to report.

14. Officer's Reports – Corporate and Community Services

14.1 List of Accounts Paid

Corporate and Community Services



Reporting Officer:	Greg Powell, Chief Executive Officer
Author:	Coco Shi, Finance Officer
Legislation:	Local Government Act 1995 and Financial Management Regulations
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	List of Accounts Paid
Maps / Diagrams:	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 \$1,720,700.60.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Willis

81360 That the schedule of accounts as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$931,663.58 from Council's Municipal Fund Bank Account and \$93.96 from Council's Trust Account be received.

CARRIED 8/0

14.2 Monthly Finance Report

Corporate and Community Services



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

Purpose of Report



Executive Decision



Legislative Requirement

Background

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

Comment

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 Flockart

81361 That the Monthly Finance Report for April 2014 be received.

CARRIED 8/0

BY ABSOLUTE MAJORITY

14.3 Request for Credit of Rates Interest Charges - 4 Haines Street, Merredin

Corporate and Community Services



Reporting Officer:	Greg Powell, Chief Executive Officer
Author:	Vanessa Green, Executive Assistant to CEO
Legislation:	Local Government Act 1995 and Financial Management Regulations
File Reference:	A9314; A643
Disclosure of Interest:	Nil
Attachments:	Correspondence from owner, Change of Address notification
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Correspondence has been received from Mr David Whit, owner of 4 Haines Street, Merredin requesting the credit for interest charges incurred due to the non-payment of rates on that property (**Attachment 14.3A**). The reason the rates had not been paid is because the owners were not receiving the rates notices for the property due to a change of address.

Mr Whit also owns 2 Coronation Street, Merredin. A change of address was received for that property (**Attachment 14.3B**) however 4 Haines Street, Merredin was not mentioned in that change of address request and staff did not search the rates database for any other properties which may have been owned by Mr Whit or Millenium Nominees P/L, hence the only property address changed was 2 Coronation Street, Merredin.

These are the only properties that Mr Whit or Millenium Nominees P/L owns in Merredin.

Comment

Mr Whit has been paying the rates on 2 Coronation Street, Merredin. Since becoming aware of the outstanding rates on 4 Haines Street, Merredin following a visit by the Bailiff around 18 March 2014, the rates and interest have been paid in full (on 25 March 2014) with some minor legal charges, \$317.17, still outstanding. Interest is accruing daily on this outstanding balance.

The interest charges Mr What is seeking a credit for amount to \$429.04 with the \$111.87 difference (\$429.04 minus \$317.17) requested to be credited against the 2014/15 year rates charge.

The Officer's Recommendation is based on the requirement that it is the property owner's responsibility to advise of changes of address and does not recognise this could be an oversight on the part of the ratepayer that could be treated with some leniency.

Policy Implications

Policy 3.2 Rates Recovery – Agreement for Payment of Rates and Service Charges

Statutory Implications

Part 6, Division 6 of the Local Government Act 1995 applies.

Should Council resolve to credit the amount requested, an Absolute Majority will be required.

Strategic Implications

Nil

Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

As the amount of credit requested is minor it will have no effect on the LTFP.

- Workforce Plan

Nil

Financial Implications

If Council resolve to raise the credit requested there will be the loss of interest charged in the amount of \$111.87.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Flockart

81362 That the request from the owner of 4 Haines Street, Merredin to credit the amount of \$429.04 being interest charges incurred as a result of non-payment of rates on that property be declined.

CARRIED 6/2

14.4 2015 ANZAC Day Centenary Celebrations

Corporate and Community Services



Reporting Officer:	Greg Powell, Chief Executive Officer
Author:	Vanessa Green, Executive Assistant to CEO
Legislation:	Local Government Act 1995
File Reference:	RCS/3/12
Disclosure of Interest:	Nil
Attachments:	Nil
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision Legislative Requirement

Background

2015 will mark the 100th anniversary of the ANZAC landing. The ANZAC Centenary is a milestone of special significance to all Australians as the First World War helped define us as a people and as a nation. However it is expected that during the ANZAC Centenary celebrations communities will remember not only the original ANZACS who served at Gallipoli and the Western Front, but also commemorate more than a century of service by Australian servicemen and women.

ANZAC Day celebrations in Merredin have always been well attended however, given its special significance in 2015, it is suggested that a community working group be established to organise and coordinate the ANZAC Centenary celebrations in consultation with local RSL members.

Comment

The working group will not have delegated authority, with any necessary decisions requiring submission to Council for consideration.

It is anticipated that Shire staff would be available to assist the working group either as a member(s) of the working group or through other forms of assistance. Similarly, venues for meeting purposes could also be provided.

Council could consider nominating a Councillor(s) to be part of the working group.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

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

Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

Nil

- Workforce Plan

Nil

Financial Implications

Should the program or activities on the day be significantly different to those undertaken in recent years, an additional budget allocation will be required.

It may be possible to apply for funding under the Australian Government's Anzac Centenary Local Grants Program which closes on 30 June 2014.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Flockart

Seconded: Cr Blakers

- 81363**
1. That an ANZAC Centenary Working Group be established consisting of Councillors, staff and community members to organise and coordinate the 2015 ANZAC Centenary celebrations, in consultation with RSL members, in the Shire of Merredin.
 2. That interest for community membership on the ANZAC Centenary Working Group be sought through local advertising.

CARRIED 8/0

Resolution

Moved: Cr Hayes-Thompson

Seconded: Cr Anderson

81364 That Councillors Flockart and Blakers be appointed to the ANZAC Centenary Working Group.

CARRIED 8/0

14.5 Write-Off of Small Balances

Corporate and Community Services



Reporting Officer:	Deputy Chief Executive Officer
Author:	Rebecca McCall
Legislation:	Local Government Act 1995
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	List of Assessments and Amounts
Maps / Diagrams:	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 34 assessments in total with the largest individual amount being \$4.84 and the smallest amount being \$0.51c. The request to write-off the interest has been received from the ratepayers concerned.

These write-offs are additional to those authorised at Council's April 2014 meeting.

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 \$71.71.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Flockart

Seconded: Cr Blakers

81365 That Council approves the write-off of \$71.71 being various small balances as included in Attachment 14.5A.

**CARRIED 8/0
BY ABSOLUTE MAJORITY**

Cr Hayes-Thompson declared a Financial Interest in this Agenda Item & left the meeting at 4.03pm.

Cr Anderson left the meeting at 4.05pm.

14.6 Merredin and Districts Childcare and Play School

Corporate and Community Services



Reporting Officer:	Deputy Chief Executive Officer
Author:	Rebecca McCall
Legislation:	Nil
File Reference:	RCS/04/10
Disclosure of Interest:	Nil
Attachments:	Profit & Loss Budget Overview 2014/15 and Fees and Charges (Attachment 14.6A)
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Historically the Shire of Merredin has provided financial support to Merredin and Districts Childcare and Play School (MADCAPS) contributing towards the cost of maintenance and utilities. No formal arrangement recognising this support is in place nor has an assessment for the need being undertaken.

An allocation of \$4,120 was included in the 2013/14 Budget for MADCAPS. After the adoption of the Budget, Management established that a formal agreement was not in place and advised MADCAPS that support will not be continuing. MADCAPS responded in January 2014 expressing their disappointment and requested for the decision to cease support to be revised.

MADCAPS operate in a premises owned by the Department of Local Government and Communities. The Department maintains the asset with minor maintenance undertaken by MADCAPS. Capital improvements for equipment and resources is the responsibility of MADCAPS.

Comment

Consultation with MADCAPS representatives occurred in March and May to obtain an understanding of their operations and finances. Initial review of the budget indicated a potential operating loss of \$53,450. However, upon receiving the Profit & Loss Budget vs Actuals April 2014 it states a small profit of \$13,400.

The YTD profit is largely due to frugal spending, not employing a part-time Early Childhood teacher due to no applicants and the receiving of unbudgeted grant funding valued at \$8,000. The grant monies assisted with much needed equipment replacement, staff training and the implementation of the legislated National Quality Framework.

MADCAPS supports some forty three (43) families based within the Shire of Merredin. The service provides the opportunity for parents to return to work, contributing to the retention of professionals required to support the business sector of the Shire. Parents utilising the service work in a cross section of industries including but not limited to transport, retail, commercial, education, health, community development, agriculture, administration, government and private business. Without a child care facility parents of children under the age of six (6) would not be able to return to the workforce.

Fees and charges are reviewed annually along with the preparation of the budget. The current fee structure is in line with like Centres across the Wheatbelt. Subsidies through the federal government are available to families. The Child Care Rebate of \$7,000 per annum is available for all users regardless of income. In addition, the Child Care Benefit is accessible but eligibility is based on income.

Like many businesses, MADCAPS encounter difficulties attracting and retaining qualified staff. The child care industry award remunerates poorly considering the qualifications required under the legislative requirements.

New legislation for Long Service Leave (LSL) will also impact on MADCAPS. Provisions for LSL was based on 15 years (pro-rata 10 years). There will be a need to utilise these provisions at 10 years (pro-rata 7 years).

Legislative requirements under the National Quality Framework have placed additional pressures on regional child care facilities with the increased compliance and necessity to program outlined educational curriculum and evaluation. No additional resources have been provided to Centres to implement these structured requirements.

In addition, employing qualified educators is now a requirement. Attracting applicants has not proved successful to date. Once an appointment is in place this will impose additional staff costs. In the meantime licensing waivers are issued every six months at a cost of \$102 per application.

Below is a summary of MADCAPS current financial position as of March 2014.

	Budget 2013/14	YTD Actual March 2014
Income	368,000	356,401
Expenses	421,450	343,001
Profit/Loss	(53,450)	13,400

Assets	Fundraising	16,388
	Load & Go Card	40
	Term Deposit	16,704
	Trading Account	47,645
	Leave Provisions	39,134
	Term Investment	25,065
	TOTAL	144,979
Liabilities	PAYG Withholdings	118,246
	Tax Payable	(114,611)
	TOTAL	3,635
TOTAL EQUITY		141,343

It is forecasted that a profit margin of \$18,400 will be achieved at the End of Year.

If financial assistance continues it is recommended that MADCAPS provide a copy of its budget, end of year financials and strategic plan to the Shire of Merredin for review.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

Service Area: 3.4 Property Management

Activities: Building Construction and Maintenance

Link to Vision: Liveable

Link to Strategic Priorities: New works and scheduled maintenance as per the asset management plan

Service Level Change: No service level change

Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

A financial allocation has been built-in the annual budget for a period of time and is included in the long term financial plan.

- Workforce Plan

Nil

Financial Implications

An allocation of \$4,120 is included in the 2013/14 Budget. If financial support continues a capped allocation of \$4,000 will need to be included in the 2014/15 Budget.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Thomas

Seconded: Cr Blakers

81366 That financial support to the Merredin and Districts Childcare and Play School (MADCAPS) continue, with the assistance capped at \$4,000 per financial year for a term of three (3) years with a review of the financial support in March 2016 to determine the continued need, if any.

**CARRIED 6/0
BY ABSOLUTE MAJORITY**

Councillors Hayes-Thompson and Anderson entered the meeting at 4.09pm.

14.7 Variety WA – 2014 Trans Australia Bash

Corporate and Community Services



Reporting Officer:	Deputy Chief Executive Officer
Author:	Rebecca McCall
Legislation:	Nil
File Reference:	FM/21/1
Disclosure of Interest:	Nil
Attachments:	Nil
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Variety WA began in 1980 and since then has raised and given away more than \$20 million to enrich the lives of children in need. Funds are raised each year through a range of unique events including the iconic Variety Bash, Variety Bike Run, Variety Creative Car Cruise and Variety 4WD Challenge, as well as the quirky Variety Santa Fun Run, many generous corporate sponsorships, community events and individual donations from the general public.

Consultation has taken place between the Shire of Merredin, the community and Variety WA to coordinate an overnight stopover in Merredin during the 2014 Trans Australia Bash scheduled for August.

It is expected that 170 participants will be involved in the Bash.

The stop-over will include the following:

1. Merredin Regional Community & Leisure Centre – the facility used as the base for the stop-over. Use of the oval, toilets and showers required for the participants. There may be a display of fireworks, permit dependent.
2. Cummins Theatre – dinner and entertainment.
3. Merredin Men's Shed – provision of breakfast.

Comment

The stopover will benefit Merredin socially with an opportunity to play a role in one of WA's high profile charity events. Possible economic advantages may exist for local businesses through external revenue from the visiting participants.

The evening meal and breakfast provided for the participants will be catered for by a local community group providing those groups involved the ability to raise funds through an external source.

Proceeds through bar sales at Cummins Theatre during the evening meal will remain with the Shire of Merredin.

Council has an opportunity to consider to contribute towards this fundraising venture that benefits children of need within WA through endorsing one or both of the following options:

1. Waiver of the camping fee at the MRC&LC (\$5/head x 170 participants = \$875)
2. Waiver of the Cummins Theatre hire fee (\$929)
3. Pledge a cash donation (\$500)

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

Service Area: 4.1 Community Development

Activities: Events

Link to Vision: Community Spirit, Inclusive, Liveable

Link to Strategic Priorities: Community involvement and support in events

Service Level Change: Development partnerships to better align resources

Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

Nil

- Workforce Plan

Nil

Financial Implications

There are financial implications associated with this item and will result in a overspend, depending on which of the below options is selected, in the account Public Relations and Donations (E041170) to the value of:

1. Waiver of the camping fee at the MRC&LC (\$5/head x 170 participants = \$875)
OR
2. Waiver of the Cummins Theatre hire fee (\$929)
OR
3. Pledge a cash donation of \$500

However, any contribution will be offset by revenue from the event.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Blakers

81367 That a cash donation of \$500 be provided to Variety WA for the purposes of the organisation's fund raising activities as part of the 2014 Trans Australia Bash scheduled for August 2014.

**CARRIED 6/2
BY ABSOLUTE MAJORITY**

14.8 Review of the Merredin Regional Community and Leisure Centre Policies

Corporate and Community Services



Reporting Officer:	Deputy Chief Executive Officer
Author:	Rebecca McCall
Legislation:	Liquor Control Act 1988
File Reference:	Council Policy Manual 6.6, 6.7 & 6.16
Disclosure of Interest:	Nil
Attachments:	Merredin Regional Community & Leisure Centre Policy 6.6, 6.7 & 6.16
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

In 2007, Council adopted a number of policy statements to guide staff and users of the Merredin Regional Community & Leisure Centre (MRC&LC). Policy statements have been reviewed over the course of time.

Concurrently the MRC&LC Management Plan to include Guidelines and Understanding, proformas and policies have been reviewed to reflect the current structure of the MRC&LC operations.

The original structure involved Clubs and Associations entering into a Memorandum of Understanding for utilising the MRC&LC. This arrangement is now abolished and replaced with a new fee structure accompanied by a management plan and supported by guidelines and understanding.

Comment

With the abolition of all Memorandums of Understanding it is necessary to reflect the new structure in policy statements 6.6 and 6.7. It is proposed to introduce a new policy statement, 6.16 Code of Behaviour and Penalty Structure to enforce the appropriate behaviour outlined in the Shire of Merredin's Liquor License.

The policies provide robust guidelines, controls and understanding surrounding the appropriate use of the MRC&LC and its operations. The policies are attached for Council's perusal at **Attachment 14.8A**.

Policy Implications

Amendments to the Shire of Merredin Policy Manual, Merredin Regional Community and Leisure Centre:

1. 6.6 Kitchen Costs for Associations/Clubs with Sport Council Membership
2. 6.7 Function Room Costs for Associations/Clubs with Sport Council Membership

Addition to the Shire of Merredin Policy Manual, Merredin Regional Community and Leisure Centre:

1. 6.16 Code of Behaviour & Penalty Structure

Statutory Implications

Nil

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 Willis **Seconded:** Cr Crees

81368 That the reviewed Merredin Regional Community & Leisure Centre Policies 6.6 and 6.7 be adopted and Policy 6.16 be adopted and included in the Policy Manual.

CARRIED 8/0

14.9 Merredin Civic Bowling Club – Replacement of Surface

Corporate and Community Services



Reporting Officer:	Deputy Chief Executive Officer
Author:	Rebecca McCall
Legislation:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Correspondence Received – Civic Bowling Club Merredin (Attachment 14.9A)
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The existing greens at the Merredin Regional Community & Leisure Centre (MRC&LC) have been used since 2007. The life cycle of the greens is apparent with a concern that the surfaces may not be playable for the upcoming 2014/15 season.

At its September 2014 meeting Council resolved to support a grant application to the Department of Sport and Recreation for the replacement of the bowling green surfaces (**CMRef 81217**). This application was not successful.

A second attempt for funding through the Department of Sport and Recreation was submitted through the Small Grants Program to replace one synthetic surface. This application was supported by Council at its March 2014 (**CMRef 81331**). An outcome for the application is yet to be received.

The applications were based on the Civic Bowling Club Merredin (CBCM) contributing \$25,000 towards the project. With the current state of the greens and the urgency to replace them the CBCM convened at a special meeting to reconsider its position. The members endorsed to contribute up to \$100,000 (or one third) of CBCM funds to support the replacement of the playing two surfaces with the condition that the Shire of Merredin contribute the balance.

Comment

Council needs to set policy to determine how sporting surfaces are to be replaced in the future, taking into consideration the necessary contribution from the Shire of Merredin and the respective sporting club(s). Until policy is adopted, Council has no guidelines to determine how to replace playing surfaces.

To enable bowls to continue in the immediate future it is recommended that the two bowling synthetic surfaces are replaced as soon as possible. It is proposed to allocate funds in the draft 2014/15 Budget with the intent to replace both greens. The capacity to undertake this project is dependent on the success of the grant application (\$50,000) and other priorities identified in the draft budget.

There is an option to replace one green in 2014/15 and the second green on 2015/16 if the draft budget does not have the capacity to complete the project in one financial year.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

Service Area: 1.2 Merredin Regional Community and Leisure Centre

Activities: Services and facilities provided at the MRC&LC

Link to Vision: Community Spirit, Liveable

Link to Strategic Priorities: Open 7 days a week

Service Level Change: No service level change

Sustainability Implications

➤ Asset Management Plan

The replacement of the two bowling synthetic surfaces is recognised in the Asset Management Plan.

➤ Long Term Financial Plan

The replacement of the two bowling synthetic surfaces will need to be included in the Long Term Financial Plan.

➤ Workforce Plan

Nil

Financial Implications

\$113,000 has been budgeted for the 2013/14 financial year. The impact on the 2014/15 draft budget will include an allocation of \$295,000 (GST exclusive). With input from the CBCM of one third (\$98,333) and a possible grant of \$50,000 the total contribution for Council will be \$146,407.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Hayes-Thompson


81369 That \$150,000 (nett) be included in the 2014/15 Budget to replace the two bowling synthetic surfaces located at the Merredin Regional Community and Leisure Centre.

**CARRIED 8/0
BY ABSOLUTE MAJORITY**

Cr Hooper declared a Financial Interest in this Agenda Item and left the meeting at 4.25pm.

Cr Crees assumed the Chair.

14.10 Merredin Regional Community and Leisure Centre – Club Annual Fees

<h2>Corporate and Community Services</h2> 	
Reporting Officer:	Deputy Chief Executive Officer
Author:	Rebecca McCall
Legislation:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Correspondence Received – Merredin Lawn Tennis Club, Nukarni Cricket Club and Merredin Golf Club (Attachment 14.10A)
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision

Legislative Requirement

Background

When the Merredin Regional Community & Leisure Centre (MRC&LC) commenced operations Memorandums of Understanding (MoUs) were established between each user group and the Shire of Merredin outlining fees, roles and responsibilities.

With the abolition of the MoU's in 2012/13 a new fee structure was established, but not rolled out until October 2013.

Invoices for summer sports were raised in March in accordance with the new fee configuration. Upon the receiving these invoices three Clubs have written letters questioning the fees charged.

Merredin District Lawn Tennis Club (MDLTC) is requesting a reduction on the adult club user fee by \$1,000. The MDCLTC states that the move to the new playing surface without additional facilities has had a detrimental effect upon the club. Membership numbers have decreased by almost 50% compared to the 2012/13 season and the Wednesday Ladies competition went into recess. Young families form a large component of the membership base. With the lack of an enclosed area for small children to play in a safe and under covered area, some families have stopped playing the game.

Nukarni Cricket Club (NCC) were unable to have full use of the facilities during the 2013/14 season due to the damage of the turf wicket and lack of maintenance around the hard wicket and practice nets. The poor condition of the turf wicket meant that the NCC could not access the wicket for training or games. All but four (4) matches were played away and the implications meant that the NCC missed opportunities to raise funds through hosting fixture matches and the grand final. In recognition of this, the NCC were invoiced \$746 for the 2013/14 season. This amount was for the usage of the oval for training and four (4) games plus the use of the change rooms.

It needs to be recognised that the NCC put in excess of 25 man hours to assist with the season preparation of the turf wicket and practice nets.

NCC are satisfied with the new fee structure, however feel the 2013/14 fee is not reasonable due to an unplayable turf wicket.

The Merredin Golf Club (MGC) also express concerns regarding the fee structure. Membership of the MGC has reduced to 40 and feel the proposed fees are too high. The MGC would also like the Shire to continue mowing the course.

Comment

The Shire recognises the concerns of the MDLTC of no secured play area for small children. However, a request to reduce the fees for 2013/14 is surprising considering the usage of the synthetic courts during the season. Based on the MRC&LC fee structure the whole turf area is booked out to clubs at \$90 per hour during the day or \$120 whilst the lights are needed. If the MDLTC was to be charged at normal rates the following fee would apply:

Area of Use	Usage Number	Charge Per Use	Total Cost	Comment
Courts with Lights	21	\$40/hour	\$1,680	Friday Night Tennis (2 Hours/Session) from November 1, 2013
Courts	25	\$30/hour	\$2,250	Sunday Tennis (3 Hours/Session)
Courts	5	\$30/hours	\$600	Pennant Tennis (4 Hours/Session)
			<u>\$4,530</u>	

The Club has already received a significant discount with the \$3,000 fees payable for the 2013/14 playing season.

Fees and charges are applied to Clubs with the intent that playing surfaces and facilities are available at a satisfactory standard. It is recognised that the NCC was not provided with a playable turf wicket resulting in games played on the hard wicket or away. The inability to host games, especially the finals, impacted on the NCC and the Grandstand Bar. It is recommended that Council considers reducing the 2013/14 fees by 50% in acknowledgement of unplayable turf wicket.

In accordance to the MRC&LC Management Plan, Association/Clubs are to submit membership lists to the MRC&LC after the third fixture playing date. Invoices for the playing season are invoiced by the fourth playing date with payment due by the eighth playing date. MGC are yet to be invoiced for the 2014 playing season. Fees will be determined by:

- The number of members
- The number of times they use the facilities
- The time they use the facility for

Other factors such as lighting or sole use of the Centre

Policy Implications

Fees and charges for Associations/Clubs utilising the services and facilities at the MRC&LC are outlined in the MRC&LC Management Plan.

Statutory Implications

Nil

Strategic Implications

Service Area: 1.2 Merredin Regional Community and Leisure Centre

Activities: Services and facilities provided at the MRC&LC

Link to Vision: Community Spirit, Liveable

Link to Strategic Priorities: Open 7 days a week

Service Level Change: No service level change

Sustainability Implications

- [Asset Management Plan](#)

Nil

- [Long Term Financial Plan](#)

Nil

- [Workforce Plan](#)

Nil

Financial Implications

There are financial implications associated with this item as budgeted income raised through annual fees charged to the NCC will be reduced by 50%.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Blakers

81370 That Council endorse the following actions:

1. The 2013/14 annual user fee of \$3,000 charged to the Merredin District Lawn Tennis Club remain.
2. The 2013/14 annual user fee of \$750 charged to the Nukarni Cricket Club be reduced by 50%.
3. The 2014 annual user fee charged to the Merredin Golf Club be charged in accordance to the fee structure outlined in the Merredin Regional Community & Leisure Centre Management Plan.

CARRIED 7/0

BY ABSOLUTE MAJORITY

Cr Hooper entered the meeting at 4.30pm and resumed the Chair.

14.11 Central Wheatbelt Visitors Centre Memorandum of Understanding

Corporate and Community Services



Reporting Officer:	Deputy Chief Executive Officer
Author:	Rebecca McCall
Legislation:	Local Government Act 1995
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	MoU Workshop Notes May 2014, Shire Response Summary, Service Costings and Workshop PowerPoint Presentation (Attachment 14.11A)
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

At its December 2013 meeting Council resolved (**CMRef 81278**):

“That the revised MOU, as attached, be referred to the ROC’s and other relevant Councils for comment with a request for comment to be provided by the end of February, 2014.”

The Memorandum of Understanding (MoU) between the Shire of Merredin and a number of Regional Organisation of Council’s (ROC) expired in June 2013. Comments were sought from the ROC’s and a revised MoU prepared. In January 2014 a proposed fee structure was also circulated inviting feedback. A number of responses from the participating Councils and ROC’s were received.

Comment

A MoU workshop was held on 9 May 9 2014 to discuss the draft MoU and proposed fee structure. The regional tourism groups, New Travel and Roe Tourism, see the way forward by reviewing the draft MoU to focus on the Central Wheatbelt Visitor Centre (CWVS) collaboration and service in cooperation with their key executive representatives, Wheatbelt East Regional Organisation of Councils (WEROC) and the CWVS. A draft MoU is to be completed by the core group by 30 June 2014.

Working collaboratively to further develop tourism utilising the skills and expertise within the core group is also seen as a way forward.

The proposed increase in the fee structure of \$3,000 was questioned and participating members queried the value for money. With the presentation of the cost to deliver the service a better understanding was established. However, with each local government facing restricted resources it was not believed there was the capacity to pay a larger contribution. The current level of contribution between Councils and Tourism Groups varies between \$1,500 and \$2,500.

Upon discussions at the workshop the participants agreed that the service needs to be broken down into two components:

- Visitor servicing undertaken by the CWVS
- Tourism development – responsibility and input shared between partners

The MoU service cost is as follows:

Visitor Service	2014/15
Acting as secretary of the MoU Working Group	\$2,800
Provide support to sub-regional tourism groups	\$5,600
Management of website	\$5,600
Assistance with media and marketing campaign	\$2,800
Assistance to Eastern Wheatbelt Visitor Information Points	\$2,800
Visitor servicing for regional promotion	\$11,000
Regional Displays in the CWVC	\$2,800
	\$33,400

It is proposed that each core group (Roe Travel, New Travel and WEROC) contribute \$10,000 annually for visitor servicing. This will result in a shortfall of \$3,400 for the visitor servicing.

The below additional services have traditionally been undertaken by the CWVS with the Shire of Merredin bearing the costs. The services relate to tourism development and it is proposed that these tasks are shared between each core group to reduce the burden on the CWVS and the associated costs. The tasks will be delegated and/or dealt with collaboratively by the core group.

Additional Services (to be shared between the 3 participating groups)	2014/15
Review of Strategic Plan (\$341 per Council)	\$5,120
Product Development - Art & Craft Trails	Not Costed
Regional Tourism Promotion (Trade Shows x 2) - Coordination & staffing	\$2,000
Eastern Wheatbelt WA brochure reprint (\$705 per council)	\$13,400
Eastern Wheatbelt WA brochure distribution (\$176 per council)	\$3,354
WEROC Shires - Wheatbelt Central Map & Guide reprint & distribution (Reprint 2015/16 Budget) (\$1,118 per Council)	\$6,708
Contribution towards various brochure reprints & distribution (Pathway to Wave Rock, Wheatbelt Way & Pioneers Pathway) (charged per brochure per Council as required)	\$3,354

Other activity options will be considered collaboratively with the sharing of costs. Examples of such activities are stated below:

Separate Costs (to be shared between the 3 participating groups)	
Regional Tourism Promotion (Trade Shows x 2 - only covers accommodation & travel)	\$3,000
Advertising Coops (\$200 per Council x 15)	\$3,000
Marketing Products (ie Trade Show Bags \$146 per Council x 15)	\$2,200
Production & printing cost of Eastern Wheatbelt WA brochure (\$1,657 per Council)	\$31,500
Production & printing of Wheatbelt Central Map (\$1,000 per WEROC Shire)	\$6,000
Publication of Strategic Plan (\$133 per Council x 15)	\$2,000

The cost of servicing the MoU is largely allocated to staff time. The proposed new structure will reduce the amount of staff time servicing the MoU to the value of approximately \$28,000. This time could be reallocated to marketing Merredin and develop local tourism.

Other individual Councils have expressed interest to be part of the MoU. In terms of marketing the region as a tourism destination it is positive that these Councils see the benefits of collaboration. How best to accommodate individual Councils' in terms of membership and fees is yet to be decided.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

Service Area: 4.2 Economic Development
 Activities: Regional and local economic development
 Link to Vision: Developing
 Link to Strategic Priorities: Nil
 Service Level Change: Develop partnerships to better align resources

Sustainability Implications

➤ [Asset Management Plan](#)

Nil

➤ [Long Term Financial Plan](#)

Nil

➤ [Workforce Plan](#)

Nil

Financial Implications

The cost of servicing the MoU is largely allocated to staff time. The proposed new structure will reduce the amount of staff time servicing the MoU to the value of approximately \$28,000. This time could be reallocated to marketing Merredin and develop local tourism.

If a MoU is signed, income of \$30,000 will be received in the 2014/15 financial year from contributing partners.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Anderson

81371 That Council supports:

1. the preparation of a new draft Memorandum of Understanding between the Shire of Merredin and Roe Travel, New Travel and the Wheatbelt East Regional Organisation of Councils outlining the visitor services provided by the Central Wheatbelt Visitor Centre and willingness to collaborate to develop tourism within the region.
2. the proposed fee contribution of \$10,000 from each core group member (Roe Travel, New Travel and Wheatbelt East Regional Organisation of Councils).
3. staff to investigate how to enable individual Councils to engage the services of the Central Wheatbelt Visitor Centre for the purposes of visitor servicing.

**CARRIED 8/0
BY ABSOLUTE MAJORITY**

14.12 Review of the Merredin Regional Community & Leisure Centre Management Plan

Corporate and Community Services



Reporting Officer:	Deputy Chief Executive Officer
Author:	Rebecca McCall
Legislation:	Liquor Control Act 1988
File Reference:	RCS/SP13/1
Disclosure of Interest:	Nil
Attachments:	Merredin Regional Community & Leisure Centre Management Plan
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

When the Merredin Regional Community & Leisure Centre (MRC&LC) was developed a Management Plan was endorsed by Council along with a set of guidelines. In addition, Memorandums of Understanding (MoUs) were established between each user groups (Association/Club) and the Shire of Merredin outlining fees, roles and responsibilities.

With the abolition of the MoU's in 2012/13 a new fee structure was established, but not rolled out until 2013/14. With the fee structure now in place it is timely to review the Management Plan and supporting documents.

Comment

The review included the:

- Management Plan
- Understanding and Guidelines
- Proformas
- Policies
- Merredin Recreation Grounds Precinct Plan

All user groups (Associations/Clubs) were provided an electronic copy of the draft Management Plan Review and invited to provide feedback by May 8, 2014. The draft Management Plan Review was also provided to the Merredin Sports Council for comment and ratification.

Attached is a copy of the final Management Plan Review for Council's perusal (**Attachment 14.12A**). The reviewed Management Plan is presented to Council for endorsement.

The previous item addressed the review of policies outlined in the Management Plan. The reviewed policies included:

- 6.6 Kitchen Costs for Associations/Clubs
- 6.7 Function Room Costs for Associations/Clubs

Addition of 6.16 Code of Behaviour and Penalty Structure

Policy Implications

Nil

Statutory Implications

There are statutory requirements under the The Liquor Control Act 1988.

Strategic Implications

Service Area: 1.2 – Merredin Regional Community & Leisure Centre

Activities: Services provided at the MRC&LC

Link to Vision: Liveable, Community Spirit

Link to Strategic Priorities: Key Assets – Recreational/Sporting facilities, Community Spirit – Events and Activities

Service Level Change: No service level change

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

The Merredin Recreation Grounds Precinct Plan will impact on the Asset Management Plan. Facilities passing the lifecycle of service were identified for demolition in the Asset Management Plan. Demolition of the asset has taken place. Future infrastructure developments are yet to be identified in the Asset Management Plan.

➤ Long Term Financial Plan

The Merredin Recreation Grounds Precinct Plan will have long term financial implications. Some of the identified development projects will be funded solely by the identified stakeholder. However, maintenance and replacement of proposed infrastructure is yet to be determined. These projects include:

- Sensor Light
- Shade Structure for hockey and tennis
- Fire Brigade Shed

Revenue sources and for the following projects is yet to be identified:

- Pathway to Golf Club
- Pathway from beer garden verandah to synthetic turf (running whole length of the surface)
- Fencing to enclose beer garden

Tote building redevelopment

➤ [Workforce Plan](#)

Nil

Financial Implications

There are no financial implications relating to the current budget. The following projects will be included in the draft 2014/15 Budget for consideration:

- Pathway from beer garden verandah to synthetic turf (running whole length of the surface)
- Fencing to enclose beer garden

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Anderson

Seconded: Cr Crees

81372 That the reviewed Merredin Regional Community & Leisure Centre Management Plan, inclusive of the:

1. Management Plan;
2. Understanding and Guidelines;
3. Proformas;
4. Policies; and
5. Merredin Recreation Grounds Precinct Plan

be adopted.

CARRIED 8/0

15. Officer's Reports – Administration

Councillors Blakers, Hayes-Thompson and Willis declared an Impartiality Interest in this Agenda Item 15.1.

15.1 Request for inclusion in the Profit Sharing arrangements at the Merredin Regional Community and Leisure Centre

Corporate and Community Services



Reporting Officer:	Greg Powell, Chief Executive Officer
Author:	Vanessa Green, Executive Assistant to CEO
Legislation:	Liquor Control Act 1988
File Reference:	RCS/13/03
Disclosure of Interest:	Nil
Attachments:	Correspondence from St Mary's Parents & Friends Association and Merredin College Parent & Citizens Association
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision Legislative Requirement

Council to decide whether an application be made to the Director of Liquor Licensing allowing the Merredin College Parent & Citizens Association and the St Mary's Parents & Friends Association to be permanently included in the profit-sharing arrangements at the Merredin Regional Community & Leisure Centre.

Background

The Shire of Merredin obtained a Special Facilities Liquor License for the Merredin Regional Community and Leisure Centre (MRC&LC) in 2007. Sporting clubs who held an existing Memorandum of Understanding with the Shire at the time were specifically mentioned in the Liquor License allowing for the profit-sharing arrangements occurring at the time to continue.

The Special Facilities Liquor License was converted to a Tavern License in 2012.

Correspondence has been received from the Merredin College Parent & Citizens Association and the St Mary's Parents & Friends Association requesting to be permanently included on the Liquor License for the purpose of fund raising (**Attachment 15.1A**).

Comment

While ultimately it is the responsibility of the Director of Liquor Licensing to determine whether to approve any application there are a number of matters Council should consider.

1. The MRC&LC is primarily seen as a sporting venue despite its name of a "Community and Leisure Centre" therefore other community groups could expect to utilise the Centre as much and in the same manner as any sporting club.
2. The ability for sporting clubs to raise funds is generally limited to the season in which they play, with the function dates booked by the clubs directly linked to their fixture dates.
3. Dates available to clubs or community groups could be on a "first in best dressed" basis regardless of seasonal schedules.
4. There is some discord amongst the sporting clubs in relation to the fees and charges issued for use of the MRC&LC. Additionally, sporting clubs are being expected to assist in the future funding of surface & building replacement. These costs may not be passed onto other community groups which do not utilise the MRC&LC as much as the sporting clubs are likely to should they be included in the Liquor License.
5. The more organisations included in the Liquor License, the less opportunity there may be for any of them to access the kitchen and function areas of the MRC&LC. Having said that, the more organisations included in the Liquor License could lessen the occasion(s) where no club or organisation was available to provide food/meals to the MRC&LC patrons.
6. There are limited venues within Merredin that community groups can use to fund raise in the same was as they could by using the MRC&LC i.e. bar, kitchen & function room facilities.
7. There is no guarantee that any event is likely to produce a profit. This ability to produce a profit could be significantly affected by seasonal schedules.
8. Rather than a permanent variation, one-off variations to the Liquor License are available to any community group or other organisation and these have been utilised by both Merredin College and St Mary's in the past. Each application costs \$105 per application. The cost for a permanent variation is \$219.

Policy Implications

Policy 6.6 and 6.7 (as adopted) applies.

Statutory Implications

Section 104 of the Liquor Control Act 1988 applies.

Legal advice indicates there would be no reason for any other community group or organisation not to be included in the Liquor License although any application would be considered on its own merits.

Hiring out the kitchen and allowing the hirer to take all food proceeds could potentially be a breach of the Liquor Licence if trading when the bar is open.

Strategic Implications

The inclusion of other community groups and/or organisations could impact both positively and negatively on the operation of the MRC&LC and the community perceptions of such.

Sustainability Implications

➤ Asset Management Plan

Progressively the sporting clubs are being expected to contribute funds to the long term replacement of surfaces and building maintenance of the MRC&LC. Consideration may need to be given on how other community groups or organisations also included on the Liquor Licence contribute to the long term sustainability of the MRC&LC.

➤ Long Term Financial Plan

Similarly as above.

➤ Workforce Plan

Nil

Financial Implications

All application fees to be part of the Liquor License will be paid by the respective Parents and Friends/Citizens Association.

Upon inclusion on the Liquor License any group utilising the kitchen/function facilities at the MRC&LC are charged a discounted community rate, as opposed to the standard commercial or community rate. Depending on the number of bookings the group(s) obtain within the year for the use of the kitchen, there may be a significant loss in revenue compared with the amounts which could be charged should the group(s) not be included on the Liquor License.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Thomas

- 81373**
- 1. That Council supports Merredin College Parent & Citizens Association and St Mary's Parents & Friends Association lodging a Profit Sharing Agreement for inclusion/amendment to the Shire of Merredin Liquor License at the Merredin Regional Community and Leisure Centre and that should they wish to do so, all fees are their responsibility.**
 - 2. That as a "policy position" any other not-for-profit community group be permitted to apply for a Profit Sharing Agreement for inclusion/amendment to the Shire of Merredin Liquor License at the Merredin Regional Community and Leisure Centre.**

- 3. That the opportunity for any sporting or other community group to be included in the Profit Sharing arrangement at the Merredin Regional Community and Leisure Centre be on a “first come” basis.**

CARRIED 7/1

15.2	Lot 200 Barrack Street, Merredin – Council Buildings – Requests for Use
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This Agenda Item 15.2 was brought forward and dealt with as the first point of business. Refer to [Page 5](#).

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 Staff – Chief Executive Officer - Contract

M Gill, R McCall left the meeting at 4.44pm and did not return.

G Powell left the meeting at 4.45pm.

Resolution

Moved: Cr Crees **Seconded:** Cr Hayes-Thompson

81374 That Council proceed Behind Closed Doors at 4.45pm.

CARRIED 8/0

Resolution

Moved: Cr Crees **Seconded:** Cr Flockart

81375 That Council continues in open session at 4.48pm.

CARRIED 8/0

G Powell entered the meeting at 4.49pm.

Officer's Recommendation / Resolution

Moved: Cr Blakers **Seconded:** Cr Flockart

81376 That Council appoint a working group to finalise a draft contract, together with the Chief Executive Officer, for adoption at the June 2014 Council meeting.

CARRIED 8/0

Resolution

Moved: Cr Hayes-Thompson **Seconded:** Cr Blakers

81377 That Councillors Hooper, Crees and Flockart be appointed to the working group to finalise a draft contract, together with the Chief Executive Officer, for adoption at the June 2014 Council meeting.

CARRIED 8/0

Cr Anderson left the meeting at 4.52pm.

Cr Anderson entered the meeting at 4.53pm.

20.

Closure

There being no further business the President declared the meeting closed at 4.53pm.