



# SHIRE OF MERREDIN

16 December 2014

Minutes of Ordinary Council Meeting

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



### Common Acronyms Used in this Document

WEROC	Wheatbelt East Regional Organisation of Councils
GECZ	Great Eastern Country Zone
WALGA	Western Australian Local Government Association
CEACA	Central East Aged Care Alliance
CEO	Chief Executive Officer
DCEO	Deputy CEO
EMDS	Executive Manager of Development Services
EMES	Executive Manager of Engineering Services
EMCS	Executive Manager of Corporate Services
EA	Executive Assistant to CEO
LPS	Local Planning Scheme
LGIS	Local Government Insurance Services
AMP	Asset Management Plan
LTFP	Long Term Financial Plan
MRC&LC	Merredin Regional Community and Leisure Centre
CWVC	Central Wheatbelt Visitors Centre
UCL	Unallocated Crown Land
MoU	Memorandum of Understanding
LHAG	Local Health Advisory Group
NEWROC	North Eastern Wheatbelt Regional Organisation of Councils

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Shire of Merredin  
Minutes of Ordinary Council Meeting  
Tuesday 16 December 2014



**1. Official Opening**

The President welcomed those in attendance and declared the meeting open at 3.05pm.

**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 JP Flockart	
Cr MD Willis	
Cr ML Young	

**3.2 Executive:**

G Powell	CEO
J Mitchell	EMDS
V Green	EA to CEO
S Lowe	Media & Communications Officer

**3.3 Members of the Gallery:** K Hayes; M Teasdale

**3.4 Apologies:** Cr CA Blakers; Cr DN Hayes-Thompson; R McCall, Deputy CEO

**3.5 Approved Leave of Absence:** Cr TS Thomas (CMRef 81410)

**4. Disclosure of Interest**

Councillor Flockart declared a Financial Interest in Agenda Item 12.3 and an Impartiality Interest in Agenda Items 12.4 and 15.2.

**5. Applications for Leave of Absence**

Councillor Blakers has requested Leave of Absence for the months of December 2014 through to March 2015 (4 Ordinary Council Meetings) inclusive.

Councillors Hayes-Thompson and Willis have requested Leave of Absence for the January 2015 Council Meeting.

### Councillor's Recommendation / Resolution

**Moved:** Cr Young

**Seconded:** Cr Crees

**81477 That:**

1. Councillor Blakers be granted Leave of Absence for all Council and Committee Meetings held between 15 December 2014 and 20 March 2015 inclusive; and
2. Councillors Hayes-Thompson and Willis be granted Leave of Absence for the January 2015 Council Meeting.

**CARRIED 6/0**

### 6. Petitions and Presentations

Nil

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

- 7.1 Ordinary Council Meeting held on 18 November 2014  
[Attachment 7.1A](#)

### Officer's Recommendation / Resolution

**Moved:** Cr Anderson

**Seconded:** Cr Willis

**81478 That the Minutes of the Ordinary Council Meeting held 18 November 2014 be confirmed as a true and accurate record of proceedings.**

**CARRIED 6/0**

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

The President queried whether, given the applications for Leave of Absence, there would be a quorum for January 2015 meeting. Any amendment to the date of the January 2015 meeting would need to be advertised to the community.

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

Nil

### 10. Receipt of Minutes of Committee Meetings

- 10.1 WEROC Executive Meeting held on 26 November 2014  
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- 10.2 Wheatbelt Communities Meeting held on 27 November 2014  
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- 10.3 WALGA GECZ Meeting held on 27 November 2014  
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- 10.4 Audit Committee Meeting held on 16 December 2014  
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### Officer's Recommendation / Resolution

**Moved:** Cr Crees

**Seconded:** Cr Young

**81479** That the minutes of the WEROC Executive Meeting held on 26 November 2014, the Wheatbelt Communities Meeting held on 27 November 2014, the WALGA GECZ meeting held on 27 November 2014 and the Audit Committee Meeting held on 16 December 2014 be received.

**CARRIED 6/0**

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

11.1 Audit Committee Meeting held on 16 December 2014 – Item 7.1 CEO's Review of Risk Management, Internal Control and Legislative Compliance and Risk Management Governance Framework

### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Young

**Seconded:** Cr Crees

**81480** That the CEO's Review of Risk Management, Internal Control and Legislative Compliance, Shire of Merredin Risk Profile Summary and Risk Management Governance Framework be endorsed.

**CARRIED 6/0  
ABSOLUTE MAJORITY**

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

**12.1 Local Government Act 1995 – Lot 3, 36 Pollock Avenue, Merredin**

## Development Services



<b>Reporting Officer:</b>	EMDS
<b>Author:</b>	John Mitchell
<b>Legislation:</b>	Local
<b>File Reference:</b>	A2768
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil
<b>Maps / Diagrams:</b>	Property Locality Map ( <a href="#">Attachment 12.1A</a> )

### Purpose of Report

Executive Decision



Legislative Requirement

### Background

Prior to 13 May 2011 the owner of Lot 3 Pollock Avenue Merredin was requested to remove disused materials and waste from the property located on the corner of Pollock Avenue and Brewery Road Merredin. The owner failed to comply with the requests which were formalised into a Section 3.25 Local Government Act 1995 notice issued to the owner on 13 May 2011.

On 4 November 2011 the then EMDS wrote to the owner confirming that Council would act pursuant to Section 3.25(5) of the Act and enter the property on 4 December 2011 and carry out the works. Subsequent to this the EMDS left Council's employment and the matter was not followed through.

### Comment

In October 2014 the EMDS requested the Ranger attend the property and confirm to what extent the previous notice had been complied with. It appears that little or no work has been undertaken to address the deteriorated condition of the yards and disused materials within the property.

As the notice was issued over three years ago it has not been acted on properly and must be withdrawn and reissued.



For information Council considered two of these notices previously at its September 2014 meeting. The administration has acted upon those resolutions of Council and reissued the notices following through with the advice of Section 3.25(5) relating to Council entering the property and complying with the terms of the notice.

The EMDS has provided instruction to the Ranger to issue a Section 3.25 notice including a right of entry notice pursuant to Section 3.32 of the Act with due regard to following through on the matter in a timely fashion.

### **Policy Implications**

Nil

### **Statutory Implications**

Section 3.25 of the Local Government Act 1995 permits the local government to issue a notice where there is a breach of Schedule 3.1 Division 1 of the Act (e.g. accumulation of disused materials). Section 3.32 of the Local Government Act 1995 details the procedures which must be followed to issue the notice. Section 3.26(2) permits the local government to do anything that it considers necessary to achieve, as far as is practicable, the terms of the notice.

### **Strategic Implications**

Service Area: 3.1 Environmental Health

Activities: Property compliance and carrying out of legislative duties

Link to Vision: Liveable

Link to Strategic Priorities: Nil

Service Level: Property compliance

Service Level Change: Nil

### **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 Crees

**Seconded:** Cr Willis

**81481** That the Local Government Act 1995 Section 3.25(1)(a) notice issued on 13 May 2011 against Mr Colin Tonkin of 36 Pollock Avenue, Merredin be withdrawn and staff be instructed to recommence the process under delegated authority.

**CARRIED 6/0  
ABSOLUTE MAJORITY**

<b>12.2</b>	<b>Planning Application PA05-(2014) – Failure to Obtain Planning Consent and Failure to Apply for a Building Permit – Lot 3 Mitchell Street, Merredin</b>
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## Development Services



<b>Reporting Officer:</b>	EMDS
<b>Author:</b>	John Mitchell
<b>Legislation:</b>	Planning & Development Act 2005, Shire of Merredin Local Planning Scheme No. 6; Building Act 2011
<b>File Reference:</b>	A9234
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Correspondence dated 30/9/2014 and 8/12/2014
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report

Executive Decision



Legislative Requirement

### Background

At its September 2014 meeting Council considered a report to consent to the placement of a temporary office building on Lot 3 Mitchell Street, Merredin and resolved to approve the application retrospectively with conditions (CMRef 81435)

### Comment

On 30 September 2014 the applicant was advised of Council's decision and provided a month (to 30 October 2014) to comply with the conditions and provide the surety to Council. The applicant was advised of the breaches of the two Acts and that an application for a building permit was also required.

On 8 December 2014 an email was sent to the applicant advising that it was the EMDS' intent to prepare a report to Council recommending that the matter be referred to Council's solicitors for action. The opportunity to provide the applicant's comments to Council was offered.

Copies of the correspondence are included in [Attachment 12.2A](#).

### Policy Implications

Nil

### Statutory Implications

The failure to obtain Planning Consent is a breach of Section 162 of the Planning & Development Act 2005. Pursuant to Section 218 a person who contravenes a Planning Scheme commits an offence and pursuant to Section 223 of the Act is liable to a fine of \$50,000 and a daily penalty of \$5,000 for each day the offence continues.

The failure to obtain a Building Permit is a breach of Section 9 of the Building Act 2011. For a first offence the penalty is \$50,000.00.

### Strategic Implications

Service Area: 3.2 Building Regulation and 3.3 Town Planning

Activities: Building permits and process development applications

Link to Vision: Liveable

Link to Strategic Priorities: Town Enhancement

Service Level: Meet all legislated requirements and as determined by legislation and the local planning scheme

Service Level Change: No change

### Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

Nil

- Workforce Plan

Nil

### Financial Implications

The costs of legal action cannot be estimated. Previous experience suggests a minimum cost of \$5,000.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Young

**Seconded:** Cr Crees

**81482** That the owner of Lot 3 Mitchell Street, Merredin be advised that unless full compliance with the conditions of Planning Application PA05-(2014) are met by 10 January 2015 the failure to obtain a planning consent and a building permit will be referred to Council's solicitors for commencement of legal action.

CARRIED 6/0

Councillor Flockart declared a Financial Interest in this Agenda Item 12.3 and left the meeting at 3.14pm.

<b>12.3</b>	<b>Local Planning Scheme No. 6 – Local Planning Policy 9 Sea Containers – Final Adoption</b>
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<h2>Development Services</h2> 	
<b>Reporting Officer:</b>	EMDS
<b>Author:</b>	John Mitchell
<b>Legislation:</b>	Planning & Development Act 2005; Shire of Merredin Local Planning Scheme No. 6
<b>File Reference:</b>	LUP/5/11; Policy Manual
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Proposed Policy
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report

Executive Decision

Legislative Requirement

### Background

In accordance with CMRef 81433 the Administration advertised a draft policy ([Attachment 12.3A](#)) for the use of Sea Containers within the Shire of Merredin with the matter to be bought back to Council at the completion of advertising.

### Comment

In accordance with clause 2.4.1 of the LPS 6 the proposal was advertised for two consecutive weeks being 1 and 8 October 2014 with a closing date of 24 October 2014 being 23 days after the first advertisement.

No submissions were received.

### Policy Implications

The policy means that sea containers cannot be placed within the residential areas of the town sites unless they are used for site sheds. They can be used in town centre and commercial zones with first obtaining the written permission of Council.

### Statutory Implications

Once advertised in its final form the policy becomes effective.

Clause 2.4.3 (b) requires Council to form an opinion whether the policy affects the interests of the WAPC. The policy has no effect on Reserves not vested with the Shire of Merredin and is not enforceable on Crown land.

### Strategic Implications

Service Area: 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

Service Level Change: No change

### Sustainability Implications

➤ Asset Management Plan

Nil

➤ Long Term Financial Plan

Nil

➤ Workforce Plan

Nil

### Financial Implications

Advertising costs of approximately \$500

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Crees

**Seconded:** Cr Willis

**81483 That:**

1. Council forms the opinion pursuant to Clause 2.4.3(b) of the Shire or Merredin Local Planning Scheme No. 6 that the policy does not affect the interests of the WA Planning Commission; and
2. the Local Planning Policy 9 (formerly 8.21) Placement of Sea Containers be adopted and the final adoption be advertised in accordance with Clause 2.4.3 of the Shire of Merredin Local Planning Scheme No. 6.

**CARRIED 5/0**

Councillor Flockart entered the meeting at 3.16pm and declared in Impartiality Interest in this Agenda Item 12.4.

**12.4 Local Planning Scheme No. 6 – Home Occupation – Hairdressing – Lot 82, 18 Priestly Street, Merredin**

<h2>Development Services</h2> 	
<b>Reporting Officer:</b>	EMDS
<b>Author:</b>	John Mitchell
<b>Legislation:</b>	Local Planning Scheme No. 6; Home Occupation Policy 8.12, Health (Hairdressing Establishment) Regulations 1972
<b>File Reference:</b>	A2829
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Correspondence
<b>Maps / Diagrams:</b>	Nil

**Purpose of Report**

Executive Decision

Legislative Requirement

**Background**

An application to establish a customer in-house and home based hairdressing establishment at 18 Priestly Street, Merredin has been received from the owner. A copy of the correspondence received is included in [Attachment 12.4A](#).

**Comment**

The owner has liaised with all neighbours – 17 Priestly St, 21 Priestly St, 2 MacDonald St, 10 MacDonald St, 20 Priestly St and 4 MacDonald St – all of whom have no objections to the establishment of the business.

**Policy Implications**

The Home Occupation Policy 8.12 applies. To address the salient points within the limitations process it is advised that one limitation impacts on the proposal – *“Shall not involve retail sales, hire or display of any product, personal care or the servicing or repair of machinery for profit”*. The cutting of hair involves a retail sale and personal care.

The owner advises that there are already examples of Home Occupations within Merredin which breach this component of the policy and all businesses involve a sale and profit margin.

It is appropriate that the Shire of Merredin review the policy as well. It has been in place for many years without modification. Whilst this does not impact upon this application the Local Planning Scheme suggests a review periodically.

The application has not been advertised.

### Statutory Implications

The Health (Hairdressing Establishment) Regulations 1972 permit the use of a private residence for the cutting of hair providing certain conditions are met (hand-basins, troughs, sterilisation equipment et.al.) and the room is not a habitable room or a kitchen.

All business involves retail sales or sales of some description. The definition within the policy is broad.

### Strategic Implications

Service Area: Town Planning

Activities: Home Occupation Licences

Link to Vision: Liveable

Link to Strategic Priorities: Town enhancement

Service Level: As determined by legislation and the Local Planning Scheme

Service Level Change: No service level change

### Sustainability Implications

➤ Asset Management Plan

Nil

➤ Long Term Financial Plan

Nil

➤ Workforce Plan

Nil

### Financial Implications

Application fees of \$125 are due.

### Voting Requirements



Simple Majority



Absolute Majority



### Officer's Recommendation

That pursuant to the provisions of the Home Occupation Policy the application from the owner of 18 Priestly Street, Merredin to establish a customer in-house and home based hairdressing establishment be refused as it involves retail sales and personal care items available for purchase.

### Officer's Comment

The CEO advised Council that further consideration of this matter had occurred since the release of the agenda and it was proposed to amend the Officer's Recommendation to replace the words "*refused as it involves retail sales and personal care items available for purchase*" with "approved for a period of 12 months and the Home Occupation policy be referred back to staff for review".

### Amended Officer's Recommendation

**That the application from the owner of 18 Priestly Street, Merredin to establish a customer in-house and home based hairdressing establishment be approved for a period of 12 months and the Home Occupation Policy be referred back to staff for review.**

### Resolution

**Moved:** Cr Flockart

**Seconded:** Cr Anderson

**81485 That the application from the owner of 18 Priestly Street, Merredin to establish a customer in-house and home based hairdressing establishment lay on the table until the January 2015 meeting while staff investigate the number of other home occupation businesses in Merredin and review the Home Occupation Policy.**

**CARRIED 4/2**

### Reason

While Council appreciated the position of both parties it felt the need to review the implications of home based businesses across the community as a whole.

K Hayes, M Teasdale and J Mitchell left the meeting at 3.33pm and did not return.

<b>13.</b>	<b>Officer's Reports - Engineering Services</b>
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Nil items to report

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

**14.1 List of Accounts Paid**

**Corporate Services**



<b>Responsible Officer:</b>	David Burt, Acting EMCS
<b>Author:</b>	Coco Shi, Finance Officer
<b>Legislation:</b>	Local Government Act 1995 and Local Government (Financial Management) Regulations 1996
<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 Local Government (Financial Management) Regulations 1996.

**Statutory Implications**

As outlined in the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

**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 \$440,687.26.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Young

**Seconded:** Cr Willis

**81486** That the schedule of accounts paid as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$882,260.83 from Council's Municipal Fund Bank Account and \$584.32 from Council's Trust Account be received.

**CARRIED 6/0**

## 14.2 Monthly Finance Report

### Corporate Services



<b>Responsible Officer:</b>	David Burt, Acting EMCS
<b>Author:</b>	Coco Shi, Finance Officer
<b>Legislation:</b>	Local Government Act 1995 and Local Government (Financial Management) Regulations 1996
<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

Nil

#### Policy Implications

As outlined in the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

#### Statutory Implications

As outlined in the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

#### 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 finance 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 Young **Seconded:** Cr Willis

**81487 That the Monthly Finance Report for October 2014 be received.**

**CARRIED 6/0**

**14.3 Integrated Planning and Reporting – Monitoring Review 2014**

## Corporate Services



<b>Reporting Officer:</b>	DCEO
<b>Author:</b>	Rebecca McCall
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	CM/13/4
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Workforce Plan Review 2014; Service & Measures Matrix Review 2014
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

In 2012/13 the Shire prepared its first suite of plans to meet the requirements of Western Australia's Integrated Planning and Reporting (IPR) framework:

1. Strategic Community Plan (SCP)
2. Long Term Financial Plan (LTFP)
3. Asset Management Plan (AMP)
4. Workforce Plan (WFP)
5. Corporate Business Plan (CBP)

Council has the responsibility to make strategic decisions, set policy and direction and provide oversight and monitor to ensure the adopted plans are achieved on behalf of the community.

The CEO and Administration's IPR responsibilities are to support Council through:

1. the design of the planning and monitoring processes
2. providing Council with the best available information to make decisions
3. follow through to implement plans with the allocated resources
4. track performance and report progress to Council

Council's IPR process plan outlines the strategic and monitoring framework, baseline indicators, key performance measures and planning cycle. The IPR framework forms an integral part of daily operations of the organisation to achieve a good standard of practice.

### Comment

With the implementation of the suite of plans, monitoring is undertaken through the IPR Process Plan outlining Merredin's Baseline Report to include:

1. Community Well-Being Indicators
2. Vision Elements
3. Corporate Business Plan Indicators
4. Workforce Performance Measures

At its November 2014 meeting Council received the Monitoring Review – October 2014 (CMRef 81469). As an extension of the Review, the Workforce Planning Review 2014 ([Attachment 14.3A](#)) and Service and Measures Matrix Review 2014 ([Attachment 14.3B](#)) is presented to Council for its perusal.

### Policy Implications

Nil

### Statutory Implications

It is a requirement to produce a plan for the future under Section 5.56(1) of the Local Government Act 1995. The IPR Framework has been introduced in Western Australia as part of the State Government's Local Government Reform Program.

### Strategic Implications

Service Area: 5.2 Strategic Advice, General Management and Governance

Activities: Strategic Planning and implementation of SCP, CBP and annual plans

Link to Vision: Developing

Link to Strategic Priorities: Civic Leadership

Service Levels: Strategic Community Plan and Corporate Business Plan in place

Service Level Change: No change

### Sustainability Implications

- [Asset Management Plan](#)

Nil

- [Long Term Financial Plan](#)

Nil

- [Workforce Plan](#)

Nil

### Financial Implications

There are financial implications for Council in relation to this item as the adopted Plans identify outcomes. Identified outcomes of the Plans are factored into Council's long term financial planning.



### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Anderson

**Seconded:** Cr Young

**81488**

**That the:**

- 1. Workforce Plan Review 2014;**
- 2. Service Matrix Review 2104; and**
- 3. Measures Matrix Review 2014**

**be received.**

**CARRIED 6/0**

**14.4 Policy - Recordkeeping**

## Corporate Services



<b>Reporting Officer:</b>	DCEO
<b>Author:</b>	Rebecca McCall
<b>Legislation:</b>	Local Government Act 1995; State Record Act 2000; Freedom of Information Act 1992
<b>File Reference:</b>	Policy Manual
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Proposed Policy
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

Under records related legislation such as the State Records Act 2000, the Freedom of Information Act 1992 and the accredited standard ISO 9001:2000 the Shire of Merredin is obliged to maintain record keeping systems that are dedicated to the creation and control of Council's records. The systems must ensure that Council's records both correctly and sufficiently record the performance of its functions and are able to contribute towards appropriately informed decision-making at the Shire of Merredin.

### Comment

The proposed Policy ([Attachment 14.4A](#)) objectives are:

1. to encompass the principles of the State Records Act 2000;
2. to ensure uniformity and consistency within the creation and maintenance of records management systems within the Shire of Merredin;
3. to define the roles and responsibilities to the officers who manage and perform record keeping processes for, or on behalf of, the Shire of Merredin; and
4. to prescribe a methodical and organised approach in the management of the Shire of Merredin's records.

The proposed Policy is for all records which are created or received by the Shire of Merredin (or on behalf of), regardless of their media, date of creation or storage location.

The Shire of Merredin considers all its records to be a corporate asset. Complete and accurate records of all business decisions and transactions are to be documented in the Shire's record keeping systems. The records are then to be managed in accordance with the State Records Act 2000 and associated Council policies and procedures.

### Policy Implications

Update to the Policy Manual.

### Statutory Implications

Section 19 of the State Records Act 2000 and Records Management Standard AS ISO 15489 applies.

### Strategic Implications

Service Area: 5.5 Administration

Activities: Records Management – retain relevant information and appropriately dispose of dated information

Link to Vision: Developing

Link to Strategic Priorities: Civic Leadership

Service Levels: Records maintained in accordance with legislated requirements

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 Crees

**Seconded:** Cr Anderson

**81489 That the Recordkeeping Policy be adopted.**

**CARRIED 6/0**

## 14.5 Recordkeeping Plan

### Corporate Services



<b>Reporting Officer:</b>	DCEO
<b>Author:</b>	Rebecca McCall
<b>Legislation:</b>	Local Government Act 1995; State Record Act 2000; Freedom of Information Act 1992
<b>File Reference:</b>	CM/13/Corporate Management Plans
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Recordkeeping Plan 2014
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

The purpose of the Recordkeeping Plan is to set out the matters about which records are to be created by the Shire of Merredin and how it is to keep its records. The Recordkeeping Plan is to provide an accurate reflection of the recordkeeping program within the organisation's recordkeeping system(s), disposal arrangements, policies, practices and processes. The Recordkeeping Plan is the primary means of providing evidence of compliance with the State Records Act 2000 and the implementation of best practice recordkeeping within the organisation.

The objectives of the Recordkeeping Plan are:

1. to encompass the principles of the State Records Act 2000;
2. to ensure uniformity and consistency within the creation and maintenance of records management systems within the Shire of Merredin;
3. to define the roles and responsibilities to the officers who manage and perform record keeping processes for, or on behalf of, the Shire of Merredin; and
4. to prescribe a methodical and organised approach in the management of the Shire of Merredin's records.

### Comment

Once adopted, the Recordkeeping Plan ([Attachment 14.5A](#)) will be presented to the State Records Commission in accordance with Section 19 of the Act, which requires each government organisation to have a Recordkeeping Plan approved by the State Records Commission.

In accordance with Section 17 of the Act, the Shire of Merredin and all its employees are legally required to comply with the contents of the Recordkeeping Plan.

The Recordkeeping Plan applies to all of the Shire of Merredin's:

1. Employees;
2. Contractors;
3. Organisations performing outsourced services on behalf of the Shire of Merredin; and
4. Elected Members.

The Recordkeeping Plan applies to all records created or received by any of the above parties, regardless of:

1. physical format;
2. storage location; and
3. date created.

For the purposes of the Recordkeeping Plan, a record is defined as meaning "any record of information however recorded" and includes:

1. anything on which there is writing or braille;
2. a map, plan, diagram or graph;
3. a drawing, pictorial, graphic work or photograph;
4. anything on which there are figures marks, perforations, or symbols, having meaning for persons qualified to interpret them;
5. anything from which images, sounds or writings can be reproduced with or without the aid of anything else; and
6. anything on which information has been stored or recorded, either mechanically, magnetically or electronically.

### **Policy Implications**

Recordkeeping Policy (as adopted) (refer Agenda Item 14.4).

### **Statutory Implications**

Section 17 & 19 of the State Records Act 2000 and Records Management Standard AS ISO 15489 applies.

### **Strategic Implications**

Service Area: 5.5 Administration

Activities: Records Management

Link to Vision: Developing

Link to Strategic Priorities: Civic Leadership

Service Levels: Records maintained in accordance with legislated requirements

Service Level Change: Nil

### **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 Young

**81490** That the Recordkeeping Plan be adopted.

**CARRIED 6/0**

**14.6 Tender No 02-14/15 - Resurfacing of Existing Synthetic Bowling Greens at the MRC&LC**

## Community Services



<b>Reporting Officer:</b>	Rebecca McCall, DCEO
<b>Author:</b>	John Gearing, Building Project Manager (BPM)
<b>Legislation:</b>	Local Government Act 1995; Local Government (Functions and General) Regulations 1996
<b>File Reference:</b>	Tender No 02-14/15
<b>Disclosure of Interest:</b>	BPM is a current member of Civic Bowling Club
<b>Attachments:</b>	Confidential Tender Prices and Evaluation Criteria
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

With the centralising of sport at the MRC&LC in 2006/07 two seven rink Bowling Greens were constructed on the north side of the complex. The chosen surface was Greengauge woven carpet laid on 6mm underlay with a 7 year pro rata warranty/ guarantee.

The Bowling Greens are nearing eight years old and it has become evident that the synthetic surface won't last another season at the acceptable standard for league pennant play.

Budget estimates were sourced in 2013/14 and after meetings with the Civic Bowling Club, which pledged a \$100,000.00 cash contribution, and a successful grant application of \$50,000.00 from the Community Sporting and Recreation Facilities Fund, the replacement of the bowling greens was included in the 2014/15 Budget.

Public tenders were called in October 2014 with five tenderers submitting fourteen submissions for various types of synthetic surfaces (sand filled, woven carpet and needle punched) which are all available in Australia. The Tender Prices and Evaluation Criteria are included as confidential Attachment 14.6A.

## Comment

There are a number of synthetic surfaces available, the details of which are:

### **Sand filled**

#### *Advantages*

- Lowest cost to install
- Made in Australia
- Can be bowled in each direction
- Possible longest life

#### *Disadvantages*

- Intensive rolling and grooming required after installation to bring up to an acceptable speed
- Speed very slow until bedded in which takes approx. 1-2 years
- Highest maintenance costs
- Requires potable water (sprinkler system) to keep sand bedded in
- Traditionally displays a wide and narrow hand regardless of wind direction

### **Woven Carpet**

#### *Advantages*

- Ready to play once laid and plays at the optimum speed immediately
- Consistent performance in terms of speed and draw
- No watering required
- Softer underfoot as it is laid on an underlay
- Easy to maintain

#### *Disadvantages*

- Primarily played in one direction
- Not easy to repair
- Can be unforgiving to play on

### **Needle punch**

#### *Advantages*

- Ready to play on once laid
- No watering required
- Softer underfoot as it is laid on an underlay
- Easy to maintain, just keep it clean – vacuum or leaf blower
- Relatively easy to repair, can be patched although may look unsightly
- Longer UV protection from the sun



### *Disadvantages*

- Primarily played in one direction
- Tend to play a narrower line than woven carpet
- Regular rotation of rink markers required to prevent any excessive wear to one area

The Civic Bowling Club has expressed the Needle Punched surface as its first choice of which there are three products available:

### *Evergreen (Summer Green)*

This product is manufactured in the United Kingdom (UK) (company details unknown) and to date there are no installations of the surface in Australia. The product carries a guarantee/warranty of 5 years.

### *Dales Needle Punch*

Dales are a UK based company which have been manufacturing the woven carpet and needle punched product for many years. The product is made from UV polypropylene laid on a 6mm underlay. Australian distributors are Berry Bowling Surface and Sports Build.

Guarantee/Warranty:

- Berry Bowling Systems 5 years, manufacturer 7 years pro-rata
- Sports Build manufacturer 7 years pro-rata

### *True Draw Bowl Surfaces*

True Draw is an Australian company which manufactures its product in China. The product, which has been only on the market for 3-4 years, is made of UV polyester laid on underlay. Sports Base Construction and Tiger Turf Australia both use this product but it is manufactured using their own specifications.

Guarantee/Warranty

- Tiger Turf 5 Years full replacement plus 5 years pro-rata
- Sports Base 5 Years full replacement plus 5 years pro-rata

## **Policy Implications**

Policy 3.23 Asset Management applies.

## **Statutory Implications**

Part 4, Division 2 of the Local Government (Functions and General) Regulations 1996 applies.

## **Strategic Implications**

Service Area: 1.2 Merredin Regional Community & Leisure Centre

Activities: 2 synthetic bowling greens

Link to Vision: Liveable, Community Spirit

Link to Strategic Priorities: Recreational/sporting facilities; events and activities

Service Level: Nil

Service Level Change: Nil

### Sustainability Implications

➤ Asset Management Plan

Bowling Greens replacement included in the AMP renewal program.

➤ Long Term Financial Plan

The lifecycle of the proposed synthetic surface is beyond the current 10 year timeframe.

➤ Workforce Plan

Nil

### Financial Implications

Funds are included in the 2014/15 Budget - Bowling Green Renewal *E114500*.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Young

**Seconded:** Cr Willis

**81491** That Tender No 02-14/15 for Resurfacing the Existing Synthetic Bowling Greens at the Merredin Regional Community and Leisure Centre be awarded to Tiger Turf Australia Pty Ltd.

**CARRIED 6/0**

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

**15.1 "Fair Go For The West" Campaign**

**Administration**



<b>Responsible Officer:</b>	Greg Powell, CEO
<b>Author:</b>	Vanessa Green, EA to CEO
<b>Legislation:</b>	Nil
<b>File Reference:</b>	GR/5/4
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Media Release
<b>Maps / Diagrams:</b>	Nil

**Purpose of Report**

Executive Decision  Legislative Requirement

**Background**

A media release has been received from Melissa Price MP, the Federal Member for Durack, requesting the 46 Councils in the Durack electorate sign up for the "Fair Go For The West" campaign and support WA's battle to obtain a fair share of GST revenue. The media release is included in [Attachment 15.1A](#).

**Comment**

The media release is self-explanatory. The web link for the online petition is <http://bitly.com/fairgoforthewest>. A recent media article included in Council's Information Bulletin highlighted the fact that the Shire of Goomalling had signed the petition and it is proposed the Shire of Merredin do the same.

It is also proposed that the petition and media release be publicised to the wider community to encourage individuals and businesses to sign the petition.

**Policy Implications**

Nil

**Statutory Implications**

Nil

### Strategic Implications

Service Area: 5.1 Advocacy Regional Collaboration

Activities: Shire of Merredin advocates on key issues of community interest

Link to Vision: Developing

Link to Strategic Priorities: Civic leadership, advocacy and regional collaboration

Service Level: Council advocates with State & Commonwealth on issues of local significance

Service Level Change: No service level change

### Sustainability Implications

#### ➤ Asset Management Plan

Nil

#### ➤ Long Term Financial Plan

Nil

#### ➤ Workforce Plan

Nil

### Financial Implications

While there are no direct financial implications to the Shire of Merredin there may be an impact to the wider community should the State reduce services to the region as a result of the decrease in GST revenue received from the Commonwealth Government.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Young

**Seconded:** Cr Crees

**81492 That:**

1. Councillors and staff be authorised to sign the "Fair Go For The West" petition on behalf of the Shire of Merredin;
2. a link to the online petition be provided from the Shire of Merredin's website; and
3. the availability of the "Fair Go For The West" petition be advertised to the community through the usual channels.

**CARRIED 6/0**

Councillor Flockart declared an Impartiality Interest in this Agenda Item 15.2.

**15.2 Lot 1498 Caridi Close, Merredin - Sale**

## Administration



<b>Responsible Officer:</b>	Greg Powell, CEO
<b>Author:</b>	Vanessa Green, EA to CEO
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	P2131
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Nil
<b>Maps / Diagrams:</b>	Site location ( <a href="#">Attachment 15.2A</a> )

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

At its October 2013 meeting Council resolved to purchase Lot 1498 Caridi Close, Merredin (CMRef 81245). Correspondence has been received from WA Property Lawyers acting on advice from the Department of Lands that the title for the Lot has been transferred to the Shire of Merredin and the Certificate of Title has since been received.

It is understood that once the purchase was complete Council's intent was to offer the Lot for sale.

A condition of the sale was that the surplus monies be placed into a restricted fund with a minimum balance of \$44,000 for the purpose of improving other recreation facilities within the Shire of Merredin.

### Comment

The Lot has connections for power and water however sewer connections are required. A valuation of the Reserve would also be required.

Council has the option of selling the Lot by public auction or by a public tender process. It is recommended that the Lot be offered by way of public tender thus reducing costs.

The Lot has an area of 1036m<sup>2</sup>, is located in a good street set amongst quality, modern homes so it is anticipated there could be considerable interest in purchasing the Lot. A property valuation from October 2010 suggested a value of \$100,000 to \$120,000.

### Policy Implications

Nil

### Statutory Implications

Section 3.58 of the Local Government Act 1995 details how a local government can dispose of property. Section 3.58(2)(3) states:

- “(2) *Except as stated in this section, a local government can only dispose of property to —*
- (a) *the highest bidder at public auction; or*
  - (b) *the person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property —*
- (a) *it gives local public notice of the proposed disposition —*
    - (i) *describing the property concerned; and*
    - (ii) *giving details of the proposed disposition; and*
    - (iii) *inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given;*
- and*
- (b) *it considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.”*

### Strategic Implications

Service Area: 3.3 Town Planning

Activities: Property / General Enquiries

Link to Vision: Liveable

Link to Strategic Priorities: Nil

Service Level: Respond to property enquiries on demand

Service Level Change: No service level change

### Sustainability Implications

- [Asset Management Plan](#)

Nil

- [Long Term Financial Plan](#)

The balance of the Cash Reserves will increase with the surplus funds received from the sale of the Lot.

- [Workforce Plan](#)

Nil

### Financial Implications

The Recreation Facilities Reserve (*E163135*) has a current balance of \$207,740. Funds received from the sale will be deposited to this account thus complying with the Department of Lands condition on the sale.

Sewer connection costs for design and construction are estimated at \$10,000. Costs for obtaining the valuation are estimated between \$700-900.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Crees

**Seconded:** Cr Willis

**81493** That, subject to the requirements of Section 3.58 of the Local Government Act, Lot 1498 Caridi Close, Merredin be offered for sale by public tender after the Lot is connected to the reticulated sewerage system.

**CARRIED 6/0**

## 15.3 Community Forums

### Administration



<b>Responsible Officer:</b>	Greg Powell, CEO
<b>Author:</b>	Vanessa Green, EA 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>	Survey Results
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

At its October 2014 meeting Council considered the matter of determining which dates to conduct the Community Forums in Burracoppin, Hines Hill and Muntadgin in 2015 and resolved (CMRef 81452):

***“That:***

- 1. the notes of the 2014 Community Forums held in Burracoppin on 21 July 2014, Hines Hill on 25 August 2014 and Muntadgin on 22 September 2014 be received and that the actions of staff in resolving the matters raised at those forums be noted; and***
- 2. the matter of community forum dates for 2015 be deferred to the December 2014 Council meeting while staff ascertain whether there is community interest in conducting community forums.”***

As a result of the above resolution staff developed a short survey which, along with other information relating to the forums, was supplied to the relevant Progress Associations at the beginning of November for distribution to their members and community.

### Comment

At the beginning of December no feedback from any member of any community had been received resulting in staff following up with key members of the three Progress Associations.

While it could be argued that this initial lack of feedback from the communities indicates the forums have little impact perhaps it is prudent to consider the timing of distributing the survey with most, if not all, residents being otherwise occupied with harvest.



Feedback received since the second follow up is included in [Attachment 15.3A](#). The main feedback received was from the Burracoppin community, with 2 surveys received from Muntadgin and unfortunately none received from Hines Hill.

It is interesting to note the number of surveys returned from residents who advised they were not aware of the forums. Publicity methods used to promote the forums included comment in the Shire Newsletter (published in the Merredin-Wheatbelt Mercury), mentions on the Shire's website and Facebook pages, notification through email distribution lists to most businesses in town as well as mail/letter drops to each community via Australia Post.

From the limited feedback received it would appear that the most appropriate times to conduct the forums would be between July-October on a Thursday in the late afternoon. A more targeted publicity program could be achieved by using the Rates database.

The Officer's Recommendation makes the assumption that with a more targeted publicity campaign and holding the forums on a different day and at a different time of the day more community members would be likely to attend therefore making the forums more worthwhile and beneficial to all.

#### **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/support

Service Level: Nil

Service Level Change: Nil

#### **Sustainability Implications**

- [Asset Management Plan](#)

Nil

- [Long Term Financial Plan](#)

Nil

- [Workforce Plan](#)

Nil

#### **Financial Implications**

This will be dependent on whether Council decides to conduct the forums in 2015 however funds are available at *E041110* Refreshments and Receptions for the purpose of hosting the forums prior to 30 June 2015.

If the forums are held post 30 June 2015 an allocation will need to be included in the 2015/16 Budget.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Anderson

**Seconded:** Cr Willis

**81494** That community forums be conducted in 2015 in:

1. Burracoppin on Thursday 16 July 2015 commencing at 5.30pm;
  2. Hines Hill on Thursday 13 August 2015 commencing at 5.30pm and
  3. Muntadgin on Thursday 10 September 2015 commencing at 5.30pm
- with a targeted publicity campaign to the residents in those communities.

**CARRIED 5/1**

**15.4 MRC&LC – Outdoor Covered Area & Verandah Enclosure**

**Administration**



<b>Reporting Officer:</b>	CEO
<b>Author:</b>	Greg Powell
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	RCS/13/3
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	Proposed Plans
<b>Maps / Diagrams:</b>	Nil

**Purpose of Report**



Executive Decision



Legislative Requirement

**Background**

At its October 2014 meeting, Council considered a number of matters as a consequence of issues raised by the Merredin Golf Club (MGC) and resolved that matters associated with the shed be referred back to staff for further consideration (CMRef 81450).

**Comment**

Further discussions have been held with the MGC in relation to shifting internal partitioning in the shed which will provide additional space for the MGC. This has been agreed in principle. Further discussions in relation to its use will be required.

Also considered was the possibility of enclosing the verandah on the northern side of the Grandstand Bar adjacent to the bowling greens, erecting a partial cover over the paved area to the west of the Bar and constructing a permanent barbecue facility.

Attached are two plans of a proposed shade structure and verandah enclosure together with a fixed barbecue facility ([Attachment 15.4A](#)). Before proceeding with detailed costing of the plans, approval in principle to the attached plans is sought.

**Policy Implications**

Nil

**Statutory Implications**

Nil

### Strategic Implications

Nil

### Sustainability Implications

➤ Asset Management Plan

Any further development at the MRC&LC will add additional expenditure to the AMP.

➤ Long Term Financial Plan

Although the proposal will add additional cost both capital and operational it could be argued that the additional facility has the capability of generating additional income but this cannot be quantified.

➤ Workforce Plan

Nil

### Financial Implications

A contribution from the Collgar Community Fund of \$20,000 (conditional) has been earmarked towards the shade area. Informal discussions have been held with the Merredin Sports Council on a contribution towards the verandah enclosure. The Merredin Sports Council is supportive of the proposal and will consider contributing to the capital cost.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Crees

**Seconded:** Cr Willis

**81495** That the designs for an outdoor shaded area and barbecue and enclosure of the northern verandah at the Merredin Regional Community & Leisure Centre as depicted in the attached plans be endorsed and that the Chief Executive Officer be directed to finalise costs and sources of funding for the project.

**CARRIED 6/0**

<b>16.</b>	<b>Motions of which Previous Notice has been given</b>
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Nil

<b>17.</b>	<b>Questions by Members of which Due Notice has been given</b>
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Nil

<b>18.</b>	<b>Urgent Business Approved by the Person Presiding or by Decision</b>
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Nil

<b>19.</b>	<b>Matters Behind Closed Doors</b>
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Nil

<b>20.</b>	<b>Closure</b>
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There being no further business the President thanked those in attendance, wishing everyone a very safe & Merry Christmas, and declared the meeting closed at 4.18pm.