



SHIRE OF MERREDIN

20 January 2015

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 20 January 2015



1. Official Opening

The President welcomed all those in attendance and declared the meeting open at 3.03pm.

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 CA Blakers	via teleconference (3.10pm)
Cr BJ Anderson	
Cr JP Flockart	
Cr ML Young	

3.2 Staff:

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

3.3 Members of the Gallery: M Inglis, C Madigan, M Teasdale

3.4 Apologies: R McCall, Deputy CEO; J Mitchell, EMDS

3.5 Approved Leave of Absence: Cr DN Hayes-Thompson (CMRef 81477); Cr TS Thomas (CMRef 81410); Cr MD Willis (CMRef 81477)

4. Disclosure of Interest

Cr Flockart declared an Impartiality Interest in Agenda Item 12.1.

5. Applications for Leave of Absence

Nil

6. Petitions and Presentations

Nil

7.	Confirmation of Minutes of the Previous Meeting
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- 7.1 Ordinary Council Meeting held on 16 December 2014
[Attachment 7.1A](#)

Officer's Recommendation / Resolution
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Moved: Cr Crees **Seconded:** Cr Young

- 81496** That the Minutes of the Ordinary Council Meeting held 16 December 2014 be confirmed as a true and accurate record of proceedings.

CARRIED 5/0

8.	Announcements by the Person Presiding without discussion
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Nil

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

10.	Receipt of Minutes of Committee Meetings
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- 10.1 CEACA Meeting held on 27 November 2014
[Attachment 10.1A](#)

- 10.2 Wheatbelt Health MoU Group Meeting held on 2 December 2014
[Attachment 10.2A](#)

Officer's Recommendation / Resolution
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Moved: Cr Young **Seconded:** Cr Flockart

- 81497** That the minutes of the CEACA Meeting held on 27 November 2014 and the Wheatbelt Health MoU Group Meeting held on 2 December 2014 be received.

CARRIED 5/0

11.	Recommendations from Committee Meetings for Council consideration
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Nil

Request for Attendance via Teleconference

Councillor Blakers has requested attendance at this Council Meeting via telephone communication.

Resolution

Moved: Cr Young

Seconded: Cr Flockart

81498 That Council:

- 1. approves Councillor Blakers attendance at the Council Meeting via telephone communication in accordance with regulation 14A(1) of the Local Government (Administration) Regulations 1996; and**
- 2. approves a private residence as a suitable place for Councillor Blakers attendance in accordance with Regulation 14A(4) of the Local Government (Administration) Regulations 1996.**

**CARRIED 5/0
ABSOLUTE MAJORITY**

Telephone contact was then made with Councillor Blakers who joined the meeting at 3.10pm.

Councillor Flockart declared an Impartiality Interest in this Agenda Item 12.1.

12. Officer's Reports - Development Services

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

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	John Mitchell; Vanessa Green, EA to CEO
Legislation:	Local Planning Scheme No. 6; Home Occupation Policy 8.12, Health (Hairdressing Establishment) Regulations 1972
File Reference:	A2829
Disclosure of Interest:	Nil
Attachments:	List of Current Home Occupation Approvals; Application and Correspondence
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision

Legislative Requirement

Background

Council considered this matter at its December 2014 meeting resolving (CMRef 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.”

The review of the Home Occupation Policy is yet to be undertaken.

The investigation into the number of other home occupation businesses in Merredin has identified Council currently has 5 active & approved Home Occupation permits on record ([Attachment 12.1A](#)), but there are probably many other businesses operating from homes within residential areas of the Shire. A public awareness campaign is underway to identify these other businesses.

The policy will be reviewed once further information is gathered and will be the subject of a report to Council in due course. The minutes of the December 2014 meeting also detail an amended Officer's Recommendation which appears below.

The agenda item from December 2014 is therefore replicated here for consideration.

Comment

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 12.1B](#).

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 / Resolution

Moved: Cr Young

Seconded: Cr Crees

81499 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 subject to the following conditions:

1. only 1 client is to attend the premises at any one time;
2. the business will operate from 1 room of the premises only and not occupy an area greater than 20m²;
3. the hours of operation are to be between 8.30am and 5.00pm; and
4. signage will be limited to 1 sign not exceeding 0.2m² in area (i.e. 40cm x 50cm).

CARRIED 6/0

M Inglis and M Teasdale left the meeting at 3.14pm and did not return.

13. Officer's Reports - Engineering Services

13.1 Road Sweeper

Engineering Services



Responsible Officer:	EMES
Author:	Kevin Paust
Legislation:	Local Government Act 1995
File Reference:	Road Sweeper
Disclosure of Interest:	Nil
Attachments:	Nil
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Council currently owns and operates a McDonald Johnson Road Sweeper that is due for replacement in the 2015/16 financial year.

The truck is currently in Perth due to repairs being required. Without major repairs being carried out on this unit it is unserviceable. The cost of the repairs could reach as high as \$100,000 and it is therefore timely to look at options available in relation to this unit and its associated costs as well as other options available to meet current service levels.

Comment

Option 1 - Repair

Basic repairs to the truck and sweeper unit at an estimated cost of \$25,000. This will only have the left hand side of unit functioning which has been the case since the unit was purchased second-hand.

Full repairs to the truck and sweeper unit at a cost of \$85,000 - \$100,000 depending on what else is found when the unit is stripped down.

Option 2 - Replace

1. Purchase like for like (6.5m³) sweeper unit at a cost of \$324,000.
2. Purchase a smaller machine (1.8m³) at a cost of \$170,500.

This is on a no trade basis and the existing unit would need to be sold privately or at auction.

In addition to the capital cost, the current costing to maintain and operate the road sweeper is approximately \$120 per hour. This is a direct cost of \$13,440 for 14 days at 8 hours per day and \$1,440 for 2 days at 1 hour per day in a 3 month period being a total cost of \$14,880. This cost is incurred four times a year resulting in an annual cost of \$59,520.

It should be noted that the current unit is used by adjoining Shires on a private works basis of \$212 per hour thereby deriving some income.

Option 3 - Lease

Costs were sought to lease a road sweeping unit over a 60 month period, with the following quote being the most cost effective: \$5,691.96 per month, a total of \$68,303.52 per annum, and a total of \$341,517.60 over the 60 months. There is no residual and the vehicle can be purchased for the trade value.

Option 4 - Contract

Costs were sought to engage the services of a road sweeping contractor with a quote offered of 7 x 12 hour days to sweep Merredin town at \$115 per hour plus accommodation being a total of \$12,460 per sweep or \$49,840 per annum if this is carried out 4 times per year. Other sites would incur the same hourly rate.

Option 5 – Repair, Retain & Contract

The mechanicals of the current unit are serviceable i.e. the truck component. The problems are with the sweeper unit. It would be worthwhile to outlay the lower of the repair estimates of \$25,000 to partially fix the sweeper unit. This would allow it to be used in the case of an emergency and on a private works basis when coupled with a contractor to undertake the bulk of the work at a lower cost than currently incurred using Council's own resources.

In summary, and leaving aside the capital cost of up to \$324,000 as outlined in option 2 above or repair costs in option 1, the annual recurrent costs of all options is summarised as follows:

Council owned - \$59,520

Lease - \$68,303 plus operating costs

Contract - \$49,840

Policy Implications

Nil

Statutory Implications

The provisions of the Local Government Act 1995 and the Local Government (Functions and General) Regulations 1996 are applicable.

Strategic Implications

Service Area: 2.10 Fleet Management

Activities: Council owns a range of plant and equipment from vehicles to heavy plant

Link to Vision: Liveable

Link to Strategic Priorities: Key assets – plant and equipment

Service Level: Light vehicles and heavy plant used to full capacity and replaced in accordance with Council's programme

Service Level Change: No service level change

Sustainability Implications

➤ **Asset Management Plan**

Should Council purchase and/or dispose of new or existing plant it will have implications for Council's AMP and appropriate adjustments will have to be made.

➤ **Long Term Financial Plan**

Should Council purchase and/or dispose of new or existing plant it will have implications for Council's LTFP and appropriate adjustments will have to be made.

➤ **Workforce Plan**

None of the options presented for consideration will impact on Council's current outside workforce.

Financial Implications

The 2014/15 Budget does not include an adequate provision to undertake repairs to the unit of the magnitude required to fully repair the unit. Additionally, to expend that sum on a unit due for replacement, which is essentially worthless as a trade-in, is not considered the best option.

The Plant Replacement Programme includes \$260,000 made up of \$40,000 for the trade vehicle and \$220,000 from own resources. A new road sweeper would cost \$324,000 which is \$64,000 above the plant replacement budget in the 2015/16 financial year. The trade figure of \$40,000 is also unrealistic.

It is interesting to note that the cost to retain contractors is less than Council's operating costs. It is evident that a capital saving can be obtained as well as a reduction in operating costs if Council contracts out this activity.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That Council contract its road sweeping operations and the existing unit of plant be repaired at a maximum cost of \$25,000 and retained for emergency and private works usage and that relevant planning documentation being amended where required.

Resolution

Moved: Cr Crees

Seconded: Cr Flockart

81500 That Council contract its road sweeping operations for 12 months to ascertain the feasibility of a contract service and the existing unit of plant be repaired at a maximum cost of \$25,000 and retained for emergency and private works usage.

CARRIED 4/2

Reason

Council wished to review the impact of the contract arrangements prior to any permanent changes being made.

14. Officer's Reports – Corporate and Community Services

14.1 List of Accounts Paid

Corporate Services



Responsible Officer:	EMCS
Author:	David Burt
Legislation:	Local Government Act 1995 and Local Government (Financial Management) Regulations 1996
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 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 \$126,677.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Blakers

81501 That the schedule of accounts paid as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$794,757.87 from Council's Municipal Fund Bank Account and \$745.85 from Council's Trust Account be received.

CARRIED 6/0

14.2 Monthly Finance Report

Corporate Services



Responsible Officer:	EMCS
Author:	David Burt
Legislation:	Local Government Act 1995 and Local Government (Financial Management) Regulations 1996
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

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 Blakers

81502 That the Monthly Finance Report for December 2014 be received.

CARRIED 6/0

14.3 New Policy – 2.23 Long Service Leave Entitlements

Corporate Services



Reporting Officer:	EMCS
Author:	David Burt
Legislation:	Local Government Act 1995 and Long Service Leave Regulations
File Reference:	Policy Manual
Disclosure of Interest:	Contract of Employment subject to Long Service Leave in Accordance with the Regulations.
Attachments:	Proposed New Policy 2.23
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

In accordance with the Local Government (Long Service Leave) Regulations employees are entitled to the following Long Service Leave provisions:

1. Subject to subregulation (5) – Continuity of Service and regulations 6A – Leave on half pay and 6B – Leave on double pay, a worker is entitled to 13 weeks Long Service Leave in respect of each 10 years of continuous service that he/she completes.
2. Where the commencement of Long Service Leave has been postponed to meet the convenience of the worker beyond the period of 6 months following the due date of such leave, the rate of payment for or in lieu of that leave shall be the rate applicable for ordinary time (excluding all allowances), at the end of that period of 6 months, unless otherwise agreed in writing between the employer and the worker.

Comment

From an organisational perspective, it is often quite inconvenient to have an employee proceed on an extended period of long service leave, albeit that the employee is entitled to avail themselves of such leave at the time it becomes due. The employee themselves may also be in a similar position due to family, financial or other commitments and may not wish to take leave at that time.

Given the above, and subject to agreement in writing, it may be desirable for both parties to defer the taking of long service leave to such a time as is mutually convenient to all parties, but without financial penalty to the employee.

The proposed new Policy 2.23 ([Attachment 14.3A](#)) is designed to provide an avenue for both the Administration and employees to negotiate an acceptable outcome for all parties where there is agreement from both parties to defer the taking of long service leave.

Policy Implications

New Policy to be included in the Policy Manual.

Statutory Implications

Local Government Act 1995 and Long Service Leave Regulations

Strategic Implications

Service Area: 5.4 Human Resources

Activities: Human Resource Services

Link to Vision: Developing and Liveable

Link to Strategic Priorities: Civic Leadership

Service Level: Workforce Plan in place

Service Level Change: No service level change

Sustainability Implications

➤ [Asset Management Plan](#)

Nil

➤ [Long Term Financial Plan](#)

Nil

➤ [Workforce Plan](#)

Nil

Financial Implications

Council's long service leave liability is recognised and cash backed through its Employee Entitlement Reserve account.

The Employee Entitlement Reserve account monies are invested and interest earned may be utilised to offset any increased costs associated with the implementation of the proposed policy.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Flockart

81503 That Policy 2.23 Long Service Leave Entitlements be adopted.

CARRIED 6/0

14.4 MRC&LC User Fee Restructure

Community Services



Reporting Officer:	DCEO
Author:	Rebecca McCall
Legislation:	Local Government Act 1995
File Reference:	RCS/13/1
Disclosure of Interest:	Member of Merredin Districts Tennis Club & Merredin Women's Hockey Club
Attachments:	Nil
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

With the abolition of user MoU's in 2012, Council considered a new user fee structure for the MRC&LC at its December 2012 meeting (CMRef 31022) resolving:

1. ***“That the new structure for the MRC&LC as outlined in the ‘proposed fee structure for MRC&LC from the winter 2013 season be adopted’.***
2. ***That the fees be charged to the clubs and/or associations after the third playing date when fixtures and training dates are finalised and seasonal facility usage is known.***
3. ***That the new fee structure be advertised.”***

The new fee structure was not rolled out until 2013/14 which was followed with the endorsement of the reviewed MRC&LC Management Plan in May 2014.

The table below provides the operational expenditure and income for 2013/14 and 2014/15. The ground maintenance and deprecation costs have been removed from the calculations:

Expenditure

Account	Description	2013/14	2014/15	Comments
E114010	Salaries	145,247	179,471	
E114009	Bar Salaries	61,128	81,679	
E114011	Seminars & Training	5,504	5,000	
E114020	Superannuation	17,927	24,809	

Account	Description	2013/14	2014/15	Comments
E114035	Building Maintenance	75,515	28,070	14/15 budget separated maintenance and cleaning expenses
E114040	Operating Expenses	31,509	35,800	
E114043	Donations	694	1,000	
E114045	Telephone	3,771	3,969	
E114050	Electricity & Gas	63,595	70,000	Significant decrease in power cost due to newly installed solar system
E114056	Cleaning		38,500	
E114060	Freight	3,302	3,500	
E114065	Insurance	23,563	26,500	
E114075	Office Supplies	962	2,000	
E114081	Kids Sport	29,561	14,000	
E114085	Bar Stock Purchases	153,024	120,000	14/15 budget separated bar and catering stock purchases
New Account	Bar Catering Purchases		49,700	
E114086	ATM Expenses	117,620	104,000	
<i>E113050</i>	<i>Grounds Maintenance</i>	<i>276,492</i>	<i>267,085</i>	<i>Expense removed from calculations and modelling</i>
E114499	Admin Allocation	50,458	63,021	
<i>E114999</i>	<i>Depreciation</i>	<i>112,045</i>	<i>197,891</i>	<i>Cash figure - removed from calculations and modelling</i>
TOTAL		783,380	851,019	

Income

Account	Description	2013/14	2014/15	Comments
I114010	Grants & Contributions	-23,175	0	
I114011	Grants for Programs		-10,000	
I114015	Kids Sport	-40,000	-14,000	
I114030	Stock Sales	-275,877	-240,000	14/15 budget separated bar and catering income
New Account	Bar Catering Sales		-55,200	
I114040	Facility Hire	-83,916	-40,000	
I114050	Program Income	-22,393	-32,000	
I114080	User Fees	-918	-53,000	13/14 user fees coded to facility hire
I114085	ATM Income	-120,768	-110,000	
TOTAL		-567,047	-554,200	

Net Cost	-216,333	-296,819	37% ↑
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Comment

The user fee structure continues to be a contentious issue and it is difficult to adopt a 'user pays' methodology as the cost to the sporting community is too great and would threaten the opportunity for community members to partake in sport.

Although a user pays policy is not practical it is believed prudent for Council to adopt a five year strategy for users' fees. Setting a five year strategy will also assist user groups with their own long term planning.

The compounding operational expenses factored into the LTFP results in less discretionary funding for Council to consider for other initiatives outside of sport and recreation so careful consideration is paramount.

The adopted fee structure in December 2012 is ambiguous across the different sports and difficult to implement fee increases because of resistance from the sporting community. It is proposed to end the existing fee structure and replace it with a flat base fee structure that encompasses the ability to implement annual fee increases.

The proposed flat fee structure contains several options for Council to consider to factor in annual increases. The flat fee restructure is outlined in the table below:

Club	Summer 2013/14 User Fee	Winter 2014 User Fee	Proposed Restructure Flat Rate
Basketball Association	\$11,833		\$12,500
Netball Association		\$7,304	\$8,000
Burracoppin Football		\$3,024	\$4,500
Nukarni Football		\$3,755	\$4,500
Merredin Junior Football		\$1,740	\$2,000
Nukarni Cricket Club	\$840		\$1,600
Merredin Junior Cricket	\$408		\$1,360
Merredin Little Athletics	\$606		\$2,500
Burracoppin Hockey		\$2,055	\$2,500
Merredin Hockey		\$2,280	\$2,500
Merredin Men's Hockey		\$930	\$2,500
Merredin Junior Hockey		\$3,210	\$2,500
Social Hockey			\$2,000
Merredin Golf		\$2,232	\$2,000
Civic Bowls	\$5,940		\$6,000
Fire Brigade	\$500		\$500
Merredin Tennis	\$3,000		\$2,500
TOTAL	\$23,127	\$26,530	\$60,460

Annual fee increases, effective 1 July 2015, are based on the new flat rate. Below are six models/options for consideration:

Club	Model 1 3% ↑/Annum	Model 2 7.5% ↑/Annum	Model 3 Free of Charge	Model 4 LTTP 25% ↑/Annum	Model 5 User Pays	Model 6 37% ↑/Annum
Basketball Association	\$12,875	\$13,437	\$0	\$15,625	\$28,000	\$17,125
Netball Association	\$8,240	\$8,600	\$0	\$10,000	\$22,000	\$10,960
Burracoppin Football	\$4,635	\$4,837	\$0	\$5,625	\$18,000	\$6,165
Nukarni Football	\$4,635	\$4,837	\$0	\$5,625	\$18,000	\$6,165
Merredin Junior Football	\$2,060	\$2,150	\$0	\$2,500	\$15,000	\$2,740
Nukarni Cricket Club	\$1,648	\$1,720	\$0	\$2,000	\$10,000	\$2,192
Merredin Junior Cricket	\$1,400	\$1,462	\$0	\$1,700	\$8,000	\$1,863
Merredin Little Athletics	\$2,575	\$2,687	\$0	\$3,125	\$15,000	\$3,425
Burracoppin Hockey	\$2,575	\$2,687	\$0	\$3,125	\$20,000	\$3,425
Merredin Hockey	\$2,575	\$2,687	\$0	\$3,125	\$20,000	\$3,425
Merredin Men's Hockey	\$2,575	\$2,687	\$0	\$3,125	\$20,000	\$3,425
Merredin Junior Hockey	\$2,575	\$2,687	\$0	\$3,125	\$15,000	\$3,425
Social Hockey	\$2,060	\$2,150	\$0	\$2,500	\$20,000	\$2,740
Merredin Golf	\$2,060	\$2,150	\$0	\$2,500	\$20,000	\$2,740
Civic Bowls	\$6,180	\$6,450	\$0	\$7,500	\$25,000	\$8,220
Fire Brigade	\$515	\$537	\$0	\$625	\$3,000	\$685
Merredin Tennis	\$2,575	\$2,687	\$0	\$3,125	\$20,000	\$3,425
TOTAL	\$61,758	\$64,452	\$0	\$74,950	\$296,819	\$82,145

The parameters of the proposed flat fee structure and modelling are outlined below:

Club	Parameters	Workings
Basketball Association	1 game day per week	
Netball Association	1 game day per week	
Burracoppin Football	Includes line marking, 1 game, 1 training per week	
Nukarni Football	Includes line marking, 1 game, 1 training per week	
Merredin Junior Football	Includes line marking. Equates to \$14 per player	
Nukarni Cricket Club	Includes initial wicket preparation and line marking each home game.	2.5 hrs labour = \$135 x 5.5 = \$743 + paint
Merredin Junior Cricket	Includes line marking	2.5 hrs labour = \$135 x 4.5 = \$608 + paint
Merredin Little Athletics	Option 2 includes line marking (11) - equates to \$37 per member for season	3 hrs labour = \$162 x 11 markings = \$1,782 + paint
Burracoppin Hockey	1 game, 1 training per week	
Merredin Hockey	1 game, 1 training per week	
Merredin Men's Hockey	1 game, 1 training per week	
Merredin Junior Hockey	1 playing night per week	
Social Hockey	1 playing night per week	

Club	Parameters	Workings
Merredin Golf		
Civic Bowls		
Fire Brigade		
Merredin Tennis	1 playing evening, 1 playing afternoon per week	

Notes

1. Line marking and paint additional cost to the flat fee rate
2. Each model is based on a proposed base rate fee
3. Model 1 - base rate increases 3% (CPI) per annum
4. Model 2 - base rate increases 7.5% (rate strategy) per annum
5. Model 3 - no user fees charged
6. Model 4 - base rate increases 25% per annum, calculating LTFP operating loss average over 5 years
7. Model 5 - user pays covering operational deficit
8. Model 6 - base rate increases 37%, operational loss between 2013/14 and 2014/15
9. Operational expenses do not include ground maintenance and depreciation in calculations

In addition to revising the user fee structure there is a need to analyse the service level delivered at the MRC&LC to identify strategies to assist in decreasing the operational deficit. This could result in reducing the level of service currently provided to the community. It is envisaged that the service level review will be presented to Council in March 2015.

Furthermore, Council will be presented with a draft Surface Replacement Policy for deliberation in March 2015.

Council is requested to consider endorsing the proposed flat fee and a preferred model option to enable an annual fee increase to be implemented from 1 July 2015 (to include winter sports 2015).

Policy Implications

Nil

Statutory Implications

Local Government Act 1995

Strategic Implications

Service Area: 1.2 Community Facilities – MRC&LC

Activities: Services provided at the MRC&LC

Link to Vision: Liveable, Community Spirit

Link to Strategic Priorities: Key Assets – recreational/sporting facilities

Link to Strategic Priorities: Community Spirit - events and activities

Service Level: Open 7 days per week

Service Level Change: No change

Sustainability Implications

➤ Asset Management Plan

This item is only dealing with the operating income and expenditure of the MRC&LC. Asset renewal has not been considered in this item. In addition to the operational deficit there will be identified capital works outlined in the AMP.

➤ Long Term Financial Plan

The overall operational expenses of the MRC&LC increase annually and are factored into the LTFP. With the increasing operational expenses there is less discretionary funding to spend on other projects and initiatives.

The average operational deficit identified in the LTFP over the next five years is \$383,218 which is an average increase of 25% per year over the five years.

➤ Workforce Plan

The user fee models presented to Council for consideration do not impact on the Workforce Plan. If Council considers reducing services at the MRC&LC there may be relevant employee cost savings resulting in a reduced number of staff hours.

Financial Implications

The flat rate user fee and modelling options to factor in annual fee increases will result in increased income for the MRC&LC generated from user fees.

To eliminate the operational deficit a 'user pays policy' needs to be adopted (Model 5). This Model is not practical or achievable.

The compound effect of increasing fees by 25% or more outlined in Models 4 & 6 is also considered unrealistic.

The 'free of charge' concept (Model 3) would result in a further operational deficit. The budgeted user fee income for 2014/15 is \$53,000.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

1. That Council adopts a new user fee structure as outlined above;
2. That the new fee structure be implemented from the winter season 2015;
3. That Council adopts the strategy to increase user fees annually by (3% as outlined in Model 1 or 7.5% as outlined in Model 2) to be implemented from the winter season 2015;
4. That the new fee structure remain in place for a period of 5 years with annual increases of (3% or 7.5%) applying; and
5. That the new fee structure be advertised.

Motion

Moved: Cr Blakers **Seconded:** Cr Crees

1. That Council adopts a new user fee structure as outlined above;
2. That the new fee structure be implemented from the winter season 2015;
3. That Council adopts the strategy to increase user fees annually by 3% as outlined in Model 1 to be implemented from the winter season 2015;
4. That the new fee structure remain in place for a period of 5 years with annual increases of 3% applying; and
5. That the new fee structure be advertised.

CARRIED 4/2
ABSOLUTE MAJORITY NOT ATTAINED

Resolution

Moved: Cr Anderson **Seconded:** Cr Flockart

- 81504**
1. That Council adopts a new user fee structure as outlined above;
 2. That the new fee structure be implemented from the winter season 2015;
 3. That Council adopts the strategy to increase user fees annually by 5% to be implemented from the winter season 2015;
 4. That the new fee structure remain in place for a period of 5 years with annual increases of 5% applying; and
 5. That the new fee structure be advertised.

CARRIED 5/1
ABSOLUTE MAJORITY

Reason

Council believed 5% to be more acceptable to the community whilst still achieving an increase in revenue.

14.5 Shade Structure and Pathway for Hockey and Tennis

Community Services



Reporting Officer:	DCEO
Author:	Rebecca McCall
Legislation:	Local Government Act 1995 and Local Government (Financial Management) Regulations 1996
File Reference:	FM/5/12
Disclosure of Interest:	Member of Merredin Districts Tennis Club and Merredin Women's Hockey Club
Attachments:	Nil
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Merredin Turf Alliance (the Alliance) had been investigating the possibility of developing a permanent structure located on the eastern side of the synthetic surface. After much debate the Alliance came to an agreement on a structure that was not only suitable but affordable.

The Alliance members consist of the Merredin Districts Tennis Club, Merredin Men's Hockey Club, Merredin Women's Hockey Club and Burracoppin Ladies Hockey Club.

This project has been identified by all members that use the synthetic surface as a necessity to the growth of their specific sport. A permanent structure will enable players and spectators alike to congregate in an area no matter what the weather conditions.

To assist in reducing the amount of sand trafficking onto the surface it was also decided to install a concrete pathway.

The Shire of Merredin was approached to project manage the works which were undertaken between August and December 2014.

Comment

The commitment from the Alliance members was not available at the time of preparing the 2014/15 Budget, therefore associated income and expenditure was not included. To comply with the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996 it is necessary for Council to endorse the project and include the relevant financials in the up and coming Budget Review.

Policy Implications

Nil

Statutory Implications

Local Government (Financial Management) Regulations 1996

Strategic Implications

Service Area: 1.2 Community Facilities – MRC&LC

Activities: Services provided at the MRC&LC

Link to Vision: Liveable, Community Spirit

Link to Strategic Priorities: Key Assets – recreational/sporting facilities

Link to Strategic Priorities: Community Spirit - events and activities

Service Level: Open 7 days per week

Service Level Change: No change

Sustainability Implications

➤ Asset Management Plan

The new shade structure and pathway will need to be included in the Asset Management Register and AMP to factor lifelong maintenance and renewal costs.

➤ Long Term Financial Plan

The new shade structure and pathway will need to be included in the LTFP to factor lifelong maintenance and renewal costs.

➤ Workforce Plan

There are no implications on the Workforce Plan.

Financial Implications

The financial implications associated with this item include unbudgeted income and expenditure for the development of the new shade structure and pathway located at the MRC&LC.

Income includes full reimbursement from the Turf Alliance, Merredin Sports Council, Merredin Districts Tennis Club, Burracoppin Hockey Club, Merredin Women's Hockey Club and Merredin Men's Hockey Club totalling \$67,000.

Capital expenditure for the shade structure and pathway totals \$67,000.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Young

81505 That Council accepts the unbudgeted income of \$67,000 and associated expenditure of \$67,000 for the purpose of the developed shade structure and pathway located at the synthetic surface precinct at the MRC&LC for the benefit of the local hockey and tennis clubs.

**CARRIED 6/0
ABSOLUTE MAJORITY**

15. Officer's Reports – Administration

15.1 Unbudgeted Purchase – Wireless Network Connection for External Shire Venues

Administration



Responsible Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	Local Government Act 1995; State Records Act 2000
File Reference:	IT/1
Disclosure of Interest:	Nil
Attachments:	Nil
Maps / Diagrams:	Network Connection Points (Attachment 15.1A)

Purpose of Report

Executive Decision Legislative Requirement

Background

For some years the Administration has been investigating ways to improve its Information Technology (IT) backup systems while also enabling some of the external sites to connect to the servers located within the Administration Office thus allowing staff real time access to the financial and records management system.

The lack of appropriate IT backup systems has been identified during the Risk Management Review (required under Regulation 17 of the Local Government (Audit) Regulations 1996) which Council adopted at its December 2014 meeting (CMRef 81480).

Comment

The proposed system involves the installation of a mast to the non-heritage listed roof section of Cummins Theatre (i.e. above the Green Room, change rooms & bunting area at the rear of the building) which will provide a line of sight connection between the Administration Office, MRC&LC, Theatre and CWVC and the Library once relocated to the old NMPS site.

Once installed, the system will allow staff at the external sites to access programs, files and documents contained on the server located within the Administration Centre, including the financial and records management system (SynergySoft) thus streamlining procedures and processes across all sites.

The system will also allow the servers located at the MRC&LC to be utilised as a replicated backup of the servers at the Administration Office meaning that should something unforeseen happen to the Administration building (i.e. fire) within the space of a few hours the Administration Office could be relocated & functioning from the MRC&LC premises.

Due to the distance from the CBD area it is not possible to link the Depot or Pool to the wireless system, however due to the nature of both sites (i.e. limited computer use and the pool is only operational 6 months of the year) this is not considered to be an issue.

The Library is not considered in the proposal at this time but upon relocation to the NMPS site it will be possible to link the Library into the system at that time.

The installation is expected to take 2-3 days and has been tentatively scheduled for the middle of February 2014.

Policy Implications

The State Records Act 2000 relates to Record Keeping Plans which local governments are required to adopt. Council adopted its Plan at its December 2014 meeting (CMRef 81490). The Plan outlines the manner in which Council will manage and maintain its records.

The purchase of the wireless system will enable Council to comply with the Recordkeeping Policy 3.25 as listed in the Plan and Policy Manual.

Statutory Implications

Section 6.8 of the Local Government Act 1995 states:

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —

- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or*
- (b) is authorised in advance by resolution*; or*
- (c) is authorised in advance by the mayor or president in an emergency.*

** Absolute majority required.*

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 Level: Records maintained in accordance with legislative requirements

Service Level Change: No service level change

Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

Nil

➤ Workforce Plan

Nil

Financial Implications

The installation of the wireless network system has been quoted at \$18,535. There is no specific allocation for this in the 2014/15 Budget.

Capital Account *E049110* – Furniture and Fittings General Provisions has an allocation of \$10,000 which is unlikely to be utilised for any other purpose this financial year. It is proposed to reallocate this amount to undertake installation of the wireless network. This will result in an overspend of approximately \$8,535 to Account *E049110*.

The reduction in costs on Council's ADSL accounts for the MRC&LC, Cummins Theatre and CWVC as a result of having the wireless network (the ADSL lines will no longer be required) equates to a saving of \$3,000 per year, meaning the system will pay for itself in just over 6 years.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Crees

81506 That the unbudgeted installation of a wireless network system at a cost of \$18,535 from Account E049110 - Furniture and Fittings General Provisions be approved resulting in an overspend of approximately \$8,535 on that Account.

**CARRIED 6/0
ABSOLUTE MAJORITY**

15.2 Local Laws Eight Year Review

Administration



Reporting Officer:	Greg Powell, CEO
Author:	Bruce Wittber, BHW Consulting; Vanessa Green, EA to CEO
Legislation:	Local Government Act 1995
File Reference:	LE/8/9
Disclosure of Interest:	Nil
Attachments:	Discussion Paper
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Local Government Act 1995 (the Act), requires that Council must every eight years after adoption of any Local Law, or the last review, conduct a review of the Local Law to ensure that it still retains currency.

At Council's May 2010 meeting Council resolved to undertake a review of its Local Laws. For various reasons this review was not progressed until, in 2014, the Shire of Merredin (the Shire) appointed BHW Consulting (BHW) to undertake the review of all the Council Local Laws with the exception of the Waste Local Law 2011.

The following Local Laws are included in the review:

1. Activities in Thoroughfares and Public Places and Trading Local Law – gazetted 7 October 2002
2. Bee Keeping Local Law – gazetted 7 October 2002
3. Bush Fire Brigades Local Law – gazetted 7 October 2002
4. Cemeteries Local Law – gazetted 7 October 2002
5. Dogs Local Law – gazetted 7 October 2002
6. Extractive Industries Local Law – gazetted 7 October 2002
7. Fencing Local Law – gazetted 7 October 2002
8. Health Local Laws 1999 – gazetted 11 October 1999

9. Local Government Property Local Law – gazetted 7 October 2002
10. Parking and Parking Facilities Local Law – gazetted 7 October 2002
11. Standing Orders Local Law – gazetted 7 October 2002

To assist in understanding any possible amendments to the existing Local Laws BHW has prepared a Discussion Paper on the Eight Year Review of the Shire’s Local Laws ([Attachment 15.2A](#)). The Discussion Paper was discussed at Council’s December 2014 Briefing Session. Following the Session several changes have been made to the Discussion Paper.

The review has recommended the Health Local Law 2000 and Standing Orders Local Law be repealed and replaced.

S3.16 of the Act outlines the process to be followed for a review of Local Laws. It is appropriate to point out that any outcomes from a review that result in amendments (or the repeal and replacement) to an existing Local Law outlined in this report must then be processed as though it was a change to the Local Law and formally adopted using the procedures outlined in s3.12 of the Act.

This in effect means there are two distinct processes to follow - the first being a review and the second the implementation of the outcome of the review.

To commence the review process the Council is required to determine the Local Laws it wishes to review and approve advertising state-wide its intention to undertake the review.

Comment

The purpose of the Discussion Paper is to allow Council and then in turn the community to obtain a view as to what changes may be being contemplated by the Shire.

In the Discussion Paper each Local Law being reviewed has been detailed as to what changes have been proposed by the consultant, other changes that may be required for administrative or legal reasons and suggested amendments to the level of penalties that may be applied in the event of a breach of the Local Law.

The current Local Laws appear to provide for a sound operational standard. After the amendments have been finalised it is suggested that consideration be given to undertaking an education program to provide the relevant Shire staff with a better understanding of the requirements of the Local Laws and improve the effective management within the community.

Policy Implications

Nil

Statutory Implications

S3.16 of the Act requires Council to carry out a formal review of its Local Laws every 8 years. S3.16 of the Act also provides the process to be followed for a review of Local Laws.

Strategic Implications

Service Area: 3.6 Local Law Administration

Activities: Bee Keeping, Bush Fire Brigades, Cemeteries, Extractive Industries, Fencing, Local Government Property, Parking and parking facilities, Pest Plants, Activities in thoroughfares and public places and trading; Standing Orders, Dogs, Health

Link to Vision: Liveable

Link to Strategic Priorities: Nil

Service Level: All local laws are older than 8 years and due for review

Service Level Change: All local laws to be reviewed

Sustainability Implications

➤ [Asset Management Plan](#)

Nil

➤ [Long Term Financial Plan](#)

Nil

➤ [Workforce Plan](#)

Nil

Financial Implications

Funds are provided in the 2014/15 Budget at Account *E042316* for BHW to undertake the Local Law Review.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Young

81507 That Council proceed with and advertise in accordance with s3.16(2) of the Local Government Act 1995 the review of the following Local Laws:

1. Activities in Thoroughfares and Public Places and Trading Local Law;
2. Bee Keeping Local Law;
3. Bush Fire Brigades Local Law;
4. Cemeteries Local Law;
5. Dogs Local Law;
6. Extractive Industries Local Law;
7. Fencing Local Law;
8. Health Local Laws 1999;

- 9. Local Government Property Local Law;**
- 10. Parking and Parking Facilities Local Law; and**
- 11. Standing Orders Local Law.**

CARRIED 6/0

16.	Motions of which Previous Notice has been given
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Nil

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

18.	Urgent Business Approved by the Person Presiding or by Decision
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18.1 Council acknowledgement of Mr Denis (Dinny) Lane

Officer's Recommendation / Resolution
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Moved: Cr Crees

Seconded: Cr Young

81508 That the flags on Shire venues be flown at half-mast on Thursday 22 January 2015 for the funeral of Mr Denis (Dinny) Christopher Lane who served on Council between 1987 and 1999, and that a notice be put in the West Australian.

CARRIED 6/0

19.	Matters Behind Closed Doors
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Nil

20.	Closure
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There being no further business the President thanked those in attendance and declared the meeting closed at 4.13pm.