

SHIRE OF
MERREDIN
INNOVATING THE WHEATBELT

MINUTES

Ordinary Council Meeting

Held in Council Chambers
Corner King & Barrack Street's, Merredin
Tuesday 16 February 2016



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
CBP	Corporate Business Plan
CSP	Community Strategic Plan
MRCLC	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
LoA	Leave of Absence

Table of Contents



1.	Official Opening
2.	Record of Attendance / Apologies and Leave of Absence
3.	Public Question Time
4.	Election of Delegates and Deputy Delegates to Committees
5.	Disclosure of Interest
6.	Applications for Leave of Absence
7.	Petitions and Presentations
8.	Confirmation of Minutes of the Previous Meeting
8.1	<u>Ordinary Council Meeting held on 19 January 2016</u>
8.2	<u>Annual Electors Meeting held on 9 February 2016</u>
9.	Announcements by the Person Presiding without discussion
10.	Matters for which the Meeting may be closed to the public
11.	Receipt of Minutes of Committee Meetings
11.1	<u>Local Emergency Management Committee Meeting held on 3 February 2016</u>
11.2	<u>WEROC Executive Meeting held on 3 February 2016</u>
11.3	<u>GECZ Executive Meeting held on 4 February 2016</u>
12.	Recommendations from Committee Meetings for Council consideration
12.1	<u>Approval of Emergency Management and Recovery Plans</u>
13.	Officer's Reports – Development Services
13.1	<u>Nangeenan Hall – Lot 155 Cahill Street, Nangeenan – Notice – Unfit for Human Habitation and Disused Materials Removal</u>
13.2	<u>Lot 252 Duff Street, Merredin – Declaration of House Unfit for Human Habitation</u>
13.3	<u>Lot 1338 Chandler-Merredin Road, Merredin – Removal of Sea Containers from Land</u>
13.4	<u>Lot 5 Todd Street, Merredin – Oversize and Height Outbuilding Application – R Codes Relaxation</u>
13.5	<u>Reserve 29700 - Sale</u>

14.	Officer's Reports – Engineering Services
14.1	<u>Enterprise Bargaining Agreement – Outside Staff</u>
14.2	<u>Wheatbelt Regional Grants Scheme – CBD Upgrade Stage One</u>
14.3	<u>Firewood Collection</u>
15.	Officer's Reports – Corporate and Community Services
15.1	<u>List of Accounts Paid</u>
15.2	<u>Statement of Financial Activity</u>
15.3	<u>Mid-Year Budget Review</u>
15.4	<u>Wheatbelt Community Chest Fund – Apex Park Enhancement</u>
15.5	<u>Review of Customer Service Charter</u>
15.6	<u>CWVC Business Plan 2016</u>
15.7	<u>MRCLC – Extension of Licensed Area</u>
16.	Officer's Reports – Administration
16.1	<u>Spirulina Feasibility Study</u>
17.	Motions of which Previous Notice has been given
18.	Questions by Members of which Due Notice has been given
19.	Urgent Business Approved by the Person Presiding or by Decision
20.	Matters Behind Closed Doors
21.	Closure

Shire of Merredin
Ordinary Council Meeting
Tuesday 16 February 2016



1. Official Opening

The President welcomed all those in attendance and declared the meeting open at 3.07pm.

2. Record of Attendance / Apologies and Leave of Absence

Councillors:

Cr KA Hooper	President
Cr BJ Anderson	
Cr LN Boehme	
Cr CA Blakers	(from 3.08pm)
Cr MA Crisafio	
Cr JP Flockart	
Cr MD Willis	
Cr ML Young	

Staff:

G Powell	CEO
R McCall	Deputy CEO
J Mitchell	EMDS (until 4.09pm)
V Green	EA to CEO
S Lowe	Media & Communications Officer

Members of the Public: Gloria Banks, JP; Jim and Rosemary Lambert; Debbie Morris (until 3.30pm)

Apologies: Nil

Approved Leave of Absence: Cr RM Crees (CMRef 81708)

3. Public Question Time

3.1 Railway Museum – Merredin Museum and Historical Society

Committee members of the Merredin Museum and Historical Society addressed Council in relation to negotiating a new MoU/lease for the Museum, requesting financial support of \$20,000 and assistance in submitting grant applications for a rolling stock cover at the Museum.

The Committee highlighted the heritage importance of the railway and the Museum to the community, and the work and dedication of the volunteers who run the Museum and Committee.

Council agreed there was a need for the Museum and rolling stock to be preserved for future generations however the finer details of a lease or MoU would take some time to negotiate and resolve. With the tight timeframes applicable to some of the funding bodies it was proposed the Committee's requests be treated as separate matters. (Refer to [Item 19.1 on page 77](#) for Council's Resolution applicable to the financial support and grant application assistance.) The matter of a new lease/MoU would be addressed in a future item to Council once staff have undertaken the necessary research.

Gloria Banks, JP; Jim and Rosemary Lambert and Debbie Morris left the meeting at 3.30pm and did not return.

3.2 Re-alignment of Bruce Rock-Totadgin Road, Merredin

An enquiry was received from Mr Ross Smith which is reproduced below:

"Regarding the realignment of the Bruce Rock Road-Totadgin Road intersection: I wish to ascertain the status of the above project. Having had several meetings at Council Offices relating to this project over several years, I am enquiring as to the status of the subdivision of my property.

The area involved has been removed from cropping production for the last three years, to allow pegging and water pipeline realignment.

I wish to query the timeframe for subdivision and subsequent payment as I was led to believe, from previous meetings that the transfer of land was to be completed before now.

If this project is not current, can you please inform me so that I can remove the pegging and return this area to cropping production.

I await a written response from Council."

Mr Smith has been responded to and has met with the EMES. The response is reproduced below:

"The Bruce Rock Road/Totadgin Hall Road State Blackspot Funded project commenced in 2009.

Since the commencement of the project there have been postponements caused by Water Corporation and the Department of Lands, the circumstances of which were out of Council's control.

Weekly emails have been sent to the Department of Lands in regards to the matter.

This is an ongoing project and the land resumption of part of Lot 20, Totadgin Hall Road is currently before the Minister for Lands."

The CEO further informed Council that correspondence had been received in today's mail from the Department which indicated an extension of a further 6 months to 4 August 2016 has been granted on the Notice of Intention to Take under Section 170(8) of the *Land Administration Act 1997*.

Greg Powell left the meeting at 3.39pm and returned to the meeting at 3.40pm.

4. Election of Delegates and Deputy Delegates to Committees

The appointment of delegates and deputy delegates to Committees occurred at Council’s October 2015 meeting however given there is now a full complement of Elected Members Council chose to review the Committee delegates.

In accordance with Section 5.10 of the *Local Government Act 1995*, a Councillor is entitled to be a member on any committee of their choice, even though that may exceed the quorum. Additionally, the Shire President is entitled to be a member on any committee of their choice, even though that may exceed the quorum. The Chief Executive Officer is entitled to be on (or appoint a representative to) any committee having employee representation.

In respect the Deputy Delegates, Council protocol appoints the Councillors who are not members to the committee as Deputy Delegates to enable their attendance and participation in committee meetings to ensure quorums.

Council Policy 1.19 – Election of Committees and Representatives is applicable.

The current Committees and relevant delegates, as of October 2015, are detailed on the following pages.

4.1	Shire of Merredin Audit Committee
Current Members:	Cr Hooper, Cr Anderson, Cr Flockart, Cr Young
Deputies:	All other Councillors
Membership:	4 Councillors
Quorum:	3 Councillors
Purpose:	<p>Regulation 16 of the <i>Local Government (Audit) Regulations 1996</i> states:</p> <p><i>“An audit committee —</i></p> <p><i>(a) is to provide guidance and assistance to the local government —</i></p> <p><i>(i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and</i></p> <p><i>(ii) as to the development of a process to be used to select and appoint a person to be an auditor;</i></p> <p><i>and</i></p> <p><i>(b) may provide guidance and assistance to the local government as to —</i></p> <p><i>(i) matters to be audited; and</i></p> <p><i>(ii) the scope of audits; and</i></p> <p><i>(iii) its functions under Part 6 of the Act; and</i></p> <p><i>(iv) the carrying out of its functions relating to other audits and other matters related to financial management;</i></p> <p><i>and</i></p>

Purpose (cont):	<i>(c) is to review a report given to it by the CEO under regulation 17(3) (the CEO's report) and is to – (i) report to the council the results of that review; and (ii) give a copy of the CEO's report to the council."</i>
Meeting Cycle:	At least once annually to recommend adoption of the Annual Report and Compliance Audit Return, and twice bi-annually to recommend adoption of the CEO's Report.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Willis

81720 That, in accordance with Sections 5.10, 5.11A and 7.1A of the *Local Government Act 1995*, Councillors Hooper, Anderson, Flockart and Young remains as delegates on the Shire of Merredin Audit Committee, with all other Councillors appointed as Deputies.

CARRIED BY ABSOLUTE MAJORITY 8/0

Refer to Page 23 for Council's resolution on the following Items 4.2 to 4.13.

4.2 Shire of Merredin Bush Fires Advisory Committee	
Current Members:	Cr Flockart
Deputies:	All other Councillors
Membership:	1 Councillor and Fire Control Officers
Quorum:	3 Members
Purpose:	To enable the communication and coordination of bush fire related matters within the Shire
Meeting Cycle:	Ad hoc

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995* and Section 67 of the *Bush Fires Act 1954*, Councillor _____ be appointed as delegate to the Shire of Merredin Bush Fires Advisory Committee, with all other Councillors appointed as Deputies.

4.3 Eric Hind Scholarship Committee	
Current Members:	Cr Blakers
Deputies:	All other Councillors
Membership:	1 Councillor and 2 community members
Quorum:	3 Members
Purpose:	To award the Eric Hind Music Scholarship as per Council Policy 3.10
Meeting Cycle:	Once annually

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor _____ be appointed as delegate to the Eric Hind Scholarship Committee, with all other Councillors appointed as Deputies.

4.4	Shire of Merredin Local Emergency Management Committee (LEMC)	
Current Members:	Cr Hooper, Chief Executive Officer	
Deputies:	All other Councillors	
Membership:	Shire of Merredin	Shire President (Chair)
	Shire of Merredin	Chief Executive Officer
	WA Police	Officer in Charge
	WA Police	Supervisor
	Dept for Child Protection & Family Support	District Emergency Services Officer
	Department of Parks and Wildlife	Regional Wildlife Officer
	SEMC Secretariat	Community Emergency Management Officer
	Merredin Volunteer Bushfire Brigades	Chief Bushfire Control Officer
	Merredin Volunteer Fire and Rescue Service	Brigade Captain
	Merredin Volunteer Fire and Rescue Service	Brigade Lieutenant
	Mental Health Services	District Manager
	China Southern WA Flying College	General Manager
	Merredin Hospital	Nurse Manager
	Merredin Hospital	Hospital Services Manager
	Primary Health Eastern	Manager
	Disability Services Commission	Local Area Coordinator
	Disability Services Commission	District Manager Midlands
Water Corporation	Operations Manager	
Department of Agriculture & Food	Local Manager	
Western Power	Operations Manager	

Membership (cont.):	Main Roads WA Local Manager St John Ambulance Sub-Branch Manager
Quorum:	N/A
Purpose:	Regulation 39 of the <i>Emergency Management Act 2005</i> states: <i>“The functions of a local emergency management committee are, in relation to its district or the area for which it is established —</i> <i>(a) to advise and assist the local government in ensuring that local emergency management arrangements are established for its district;</i> <i>(b) to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and</i> <i>(c) to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.”</i>
Meeting Cycle:	Quarterly

Voting Requirements

Simple Majority

Absolute Majority

Officer's Comment

It is proposed to change the representation on this Committee thus allowing the President and CEO to focus on their other responsibilities. It is suggested that Councillor Flockart would be an appropriate delegate to the LEMC as he has a keen interest in fire management and emergency services. Similarly, the Shire's new Ranger, Kim Friis, has extensive knowledge and experience in emergency management.

The President and CEO will still be responsible for the LEMC by virtue of their positions within the organisation, however it is suggested that the day-to-day administrative duties can be best handled with other representation.

Officer's Recommendation

That, in accordance with Section 5.10s and 5.11A of the *Local Government Act 1995*, Councillor Flockart be appointed as delegate to the Shire of Merredin Local Emergency Management Committee, with all other Councillors appointed as Deputies, and the Ranger be appointed as Chair.

4.5	Western Australian Local Government Association (WALGA) Great Eastern Country Zone (GECZ)
Current Members:	Cr Hooper, Cr Willis
Deputies:	Cr Crees
Membership:	Shires of Bruce Rock, Cunderdin, Dowerin, Kellerberrin, Kondinin, Koorda, Merredin, Mt Marshall, Mukinbudin, Narembeen, Nungarin, Tammin, Trayning, Westonia, Wyalkatchem and Yilgarn
Quorum:	8
Purpose:	<ol style="list-style-type: none">1. To provide a united voice for Local Governments in the GECZ;2. To work collectively to enhance the sustainable social, environmental and economic development of the GECZ at strategic and project levels;3. To promote the profile of Local Government within the region encompassed within the GECZ;4. To speak on behalf of Local Governments in the GECZ;5. To elect, nominate and appoint Committees and representatives of the Zone to other organisations,6. To enter into agreements, formal or informal, with organisations having similar aims and objectives,7. To represent the views of Local Governments within the GECZ at the State Council of the Association;8. To do all and any such other things as in the opinion of the Zone may conveniently be carried on by the Zone or which promote or assist or are incidental or conducive to the attainment of these objects or any of them, or anything considered beneficial to the Zone; and9. To use the property and income of the Zone solely for the promotion of the objects or purposes of the Zone. No part of the property or income of the Zone may be paid or otherwise distributed, directly or indirectly, to members of the Zone, except in good faith in the promotion of those objects or purposes.
Meeting Cycle:	Generally on the Thursday prior to State Council meetings or as otherwise agreed from time to time

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor _____ and Councillor _____ be appointed as delegates to the Western Australian Local Government Association Great Eastern Country Zone, with Councillor _____ appointed as Deputy.

4.6 Wheatbelt East Regional Organisation of Councils (WEROC)	
Current Members:	Cr Hooper
Deputies:	Cr Crees
Membership:	Shires of Bruce Rock, Kellerberrin, Merredin, Westonia and Yilgarn
Quorum:	3
Purpose:	<ol style="list-style-type: none"> 1. To endeavour to carry out the Regional Purposes in a manner which enhances and assists in the advancement of the region; 2. To form a strategic alliance for the retention of infrastructure, community services and population, increased funding for development and maintenance/improvement of local road networks, economic development initiatives, promotion and marketing initiatives, retention of health services, salinity and environment and general local government industry issues; 3. To encourage cooperation and resource sharing on a regional basis; and 4. Not to detract from the relationships an individual Shire holds within its community, with the State and Federal governments and other entities it interacts with in the course of usual business.
Meeting Cycle:	WEROC Council & Executive alternate monthly meetings

Voting Requirements

Simple Majority
 Absolute Majority

Officer's Comment

In accordance with Sections 5.1(a)&(b) of the WEROC MoU, the President and CEO of the Participant are members of WEROC. The Participant may appoint one elected member and one officer as a deputy who are able to attend meetings and temporarily act in place of either member. Therefore, Councillor Hooper must retain his appointment to WEROC however Council may wish to consider appointing another Councillor as Deputy.

Officer's Recommendation

That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, the Shire President, Councillor Hooper, be appointed as delegate to the Wheatbelt East Regional Organisation of Councils with Councillor _____ appointed as Deputy.

4.7 Wheatbelt North (WBN) Regional Road Group (RRG)	
Current Members:	Cr Crees
Deputies:	Cr Willis
Membership:	Shires of Chittering, Cunderdin, Dalwallinu, Dandaragan, Dowerin, Gingin, Goomalling, Kellerberrin, Koorda, Merredin, Moora, Mt Marshall, Mukinbudin, Northam, Nungarin, Tammin, Toodyay, Trayning, Victoria Plains, Westonia, Wyalkatchem, Wongan-Ballidu, Yilgarn and York
Quorum:	N/A
Purpose:	The WBN RRG is provided with State funding from a number of categories contained within the State Road Funds to Local Government Agreement with the RRG able to prioritise, allocate and approve its funding to specific local road projects.
Meeting Cycle:	Twice annually

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor _____ be appointed as delegate to the Wheatbelt North Regional Road Group with Councillor _____ appointed as Deputy.

4.8	Great Eastern District Operational Advisory Committee – Bush Fire Service WA
Current Members:	Cr Flockart
Deputies:	N/A
Membership:	Chief Bush Fire Control Officers or Deputy Chief Bush Fire Control Officers and the Chief Executive Officer or delegate from the Shires of Bruce Rock, Kellerberrin, Koorda, Merredin, Mt Marshall, Mukinbudin, Narembeen, Nungarin, Tammin, Trayning, Westonia and Yilgarn
Quorum:	5 local governments
Purpose:	<ol style="list-style-type: none"> 1. To represent and protect the interests of the Local Governments, Volunteer Bush Fire Brigades and Volunteers within those Local Governments. As a representative committee, provide advice, direction and develop recommendations for fire management in the functional areas of Equipment, Training, Prevention, and Operational Preparation and Response. 2. Identify strategic directions for the region through representation on the Volunteer Bush Fire Brigade Advisory Committee, Volunteer Vehicle and Equipment Advisory Committee, Volunteer Firefighting Training Advisory Group and other State, Regional and Operational Committees as may be formed.
Meeting Cycle:	At least twice per year

	Voting Requirements
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Simple Majority

Absolute Majority

Officer's Recommendation

That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor _____ be appointed as delegate to the Great Eastern District Operational Advisory Committee – Bush Fire Service WA with Councillor _____ appointed as Deputy.

4.9 Merredin Land Conservation District Committee	
Current Members:	Cr Flockart
Deputies:	N/A
Membership:	1x representative of the Commissioner of Soil and Land or their nominee 1x Councillor for the Shire of Merredin 3x representatives of the Western Australian Farmers Federation Inc. and 10x persons who are actively engaged in, affected by or associated with, land use in the District.
Quorum:	A majority of members constitutes a quorum
Purpose:	To manage activities within in the Merredin Land Conservation District including undertaking land conservation works, promoting soil conservation programs and providing advice to the Department of Agriculture and Feed WA on land use issues.
Meeting Cycle:	As required

Voting Requirements

Simple Majority

Absolute Majority

Officer's Comment

In accordance with AG402 as published in the Government Gazette edition 117 dated 28 July 2015, Councillor Flockart is appointed as Council's representative on the Merredin Land Conservation District Committee. Members of the Committee will hold office for a 3 year term expiring on 24 July 2018. Therefore, Councillor Flockart must retain his representation on this Committee however Council may wish to consider appointing another Councillor as Deputy.

Officer's Recommendation

That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995* and Sections 22 and 23 of the *Soil and Land Conservation Act 1945*, Councillor Flockart be appointed as delegate to the Merredin Land Conservation District Committee with Councillor _____ appointed as Deputy.

4.10 Merredin Local Health Advisory Group (LHAG)	
Current Members:	Cr Blakers
Deputies:	Cr Young
Membership:	<p>The LHAG membership should reflect and have the capacity to represent community and consumer diversity.</p> <p>Membership should be drawn from, but not limited to, consumers, local government and health related professionals and agencies. The Health Service Manager will be a member. Number of members for Merredin LHAG is 6 – 10.</p>
Quorum:	5 members
Purpose:	<p>To provide a forum for:</p> <ul style="list-style-type: none">• ongoing communication and interaction between WA Country Health staff and community members; and• development of workable solutions for local health service related issues.
Meeting Cycle:	Bi-monthly

Voting Requirements

Simple Majority

Absolute Majority

Officer's Comment

The LHAG is currently in hiatus, as being able to attract community interest and members to the Group has proven difficult.

However, as local health services are important to our community it is recommended that Councillor representation on the LHAG be maintained so that in the event the LHAG recommences a Councillor appointment is already known.

Officer's Recommendation

That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor _____ be appointed as delegate to the Merredin Local Health Advisory Group Committee with Councillor _____ appointed as Deputy.

4.11	Mid-West/Wheatbelt (Central) Joint Development Assessment Panel (DAP)
Current Members:	Cr Hooper, Cr Crees
Deputies:	Cr Young
Membership:	Shires of Beverley, Boddington, Brookton, Bruce Rock, Carnamah, Chapman Valley, Chittering, Coolgardie, Coorow, Corrigin, Cuballing, Cue, Cunderdin, Dalwallinu, Dandaragan, Dowerin, Dumbleyung, Dundas, Esperance, Greater Geraldton, Gingin, Goomalling, Irwin, Kalgoorlie-Boulder, Kellerberrin, Kondinin, Koorda, Kulin, Lake Grace, Laverton, Leonora, Merredin, Meekatharra, Menzies, Mingenew, Moora, Morawa, Mt Magnet, Mt Marshall, Mukinbudin, Murchison, Narembeen, Narrogin, Ngaanyatjarraku, Northam, Northampton, Nungarin, Pingelly, Quairading, Ravensthorpe, Sandstone, Tammin, Three Springs, Toodyay, Trayning, Victoria Plains, Wagin, Wandering, West Arthur, West Arthur, Westonia, Wickpin, Williams, Wiluna, Wongan-Ballidu, Wyalkatchem, Yalgoo and Yilgarn.
Quorum:	3 members
Purpose:	To determine development applications within a certain type and value threshold.
Meeting Cycle:	As required – DAP’s only meet when there is a DAP application to determine. Local government representatives will only sit on the panel when the application(s) being determined by the panel have been made under their local planning scheme.

Voting Requirements

- Simple Majority
 Absolute Majority

Officer’s Comment

Regulation 29 of the *Planning and Development (Development Assessment Panels) Regulations 2011* states that a DAP member holds office for the term specified in the member’s instrument of appointment, therefore the current members’ term expires on 26 April 2017. Advice from the Department of Planning indicates that as the current members have already been nominated and their appointment accepted by the Minister, it is not necessary for a second Alternate Member to be nominated. Therefore it is recommended that no additional nomination be made.

Officer’s Recommendation

That a second Alternate Member for the Shire of Merredin on the Mid-West/Wheatbelt (Central) Joint Development Assessment Panel not be appointed at this time.

4.12 Skeleton Weed Local Action Group (LAG)	
Current Members:	Cr Flockart
Deputies:	Cr Willis
Membership:	Shires of Merredin, Nungarin and Trayning
Quorum:	5 members
Purpose:	<ol style="list-style-type: none">1. Promote awareness of the locations of known skeleton weed infestations;2. Discuss the management and eradication techniques described in the Skeleton Weed Best Practice Guidelines;3. Share knowledge on the success/failure of alternative management techniques for skeleton weed;4. Coordinate searching where appropriate;5. Discuss issues and provide information and recommendations on future program to GIMC;6. Provide input into management of local non-compliance issues; and7. Formulate a local/regional strategy to deal with skeleton weed within the framework of the State-wide program
Meeting Cycle:	2-3 times per annum

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor _____ be appointed as delegate to the Skeleton Weed Local Action Group with Councillor _____ appointed as Deputy.

4.13 General Community Committees

Voting Requirements

Simple Majority

Absolute Majority

Officer's Comment

There are a number of community committees which have Councillor representation and these, along with the current representative, are listed below:

Committee	Council Representative
Museum and Historical Society	Cr Blakers
Merritville Retirement Village	Cr Anderson
MADCAPS Child Care Centre	Cr Blakers
Rural Water Council	Cr Crees, Cr Flockart
Doorways	Cr Crisafio
Merredin Heritage Committee	Cr Blakers
Merredin Residential College	Cr Crees
Wheatbelt Agcare Family Counselling	Cr Blakers

These Committees are functional and meeting regularly hence it would be appropriate for Council to consider appointing representative(s) to those Committees.

Officer's Recommendation

That:

1. Councillor _____ be appointed to the Museum and Historical Society Committee;
2. Councillor _____ be appointed to the Merritville Retirement Village Committee;
3. Councillor _____ be appointed to the MADCAPS Child Care Centre Committee;
4. Councillor _____ be appointed to the Rural Water Council;
5. Councillor _____ be appointed to the Doorways Committee;
6. Councillor _____ be appointed to the Merredin Heritage Committee;
7. Councillor _____ be appointed to the Merredin Residential College Committee;
and
8. Councillor _____ be appointed to the Wheatbelt Agcare Family Counselling Committee.

Resolution

Moved: Cr Blakers

Seconded: Cr Young

81721 That, in accordance with Section 5.10s and 5.11A of the *Local Government Act 1995*, Committee membership and Council Delegates be those as listed in Items 4.2 to 4.13 from October 2015 with the exception of:

1. Item 4.4 Local Emergency Management Committee to be Councillor Flockart appointed as Chair and the Senior Ranger, Mr Kim Friis; and
2. Item 4.13 MADCAPS Child Care Centre to be Councillor Boehme.

CARRIED BY ABSOLUTE MAJORITY 8/0

5. Disclosure of Interest

Councillor Boehme declared a Proximity Interest in Item 13.3.

Rebecca McCall declared a Financial Interest in Item 14.1.

6. Applications for Leave of Absence

Councillor Flockart requested Leave of Absence for the March Council meeting.

Councillor's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Boehme

81722 That Councillor Flockart be granted Leave of Absence for the March 2016 Council Meeting.

CARRIED 8/0

7. Petitions and Presentations

Nil

8. Confirmation of Minutes of the Previous Meeting

8.1 Ordinary Council Meeting held on 19 January 2016
Attachment 8.1A

8.2 Annual Electors Meeting held on 9 February 2016
Attachment 8.2A

Officer's Recommendation / Resolution

Moved: Cr Anderson

Seconded: Cr Boehme

81723 That the Minutes of the Ordinary Council Meeting held on 19 January 2016 and the Annual Electors Meeting held on 9 February 2016 be confirmed as a true and accurate record of proceedings.

CARRIED 8/0

9. Announcements by the Person Presiding without discussion

Nil

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

Nil

11. Receipt of Minutes of Committee Meetings

11.1 Local Emergency Management Committee (LEMC) Meeting held on 3 February 2016
Attachment 11.1A

11.2 WEROC Executive Meeting held on 3 February 2016
Attachment 11.2A

- 11.3 GECZ Executive Meeting held on 4 February 2016
Attachment 11.3A

Officer's Recommendation / Resolution

Moved: Cr Blakers **Seconded:** Cr Willis

- 81724** That the minutes of the Local Emergency Management Committee Meeting held on 3 February 2016, the WEROC Executive Meeting held on 3 February 2016 and the GECZ Executive Meeting held on 4 February 2016 be received.

CARRIED 8/0

12. Recommendations from Committee Meetings for Council consideration

- 12.1 Approval of Emergency Management and Recovery Plans

Note the Plans were included as an appendix to the LEMC Minutes at 11.1 above

Committee Resolution

Moved: G Doncon **Seconded:** G Rennie

That the Shire of Merredin Emergency Management and Recovery Plan as attached be approved and the Merredin LEMC recommend to Council that the Plan be endorsed.

CARRIED

Officer's Recommendation / Resolution

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

- 81725** That the Emergency Management and Recovery Plans be endorsed and provided to the District Emergency Management Committee for information purposes.

CARRIED 8/0

13. Officer's Reports - Development Services

13.1 Nangeenan Hall – Lot 155 Cahill Street, Nangeenan – Notice – Unfit for Human Habitation and Disused Materials Removal

Development Services



Reporting Officer:

John Mitchell, EMDS

Author:

John Mitchell, EMDS; Rebecca Bowler, EHO

Legislation:

Health Act 1911; Shire of Merredin Health Local Laws 1999; Health (Treatment of Sewerage and Disposal of Effluent and Liquid Waste) Regulations 1974; Local Government Act 1995 Section 3.25

File Reference:

CM/09/01; A6511

Disclosure of Interest:

Nil

Attachments:

Attachment 13.1A – Photographs from site visit 29 January 2016

Maps / Diagrams:

Nil

Purpose of Report

Executive Decision



Legislative Requirement

Background

In 2002 a Heritage MoU was signed by the Shire and Mr William Badger regarding the welfare and upkeep of Nangeenan Hall (the Hall), Lot 155 Cahill Street, Nangeenan.

The MoU signed by Mr Badger has not been enforced by the Administration and in the opinion of the EMDS the Hall is now beyond economical repair.

Mr Badger has not upheld the terms of the MoU and the building continues to deteriorate to create a currently unliveable environment, and despite repeated requests by staff to address the condition, the Hall is currently unfit for human habitation.

It is doubtful that the MoU could have been enforced other than through a civil court action. This course of action would have been an expensive proposition considering the value of the sale of the Hall to Mr Badger was \$3,500.

Mr Badger is currently in hospital. All affairs and dealings with the Shire are via a relative.

Comment

Environmental Health Officers (EHO) Rebecca Bowler and Ken Lowth carried out an inspection of Nangeenan Hall on Tuesday 6 March 2012. The inspection highlighted the following issues:

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

The *Health Act 1911* provides that:

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

A Schedule of Works was issued in conjunction with a letter. The pictures below detail the general condition of the above statements:



The EHO, Rebecca Bowler, and Building Project Manager, Mr John Gearing, carried out an inspection on 7 April 2014, to find that the issues mentioned above had not been resolved. A letter was issued to Mr Badger in May 2014 asking again that he address the outstanding issues of non-compliance.

A further letter was issued to Mr Badger on 7 December 2015 indicating that the Shire intended to declare the building unfit for human habitation in January 2016 under Section 135 of the *Health Act 1911 – 1979 (as amended)*.

The most recent inspection of the Hall was carried out on 29 January 2016 by Mr Kim Friis, Senior Ranger, and Rebecca Bowler with photographs taken which are included in the attachment. As a result a Section 3.25 *Local Government Act 1995* notice will be issued addressing the need to remove disused items/materials, over grown vegetation and car bodies. A House Unfit for Human Habitation Notice under Section 135 of the *Health Act 1911* is also to be issued.

The EMDS wrote to Mr Badger's relative on 25 January 2016 indicating the Development Services' intention to advise Council in February 2016 that the Hall is unfit for human habitation, structurally unsound and that notices for clean-up and demolition will likely be issued as a result. Mr Badger's representatives are to meet with the EMDS on 14 February 2016 onsite. As of 29 January 2016 there has been further deterioration to the condition of the building.

Policy Implications

Nil

Statutory Implications

Declaration that the Hall be unfit for human habitation in accordance with the *Health Act 1911* will result in the rates being adjusted in accordance with the review carried out by the Valuer General's Office following the declaration that the building is unfit for human habitation.

The issue of a Section 3.25 notice under the *Local Government Act 1995* for the removal of disused materials, overgrown vegetation and car bodies may result in the Shire of Merredin complying with the order and seeking compensation pursuant to the provisions of the *Local Government Act 1995*.

Strategic Implications

Service Area: 3.1 Environmental Health

Activities: Property compliance

Link to Vision: Liveable

Link to Strategic Priorities: Nil

Service Level: Property compliance and nuisance investigations on request

Service Level Change: No service level change

Service Area: 3.2 Building Regulation

Activities: Building compliance

Link to Vision: Liveable

Link to Strategic Priorities: Town enhancement

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

Service Area: 3.6 Local Law Administration
Activities: Health
Link to Vision: Liveable
Link to Strategic Priorities: Nil
Service Level: Nil
Service Level Change: Nil

Sustainability Implications

➤ [Asset Management Plan](#)

Nil

➤ [Long Term Financial Plan](#)

Nil

➤ [Workforce Plan](#)

Nil at this time

Risk Implications

There are risks associated with public safety on the site as well as OSH implications when staff are on site.

Financial Implications

If Council is required to complete the terms of the notices issued, the costs to demolish the building are the vicinity of \$20,000 - \$25,000. Pursuant to Section 140 of the *Health Act 1911* the local authority is able to recover those costs from the owner.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Boehme

81726 That the issuing of the following notices under delegated authority to the owner of Assessment 6511 be noted:

1. a Section 135 *Health Act 1911 – 1979 (as amended)* notice declaring the stone and brick walled, timber floored, iron rooved building on Lot 155 Cahill Street, Nangeenan unfit for human habitation from 12 February 2016;
2. a Section 3.25 *Local Government Act 1995* notice requiring that all disused materials, car bodies, loose timber, galvanised iron and general junk be removed from Lot 155 Cahill Street, Nangeenan within 30 days of the date of that notice; and

3. a Section 139 *Health Act 1911 – 1979* Notice requiring the upgrade of the building on Lot 155 Cahill Street, Nangeenan to the requirements of the Shire of Merredin Health Local Laws – clause 3.1.1 with all works to be compliant with the requirements of the National Construction Code of Australia 2015 be issued, if necessary, at the end of May 2016.

CARRIED 6/2

13.2 Lot 252 Duff Street, Merredin – Declaration of House Unfit for Human Habitation

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	As above
Legislation:	<i>Health Act 1911-1979 (as amended); Shire of Merredin Health Local Laws; Building Act 2011</i>
File Reference:	A1106
Disclosure of Interest:	Nil
Attachments:	Nil
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

In early October 2015 during storms the roof on the dwelling situated on Lot 252 Duff Street, Merredin collapsed rendering the building unsafe.

A drive-by inspection by the EMDS on 11 October 2015 revealed the extent of the damage. Subsequently a letter was sent to the owner seeking information on the direction he was intending to take to remediate the building.

The photos below highlight the deteriorating condition of the building.



The walls on the west and east side are collapsing and daylight can be seen through the eaves and into the roof space from the front veranda.

Building materials are on site for repair though the owner is reluctant to comply with the required statutory process. A further meeting is proposed for Thursday 11 February 2016 to address the need for plans and then confirm those comments in writing. A further verbal report will be provided to the February 2016 Council meeting.

Comment

In early December 2015 the owner submitted rough sketches of the proposed works to be undertaken which the EMDS returned advising that a specification of works was required and that a structural engineer needed to provide a statement of structural stability for the works and that the plans must be of reasonable quality.

Due to cost the owner has declined to use a draftsman or obtain an engineering clearance for the works.

Subsequently the EMDS met with the owner on site in late December 2015 in an attempt to persuade the owner to fence the property and to commence some remedial works to address the deteriorating condition.

The owner approached a draftsman and has declined to accept the quotation offered to complete the required plans.

The matter has been addressed since October 2015 and still poses a real risk to persons. The owner has an extreme reluctance to comply with the *Building Act 2011* and to quickly make the building safe.

Policy Implications

Nil

Statutory Implications

The *Health Act 1911* permits a local authority to prepare and implement local laws dealing with the maintenance of houses and clause 3.1.1(a) requires that the owner maintain all rooves, gutters and downpipes in sound weatherproof condition.

The *Building Act 2011* Section 9 requires that the person doing building works must have in effect a building permit over those building works.

The site is open to the public and there is a real risk that children may enter the site.

Section 140 of the *Health Act 1911 – 1979 (as amended)* permits the local authority to complete the works if the owner declines to comply and can recover those costs in accordance with the provisions contained therein.

Strategic Implications

Service Area: 3.1 Environmental Health

Activities: Property compliance

Link to Vision: Liveable

Link to Strategic Priorities: Nil

Service Level: Property compliance and nuisance investigations on request

Service Level Change: No service level change

Sustainability Implications

➤ [Asset Management Plan](#)

Nil

➤ [Long Term Financial Plan](#)

Nil

➤ [Workforce Plan](#)

Nil

Risk Implications

There are risks associated with public safety on the site as well as OSH implications when staff are on site.

Financial Implications

If Council is required to complete the terms of the notices issued, the costs to demolish the building are the vicinity of \$20,000 - \$25,000. Pursuant to Section 140 of the *Health Act 1911* the local authority is able to recover those costs from the owner.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Crisafio

- 81727**
1. That Council resolves to declare the timber framed, timber floored, tiled rooved, weatherboard clad green rooved and white walled building on Lot 252 Duff Street, Merredin unfit for human habitation effective from 20 February 2016;
 2. That the owner of Lot 252 Duff Street, Merredin be required to provide to Council plans of the proposed upgrade of the dwelling situated on Lot 252 Duff Street, Merredin pursuant to Clause 139 of the *Health Act 2016* or advise Council of the proposed demolition date of the balance of the building within 30 days of the date of that correspondence; and
 3. If the owner declines to comply with the required legal process for the repairs that the Administration issue a Section 137 *Health Act 1911 – 1979 (as amended)* notice requiring that the dwelling be demolished and removed to the landfill site within 30 days of that written notice.

CARRIED 8/0

Councillor Boehme declared a Proximity Interest in this item and left the meeting at 4.00pm.

13.3 Lot 1338 Chandler-Merredin Road, Merredin – Removal of Sea Containers from Land

<h2>Development Services</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Reporting Officer:	John Mitchell, EMDS	
Author:	As above	
Legislation:	<i>Building Act 2011 Section 110</i>	
File Reference:	A3423	
Disclosure of Interest:	Nil	
Attachments:	Attachment 13.3A - Correspondence	
Maps / Diagrams:	Nil	

Purpose of Report

Executive Decision

Legislative Requirement

Background

During May 2015 the EMDS noticed that two sea containers had been placed at the rear of Lot 1338 Chandler-Merredin Road, Merredin, a special residential zoned property within the Whitfield Way environs, contrary to the requirements of Section 9 of the *Building Act 2011*.

Lot 1338 Chandler-Merredin Road, Merredin is within the town boundaries and the *Building Act 2011* requires that plans for construction of an outbuilding be submitted to the Permit Authority.

Comment

The EMDS approached the owners whom subsequently submitted an application for construction of an outbuilding and carport style structure which Council consented to pursuant to the Local Planning Scheme No. 6 (planning consent).

Recent inspections have shown that the sea containers are still insitu and liaison with the building contractor who was appointed to commence the works determined that at this time no direction to commence had been given by the owner.

Policy Implications

The owners were advised verbally and in writing that sea containers would not be granted planning consent for placement in special residential areas as it was contrary to the Shire of Merredin Local Planning Policy No. 9 regarding the placement of sea containers.

Statutory Implications

The *Building Act 2011* (the Act) Section 9 requires that a person who is to commence building works must obtain a building permit from a permit authority – in this instance the Shire of Merredin.

No application has been received and it is now proposed to commence the process for removal of the sea containers from the property pursuant to Section 110 of the Act which permits the permit authority to issue a building order to demolish, dismantle or remove a building or incidental structure that has been, or is being, built or occupied in suspected contravention of a provision of the Act.

Strategic Implications

Service Area: 3.2 Building Regulation

Activities: Building permits

Link to Vision: Liveable

Link to Strategic Priorities: Nil

Service Level: Building permits processed; building inspections as required; meet all legislated requirements

Service Level Change: No service level change

Sustainability Implications

➤ [Asset Management Plan](#)

Nil

➤ [Long Term Financial Plan](#)

Nil

➤ [Workforce Plan](#)

Nil

Risk Implications

Nil

Financial Implications

The issuing of the Section 110 Order permits the local authority to perform the works if, at the completion of the order time period, the person to whom the order was issued has not complied with the order.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Flockart

Seconded: Cr Young

81728 That the issue of a Section 110 Building Act 2011 order under delegated authority on the owner of Lot 1338 Chandler-Merredin Road, Merredin (A3423 Whitfield Way environs) to remove two sea containers from the site within 30 days of the order be noted.

CARRIED 7/0

Councillor Boehme returned to the meeting at 4.03pm.

13.4 Lot 5 Todd Street Merredin – Oversize and Height Outbuilding Application – R Codes Relaxation

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	As above
Legislation:	<i>Planning & Development Act 2005; Planning & Development Regulations 2015; Shire of Merredin Local Planning Policy - Outbuildings</i>
File Reference:	A3168
Disclosure of Interest:	Nil
Attachments:	Attachment 13.4A – Plans/Drawings
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision



Legislative Requirement

Background

An application to erect a 192m² 4.4m ridge height steel framed and steel rooved vehicle shelter on Lot 5 Todd Street, Merredin has been received.

Lot 5 Todd Street, Merredin is zoned residential with an area of 1980m². Pursuant to the Outbuilding Policy a total area of outbuildings permitted is 202m² with a single building area of 130m².

The purpose is to store work vehicles when not in use.

The application also includes the placement of a carport to the east side of the dwelling situated within the front setback area with a 2m setback.

Comment

Council previously consented to a replacement garage with a floor area of 138m² with a mezzanine floor within the Lot. In addition, the EMDS has advised the applicant that Council would not consider the installation of dome structures of a similar size due to aesthetics.

The applicant has removed the operation of a wood lopping business from Solomon Street, Merredin where the vehicles were parked and associated activities occurred, creating noise complaints, to the rear of the residential premise.

This appears to be a trend nowadays due to increased legal workplace compliance and operational costs for the majority of businesses to operate as a broadly defined “Home Based Business” and utilise the home office to receive work requests.

With respect to the proposed carport to the front of the setback area the R Codes permit a setback of 4m for the zone for R30 and 7.5m for a R10 zone. As Todd Street is both sewered and unsewered the higher zoning for this application has been taken.

The Codes permit a 50% relaxation to the setback of a carport providing the width does not exceed 1/3 of the width of the dwelling and a setback of 2m is achieved.

The applicant seeks to use the area for vehicle parking with direct access to the street via a second driveway installed at the owner’s expense.

Policy Implications

In total there will be 232m² of outbuildings within the property. With a lot size of 1,980m² the minimum open space requirements are still met.

The height restriction is exceeded however is not considered excessive. R Codes permit a maximum height of 6m for R30 zonings.

The extensive nature of roof may cause reflection and glare issues and a condition of approval should be that a coloured roof shall be installed on the large vehicle storage carport structure. The plans reflect this requirement.

Statutory Implications

Planning consent is required as the proposed construction is outside the provisions of the R Codes and the policy limits the Building Surveyors delegated authority to 202m² and apex of 3.9m.

Strategic Implications

Service Area: 3.3 Town Planning

Activities: Process Development Applications

Link to Vision: Liveable

Link to Strategic Priorities: Built Heritage; Town Enhancement

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

Service Level Change: Nil

Sustainability Implications

➤ Asset Management Plan

Nil

➤ Long Term Financial Plan

Nil

➤ Workforce Plan

Nil

Risk Implications

Nil

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Young

81729 That the application to erect a 192m² outbuilding at the rear of Lot 5 Todd Street, Merredin comprising a colorbond (light coloured not zinalume) roof with a ridge height of 4.4m and a carport within the front setback area of Lot 5 Todd Street, Merredin as per plans from Wayne's Design & Drafting Job No. 15023 dated January 2016 Sheets 1 – 6 of 6 be approved with advice to the applicant that the rooves shall be a light coloured colorbond finish and that no further outbuilding applications will be accepted.

CARRIED 7/1

13.5 Reserve 29700 - Sale

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	As above
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Reserve 29700
Disclosure of Interest:	Nil
Attachments:	Attachment 13.5A - Correspondence & Locality Plan
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Reserve 29700 (Hunts Dam), of approx. 26Ha, is located approximately four kilometres from the town site on Chandler Road towards the landfill site and is located on the east side of the road.

The Reserve is vested with the Shire of Merredin as Public Recreation and is in poor condition. In a previous time the area comprised a BBQ area, seats and walk trails. Over time the site has lost significance and has dropped from the maintenance program of the Shire.

A written interest in the purchase of the Reserve has been received, though no reasons are given for the interest. A copy of the request appends. The EMDS has attended the address provided to discuss the matter and has been unable to contact the parties.

Comment

The process of sale of land by a local government is determined by Section 3.58 of the *Local Government Act 1995*.

The sale of land to an individual with conditions requires that where the individual breaches the agreements determined by the contract that civil action be commenced. This is an extreme cost and must be considered in any proposed arrangements to deal with a sale.

Generally, the Department of Lands will not support the sale of a public recreation reserve to the private sector for a variety of reasons, mainly access by the public related and also oppose leasing of land to individuals or groups. There is an avenue to request a disposal but specific and real reasons for the on sale must be given with the proceeds to be placed in a General Ledger (GL) Reserve account with separate financial audit.

Council would need to purchase the Reserve from the Department of Lands before it could be on-sold. While, as mentioned above, there is an avenue allowing that to occur, the process is lengthy and ultimately requires Ministerial approval.

Another option could be that the Minister of Lands be requested to amend the purpose of the Reserve to Conservation, thus allowing the site to stay as it is and provide a haven for the flora and fauna of the area.

Policy Implications

Nil

Statutory Implications

The issues relating to the unauthorised disposal of refuse within the Reserve have been referred to the Senior Ranger who will include the Reserve on an inspection route over the weekends that the officer is working.

The sale of land is governed by Section 3.58 of the *Local Government Act 1995* and the Crown Land Administration and Registration Practice manual.

Strategic Implications

Service Area: 3.4 Property Management

Activities: Nil

Link to Vision: Nil

Link to Strategic Priorities: Nil

Service Level: Nil

Service Level Change: Nil

Sustainability Implications

➤ [Asset Management Plan](#)

Maintenance of the Reserve is not included within the AMP specifically though there is budget for the Reserves in general terms.

➤ [Long Term Financial Plan](#)

Maintenance of the Reserve is not specifically included within the LTFP.

➤ [Workforce Plan](#)

Nil

Risk Implications

The Reserve is in poor condition. The BBQ facilities and rest areas are not advertised as available. There is a fire risk and pollution risk from the unauthorised disposal which is being addressed. There is a fire risk should the area be used during prohibited burning season which cannot be managed as staff are not present at all times the area is available to the public.

A further risk could be that, should the process to purchase the Reserve from the Department of Lands progress to the point where the land is Council owned, the prospective buyer may no longer be interested in the land, meaning Council is responsible for its upkeep.

Financial Implications

Any sale of the Reserve requires the funds to be placed in a GL Reserve account for the specific purpose of improvements to existing public recreation reserves.

Maintenance of the Reserve to a recreation standard will incur additional costs.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Flockart

Seconded: Cr Willis

81730 That Council decline the offer to purchase Reserve 29700 and gives instruction to the Administration to seek from the Minister of Lands a change in purpose on the Reserve from Public Recreation to Conservation.


CARRIED 8/0

John Mitchell left the meeting at 4.09pm and did not return.

14. Officer's Reports - Engineering Services

Rebecca McCall declared a Financial Interest in this item and left the meeting at 4.09pm.

14.1 Enterprise Bargaining Agreement – Outside Staff

<h2>Engineering Services</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Reporting Officer:	Greg Powell, CEO	
Author:	As above	
Legislation:	<i>Fair Work Act 2009; Fair Work Regulations 2009</i>	
File Reference:	P/12/3	
Disclosure of Interest:	Nil	
Attachments:	Nil	
Maps / Diagrams:	Nil	

Purpose of Report

Executive Decision

Legislative Requirement

Background

Council's workforce is government by a dual structure. The Administration and similar staff are paid under an award whilst the outside staff, or more particularly the parks and gardens and road construction and maintenance staff are under the direction of an Enterprise Bargaining Agreement (EBA).

The current EBA expires in June 2016.

Comment

The process for negotiation, agreement and approval of EBA's is governed by the above Act and associated Regulations under the direction of the Fair Work Commission. It is prescriptive in how EBA's are arrived at. It is necessary for the respective parties to form a committee to negotiate the content of the new agreement. Formal notice as prescribed by the Regulations was recently served on each and every relevant employee on nominating individuals, whether they be employees or union representatives, to represent them on a committee.

As Council will be required to adopt the final document, and it will be voted on by employees, prior to its registration, Council should nominate an elected member to the negotiating committee.

WALGA has advised that Councils have no formal role to play in EBA's, as they are concluded between the employer (CEO) and employees. It is appropriate that Council has a seat at the negotiating table so the elected body is informed as the negotiations progress. Other members representing Council in the past have been the CEO and EMES. It is suggested that these officers also be on the negotiating committee.

Policy Implications

Nil

Statutory Implications

In accordance with the *Fair Work Act 2009* and *Fair Work Regulations 2009* as outlined above.

Strategic Implications

Service Area: 5.4 Human Resources
Activities: Human Resource Services
Link to Vision: Developing; Liveable
Link to Strategic Priorities: Civic leadership; Key assets
Service Level: Workforce Plan in place
Service Level Change: No service level change

Sustainability Implications

➤ [Asset Management Plan](#)

Nil

➤ [Long Term Financial Plan](#)

Any negotiated increases in pay levels will affect the LTFFP.

➤ [Workforce Plan](#)

Minor amendments may be required in the WP to reflect the new EBA.

Risk Implications

There could be unforeseen risks should a new EBA not be in place.

Financial Implications

It is expected that the new EBA will have financial implications but the degree is yet to be known.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Flockart

81731 That Council nominate Councillors Crisafio and Young to the committee to negotiate an Enterprise Bargaining Agreement to be effective from 1 July 2016 or a later date as determined.

CARRIED BY ABSOLUTE MAJORITY 8/0

Rebecca McCall returned to the meeting at 4.12pm.

14.2 Wheatbelt Regional Grants Scheme – CBD Upgrade Stage One

Engineering Services



Reporting Officer:	Rebecca McCall, DCEO
Author:	As above
Legislation:	<i>Local Government Act 1995</i>
File Reference:	R/15
Disclosure of Interest:	Nil
Attachments:	Attachment 14.2A – CBD Upgrade Stage One
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Wheatbelt Regional Grants Scheme (WRGS) invests in projects which assist in attracting investment, increasing jobs and improving quality of life to improve economic and community infrastructure and services in the Wheatbelt region.

Funding is available to assist the development of infrastructure, services and community projects intended to build vibrant regions with strong economies.

The WRGS is administered by the Wheatbelt Development Commission as part of the Royalties for Regions Program.

The WRGS's broad objectives are to:

1. retain and build the benefits of regional communities;
2. support improved, relevant and accessible local services;
3. enable communities to deliver a sustainable economic and social future;
4. assist regional communities to prosper through increased employment, business and industry development opportunities; and
5. increase capacity for local strategic planning and decision-making.

Consideration will be given to all proposals that contribute toward achieving the objectives of the RGS.

It is proposed that the Shire of Merredin submit an application to enable the implementation of the CBD Upgrade Stage One.

Comment

In June 2009 a concept plan of the Merredin Town Centre upgrade was finalised. This multi-million dollar staged project is identified in the Corporate Business Plan as a strategic priority. The initiative is also highlighted as the number one project in the *Merredin 'Growing Our Community' An Economic Development and Implementation Strategy*. The project has not progressed as it is dependent on external funding.

Through the 2015 community consultation series it became apparent that the community still rated the CBD upgrade as a high priority, however did not see the value on expending millions of dollars on a redevelopment. The community emphasised its preference to review the original concept plan and implement a lower cost development to enhance the CBD.

It is proposed to apply for financial assistance through the WRGS to undertake a reviewed stage one of the CBD upgrade. The upgrade includes:

Works	Description	Cost
Kerbing renewal	3,000m @ \$22/metre	\$66,000
Asphalt renewal	22,000m ² @ \$13/metre	\$286,000
Surface repairs	Remove trees and tree roots – repair and compact	\$50,000
Line marking	Parking bays	\$20,000
Footpath	New construction (south side of Barrack Street)	\$70,000
CWVC lawn	Remove power pole and place power underground	\$10,000
Street furniture	Install 2 shelters – shade and seating	\$14,000
Disabled crossovers	Construct 3 pathways from carpark to street	\$3,000
Rubbish bin	Install 2 new rubbish bins	\$6,000
Landscaping		\$40,000
Apex Park/Olive Grove - access	Remove kerbing at access and asphalt	\$1,000
Contingency	10% of project	\$56,600
Total		\$622,600

The above works will greatly enhance the aesthetics of Barrack Street and will also increase the functionality of the CBD.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

Service Area: 2.3 Bitumen Road/Drainage Construction and Renewals

Activities: Construction of bitumen roads within the Shire

Link to Vision: Developing; Liveable

Link to Strategic Priorities: Key assets - roads

Service Level: Roads constructed in accordance with Council's police

Service Level Change: Improve CBD carpark and drainage

Sustainability Implications

➤ Asset Management Plan

The CBD public infrastructure is recognised in the AMP. The AMP will need to be updated to include the renewal and the addition of a new pathway and shaded seating. The lifecycle cost of the new infrastructure (pathway and shaded seating) will impact on the AMP long term.

➤ Long Term Financial Plan

Upon completing the renewal project, the CBD upgrade will not impact on the current LTFP as maintenance will be minimal over the next 10 year period.

➤ Workforce Plan

The majority of works for the CBD upgrade will be undertaken by contractors. The outside staff will be involved in some of the works. The project will be managed by the Shire of Merredin.

Risk Implications

If the application for WRGS is unsuccessful stage one of the CBD upgrade will not proceed. Stage one of the CBD upgrade will not pose any significant risk to Council.

Financial Implications

The financial implications regarding stage one of the CBD upgrade includes a total cost of \$622,600. The breakdown includes:

WRGS - \$300,000

Shire of Merredin - \$322,600 (includes a 10% contingency of \$56,600)

An allocation of \$322,600 will need to be included in the 2016/17 Draft Budget.

Vanessa Green left the meeting at 4.13pm and returned to the meeting at 4.15pm.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Boehme

81732 That:

1. the application to the Wheatbelt Regional Grants Scheme seeking financial support of \$300,000 for stage one of the CBD upgrade be supported; and
2. an allocation of \$322,600 be made in the 2016/17 Draft Budget.

CARRIED BY ABSOLUTE MAJORITY 7/1

14.3 Firewood Collection

Engineering Services



Reporting Officer:	Kevin Paust, EMES
Author:	Dylan Copeland, Natural Resource Management Officer
Legislation:	<i>Local Government Act 1995; Environmental Protection Act 1986</i>
File Reference:	EM/10/1
Disclosure of Interest:	Nil
Attachments:	Nil
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

For the past few years, the Natural Resource Management Officer has investigated the sustainable amount of firewood available for collection within the Shire's road reserves on an annual basis. Following this investigation Council determines the number of permits to be issued. In previous years up to eight permits for roadside collection of firewood have been issued.

Comment

In 2004, amendments to the *Environmental Protection Act 1986* (EP Act) introduced provisions regulating the clearing of native vegetation. This legislation covers all native vegetation, living or dead.

No native vegetation can be cleared, taken, or removed without a permit from the Department of Environment Regulation or an applicable exemption.

To avoid the potential of illegal clearing of native vegetation the Shire has restricted the taking of firewood to vegetation which has been legally cleared by the Shire.

As an alternative to only allowing the taking of vegetation under the EP Act an exemption exists (Regulation 5, Item 5) for the collection of firewood. The wording of the exemption is as follows:

“Clearing to provide firewood use by the owner or occupier of the property on which the vegetation is located for domestic heating or cooking, being clearing which –

- (a) Does not kill any live vegetation and does not prevent regrowth of the vegetation;*
- (b) Is carried out to provide firewood to the extent to which firewood could not be obtained from vegetation already cleared for another purpose; and*
- (c) Does not, together with all other limited clearing on the property in the financial year in which the clearing takes place, exceed five hectares.”*

The Shire is within its rights to allow the collection of firewood from land under its control as long as the wood is not “sold” (this also includes raffling and bartering, as examples). However, as an implication of item (c) above, this may impact upon the Shire’s capacity to clear for the following:

1. clearing to construct a building (item 1)
2. clearing to collect firewood (item 5)
3. clearing to obtain fencing or farming materials (item 6)
4. clearing for woodwork (item 7)
5. clearing for fence lines (item 10)
6. clearing for vehicular tracks (item 12)
7. clearing for walking tracks (item 13)
8. clearing isolated trees (item 19)

Additionally, the Shire would need to police the taking of firewood sufficiently to ensure against the possibility of clearing more than five hectares in a financial year.

The listing of ‘Eucalypt Woodlands of the Western Australian Wheatbelt’ as a threatened ecological community under the EP Act further complicates the legislative framework covering native vegetation, but owing to it being new legislation it is difficult to determine to what extent.

In consulting other local governments, the Shire appears to be one of only a handful in the State to issue permits, with most not issuing permits and referring the applicant to the Department of Parks & Wildlife.

Other considerations are that in previous years the number of applicants surpassed the number of available permits. Again, this year there have already been eight applications without the process being advertised in the community. There is no process in place to determine which applicants receive a permit in the event that there are more applicants than permits, other than “first in best dressed”.

Given the tightening legislative framework, the lack of process in awarding permits, and the burden on Shire resources in monitoring and reporting the taking of wood, it is recommended that no permits be awarded.

Instead, any vegetation legally cleared by the Shire could be transported to a convenient area controlled by the Shire, (i.e. a gravel pit located close to the clearing site), with the collection of that vegetation to be made available for firewood. The community could be informed of the availability of the wood through the usual communication methods used by the Shire. The wood would still be available on a “first in best dressed” arrangement with an understanding that the loads are to be limited to a 6x4 car trailer quantity to deter people from taking, say, a semi load at a time for themselves.

Policy Implications

Nil

Statutory Implications

The *Environmental Protection Act 1986* is applicable

Strategic Implications

Service Area: 2.7 Natural Resource Management

Activities: Nil

Link to Vision: Naturally Resourceful

Link to Strategic Priorities: Natural Resource Management

Service Level: Nil

Service Level Change: Nil

Sustainability Implications

➤ [Asset Management Plan](#)

Nil

➤ [Long Term Financial Plan](#)

Nil

➤ [Workforce Plan](#)

Nil

Risk Implications

In not issuing permits there is a risk that residents will help themselves to any wood in any area of the Shire or that the wood taken from the gravel pits will be more than 1 load per person/family.

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Young

81733 That:

1. no permits for the collection of firewood be issued from 2016 onwards;
2. the community be notified of the prohibition of taking any wood, whether dead or alive, from any lands under the Shire of Merredin's control via the usual communication methods; and

3. wood from vegetation legally cleared by the Shire of Merredin (i.e. via roadworks) be taken to the nearest gravel pit and the community advised of its availability via the usual communication methods, with the condition that each load must not exceed the quantity of a 6x4 trailer.

CARRIED 8/0

15. Officer's Reports – Corporate and Community Services

15.1 List of Accounts Paid

<h2>Corporate Services</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Charlie Brown, EMCS	
Author:	As above	
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 15.1A - List of Accounts Paid	
Maps / Diagrams:	Nil	

Purpose of Report

Executive Decision

Legislative Requirement

Background

The attached List of Accounts Paid during the month of January 2016 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

Service Area: 5.3 Finance and Asset Management

Activities: Financial Management

Link to Vision: Developing and Liveable

Link to Strategic Priorities: Civic Leadership

Service Level: Financial management meets all legislated requirements

Sustainability Implications

➤ Asset Management Plan

Nil

➤ Long Term Financial Plan

Nil

➤ Workforce Plan

Nil

Risk Implications

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

Financial Implications

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

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution


Moved: Cr Young

Seconded: Cr Anderson

81734 That the schedule of accounts paid as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$523,794.79 from Council's Municipal Fund Bank Account and \$0 from Council's Trust Account be received.

CARRIED 8/0

15.2 Statement of Financial Activity

<h1>Corporate Services</h1>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Charlie Brown, EMCS	
Author:	As above	
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 15.2A – Statement of Financial Activity	
Maps / Diagrams:	Nil	

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Statement of Financial Activity, which includes the Detailed Schedules, Statement of Financial Position and Investment Register, is attached for Council's information.

Comment

Revenue and Expenditure to 31 January 2016 is consistent with Council's adopted 2015/16 Budget.

Variation Actuals to YTD Budgets.

Operating Expenditure

As can be seen from the statements, expenditure is down in most cases however Law Order & Public Safety is over in comparison with budget profiling.

With regards to Law Order and Public Safety, Ranger Services is currently over budget, due to the need to contract our ranger services for an interim period, however this does have a corresponding entry on the income side. This is addressed in the statutory budget review presented in the next item.

Operating Income

With the exception of Governance all other programs appear to be tracking better than expected. Again these are mostly addressed in the statutory review.

Further comments regarding the Material Variations can be found on Note 2 of the attached statements.

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

Risk Implications

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

Financial Implications

As outlined in **Attachment 15.2A**.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Young

81735 That in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, the Statement of Financial Activity and the Investment Report for the period ending 31 January 2016 be received.

CARRIED BY ABSOLUTE MAJORITY 8/0

15.3 Mid-Year Budget Review

Corporate Services



Responsible Officer:	Charlie Brown, EMCS
Author:	As above
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 15.3A – Mid-Year Budget Review
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Regulation 33A of the *Local Government (Financial Management) Regulations 1996* provides that the Shire is required to conduct a review of its approved annual budget after considering the changes in its operating environment since the beginning of the financial year, with a view to forecasting the financial impacts likely to arise for the remainder of the year.

Comment

Council is required to consider the budget review submitted to it and make a determination in relation to the outcomes and recommendations.

The review of the 2015/16 Budget has been completed. A number of variations to existing budget allocations have been identified and included in the revised budget. These are identified in the attachment. The projected overall budget surplus at 30 June 2016, after taking into account these variations, will remain at \$0.00

DETAILS

Issues and options considered

The budget review has comprised:

1. a review of the adopted budget and an assessment of actual results to date against that budget;

2. an assessment and projection of likely results over the remainder of the financial year against the adopted budget; and
3. Consideration of any issues not provided for in the adopted budget that may need to be addressed.

The review of the adopted budget has taken into account what has transpired in the first half of the year, the likely operating environment over the remaining part of the year under prevailing economic conditions and the most likely impact on the Council's financial position.

The focus in this review has been on ensuring that there is sufficient operational capacity to deliver the services and budget programs as set out in the adopted 2015/16 Budget and to accommodate events and issues that have arisen since budget adoption.

The most significant variations between the original adopted budget and the revised budget are as follows:

Surplus Carried Forward

The actual surplus brought forward from 2015/16 was higher than the budget estimate by \$179,000.

Operating Income and Expenditure

Various amendments have been proposed as detailed in the attachment.

Capital Expenditure

An amount of \$800,000 has been included to recognise the acquisition of North Merredin Primary School Infrastructure.

Capital Grants

An amount of \$800,000 has been included as a contribution towards the acquisition of North Merredin Primary School Infrastructure.

Transfers to Reserves

An amount of \$223,807 has been proposed to be transferred to the Land and Development Reserve Fund. Another alternative may be to allocate some of these funds to progress the spirulina plant project (refer Agenda Item 16.1).

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

Risk Implications

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

Financial Implications

As outlined in **Attachment 15.3A**.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Flockart

81736 That:

1. the Mid-Year Review of the 2015/16 Budget be approved and the amendments as detailed in Attachment 15.3A be authorised; and
2. in accordance with Regulation 33A of the *Local Government (Financial Management) Regulations 1996*, a copy of the 2015/16 Budget Review and determination be provided to the Department of Local Government and Communities.

CARRIED BY ABSOLUTE MAJORITY 8/0

15.4 Wheatbelt Community Chest Fund – Apex Park Enhancement

Community Services



Responsible Officer:	Rebecca McCall, DCEO
Author:	As above
Legislation:	<i>Local Government Act 1995</i>
File Reference:	PK/4/Parks
Disclosure of Interest:	Nil
Attachments:	Attachment 15.4A – Plan
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Royalties for Regions Wheatbelt Community Chest Fund (WCCF) invests in projects which assist in attracting investment, increasing jobs and increasing quality of life to improve economic and community infrastructure and services in the Wheatbelt region.

Funding is available to assist the development of infrastructure, services and community projects intended to build vibrant regions with strong economies.

The WCCF is administered by the Wheatbelt Development Commission (WDC).

The WCCF's broad objectives are to:

1. retain and build the benefits of the regional communities;
2. support improved, relevant and accessible local services;
3. enable communities to deliver a sustainable economic and social future;
4. assist regional communities to prosper through increased employment, business and industry development opportunities; and
5. increase capacity for local strategic planning and decision-making.

Consideration will be given to all proposals that will contribute to achieving the objectives of the Fund. In addition, the WDC will give consideration to the proposal's alignment with existing regional development strategic planning.

Comment

It is proposed to submit an application seeking financial support for the enhancement of Apex Park. The proposed project includes the installation of a cycle training park and the renewal of the perimeter fence running parallel to Barrack Street.

This initiative was identified throughout the 2015 community consultation series. The *Merredin 'Growing Our Community' An Economic Development and Implementation Strategy* identifies actioning the upgrade of public open spaces including public amenities, parks and gardens within the townsite.

Project Brief 1 – Cycle Training Park

To construct a cycle park for learner riders which incorporates all the elements of riding a bike on public roads and promotes the learning of skills to ride a bike safely on the road. The cycle park will be located at Apex Park, one of Merredin's most utilised public spaces for local families and visitors.

The cycle park will feature a 'town like' series of linked pathways marked as 'public' roads with a centre white line, no-passing lines, intersections, roundabout, bridge, pedestrian crossing, solar traffic lights, give way and stop signs.

The surrounding area of the cycle park will have shaded seating and landscaping for a family friendly atmosphere.

Some of the community benefits include:

1. young learner cyclists are able to learn road rules in a safe environment;
2. parents will have a safe environment to teach their children the road rules and safe practises when riding a bike;
3. the features of the park will give the learners' experience with all road hazard/traffic controls, some of which are not in Merredin (i.e. traffic lights) but that they should be familiar with if cycling in other towns or city environments;
4. provide an enhancement to Apex Park and engages families in a fun, friendly, learning experience;
5. ensures our children are familiar with and prepared for their time using public roads either as pedestrians, cyclists or drivers; and
6. increases the exercise opportunities for young children and families.

Project Brief 2 – Renewal of Perimeter Fence (parallel to Barrack Street)

To replace the existing safety fence to enhance the aesthetics of Apex Park and increasing safety of young people utilising the park from heavy road traffic.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

Service Area: 2.6 Parks and Gardens

Activities: Apex Park

Link to Vision: Liveable

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

Service Level: Maintained to a satisfactory level

Service Level Change: Additional play equipment

Sustainability Implications

➤ Asset Management Plan

The installation of a cycle training park will have an impact of the AMP, however the expected lifecycle cost will be minimal. The renewal of the perimeter fence replaces an existing asset.

➤ Long Term Financial Plan

The minimal lifecycle costs will need to be included in the LTFP.

➤ Workforce Plan

The works for project will be undertaken by the outside crew and contractors. The project will be project managed by the Shire of Merredin. The cycle park will be maintained by the Parks and Gardens Crew utilising the existing time allocated to maintain Apex Park.

Risk Implications

If the application for WCCF or corporate funding is unsuccessful the project will not proceed.

The existing perimeter fence running parallel to Barrack Street is reaching the end of its lifecycle. The renewal of the perimeter fence will reinforce the safety of young people and families utilising Apex Park. The risk implications due to the installation of the cycle park will be insignificant.

Financial Implications

The proposal will require the Shire to commit a contribution towards the project in the 2016/17 Draft Budget.

WCCF - \$30,000 (Cycle Park \$15,000 and Fence \$15,000)

Shire of Merredin - \$10,000 (Fence)

Corporate Funding - \$10,000 (Cycle Park)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Willis

81737 That:

1. the application to the Wheatbelt Community Chest Fund seeking financial support of \$30,000 for the installation of a cycle park and renewal of the fence at Apex Park be supported; and
2. an allocation of \$10,000 be made in the 2016/17 Draft Budget.

CARRIED BY ABSOLUTE MAJORITY 7/1

15.5 Review of Customer Service Charter

Corporate Services



Responsible Officer:	Rebecca McCall, DCEO
Author:	As above
Legislation:	<i>Local Government Act 1995</i>
File Reference:	CS/13/CCS
Disclosure of Interest:	Nil
Attachments:	Attachment 15.5A – Customer Service Charter
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Customer Service Charter demonstrates to the community and all customers that the Shire of Merredin is committed to providing high-level customer service. The Charter was last reviewed in 2010.

Comment

The Customer Service Charter has been reviewed with the involvement of staff who are aware of the commitment to service contained within the Charter and the need to adhere to the service standards outlined.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

Service Area: 5.2 Strategic Advice, General Management and Governance

Activities: Good governance

Link to Vision: Developing

Link to Strategic Priorities: Civic Leadership

Service Level: Review policies and procedures annually

Service Level Change: No service level change

Sustainability Implications

➤ [Asset Management Plan](#)

Nil

➤ [Long Term Financial Plan](#)

Nil

➤ [Workforce Plan](#)

Nil

Risk Implications

The purpose of the Charter is to outline how the organisation responds to customers. With staff committing to the Charter the risk of delivering unsatisfactory customer service is reduced.

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Boehme

81738 That the reviewed Customer Service Charter as presented in Attachment 15.5A be adopted.

CARRIED 8/0

15.6 CWVC Business Plan 2016

Community Services



Responsible Officer:	Rebecca McCall, DCEO
Author:	As above
Legislation:	<i>Local Government Act 1995</i>
File Reference:	VC/8
Disclosure of Interest:	Nil
Attachments:	Attachment 15.6A – CWVC Business Plan 2016
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

A business plan has been prepared for the Shire of Merredin to highlight the potential opportunities available to the CWVC. Recognising the challenges facing the Western Australian Visitor Centre Industry, the CWVC has developed growth objectives and goals that are consistent with the environmental conditions it faces and reflect opportunities for revenue potential.

Comment

The Shire of Merredin plays a leading role in regional tourism. The business plan outlines:

1. Organisation structure
2. Internal strategies, policies and procedures
3. Opportunities for future growth
4. Identified strategies and objectives
5. Key result areas
6. Policies and procedures

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

Service Area: 4.2 Economic Development

Activities: Regional and local economic development

Link to Vision: Developing

Link to Strategic Priorities: Opportunities associated with being a regional centre for tourism

Service Level: Sub-regional and local economic development plan developed

Service Level Change: Implementation of actions identified in plans

Sustainability Implications

➤ Asset Management Plan

Some objectives outlined in the business plan will impact on the AMP as lifecycle cost will need to be considered.

➤ Long Term Financial Plan

Long term financial implications will be dependent whether identified objectives are achieved.

➤ Workforce Plan

Nil

Risk Implications

The business plan outlines processes and structures needed to achieve strategies with the aim of improving the effectiveness and efficiency of the CWVC services.

Financial Implications

Financial implications associated in this item are identified in the 2015/16 Budget outlining income and expenditure for annual operations. Outlined strategy priorities beyond 2015/16 will need to be considered at future budget deliberations.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Boehme

81739 That the Central Wheatbelt Visitor Centre Business Plan 2016 as presented in Attachment 15.6A be adopted.

Councillor Young left the meeting at 4.42pm and did not return.

CARRIED 7/0

15.7 MRCLC – Extension of Licensed Area

Community Services



Reporting Officer:	Greg Powell, CEO
Author:	As above
Legislation:	<i>Liquor Licensing Act 1988</i>
File Reference:	RCS/13/3
Disclosure of Interest:	Nil
Attachments:	Attachment 15.7A - Correspondence
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision

Legislative Requirement

Background

The Shire of Merredin obtained a Tavern License for the MRCLC some years ago. The license stipulates that liquor can only be served and consumed in stipulated areas. This is currently confined to the Grandstand Bar and part of the adjoining verandah area.

With the construction of the synthetic playing surface and the adjoining covered area a request has been received from the Merredin District Lawn Tennis Club for the licensed area to be extended to include the covered area. So the area is contiguous with the existing licensed area it will be necessary to license the pathway from the verandah to the covered area.

Comment

The matter was considered at the most recent Merredin Sports Council meeting where the concept was supported, and a further request made that the licensed area be extended to include the new covered outdoor BBQ area off the western side of the Grandstand Bar.

If the areas were licensed it is believed that hockey would also benefit and the areas would be used throughout the year.

Policy Implications

Policies directing the operation of the MRCLC will require reviewing if the licensed area is extended.

Statutory Implications

The Tavern License governing the sale and consumption of liquor at MRCLC will require amendment.

Strategic Implications

Service Area: 1.2 Merredin Regional Community & Leisure Centre

Activities: Services provided at the Community & Leisure Centre include functions/club room with bar, synthetic surface tennis courts and hockey field

Link to Vision: Liveable; Community Spirit

Link to Strategic Priorities: Key assets – recreational/sporting facilities; Community spirit – events and activities

Service Level: Open 7 days a week for up to 18 hours a day as applicable

Service Level Change: No service level change but note that over the next four years the cost for users will increase, as the Shire works towards increasing the ration of user contribution to rates contribution

Sustainability Implications

➤ Asset Management Plan

Nil

➤ Long Term Financial Plan

If the area is extended it may increase income from the sale of alcohol.

➤ Workforce Plan

Nil

Risk Implications

Nil

Financial Implications

There may be costs associated with amending the License. These are not known at this time.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Boehme

81740 That Council agrees in principle to extending the licensed area at the Merredin Regional Community and Leisure Centre to include the covered area adjacent to the synthetic playing surface and the pathway connecting it and the covered outdoor area to the western side of the Grandstand Bar to the current licensed area and staff take the necessary steps with the relevant authorities to determine whether an extension is possible and will be supported.

CARRIED 7/0

16. Officer's Reports – Administration

16.1 Spirulina Feasibility Study

<h2>Administration</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Reporting Officer:	Greg Powell, CEO	
Author:	Vanessa Green, EA to CEO	
Legislation:	<i>Local Government Act 1995</i>	
File Reference:	ED/11/7	
Disclosure of Interest:	Nil	
Attachments:	Nil	
Maps / Diagrams:	Nil	

Purpose of Report



Executive Decision



Legislative Requirement

Background

In 2001 Except Integrated Sustainability (EIS), based in Rotterdam, Netherlands, worked with the Shire of Merredin on a feasibility study focussed on utilising the old No. 4 Pump Station to house a spirulina processing plant. The resulting report suggested a plant would be a viable option with an expected return on investment period of 5 years. For various reasons the project was then shelved and no further action undertaken.

In July 2015 the CEO contacted EIS with a proposal to revisit the feasibility study with the primary objectives being to:

1. develop a clear understanding of the feasibility a spirulina plant including economic, social and practical elements;
2. develop a value proposition with critical review and value development process;
3. gain insights into risks and impacts; and
4. set critical success factors for further development.

At its November 2015 meeting Council resolved (CMRef 81689):

“That Council approve the unbudgeted expenditure of up to \$30,000 from the Environmental Initiatives Reserve for the purpose of Except Integrated Sustainability visiting Merredin to revisit a feasibility study for a spirulina plant in Merredin.”

This resolution allowed the feasibility study to proceed, with Tom Bosschaert and Camille de Luca-Schwartz from EIS visiting Merredin between 14-18 December 2015.

The Merredin Spirulina Feasibility Study 2016 (the Study) has been completed and provided to Councillors under separate cover.

Comment

The Study investigated the physical, ecological, operational, economical, legal and financial feasibility of a spirulina plant in Merredin.

It is pleasing to note that the Study reached the same conclusion as the last, that a spirulina plant is a viable and positively reinforcing project for not only the Shire, but also the region.

Several plant sizes were studied, their costs and benefits compared, and an ideal start size determined along with a growth trajectory. Investment and operating costs identify a plant producing 120 tonnes per year (T/yr) as an ideal start for the project, which could be scaled up as required. Such a plant would require 5Ha of land, create approx. 20-25 on-going jobs and has a suggested return on investment of 4.7 years with medium-high market performance, or just over 21 years with a low market performance.

Three options for ownership and operation of a plant are discussed being:

1. a for-profit private operation;
2. a cooperative community operation; and
3. a Shire owned operation.

with the latter scenario suggested as the most suitable arrangement as it could benefit from reduced costs for land and works, cheaper financing and the ability to attract grant funding, as well as enhance greater community participation in the project.

The Study provides an action plan and timeline which requires Council consideration on the “where to from here”:

Action	Description	Timeframe
Validation of Feasibility Study	Receive the Study and address the action plan	February 2016
Presentation to the community	Share the Study with participants and the community to garner support for the project	March 2016
Conduct specific market research	Determine: <ol style="list-style-type: none"> 1. Australia’s domestic market size and its capacity to absorb the quantity of product a plant could produce; 2. Precise wholesale prices in bulk to Australian wholesalers; 3. Wholesale prices for spirulina extract in Australia and other markets; and 	June 2016

Action	Description	Timeframe
Conduct specific market research	4. Wholesale marketing prices including shipping and storage costs	June 2016
Develop a Business Case	Locate funding sources Identify stakeholders and participants Undertake further research as necessary Finalise Business Case document	June 2016
Execution of the Business Case	Presentation of Business Case to Council and identified stakeholders	December 2016

Council needs to determine whether or not to proceed further with the project.

Policy Implications

Nil

Statutory Implications

Nil at this time

Strategic Implications

Service Area: 4.1 Community Development

Activities: Heritage and Culture; Youth

Link to Vision: Community Spirit; Inclusive; Liveable

Link to Strategic Priorities: Community Involvement/support; Regional Collaboration; Key assets – land and buildings

Service Level: Nil

Service Level Change: Nil

Service Area: 4.12 Economic Development

Activities: Regional and local economic development

Link to Vision: Developing

Link to Strategic Priorities: Economic development; Regional collaboration

Service Level: Nil

Service Level Change: Nil

Sustainability Implications

➤ **Asset Management Plan**

Nil at this time. Depending on the future direction of this project there may be implications in the future and, if so, they will be detailed at that time.

➤ Long Term Financial Plan

Nil at this time. Depending on the future direction of this project there may be implications in the future and, if so, they will be detailed at that time.

➤ Workforce Plan

Nil at this time. Depending on the future direction of this project there may be implications in the future and, if so, they will be detailed at that time.

Risk Implications

The risks in not progressing the project include varying degrees of community perception of Council and a potential missed opportunity for the Shire/region.

The risks involved in progressing the project could include the venture failing at any point, not being able to attract funding and varying matters affecting the long term sustainability and success of the project.

Financial Implications

There will be costs in conducting the market research and the development of a Business Case which could be significant. There are no funds specifically allocated in the 2015/16 Budget to undertake this work.

The Environmental Initiatives Reserve will have a balance of approx. \$47,000 following the Mid-Year Budget Review (refer Agenda Item 15.3) and receipt of funds from the Collgar Community Fund (refer CMRef 81689) which could be utilised to progress work on the spirulina project. Alternatively, Council may allocate a portion of the \$223,870 proposed to be transferred to the Land and Development Reserve Fund to be utilised to progress the spirulina project.

There is also the option that the Business Case could be funded (at least in part) through the State Government's Water for Food project, with the Minister for Water indicating she would welcome a submission.

Costs to undertake these next steps in the action plan have not been determined, but should Council wish to proceed with the project these could be identified and presented to a later Council meeting.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Crisafio

81741 That:

1. the Merredin Spirulina Feasibility Study 2016 be received;
2. the CEO undertake investigations into the development of a Business Case, including possible funding sources and identifying organisations to complete the Business Case;

3. funding from the Environmental Initiatives Reserve be allocated to progress the spirulina plant project; and
4. Council consider allocating funds in the 2016/17 Draft Budget to progress the spirulina plant project.

CARRIED BY ABSOLUTE MAJORITY 7/0

17. Motions of which Previous Notice has been given

Nil

18. Questions by Members of which Due Notice has been given

Nil

19. Urgent Business Approved by the Person Presiding or by Decision

19.1 Cover of Rolling Stock Project at Merredin Railway Museum

Further to the presentation at public question time Council considered the matter of the request for financial support.

Resolution

Moved: Cr Anderson

Seconded: Cr Blakers

81742 That:

1. should all the other grant applications be successful, Council will contribute \$20,000 towards the rolling stock cover project at the Merredin Railway Museum; and
2. the Shire of Merredin will auspice the necessary grant applications for the rolling stock cover project on behalf of the Merredin Museum and Historical Society, with all information to be provided by the Merredin Museum and Historical Society committee members.

CARRIED BY ABSOLUTE MAJORITY 7/0

20. Matters Behind Closed Doors

Nil

21. Closure

There being no further business the President thanked all those in attendance and declared the meeting closed at 5.03pm.