



SHIRE OF
MERREDIN
INNOVATING THE WHEATBELT

AGENDA

Ordinary Council Meeting

To be held in Council Chambers
Corner King & Barrack Street's, Merredin
Tuesday 19 July 2016
Commencing 3.00pm



Notice of Meeting



Dear President and Councillors,

The next Ordinary Meeting of the Council of the Shire of Merredin will be held on Tuesday 19 July 2016 in the Council Chambers, Corner King & Barrack Streets, Merredin. The format of the day will be:

- | | |
|--------|---|
| 1.00pm | Briefing Session - Discussion with Dr Ben Cole, Managing Director of Wide Open Agriculture. |
| 3.00pm | Council Meeting |

GREG POWELL
CHIEF EXECUTIVE OFFICER

14 July 2016

DISCLAIMER

PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING:

Statements or decisions made at this meeting should not be relied or acted on by an applicant or any other person until they have received written notification from the Shire. Notice of all approvals, including planning and building approvals, will be given to applicants in writing. The Shire of Merredin expressly disclaims liability for any loss or damages suffered by a person who relies or acts on statements or decisions made at a Council or Committee meeting before receiving written notification from the Shire.

The advice and information contained herein is given by and to Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

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

Shire of Merredin
Ordinary Council Meeting
3:00pm Tuesday 19 July 2016



1. Official Opening

2. Record of Attendance / Apologies and Leave of Absence

Councillors:

Cr KA Hooper	President
Cr BJ Anderson	
Cr CA Blakers	
Cr LN Boehme	
Cr MA Crisafio	
Cr JP Flockart	
Cr ML Young	

Staff:

G Powell	CEO
V Green	EA to CEO
M Marks	Media & Communications Officer

Members of the Public:

Apologies: R McCall

Approved Leave of Absence: Cr RM Crees and Cr MD Willis (CMRef 81777)

Request for Attendance via Teleconference

In accordance with Regulation 14A of the *Local Government (Administration) Regulations 1996* Councillor Anderson has requested attendance at this Council Meeting via telephone communication.

Voting Requirements



Simple Majority



Absolute Majority

Councillor's Recommendation

That Council:

1. approves Councillor Anderson's attendance at the Council Meeting via telephone communication in accordance with Regulation 14A(1) of the Local Government (Administration) Regulations 1996; and

2. approves a residence at Forrest Street, Kalgoorlie as a suitable place for Councillor Anderson's attendance in accordance with Regulation 14A(4) of the Local Government (Administration) Regulations 1996.

3. Public Question Time

Members of the public are invited to present questions to the President about matter affecting the shire of Merredin and its residents.

4. Disclosure of Interest

5. Applications for Leave of Absence

6. Petitions and Presentations

7. Confirmation of Minutes of the Previous Meeting

- 7.1 [Ordinary Council Meeting held on 21 June 2016](#)

8. Announcements by the Person Presiding without discussion

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

- 19.1 Merredin Regional Community and Leisure Centre Tender

10. Receipt of Minutes of Committee Meetings

- 10.1 [GECZ Executive Meeting held on 16 June 2016](#)
- 10.2 [GECZ Meeting held on 20 June 2016](#)
- 10.3 [WEROC Executive Meeting held on 29 June 2016](#)

11. Recommendations from Committee Meetings for Council consideration

Nil

12. Officer's Reports – Development Services

- 12.1 [Lot 21 Barrack Street, Merredin – Planning Application - Installation of Satellite Dish](#)
- 12.2 [Lot 25 Coghill Street, Merredin – Application for a Shelter Building](#)

13. Officer's Reports – Engineering Services

Nil

14. Officer's Reports – Corporate and Community Services

14.1 [List of Accounts Paid](#)

14.2 [Statement of Financial Activity](#)

14.3 [Shire of Merredin Policy Rates Curtilage](#)

14.4 [2016/17 Differential Rates Adoption](#)

14.5 [Adoption 2016/17 Budget](#)

14.6 [Assets Write Offs](#)

14.7 [China Southern WA Flying School – Use of Merredin Regional Community and Leisure Centre Indoor Courts](#)

15. Officer's Reports – Administration

15.1 [Local Laws Eight Year Review](#)

15.2 [CEACA Incorporated – Commitment of Funding for Stage 2](#)

16. Motions of which Previous Notice has been given

Nil

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

Nil

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

19. Matters Behind Closed Doors

19.1 Merredin Regional Community and Leisure Centre Tender

20. Closure

7. Confirmation of Minutes of the Previous Meeting

- 7.1 Ordinary Council Meeting held on 21 June 2016
Attachment 7.1A

Officer's Recommendation

That the Minutes of the Ordinary Council Meeting held on 21 June 2016 be confirmed as a true and accurate record of proceedings.

10. Receipt of Minutes of Committee Meetings

- 10.1 GECZ Executive Meeting held on 16 June 2016
Attachment 10.1A
- 10.2 GECZ Meeting held on 20 June 2016
Attachment 10.2A
- 10.3 WEROC Executive Meeting held on 29 June 2016
Attachment 10.3A

Officer's Recommendation

That the minutes of the Great Eastern Country Zone Executive Meeting held on 16 June 2016, the Great Eastern Country Zone meeting held on 20 June 2016 and the Wheatbelt East Regional Organisation of Councils Executive Meeting held on 28 June 2016 be received.

12. Officer's Reports - Development Services

12.1 Lot 21 Barrack Street, Merredin – Planning Application - Installation of Satellite Dish

Development Services



Responsible Officer:	EMDS
Author:	Greg Powell, CEO
Legislation:	<i>Planning and Development Act 2005; Local Planning Scheme No. 6</i>
File Reference:	A224
Disclosure of Interest:	Nil
Attachments:	Attachment 12.1A – Application and Site Plans
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision



Legislative Requirement

Background

An application has been received to install a 13m satellite dish as part of the INMARSAT facility. The site proposed is at the rear of the existing telephone exchange.

Comment

The applicant has lodged the application on behalf of Telstra. The dish will form part of a wider network with another dish proposed to be constructed in Gnangara. The network provides satellite communications, tracking of aircraft and aircraft communications and weather information.

It has been discovered that the land on which it is proposed to construct the dish is where a shed currently exists but no lease has been executed, although the site is adjacent to the exchange. A lease will need to be finalised and it is proposed that this be a condition of approval.

Although the shed will be removed it is proposed that the existing fencing remain.

The site is zoned "Town Centre" under Local Planning Scheme No. 6 and as such telecommunication is a "D" use under the Scheme which requires Council to exercise its discretion by granting planning approval.

Policy Implications

Nil

Statutory Implications

Telstra is a Licensed Carrier under the Commonwealth *Telecommunications Act 1997* and is obliged to comply with Sections 5.1 and 5.2 of the Deployment of Radio-communications Infrastructure Code.

Strategic Implications

➤ Strategic Community Plan

Vision Element: Developing
Strategic Goal: The population and economic base is expanding sustainably
Key Priority: Economic Development

➤ Corporate Business Plan

Strategy: SP.D1.3 – Promote new commercial and industrial development through appropriate zoning of land, provision of suitable infrastructure and efficient and effective business approval processes
Action #: 1
Action: Regular review of the Shire of Merredin Town Planning Scheme No. 6
Directorate: Development Services
Timeline: Ongoing

Sustainability Implications

➤ Strategic Resource Plan

Nil

➤ Workforce Plan

Directorate: Nil
Activity: Nil
Current Staff: Nil
Focus Area: Nil
Strategy Code: Nil
Strategy: Nil
Implications: Nil

Risk Implications

Nil

Financial Implications

Planning fees of \$416 have been paid.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That planning approval be granted to Deighton Pty Ltd for the construction of a 13m satellite dish on Lot 21 Barrack Street, Merredin in accordance with the plans included as Attachment 12.1A and that the CEO be granted delegated authority to negotiate a lease agreement for the site, with the lease agreement being executed prior to completion of the works.

12.2 Lot 25 Coghill Street, Merredin – Application for a Shelter Building

Development Services



Responsible Officer:	EMDS
Author:	Greg Powell, CEO
Legislation:	Shire of Merredin Local Planning Scheme No 6
File Reference:	A3551
Disclosure of Interest:	Nil
Attachments:	Attachment 12.2A - Application
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

In December 2013 Council granted planning consent to Rainday Pty Ltd to construct a warehouse and agricultural machinery shed on the subject property (CMRef 81269). That proposal did not proceed and the planning consent lapsed.

An application has now been received to construct an open-sided shelter of approximately the same dimensions as the previous application. The key difference is that the structure is not enclosed for building assessment purposes.

Comment

The 2013 application was assessed as a rural use in a “Light Industry” zone which is an “A” use which requires the application to be advertised prior to the application being considered/approved.

It could be argued that the use being that associated with a machinery dealership and allied machinery servicing is more of an “Industry – Service”, “Storage” or “Warehouse” use. These uses are “P” uses which can be approved by Council without the requirement to advertise. It is recommended that this approach be adopted subject to the conditions stated below.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

➤ Strategic Community Plan

Vision Element: Developing
Strategic Goal: The population and economic base is expanding sustainably
Key Priority: Economic Development

➤ Corporate Business Plan

Strategy: SP.D1.3 – Promote new commercial and industrial development through appropriate zoning of land, provision of suitable infrastructure and efficient and effective business approval processes
Action #: 1
Action: Regular review of the Shire of Merredin Town Planning Scheme No. 6
Directorate: Development Services
Timeline: Ongoing

Sustainability Implications

➤ Strategic Resource Plan

Nil

➤ Workforce Plan

Directorate: Nil
Activity: Nil
Current Staff: Nil
Focus Area: Nil
Strategy Code: Nil
Strategy: Nil
Implications: Nil

Risk Implications

Nil

Financial Implications

Planning application fees have been paid.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That planning approval be granted to Rainday Pty Ltd to construct a Shelter on Lot 25 Coghill Street, Merredin in accordance with the plans as presented in Attachment 12.2A subject to the following conditions:

1. landscaping being provided in accordance with the provisions of the Local Planning Scheme No. 6;
2. eight (8) car parking bays being provided on site; and
3. emergency vehicle access of 6m width within 20m of the building to be provided to permit firefighting in an emergency situation.

13. Officer's Reports - Engineering Services

Nil items to report

14. Officer's Reports – Corporate and Community Services

14.1 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 14.1A - 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 June 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

➤ Strategic Community Plan

Vision Element: Developing
Strategic Goal: The population and economic base is expanding sustainably
Key Priority: Governance

➤ Corporate Business Plan

Strategy: SP.D4.3 – Practice prudent management of financial resources
Action #: 1
Action: Deliver long term financial planning for asset replacement and new capital projects
Action #: 2
Action: Continue to provide prudent financial controls and compliance systems
Directorate: Corporate Services

Sustainability Implications

➤ Strategic Resource Plan

Nil.

➤ Workforce Plan

Directorate: Nil
Activity: Nil
Current Staff: Nil
Focus Area: Nil
Strategy Code: Nil
Strategy: Nil
Implications: 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

That the schedule of accounts paid as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$1,425,839.80 from Council's Municipal Fund Bank Account and \$1,644.17 from Council's Trust Account be received.

14.2 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 14.2A Statement of Financial Activity Attachment 14.2B Detailed Schedules Attachment 14.2C Investment Report	
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 June 2016, is consistent with Council's amended 2015/16 Budget.

Variation actuals to YTD Budgets.

Operating Expenditure

As can be seen from the statements expenditure is down slightly (12.47% overall) only three programs fall outside the allowed variance. A re-examination of depreciation of Infrastructure Assets has been the greatest contributor to this.

Operating Income

Income overall appear to be within limits and shows only a 0.253% lesser return than anticipated.

A general comment regarding the Material Variations can be found on Note 2 of **Attachment 14.2A** and for a detailed comparison between Actual and Year to Date Budget can be found on **Attachment 14.2B**.

Capital Expenditure

Generally capital expenditure is below the anticipated level for this period. Currently 21.07% down on anticipated budget.

Most items not completed have been carried forward into the draft 2016/17 Budget.

A detailed look at capital expenditure can be found in Note 13.

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

➤ Strategic Community Plan

Vision Element: Developing
Strategic Goal: The population and economics base is expanding sustainably
Key Priority: Governance

➤ Corporate Business Plan

Strategy: SP.D4.3 – Practice prudent management of financial resources
Action #: 1
Action: Deliver long term financial planning for asset replacement and new capital projects
Action #: 2
Action: Continue to provide prudent financial controls and compliance systems
Directorate: Corporate Services

Sustainability Implications

➤ Strategic Resource 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**

Directorate: Nil
Activity: Nil
Current Staff: Nil
Focus Area: Nil
Strategy Code: Nil
Strategy: Nil
Implications: 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 14.2A**.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

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 30 June 2016 be received.

14.3 Shire of Merredin Policy Rates Curtilage

Corporate Services



Responsible Officer:	Charlie Brown, EMCS
Author:	As above
Legislation:	<i>Rates and Charges (Rebates and Deferments) Act 1992</i>
File Reference:	Policy Manual
Disclosure of Interest:	Nil
Attachments:	Attachment 14.3A - Policy 3.27 Rates Curtilage
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

No current policy exists to allow staff guidance on curtilage.

Comment

This policy directs officers to use a formula where curtilage exists, so that all ratepayers are subject to the same.

Policy Implications

Creates a new policy 3.27

Statutory Implications

Rates and Charges (Rebates and Deferments) Act 1992 section 28 (2)

Strategic Implications

➤ Strategic Community Plan

Vision Element: Developing
Strategic Goal: The Population & Economic base is expanding sustainability
Key Priority: Governance

➤ **Corporate Business Plan**

Strategy: SP.D4.3 – Practice prudent management of financial resources
Action #: 1
Action: Deliver long term financial planning for asset replacement and new capital projects
Action #: 2
Action: Continue to provide prudent financial controls and compliance systems
Directorate: Corporate Services

Sustainability Implications

➤ **Strategic Resource Plan**

Nil

➤ **Workforce Plan**

Directorate: Nil
Activity: Nil
Current Staff: Nil
Focus Area: Nil
Strategy Code: Nil
Strategy: Nil
Implications: 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

That Council adopt Shire of Merredin Policy 3.27 Pensioners Rebate Curtilage/Dual Use Properties as presented.

14.4 2016/17 Differential Rates Adoption

<h2 style="margin: 0;">Corporate Services</h2> 	
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:	Nil
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Council adopted differential rates at its May 2016 meeting (CMRef 81786). A notice seeking submissions to the proposed rates was advertised on Friday 27 May 2016.

The proposed rates are set out below.

Unimproved Value	Minimum Rate	Rate in the \$
UV1 Rural	\$1,010	0.019871
UV2 Urban Rural	\$1,010	0.026388
UV3 Mining	\$200	0.039583
UV4 Wind Farm	\$1,010	0.039583
UV4 Airstrip	\$1,010	0.039583
UV6 Merredin Power	\$1,010	0.039583

Comment

The closing date for submissions was 20 June 2016. No submissions were received.

During finalisation of the draft budget and subsequent rates modelling, it was necessary to adjust the rate in the dollar for UV2 Urban Rural to conform with Section 6.35(3) of the *Local Government Act 1995*.

(3) In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than –

- (a) 50% of the total number of separately rated properties in the district; or
- (b) 50% of the number of properties in each category referred to in subsection (6),

In adopting the recommended model, Ministerial approval is not required as the differentially rated properties are not rated more than double the non-differentially rated properties once the annual increase has been applied.

Policy Implications

Nil

Statutory Implications

Section 6.33 of the *Local Government Act 1995* allows Council to differentially rate properties and Section 6.35 of the *Local Government Act 1995* refers to minimum rates.

Strategic Implications

➤ Strategic Community Plan

Vision Element: Developing
Strategic Goal: The population and economic base is expanding sustainably.
Key Priority: Governance

➤ Corporate Business Plan

Strategy: SP.D4.4 – Practice prudent management of financial resources
Action #: 2
Action: Continue to provide prudent financial controls and compliance systems
Directorate: Corporate Services
Timeline: Ongoing

Sustainability Implications

➤ Strategic Resource 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**

Directorate: Nil
Activity: Nil
Current Staff: Nil
Focus Area: Nil
Strategy Code: Nil
Strategy: Nil
Implications: Nil

Risk Implications

If this item is not adopted by Council, it will delay the budget process, as a recalculation and further balancing would be required to produce a balanced draft budget.

Financial Implications

Adopting the differential model as detailed below will result in rates revenue in accordance with a balanced draft 2016/17 Budget.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That the differential rates model as detailed below be adopted for the 2016/17 financial year:

Unimproved Value	Minimum Rate	Rate in the \$
UV1 Rural	\$1,010	0.019871
UV2 Urban Rural	\$1,010	0.028300
UV3 Mining	\$ 200	0.039583
UV4 Wind Farm	\$1,010	0.039583
UV4 Airstrip	\$1,010	0.039583
UV6 Merredin Power	\$1,010	0.039583

14.5 Adoption 2016/17 Budget

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 14.5A - Draft 2016/17 Budget
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The draft 2016/17 Budget has been compiled on the principles contained in the Strategic Plans and in accordance with the presentations made to Councillors during recent briefing sessions.

The draft 2016/17 Budget has been prepared to include information required by the *Local Government Act 1995, Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards.

The draft 2016/17 Budget continues to deliver on other strategies adopted by Council and maintains a high level of service across all program while ensuring a focus on roads and associated infrastructure as well as on renewing all assets at sustainable levels.

Comment

The main features of the draft 2016/17 Budget include:

1. The Budget has been prepared with a 3% rate increase in accordance with Council's Long Term Financial Plan, adopted in April 2016. This increase applies to all general and differential general rate categories utilising the Gross Rental Valuations (GRV) and the Unimproved Valuations (UV) provided by Landgate.
2. Fees and Charges have also been increased by 3% and are itemised in the draft 2016/17 Budget.

3. Household and Commercial Waste charges have been increased by 3%. The intention is that this sub program "Sanitation" should be a zero impact on the budget. It currently shows a deficit of \$166,000 in the draft 2016/17 Budget.
4. A capital works budget totalling \$6.169M for investment in infrastructure, land and buildings, and plant and equipment is planned. Expenditure on road infrastructure is the major component of this (\$3.8M) in line with Council's strategy to increase the investment in road and associated assets.
5. Two loans are included. Loan 216 CBD Upgrade of \$2.0M (grant dependent) and \$0.6M being Council's contribution to the CEACA aged housing project.

Estimated brought forward balance is \$21.2M, however this is unaudited and may change once the annual accounts are finalised. The major component of this brought forward balance are restricted, being the CEACA Stage 2 grant received on 30 June and provisions made to transfer to the Unspent Grants Reserve account in this budget.

Policy Implications

The draft 2016/17 Budget is based on the principals contained in the Strategic Plans.

Statutory Implications

Section 6.2 of the *Local Government Act 1995* requires that not later than 31 August in each financial year the local government is to prepare and adopt a budget for its municipal fund for the financial year ending on the next following 30 June.

Division 5 and 6 of Part 6 of the *Local Government Act 1995* refers to the setting of budgets and raising of rates and charges. The *Local Government (Financial Management) Regulations 1996* details the form and content of the budget. The draft 2016/17 Budget as presented is considered to meet the statutory requirements.

Strategic Implications

➤ Strategic Community Plan

Vision Element: Developing
Strategic Goal: The population and economic base is expanding sustainably
Key Priority: Governance

➤ Corporate Business Plan

Strategy: SP.D4.4 – Practice prudent management of financial resources
Action #: 2
Action: Continue to provide prudent financial controls and compliance systems
Directorate: Corporate Services
Timeline: Ongoing

Sustainability Implications

➤ Strategic Resource Plan

The draft 2016/17 Budget has been compiled on the principles contained in the Strategic Resource Plan.

➤ Workforce Plan

Directorate: Nil
Activity: Nil
Current Staff: Nil
Focus Area: Nil
Strategy Code: Nil
Strategy: Nil
Implications: 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

1. That pursuant to the provisions of Section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, Council adopt the 2016/17 Budget as contained in Attachment 14.5A for the Shire of Merredin.
2. That for the purpose of yielding the deficiency disclosed by the Municipal Fund Budget, pursuant to Section 6.32, 6.33 6.34 and 6.35 of the *Local Government Act 1995* Council impose the following differential general rates and minimum payments on Gross Rental and Unimproved Values:

General Rates:

Gross Rental Values	Rate in \$	Minimum Rate
GRV	0.098741	\$814

General Differential Rates:

Unimproved Value	Rate in \$	Minimum Rate
UV1 Rural	0.019871	\$1,010
UV2 Urban Rural	0.028300	\$1,010
UV3 Mining	0.039583	\$200
UV4 SZ Wind Farm	0.039583	\$1,010
UV5 SU Airstrip	0.039583	\$1,010
UV6 Merredin Power	0.039583	\$1,010

3. That pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, Council nominate the following due dates for the payment in full by instalments:

Full payment or 1 st Instalment due date	2 September 2016
2 nd Instalment due date	4 November 2016
3 rd Instalment due date	6 January 2017
4 th Instalment due date	10 March 2017

4. That pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996* Council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$12 for each instalment after the initial instalment is paid.
5. That pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 68 of the *Local Government (Financial Management) Regulations 1996* Council adopts an interest rate of 5.5% where the owner has elected to pay rates (and service charges) through an instalment option.
6. That pursuant to Section 6.51(1) and subject to Section 6.51(4) of the *Local Government Act 1995* and Regulation 70 of the *Local Government (Financial Management) Regulations 1996* Council adopts an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remain unpaid after becoming due and payable.
7. That pursuant to Section 6.16 of the *Local Government Act 1995* Council adopts the Schedule of Fees and Charges included in the draft 2016/17 Budget as presented as Attachment 14.5A.

8. That pursuant to Section 67 of the *Waste Avoidance and Resources Recovery Act 2007* Council adopts the Schedule of Fees and Charges for the Shire of Merredin removal and/or deposit of domestic and commercial waste included in Attachment 14.5A.
9. That pursuant to Section 5.99 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Administration) Regulations 1996*, Council adopts the following annual fees for payment of elected members in lieu of individual meeting attendance fees:

Shire President	\$8,013
Deputy Shire President	\$8,013
Councillors	\$8,013

10. That pursuant to Section 5.98A of the *Local Government Act 1995* and Regulation 33 and 33A of the *Local Government (Administration) Regulations 1996*, Council adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:

Shire President	\$13,360
Deputy Shire President	\$3,340

11. That in accordance with Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996* and AASB 1031 Materiality the level to be used in the Statement of Financial Activity in 2016/17 for the reporting material variance shall be 10% or \$10,000, whichever is greater.

14.6 Assets Write Offs

<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 14.6A - List of Assets	
Maps / Diagrams:	Nil	

Purpose of Report



Executive Decision



Legislative Requirement

Background

Regulation 17A of the *Local Government (Financial Management) Regulations 1996* requires assets to be revalued by a certain date. The Class of assets required to be revalued by 30 June 2016 were Plant and Equipment, including Furniture and Equipment.

Comment

The revaluation took place in late May and the report was received in late June. This report identified assets that are currently listed on councils asset register, but have been sold as part of a trade in or disposed of.

The list of equipment is listed in **Attachment 14.6A** and is placed before council for write off. The items listed have a written down value of \$20,757.84.

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

➤ Strategic Community Plan

Vision Element: Developing
Strategic Goal: The Population & Economic base is expanding sustainably
Key Priority: Governance

➤ Corporate Business Plan

Strategy: SP.D4.3 – Practice prudent management of financial resources
Action #: 1
Action: Deliver long term financial planning for asset replacement and new capital projects
Action #: 2
Action: Continue to provide prudent financial controls and compliance systems
Directorate: Corporate Services

Sustainability Implications

➤ Strategic Resource Plan

Nil

➤ Workforce Plan

Directorate: Nil
Activity: Nil
Current Staff: Nil
Focus Area: Nil
Strategy Code: Nil
Strategy: Nil
Implications: 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

That the schedule of assets listed on Attachment 14.6A with a written down value of \$20,757.84 be written off.

14.7 China Southern WA Flying School – Use of Merredin Regional Community and Leisure Centre Indoor Courts

Community Services



Responsible Officer:	Rebecca McCall, DCEO
Author:	Greg Powell, CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	MRC/13/1
Disclosure of Interest:	Nil
Attachments:	Nil
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The student pilots from China Southern WA Flying School (CSWAFS) have been using the indoor courts on Friday nights for sporting/recreation purposes for the past four years on a regular basis. CSWAFS has been charged court hire in accordance the adopted Fees and Charges each time they use the courts. There are between 35-50 students using the courts each night and they have also attended badminton on a Monday night during the winter scheduling of that sport. The current charge for a community organisation is \$30 per hour or \$60 per night which is approximately \$2,700per annum given that there are 6-7 weeks per year the students do not use the courts.

Comment

Following a meeting with Mr Stephen Zhou, Student Services Manager from CSWAFS, Mr Zhou asked if CSWAFS could have a discounted rate to use the courts in the future given the regular nature of the use and that there are some weeks when the courts are not used. He suggested \$50 per night or a 5-10% discount and is prepared to pay the years' fee in advance.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

➤ Strategic Community Plan

Vision Element: Inclusive

Strategic Goal: Merredin (and the region) is an area that is welcoming of diversity

Key Priority: Community Spirit

Vision Element: Liveable

Strategic Goal: Merredin has the services, facilities, characteristics and heritage that continue to make Merredin a great place to live and contribute to a liveable region

Key Priority: Key Assets

➤ Corporate Business Plan

Strategy: SP.L2.3 – Develop, maintain and support appropriate recreational facilities and services throughout the Shire

Action #: 2

Action: Implementation of strategies and actions identified in the MRCLC Business Plan

Directorate: Community Development

Timeline: Ongoing

Strategy: SP.L2.4 – Partner with stakeholders to achieve greater community participation in recreational facilities and services

Action #: 1

Action: Development and implementation of MRCLC annual programs plan

Directorate: Community Development

Timeline: Ongoing

Strategy: SP.I1.1 – Maintain a community that is well informed, creating opportunities for community involvement and supporting a caring and healthy community

Action #: 5

Action: Support (directly and indirectly) events and activities that encourage and enhance community pride and cohesion

Directorate: Community Development

Timeline: Ongoing

Sustainability Implications

➤ Strategic Resource Plan

By continuing to reduce user fees for use of Council venues and facilities a decrease on the projected outcomes and strategies contained in the Plan can be expected.

➤ **Workforce Plan**

Directorate: Nil
Activity: Nil
Current Staff: Nil
Focus Area: Nil
Strategy Code: Nil
Strategy: Nil
Implications: Nil

Risk Implications

Nil

Financial Implications

The existing fee of \$60 per week charged on a user based invoice (usually 45 weeks per annum) is \$2,700.

If \$50 was agreed as the fee it would be charged for 52 weeks whether the courts were used or not. That is an annual fee for use of \$2,600.

If 10% discount is agreed \$2,340 would be the annual fee.

If 5% discount is agreed \$2,470 would be the annual fee.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That China Southern WA Flying School be advised that the fee for the 2016/17 financial year for the use of the indoor courts at the Merredin Regional Community & Leisure Centre on a Friday night will be \$2,470, being a 5% reduction on the community rate and that the amount be paid in advance.

15. Officer's Reports – Administration

15.1 Local Laws Eight Year Review

Administration



Responsible Officer:	Greg Powell, CEO
Author:	Bruce Wittber, BHW Consulting; Vanessa Green, EA to CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	LE/8/9
Disclosure of Interest:	Nil
Attachments:	New & Amendment Local Laws (See page 36)
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Shire of Merredin (the Shire) engaged BHW Consulting to assist with the development of new and amendment local laws for the Shire following the completion of the 8 year review of the Shire's local laws. This report relates to a proposal to commence, under Section 3.12 of the *Local Government Act 1995* (the Act), the adoption of new local laws.

Comment

Section 3.12 of the Act outlines the procedure for making local laws which is broadly as follows:

1. the person presiding is to give notice to the meeting of the purpose and effect of the proposed local law in the prescribed manner;
2. the Shire is to give State-wide public notice stating:
 - a. the local government proposes to make a local law the purpose and effect of which is summarized in the notice;
 - b. a copy of the proposed local law may be inspected or obtained at any place specified in the notice; and

- c. submissions about the proposed local law may be made to the local government before a day to be specified in the notice, being a day that is not less than 6 weeks after the notice is given;
3. give a copy of the proposed local law and a copy of the notice to the Minister and, if another Minister administers the legislation under which the local law is proposed to be made, to that other Minister;
4. provide a copy of the proposed local law to any person requesting it;
5. at the close of submissions consider any submissions made and take into consideration any comments provided;
6. adopt the local law as originally published or as amended, subject to the amendments not substantially altering the intent of the local law;
7. publish the local law in the *Government Gazette*;
8. give a copy of the local law to the Minister and, if another Minister administers the legislation under which the local law is proposed to be made, to that other Minister;
9. after the local law has been published in the *Government Gazette* the local government is to give local public notice:
 - a. stating the title of the local law;
 - b. summarising the purpose and effect of the local law (specifying the day on which it comes into operation); and
 - c. advising that copies of the local law may be inspected or obtained from the local government's office; and
10. within 10 days of the publication in the *Government Gazette* submit the local law to the Joint Standing Committee on Delegated Legislation.

Section 3.12(5) of the Act requires the Shire to give state-wide notice for a period of 42 days from the date of publication of the advertisement inviting submissions on the proposed local laws.

The following new and amendment local laws have been drafted for consideration by the Shire:

1. Activities on Thoroughfares and Public Places and Trading Amendment Local Law 2016 **Attachment 15.1A**;
2. Animals, Environment and Nuisance Local Law 2016 **Attachment 15.1B**;
3. Bush Fire Brigades Amendment Local Law 2016 **Attachment 15.1C**;
4. Cemeteries Amendment Local Law 2016 **Attachment 15.1D**;
5. Dogs Amendment Local Law 2016 **Attachment 15.1E**;
6. Fencing Amendment Local Law 2016 **Attachment 15.1F**;
7. Health Local Law 2016 **Attachment 15.1G**;
8. Local Government Property Amendment Local Law 2016 **Attachment 15.1H**; and
9. Standing Orders Local Law 2016 **Attachment 15.1I**.

The proposed local laws are outlined below together with their respective purpose and effect.

Activities on Thoroughfares and Public Places and Trading Amendment Local Law 2016

Purpose:

To amend the local law relating to activities in thoroughfares and public places and trading.

Effect:

Some activities are prohibited; some activities are permitted only under permit in thoroughfares and public places. The local law also enables a local government to require house numbering and the erection of fences in certain circumstances.

Animals, Environment and Nuisance Local Law 2016

Purpose:

To provide for the regulation, control and management of animals and the prevention of environmental damage and nuisances within the District.

Effect:

To establish the requirements with which any person keeping animals, or undertaking activities that have the potential to impact the environment or create nuisance must comply.

Bush Fire Brigades Amendment Local Law 2016

Purpose:

To amend the provisions about the organisation, establishment, maintenance and equipment of bush fire brigades.

Effect:

To align the existing local law with changes in law and operational practice.

Cemeteries Amendment Local Law 2016

Purpose:

To amend the local law to provide for the orderly management of the public cemetery in the Shire of Merredin.

Effect:

To ensure compliance by all persons engaged in the administration of the cemetery, burying deceased in the cemetery, or otherwise providing services to or making use of the cemetery.

Dogs Amendment Local Law 2016

Purpose:

To amend the local law to make provisions about the impounding of dogs, to control the number of dogs that can be kept on premises and the manner of keeping those dogs and to prescribe areas in which dogs are prohibited and dog exercise areas.

Effect:

To extend the controls over dogs which exist under the *Dog Act 1976*.

Fencing Amendment Local Law 2016

Purpose:

To amend the local law to provide a sufficient fence for purposes of the *Dividing Fences Act 1961* and to state the materials to be used and safety measures to be taken for some types of fencing.

Effect:

Augments the compliance requirements of the *Local Government (Miscellaneous Provisions) Act 1960* with respect to the erection and maintenance of fencing.

Health Local Law 2016

Purpose:

To provide a statutory means to effectively control issues that have the ability to adversely impact on the health and well-being of the community.

Effect:

To allow health related issues to be sufficiently controlled so as to provide an acceptable standard for the maintenance of public health in the community.

Local Government Property Amendment Local Law 2016

Purpose:

To regulate the care, control and management of all property of the local government except thoroughfares.

Effect:

To control the use of local government property. Some activities are permitted only under a permit or under a determination and some activities are restricted or prohibited. Offences are created for inappropriate behaviour in or on local government property.

Standing Orders Local Law 2016

Purpose:

Is to provide the rules for the conduct of meetings of the Council, Committees and electors.

Effect:

To result in:

1. the orderly and effective conduct of meetings;
2. greater community understanding of the meeting process;
3. better decision making by the Shire; and
4. better outcomes from decisions made.

Policy Implications

Nil

Statutory Implications

Section 3.12 of the Act outlines the process that needs to be followed to adopt new and amendment local laws.

Strategic Implications

➤ Strategic Community Plan

Vision Element: Developing
Strategic Goal: The population and economic base is expanding sustainably
Key Priority: Governance

➤ Corporate Business Plan

Strategy: SP.D4.1 – Implement accountable and good governance
Action #: 2
Action: Ensure policies, procedures and practice are effective, transparent and aligned with program delivery
Directorate: Corporate Services
Timeline: Ongoing

Sustainability Implications

➤ Strategic Resource Plan

Nil

➤ Workforce Plan

Directorate: Nil
Activity: Nil
Current Staff: Nil
Focus Area: Nil
Strategy Code: Nil
Strategy: Nil
Implications: Nil

Risk Implications

By not complying with the below recommendation Council would be contravening the Local Government Act 1995.

Financial Implications

Funds are provided in the 2015/16 Budget to undertake the Local Law Review.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That in accordance with Section 3.12 of the *Local Government Act 1995* Council resolves:

1. to approve the giving of statewide public notice of the following local laws in order to seek public comment:
 1. Activities on Thoroughfares and Public Places and Trading Amendment Local Law 2016;
 2. Animals, Environment and Nuisance Local Law 2016;
 3. Bush Fire Brigades Amendment Local Law 2016;
 4. Cemeteries Amendment Local Law 2016;
 5. Dogs Amendment Local Law 2016;
 6. Fencing Amendment Local Law 2016;
 7. Health Local Law 2016;
 8. Local Government Property Amendment Local Law 2016; and
 9. Standing Orders Local Law 2016.
2. to submit to the Minister for Local Government a copy of all proposed local laws; and
3. to submit to other Ministers a copy of the relevant local law.

15.2 CEACA Incorporated – Commitment of Funding for Stage 2

Administration



Responsible Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	CS/16/20
Disclosure of Interest:	Nil
Attachments:	Nil
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Central East Aged Care Alliance (CEACA) is a partnership of eleven Wheatbelt Shires (Bruce Rock, Kellerberrin, Koorda, Merredin, Mt Marshall, Mukinbudin, Nungarin, Trayning, Westonia, Wyalkatchem and Yilgarn) formed in 2012 and formalised as an Incorporated Association in mid-2015. CEACA has the purpose of capturing economic benefit in the Wheatbelt by providing older people with the necessary services and infrastructure to remain living in their community of interest. CEACA's key area of activity is in the provision of appropriate housing options and public infrastructure that meets the needs of seniors.

CEACA has formulated a staged 6 year program to construct 187 Independent Living Units (ILUs) across those eleven Shires to address market failure to meet increasing demand for age appropriate accommodation and services.

In Stage 1 of the project, CEACA was successful in obtaining funding of \$2,075,800 from Royalties for Regions' Southern Investment Initiative, managed by the Shire of Merredin on CEACA's behalf, for the land assembly and servicing of 54 lots across the eleven Shires for the construction of ILU's. Work on Stage 1 has commenced with a Project Manager appointed to progress the works.

CEACA has since been successful in obtaining a further \$19,986,439 in funding from Royalties for Regions' Growing our South program, which will again be managed by the Shire of Merredin on CEACA's behalf. The funding is for the preparation and servicing of 21 lots for construction of ILUs by June 2019, and the construction of 75 ILUs by June 2020 across the eleven Shires.

One of the conditions of receiving Progress Payment 1 in the Financial Assistance Agreement (FAA) for Stage 2 is a minuted commitment from each CEACA Council verifying their financial commitment of \$20,000 per constructed ILU.

The purpose of this agenda item is therefore to comply with that condition.

Comment

The site for CEACA in Merredin is the old North Merredin Primary School site (Reserve 13876), which was vested in the Shire in 2014 for the purpose of Aged Care and Community Purposes.

Stage 2 of the project involves the construction of 28 ILUs in Merredin. At \$20,000 per ILU this totals \$560,000.

As the scheduling of the construction of the ILUs is yet to occur, the timeframe for when the funding is to be made available and therefore included in Council's Budget is not yet known. For the purpose of this item, Council should be making the commitment now so that when the time comes for the ILUs to be constructed the contribution is available. This could come from Reserve funds, a loan or other source.

Policy Implications

Nil

Statutory Implications

Nil at this time.

Strategic Implications

➤ Strategic Community Plan

Vision Element: Developing
Strategic Goal: The population and economic base is expanding sustainably
Key Priority: Accommodation

Vision Element: Developing
Strategic Goal: The population and economic base is expanding sustainably
Key Priority: Civic Leadership, Advocacy and Regional Collaboration

Vision Element: Liveable
Strategic Goal: Merredin has the services, facilities, characteristics and heritage that continue to make Merredin a great place to live and contribute to a liveable region
Key Priority: Health Facilities and Services

➤ Corporate Business Plan

Strategy: SP.D2.2 – Collaborate and facilitate the development of aged accommodation
Action #: 1
Action: Support CEACA Inc. in the implementation of identified outcomes outlined in the Verso Report to construct 50 ILUs within Merredin to accommodate seniors
Directorate: Office of the CEO
Timeline: 2017/18; 2018/19

Strategy:	SP.D3.1 – Collaborate with neighbouring Shires (and beyond) for the benefit of the region as a whole
Action #:	1
Action:	Continue to progress regional collaboration by participating the WEROC strategies and similar regional partnerships
Directorate:	Office of the CEO
Timeline:	Ongoing

Strategy:	SP.L1.2 – Continue to assist with the facilitation of aged care services
Action #:	1
Action:	Through CEACA Inc. the Shire will continue to lobby the Federal and State Governments to ensure the necessary services to support aged care are accessible in Merredin
Directorate:	Office of the CEO
Timeline:	Ongoing

Sustainability Implications

➤ [Strategic Resource Plan](#)

Nil

➤ [Workforce Plan](#)

Directorate:	Nil
Activity:	Nil
Current Staff:	Nil
Focus Area:	Nil
Strategy Code:	Nil
Strategy:	Nil
Implications:	Nil

Risk Implications

By not committing the necessary funds to the project Council risks breaching the terms of the FAA, resulting in the risk that the project may not progress.

Financial Implications

A contribution of \$20,000 per constructed ILU is required. For the Shire of Merredin this totals \$560,000 for 28 ILUs over the term of the project.

As mentioned above, the timing for when the funding will be required cannot be known at this time.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That Council commit to an allocation of \$20,000 per independent living unit constructed in Merredin as part of CEACA Incorporated's Stage 2 project, being a total commitment of \$560,000.

This page has intentionally
been left blank