



SHIRE OF
MERREDIN
INNOVATING THE WHEATBELT

MINUTES

Ordinary Council Meeting

Held in Council Chambers
Corner King & Barrack Street's, Merredin
Tuesday 15 November 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 |

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Shire of Merredin
Ordinary Council Meeting
Tuesday 18 November 2016



1. Official Opening

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

2. Record of Attendance / Apologies and Leave of Absence

Councillors:

| | |
|----------------|------------------|
| Cr KA Hooper | President |
| Cr RM Crees | Deputy President |
| Cr LN Boehme | |
| Cr CA Blakers | |
| Cr MA Crisafio | |
| Cr JP Flockart | |
| Cr MD Willis | |
| Cr ML Young | (until 3.38pm) |

Staff:

| | |
|----------|---------------------|
| G Powell | CEO |
| R McCall | Deputy CEO |
| P Zenni | EMDS (until 3.32pm) |
| R Bowler | EHO (until 3.32pm) |
| V Green | EA to CEO |

Members of the Public: P Gerrand (until 3.15pm)

Apologies: Nil

Approved Leave of Absence: Cr BJ Anderson (CMRef 81841)

3. Public Question Time

Mr Peter Gerrand addressed Council in relation to Belgravia Leisure's contract management of the MRCLC. The specific questions posed by Mr Gerrand are detailed below:

- 1. "I am trying to establish whether Belgravia Leisure have an illegal competitive advantage over Merredin Squash and Fitness Centre through receiving preferential treatment and sponsorship from the Shire in the form of a reduced rental or rates provision for the Rec Centre or whether the Shire is underwriting any losses incurred by Belgravia Leisure.*
- 2. Is the Shire underwriting any losses that Belgravia may incur as a result of this management agreement.*

3. *Is Shire charging Belgravia any rent for the centre.*
4. *Is Shire aware of the Principles of Competitive Neutrality and Competitive Advantage as defined in The Local Government Act (1995)*
5. *Is Shire aware, that under the Local Government Act (1995) Council's operations and actions must be open to public scrutiny at all appropriate times.*
6. *Is Shire aware that it may be a misallocation of Shire funds to subsidise by artificially conferring a net competitive advantage to one business over another.*
7. *Is Shire aware that Merredin Fitness has operated in Merredin for over 20 years employing many local people in various roles and providing an excellent facility to the Merredin Community."*

Mr Gerrand was advised that as the above questions were also the subject of a Freedom of Information application, his questions would be taken on notice with the response to be provided within the requirements of the *Freedom of Information Act 1992*, and a copy of the response to be included in a future agenda.

4. Disclosure of Interest

Councillors Flockart and Young declared a Financial Interest in Item 12.4

Councillor Young declared a Financial Interest in Item 19.1

5. Applications for Leave of Absence

Councillor Blakers requested Leave of Absence for the December 2016 Council meeting.

Councillor's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Boehme

81861 That Councillor Blakers be granted Leave of Absence for the December 2016 Council meeting.

CARRIED 8/0

6. Petitions and Presentations

Nil

7. Confirmation of Minutes of the Previous Meeting

- 7.1 Ordinary Council Meeting held on 18 October 2016
[Attachment 7.1A](#)

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Willis

81862 That the Minutes of the Ordinary Council Meeting held on 18 October 2016 be confirmed as a true and accurate record of proceedings.

CARRIED 8/0

8. Announcements by the Person Presiding without discussion

Nil

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

19.1 Merredin Regional Community and Leisure Centre - Gymnasium Development Proposal

Refer to [Page 34](#) for information on this Item.

10. Receipt of Minutes of Committee Meetings

Nil

11. Recommendations from Committee Meetings for Council consideration

Nil

12. Officer's Reports - Development Services

12.1 Town Planning Scheme No. 6 - Planning Policy Review

Development Services



| | |
|--------------------------------|---|
| Responsible Officer: | Peter Zenni, EMDS |
| Author: | As above |
| Legislation: | Town Planning Scheme No. 6 |
| File Reference: | LUP/5/1 |
| Disclosure of Interest: | Nil |
| Attachments: | Attachment 12.1A – revised Policies |
| Maps / Diagrams: | Nil |

Purpose of Report



Executive Decision



Legislative Requirement

Background

The review of the Local Planning Policies was presented to Council at its October 2016 meeting, however they were referred back to staff for further review (CMRef 81850). This review has been completed and the policies are again presented to Council for consideration. As such, the agenda item from October is repeated (in parts) below.

The Shire of Merredin Town Planning Scheme No.6 (the Scheme) was gazetted on 24 June 2011. The Scheme incorporates several local planning policies, these being:

- LPP 1 Moveable Buildings
- LPP 2 Subdivision for Homestead Lots
- LPP 3 Carparking
- LPP 4 Landscaping
- LPP 6 Rural Residential Development
- LPP 7 Cash in Lieu

There have been a number of changes in associated legislation which are captured or called upon in the local planning policies. This, in conjunction with the fact that the local planning policies have been in place for 5 years and that the Shire of Merredin should review its planning policies on a regular basis, provides an opportunity for the local planning policies to now be reviewed and updated.

Comment

Local Planning Policy 1 – Moveable Buildings provides Council with the opportunity to control development through planning processes with respect to moveable buildings (transportable buildings both site built and relocated, donga type structures, sea containers). The Policy in question refers to the need to obtain a building licence. With the replacement of the *Local Government (Miscellaneous Provisions) Act 1960* with the *Building Act 2011*, building licences have now been replaced with building permits. The Policy should reflect this and be amended accordingly.

The Policy as advertised incorporates the old logo. This needs to be amended.

The Policy contains a number of paragraph consequential numbering errors which need to be addressed.

The Policy refers to the Building Surveyor rather than the EMDS. This needs to be amended.

Local Planning Policy 2 – Subdivision for Homestead Lots references a WA Planning Commission (WAPC) Development Control Policy 3.4 – Subdivision of Rural Land, which was subsequently revised by the WAPC in March 2012. Therefore further investigation into the impact of the revised policy needs to occur and will be brought back to Council at a later date.

Local Planning Policy 3 – Carparking provides Council with the ability to determine parking layout requirements via the development application process.

The Policy as advertised incorporates the old logo. This needs to be amended.

Local Planning Policy 4 – Landscaping provides Council with the ability to set minimum requirements for the provision of landscaping as part of the development application process. The Policy incorporates a typing mistake with a missing letter in the fifth paragraph. This needs to be amended.

The Policy as advertised incorporates the old logo. This needs to be amended.

Local Planning Policy 6 – Rural Residential Development designates areas considered adequate for rural residential development.

The Policy as advertised incorporates the old logo. This needs to be amended.

Local Planning Policy 7 – Cash in Lieu provides for alternative solutions to parking requirements of the local planning scheme including payments for parking spaces.

The Policy as advertised incorporates the old logo. This needs to be amended.

Draft Local Planning Policy 8 – Signage on Reserves provides guidance on the placement of advertising signage on reserves vested with the Shire of Merredin.

At its September 2014 meeting Council resolved (CMRef 81434):

“That the draft Policy as included in Attachment 12.6A be refined with any reasonable additions/modifications supplied to the Executive Manager of Development Services before 30 September 2014, and then advertised in accordance with the provisions of Clause 2.4 of the Shire of Merredin Local Planning Scheme No. 6 and that the submissions and draft policy be brought back to Council for further consideration.”

It appears the policy was advertised for comment in accordance with Council's resolution but was never brought back to Council for final adoption.

The draft local planning policy contains a number of paragraph consequential numbering errors which need to be addressed.

Policy Implications

There have been a number of changes in associated legislation which are captured or called upon in the local planning policies. This in conjunction with the fact that the local planning policies have been in place for 5 years and that the Shire of Merredin should review its planning policies on a regular basis provides an opportunity for the local planning policies to be now reviewed and updated.

Statutory Implications

Compliance with the *Planning and Development Act 2005* and the Shire of Merredin Town Planning Scheme No. 6.

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 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

The proposed changes to the Local Planning Policies will need to be advertised widely. Accordingly an advert will be placed in the West Australian newspaper. The Shire has a budgetary allocation for advertising purposes.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Blakers

81863 That:

1. the proposed changes to the following Local Planning Policies:
 - LPP 1 Moveable Buildings
 - LPP 3 Carparking
 - LPP 4 Landscaping
 - LPP 6 Rural Residential Development
 - LPP 7 Cash in Lieube adopted and the revised Planning Policies be advertised in accordance with Clause 2.4 of the Shire of Merredin Town Planning Scheme No. 6 and at the completion of the advertising period the matter be brought back to Council for determination and submission to the Western Australian Planning Commission; and
2. the draft Local Planning Policy 8 – Signage on Reserves be adopted and advertised in accordance with Clause 2.4 of the Shire of Merredin Town Planning Scheme No. 6 and at the completion of the advertising period the matter be brought back to Council for determination and submission to the Western Australian Planning Commission.

CARRIED 8/0

12.2 Lot 426 (No 12) Craddock Road, Merredin – Application for an Over-height Shed

Development Services



| | |
|--------------------------------|--|
| Responsible Officer: | Peter Zenni, EMDS |
| Author: | As above |
| Legislation: | <i>Building Act 2011</i> |
| File Reference: | A809 |
| Disclosure of Interest: | Nil |
| Attachments: | Attachment 12.2A - Application and plans |
| Maps / Diagrams: | Nil |

Purpose of Report



Executive Decision



Legislative Requirement

Background

An application for building approval has been received for the construction of an over-height shed at Lot 426 (No 12) Craddock Road, Merredin.

Comment

The proposed shed will be used for storage purposes. Council has previously approved the construction of both over-height and oversize sheds in residential areas within Merredin.

The proposed shed will be located at the rear of the property and there should be no significant impact on the visual amenity of the surrounding area.

The owner of the adjoining property has confirmed in writing that they have no objection to the proposed construction.

Policy Implications

Policy 8.22 – Outbuildings in Residential Areas permits the EMDS to approve outbuildings in residential areas, as long as their height and size complies with Policy Table 8.22.

In this case the policy stipulates a maximum height of no more than 3.6m (3.926m actual height).

Therefore the matter has been referred to Council for consideration.

Statutory Implications

Compliance with the *Building Act 2011* and the Shire of Merredin Town Planning Scheme No. 6

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 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

The Building Application fees have been paid.

Voting Requirements



Simple Majority



Absolute Majority

P Gerrand left the meeting at 3.15pm and did not return.

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Willis

81864 That a building permit for the construction of an over-height shed at Lot 426 (No 12) Craddock Road, Merredin be approved, subject to compliance with the relevant provisions of the *Building Act 2011* and the Building Code of Australia.

CARRIED 8/0

12.3 Western Australian Local Government Association - Discussion Paper – Plastic Bag Ban

Development Services



| | |
|--------------------------------|--|
| Responsible Officer: | Peter Zenni, EMDS |
| Author: | As above |
| Legislation: | <i>Local Government Act 1995</i> |
| File Reference: | GR/17/11 |
| Disclosure of Interest: | Nil |
| Attachments: | Attachment 12.3A – WALGA Correspondence and Discussion Paper |
| Maps / Diagrams: | Nil |

Purpose of Report



Executive Decision



Legislative Requirement

Background

Correspondence has been received from the Western Australian Local Government Association (WALGA) seeking comment on the proposed implementation of local laws banning plastic bags. WALGA advises that a number of local governments have expressed an interest in putting in place local laws banning plastic bags, and that WALGA through the Waste Advisory Council has undertaken research on options for plastic bag bans and the range of issues associated with plastic pollution.

Comment

WALGA is seeking feedback from Council with respect to the following:

1. *Is plastic pollution and litter an issue for your Local Government? Why/why not?*
2. *What actions is your Local Government taking to address littering and prevent plastic entering the environment (e.g. provision of public waste bins, gross pollutant traps, facilitation Adopt a Spot projects)?*
3. *Does your Council support a state-wide plastic bag ban?*
4. *Would your Council like to introduce a Local Law to ban plastic bags?*

The EMDS has discussed the current situation with respect to waste management within the Shire of Merredin with the EMES and EHO. It is believed that the Shire is managing to control the disposal of waste matter, including plastic waste, in an effective manner with no indication that plastic bags are causing a pollution problem within the Shire.

The current plastic bags in use within the Shire are biodegradable when exposed to the elements and it is believed that a ban on the use of plastic bags within the Shire would inconvenience local members of the public without any real benefit to the environment.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

➤ Strategic Community Plan

Vision Element: Naturally Resourceful

Strategic Goal: Merredin is renowned for its innovation in agriculture, water and energy – it enhances the quality of the natural environment

Key Priority: Natural Environment

➤ Corporate Business Plan

Strategy: SP.E1.1 – Minimise waste production

Action #: 2

Action: Manage waste disposal in an environmentally sensitive manner

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

Nil

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Crisafio

81865 That the Western Australian Local Government Association be advised as follows:

1. plastic pollution and litter are not currently a problem within the Shire of Merredin;
2. the Shire of Merredin provides an adequate number of public waste bins and the local population is aware of the need for responsible disposal of waste materials;
3. Council does not support a state-wide plastic bag ban; and
4. Council will not be introducing a local law to ban plastic bags.

CARRIED 7/1

Councillor Blakers requested her vote for the negative be recorded.

Councillors Flockart and Young declared a Financial Interest in this Item 12.4 and left the meeting at 3.21pm and 3.23pm respectively.

12.4 Policy Manual Review - Policy 8.25 – Food Act Compliance and Enforcement

Development Services



| | |
|--------------------------------|--|
| Responsible Officer: | Peter Zenni, EMDS |
| Author: | As above |
| Legislation: | <i>Food Act 2008</i> |
| File Reference: | Policy Manual |
| Disclosure of Interest: | Nil |
| Attachments: | Attachment 12.4A – revised Policy 8.25 |
| Maps / Diagrams: | Nil |

Purpose of Report



Executive Decision



Legislative Requirement

Background

Policy 8.25 - Food Act Compliance and Enforcement has been reviewed.

Comment

Policy 8.25 - Food Act Compliance and Enforcement duplicates provisions specified in the enabling legislation (*Food Act 2008* and associated Regulations). The policy is verbose and therefore difficult to comprehend.

Policies should only contain specific information that relates to local requirements and as such offer guidance to staff on the performance of their duties. There is no need to duplicate information contained in the *Food Act 2008*.

The attachment details the proposed changes to the Policy.

Policy Implications

The revised Policy will be updated and included in the Policy Manual.

Statutory Implications

The revised Policy will give clear guidance to staff with respect to the enforcement of food safety related legislation within the Shire of Merredin.

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

Nil

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Blakers

81866 That the revised Policy 8.25 - Food Act Compliance and Enforcement, as presented in Attachment 12.4A, be adopted.

CARRIED 6/0

Councillor Flockart entered the meeting at 3.25pm and Councillor Young entered the meeting at 3.26pm.

13. Officer's Reports - Engineering Services

13.1 Endorsement of Action - Waste Management Income

| <h2>Engineering Services</h2> | |  SHIRE OF MERREDIN INNOVATING THE WHEATBELT |
|--------------------------------|--|--|
| Responsible Officer: | Mike Hudson, EMES | |
| Author: | Rebecca Bowler, EHO | |
| Legislation: | <i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i> | |
| File Reference: | Nil | |
| Disclosure of Interest: | Nil | |
| Attachments: | Attachment 13.1A – Licence L8572/2011/1, Kalgoorlie Facility | |
| Maps / Diagrams: | Nil | |

Purpose of Report



Executive Decision



Legislative Requirement

Background

Total Waste Management Pty Ltd contacted the Shire of Merredin on 3 October 2016 exploring the opportunity for the Shire of Merredin to accept Class II compliant landfill contaminated solids/soil from their waste management facility in Kalgoorlie. Their current waste disposal option had become uneconomical. A Nationally Accredited Testing Authorities of Australia (NATA) accredited soil analysis was received to confirm the quality/contamination of the product.

The product was confirmed by the Department of Environment Regulation (DER) as being waste of a quality and type that could be used for daily cover and top fill (used in the rehabilitation process). The Shire of Merredin would be a beneficiary on two fronts; the product itself would assist in meeting our DER licence requirements in relation to daily cover and rehabilitation requirements, and it would be a source of unbudgeted income.

The current landfill site fees and charges (per cubic metre) were uncompetitive in this situation given the quantity of material and a per-tonne rate was negotiated. Negotiations were finalised on Friday 4 November 2016 with up to 2,500 tonnes to be delivered to the Shire of Merredin Chandler-Merredin Road Landfill over a 2 month period at an agreed rate of \$45/tonne. This will realise an approximate unbudgeted income of \$112,500.

This is less than the rate contained in the current Schedule of Fees and Charges of between \$33 and \$61 per cubic metre (sorted and unsorted) but is seen as reasonable given the quantity to be delivered, the amount of staff time involved, and the benefits that would be obtained from the transaction.

There may be a continuation of supply however a DER amendment to Council's current landfill licence to increase the site's capacity would be required if the supply was to become a more permanent arrangement.

Comment

Irregular NATA testing of the Class II compliant landfill contaminated solids/soil will be undertaken by the Shire of Merredin to ensure and confirm acceptance of a compliant waste product.

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: 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 programme delivery
Directorate: Corporate Services
Timeline: Ongoing

Sustainability Implications

➤ Strategic Resource Plan

The charges are based on the principles contained in the IPR Suite of Plans.

➤ Workforce Plan

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

Risk Implications

Nil

Financial Implications

Any income will be reflected against the budgeted revenue.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Willis

81867 That:

1. the actions of the Chief Executive Officer to secure delivery and payment for the disposal of 2,500 tonnes of Class II compliant landfill contaminated solids/soil from Total Waste Management Pty Ltd at \$45/tonne be endorsed; and
2. should additional tonnage be delivered, it be charged at the same rate for the remainder of the 2016/17 financial year.

CARRIED BY ABSOLUTE MAJORITY 8/0

R Bowler, EHO, and P Zenni, EMDS, left the meeting at 3.32pm and did not return.

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 September 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

➤ 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 / Resolution

Moved: Cr Young

Seconded: Cr Blakers

81868 That the schedule of accounts paid as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$850,205.25 from Council's Municipal Fund Bank Account and \$1,100 from Council's Trust Account be received.

CARRIED 8/0

14.2 Statement of Financial Activity

| <h1>Corporate Services</h1> | |
|--------------------------------|--|
| 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, Detailed Schedules & 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 to 31 October 2016 is consistent with Council's 2016/17 Budget, 3% up, however the expenditure level is below what was expected by 8%.

Variation actuals to YTD Budgets

Operating Expenditure

Overall expenditure is down 8%. The only program currently showing over expenditure being Transport (13%), and this is offset by capital works being under budget with additional maintenance been carried out in preference to capital works.

Operating Income

All programs are with allowed variation with the exception of Transport, and this is accounted for by grant income being claimed now and not 1 July as previously advised.

Capital Expenditure

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 / Resolution

Moved: Cr Crees

Seconded: Cr Young

81869 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 October 2016 be received.

CARRIED BY ABSOLUTE MAJORITY 8/0

14.3 Contract Management of the Merredin Regional Community and Leisure Centre - Presentation of Management Plan

Community Services



| | |
|--------------------------------|---|
| Responsible Officer: | Rebecca McCall, DCEO |
| Author: | As above |
| Legislation: | <i>Local Government Act 1995; Local Government (Functions and General) Regulations 1996</i> |
| File Reference: | Nil |
| Disclosure of Interest: | Nil |
| Attachments: | Attachment 14.3A - MRCLC Management Plan 2016/17 |
| Maps / Diagrams: | Nil |

Purpose of Report



Executive Decision



Legislative Requirement

Background

At its July 2016 Council resolved behind closed doors (CMRef 81819):

“That Council accepts the non-conforming tender submitted by Belgravia Leisure and enters into a two-year agreement for the provision of contract management of the Merredin Regional Community and Leisure Centre commencing in the 2016/17 financial year on a date to be determined.”

The agreement between the two parties was signed with a transition date of 1 October 2016. The agreement identifies the requirement for Belgravia Leisure to submit to the Shire of Merredin a Management Plan by 31 October 2016 for Council’s consideration and endorsement.

Comment

MRCLC Management Plan

The Management Plan was submitted by the due date and outlines the programs and services, workforce plan, marketing and communications, operational hours, asset management, fees and charges and operational action plan. A copy of the Plan is attached for Council’s perusal.

Shire of Merredin Schedule of Fees and Charges

As the management of the MRCLC facility is out-sourced, the associated fees and charges identified in the Shire of Merredin's 2016/17 Schedule of Fees and Charges no longer apply and need to be removed from the schedule. The MRCLC Management Plan 2016/17 prepared by Belgravia Leisure outlines its fees and charges which are in line with those adopted by Council.

Policy Implications

Nil

Statutory Implications

Local Government (Functions and General) Regulations 1996. The *Local Government Act 1995* allows for the impositions of fees and charges as outlined in Sections 6.16 and 6.17.

Strategic Implications

➤ Strategic Community Plan

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.L2.2 – Investigate opportunities to consolidate Shire owned facilities and services.

Action #: 1

Action: Review, implementation and renationalisation options for recreational and community facilities and services.

Directorate: Community Development

Timeline: 2015/16 to 2018/19

Sustainability Implications

➤ Strategic Resource Plan

The SRP comprises operational allocations to include operations, building maintenance and renewal.

➤ Workforce Plan

Directorate: Community Development

Activity: Recreation Services

Current Staff: Out-Sourced

Focus Area: Alternative Labour Sources

Strategy Code: ALS2

Strategy: Undertake service reviews across the organisation to identify the most effective and efficient method to deliver services.

Implications: If the service was returned in-house the Shire would need to consider retaining the contractor's staff or recruit sufficient staff to manage and operate the facility.

Risk Implications

The annual operational deficit is factored into the Strategic Resource Plan. The possible risks associated are as follows:

1. the contractor is unable to deliver the operational action plan;
2. the relationship between the two parties is not conducive; and/or
3. financial risk if the community do not engage or participate.

Financial Implications

MRCLC Management Plan

The budget developed by Belgravia Leisure could impact on the overall 2016/17 Budget allocated for the MRCLC operations. The nine month budget could result in approximately an additional \$150,000 but as new sources of revenue and increases in existing revenue streams are difficult to forecast at this time, a budget amendment will not now be recommended. All revenue and expenditure will be monitored on a monthly basis and a budget amendment, if required, will be recommended in quarter 2 of 2017.

Fees and Charges

The proposed fees and charges outlined in the Management Plan will not impact on the overall 2016/17 Budget allocated for the MRCLC operations.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Young

81870 That:

1. the Merredin Regional Community and Leisure Centre Management Plan 2016/17 submitted by Belgravia Leisure be received; and
2. the Schedule of Fees and Charges for the 2016/17 financial year relating to the Merredin Regional Community and Leisure Centre be deleted, and it be advertised in accordance with the *Local Government Act 1995*.

CARRIED BY ABSOLUTE MAJORITY 8/0

15. Officer's Reports – Administration

15.1 Wheatbelt Communities Inc – Council Membership and Review of Constitution

Administration



| | |
|--------------------------------|--|
| Responsible Officer: | Greg Powell, CEO |
| Author: | Vanessa Green, EA to CEO |
| Legislation: | <i>Local Government Act 1995; Associations Incorporations Act 2015</i> |
| File Reference: | CS/16/19 |
| Disclosure of Interest: | Nil |
| Attachments: | Attachment 15.1A – Report of Review of Constitution |
| Maps / Diagrams: | Nil |

Purpose of Report



Executive Decision



Legislative Requirement

Background

Wheatbelt Communities Inc. (WBC) is an independent body incorporated in April 2015 to promote, facilitate and implement measures to enhance the economic development of the Central Eastern Wheatbelt so that it is a thriving and prosperous region that is sensitive to the needs of residents, visitors, enterprise and the environment.

WBC's membership includes members from the 5 WEROC Councils, being the Shires of Bruce Rock, Kellerberrin, Merredin, Westonia and Yilgarn.

WBC will be conducting its AGM in November 2016 and it is necessary to (re)appoint the Shire of Merredin's member representatives. Additionally, as a result of the introduction of the *Association Incorporations Act 2015* (the Act) it has been necessary to review WBC's constitution so it conforms to the requirements of the Act.

Comment

At its October 2014 meeting Council appointed Councillor Ken Hooper and Mr Greg Powell as the Shire's member representatives to WBC, with Councillor Mark Crees and Mrs Rebecca McCall the deputies (CMRef 81454).

Councillor Hooper is the current WBC Chair, and as the nomination of the President and CEO to be Council's representatives, with the Deputy President and DCEO as deputies, aligns with the Appointment of Members in the WEROC MoU, it is therefore recommended that Councillor Hooper and Mr Powell remain as the Shire's member representatives, with Councillor Crees and Mrs McCall as their deputies.

The Report on Review of CEACA's constitution contains an agenda item authored by WBC's Executive Officer, Ms Helen Westcott, which details the process followed in reviewing WBC's constitution and the explanation of the proposed amendments, as well as a tracked-changes copy of the constitution.

Policy Implications

Nil

Statutory Implications

Local Government Act 1995; Associations Incorporations Act 2015

Strategic Implications

➤ Strategic Community Plan

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

➤ Corporate Business Plan

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 in WEROC strategies and similar regional partnerships
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

Nil

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Blakers

81871 That:

1. Councillor Ken Hooper and Mr Greg Powell be appointed as the Shire of Merredin's member representatives to Wheatbelt Communities Inc, with Councillor Mark Crees and Mrs Rebecca McCall appointed as deputies; and
2. the Shire of Merredin endorse the revised constitution for Wheatbelt Communities Inc as presented in Attachment 15.1A, and advise Wheatbelt Communities Inc's Executive Officer accordingly.

CARRIED 8/0

16. Motions of which Previous Notice has been given

Nil

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

Nil

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

Nil

19. Matters Behind Closed Doors

In accordance with Sections 5.23(2) (c) and (e) of the *Local Government Act 1995* Council went Behind Closed Doors to discuss a matter regarding a contract and information that has a commercial value.

Councillor Young declared a Financial Interest in this Item 19.1, left the meeting at 3.38pm and did not return.

Resolution

Moved: Cr Flockart **Seconded:** Cr Boehme

81872 That Council move Behind Closed Doors at 3.39pm.

CARRIED 7/0

Councillor Crisafio left the meeting at 3.56pm and entered the meeting at 3.57pm.

Resolution

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

81873 That Council return from Behind Closed Doors at 4.04pm.

CARRIED 7/0

19.1 Merredin Regional Community and Leisure Centre - Gymnasium Development Proposal

Resolution

Moved: Cr Boehme **Seconded:** Cr Blakers

81874 That this Item 19.1 Merredin Regional Community and Leisure Centre - Gymnasium Development Proposal lay on the table.

CARRIED 6/1

20. Closure

There being no further business the President thanked all those in attendance and declared the meeting closed at 4.05pm.