

SHIRE OF  
**MERREDIN**  
INNOVATING THE WHEATBELT

# AGENDA

## Ordinary Council Meeting

To be held in Council Chambers  
Corner King & Barrack Street's, Merredin  
Tuesday 18 July 2017  
Commencing 3.00pm



# Notice of Meeting



Dear Deputy President and Councillors,

The next Ordinary Meeting of the Council of the Shire of Merredin will be held on Tuesday 18 July 2017 in the Council Chambers, Corner King & Barrack Streets, Merredin. The format of the day will be:

- |        |  |
|--------|--|
| 1.00pm | Briefing Session (including presentation by Metro Power Company) |
| 3.00pm | Council Meeting  |

GREG POWELL  
CHIEF EXECUTIVE OFFICER

13 July 2017

## 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.

It should be noted that the Attachment hyperlinks will not be functional from this document when sourced from the Shire of Merredin's website. Attachment copies can be obtained by contacting Vanessa Green on 08 9041 1611 or ea@merredin.wa.gov.au.

### 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
SRP	Strategic Resource Plan
CBP	Corporate Business Plan
CSP	Community Strategic Plan
MRCLC	Merredin Regional Community and Leisure Centre
CWVC	Central Wheatbelt Visitors Centre
MoU	Memorandum of Understanding

Shire of Merredin  
Ordinary Council Meeting  
3:00pm Tuesday 18 July 2017



**1. Official Opening**

As the Shire President has been granted Leave of Absence for this July meeting, in accordance with Section 5.6 and Section 5.34(b) of the *Local Government Act 1995*, the Deputy President will preside at this meeting.

**2. Record of Attendance / Apologies and Leave of Absence**

**Councillors:**

Cr RM Crees	Deputy President
Cr BJ Anderson	
Cr LN Boehme	
Cr MA Crisafio	
Cr JP Flockart	
Cr MD Willis	
Cr ML Young	

**Staff:**

G Powell	CEO
R McCall	Deputy CEO
V Green	EA to CEO

**Members of the Public:** Mr P Gerrard

**Apologies:**

**Approved Leave of Absence:** Cr KA Hooper, Cr CA Blakers (CMRef 81979)

**3. Public Question Time**

Members of the public are invited to present questions to the Deputy President about matters affecting the Shire of Merredin and its residents.

**4. Disclosure of Interest**

**5. Applications for Leave of Absence**

**6. Petitions and Presentations**

Mr Peter Gerrard will present a petition to Council requesting the road access into Hunts Dam be improved.

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

7.1 [Ordinary Council Meeting held on 20 June 2017](#)

**8. Announcements by the Person Presiding without discussion**

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

**10. Receipt of Minutes of Committee Meetings**

10.1 [WEROC Council Meeting held on 15 May 2017](#)

10.2 [CEACA Committee Meeting held on 7 June 2017](#)

10.3 [GECZ Executive Meeting held on 16 June 2017](#)

10.4 [WEROC Council Meeting held on 28 June 2017](#)

10.5 [GECZ Meeting held on 29 June 2017](#)

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

Nil

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

12.1 [Lot 1 Totadgin Hall Road, Merredin – Proposed Solar Farm](#)

12.2 [Lot 31 \(No. 24\) Yorrell Way, Merredin – Building Order Requiring Removal of Incomplete and Deteriorated Two Storey Dwelling and Unfit For Human Habitation Notice](#)

12.3 [Lot 1509 \(No. 105\) Mitchell Street, Merredin – Application for Planning Approval - Transportable Office Building](#)

**13. Officer's Reports – Engineering Services**

13.1 [Policy Manual Review – Purchasing Policy 3.12](#)

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

14.1 [List of Accounts Paid](#)

14.2 [Statement of Financial Activity](#)

14.3 [2017/18 Differential Rates Adoption](#)

14.4 [2017/18 Budget Adoption](#)

14.5 [Licence to Occupy – PTA Leases – L7465, L7466 and L7467](#)

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

Nil

**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**

**20. Closure**

## 7. Confirmation of Minutes of the Previous Meeting

7.1 Ordinary Council Meeting held on 20 June 2017

[Attachment 7.1A](#)

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation

That the Minutes of the Ordinary Council Meeting held on 20 June 2017 be confirmed as a true and accurate record of proceedings.

## 10. Receipt of Minutes of Committee Meetings

10.1 WEROC Council Meeting held on 15 May 2017

[Attachment 10.1A](#)

10.2 CEACA Committee Meeting held on 7 June 2017

[Attachment 10.2A](#)

10.3 GECZ Executive Meeting held on 16 June 2017

[Attachment 10.3A](#)

10.4 WEROC Council Meeting held on 28 June 2017

[Attachment 10.4A](#)

10.5 GECZ Meeting held on 29 June 2017

[Attachment 10.5A](#)

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation

That the Minutes of the WEROC Council Meeting held on 15 May 2017, the CEACA Committee Meeting held on 7 June 2017, the GECZ Executive Meeting held on 16 June 2017, the WEROC Council Meeting held on 28 June 2017 and the GECZ Meeting held on 29 June 2017 be received.

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

**12.1 Lot 1 Totadgin Hall Road, Merredin – Proposed Solar Farm**

## Development Services



<b>Responsible Officer:</b>	Peter Zenni, EMDS
<b>Author:</b>	Paul Bashall, Planwest
<b>Legislation:</b>	Local Planning Scheme No. 6
<b>File Reference:</b>	A7112
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#">Attachment 12.1A</a> – Application
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

#### Introduction

Mr Timothy Edwards (Managing Director, Metro Power Company) has applied for Development Approval (DA) on behalf of Metro Power Company Pty Ltd, for a 960kW solar facility on land about 5 kilometres south of Merredin town site. The solar facility site occupies an area of about 2.7 hectares on Lot 1 Totadgin Hall Road, which is 192.8 hectares in area. The lot is owned by the Metro Power Company Pty Ltd. The works are estimated to be about \$1.1m which generates a DA fee of \$3,242 (which has been paid to the Shire).

#### Existing land use

The land is zoned 'General Farming' it is currently used for cropping and occasional grazing purposes and is mostly cleared of vegetation. The areas surrounding the subject land are all used for similar purposes.

The applicant has indicated that cropping and sheep grazing activities will continue on the bulk of the property and that sheep grazing will also continue on the area where the solar panels will be located in order to minimise the growth of weeds etc and thereby reduce any associated bush fire risks.



There is an existing shed located about 260 metres south of the solar arrays. This shed will remain and is currently used for the storing of wheat growing machinery.

FIGURE 1 – AERIAL VIEW OF SITE



Source: Google Earth

### Proposed Development

The proposed solar farm will have a generation capacity of approximately 960kW (AC) via the use of approximately 3,200 tracking solar panels in 48 rows, and associated infrastructure, including:

1. photo voltaic modules;
2. piles and framework;
3. inverters (and associated housings);
4. substations (including transformer, circuit breakers and metering);
5. underground cabling;
6. overhead wires; and
7. perimeter fence.

The panels consist of single axis horizontal tracking solar PV systems placed 6 metres apart.

These panels are fire rated as to Fire Class C per UL790 under IEC 6173. The step-up transformer is a 'dry-type' that contains no oil.

The perimeter fence will meet Western Power requirements for restricted access and comprise of 1.8m ring lock with 2 strands of barbed wire on top.

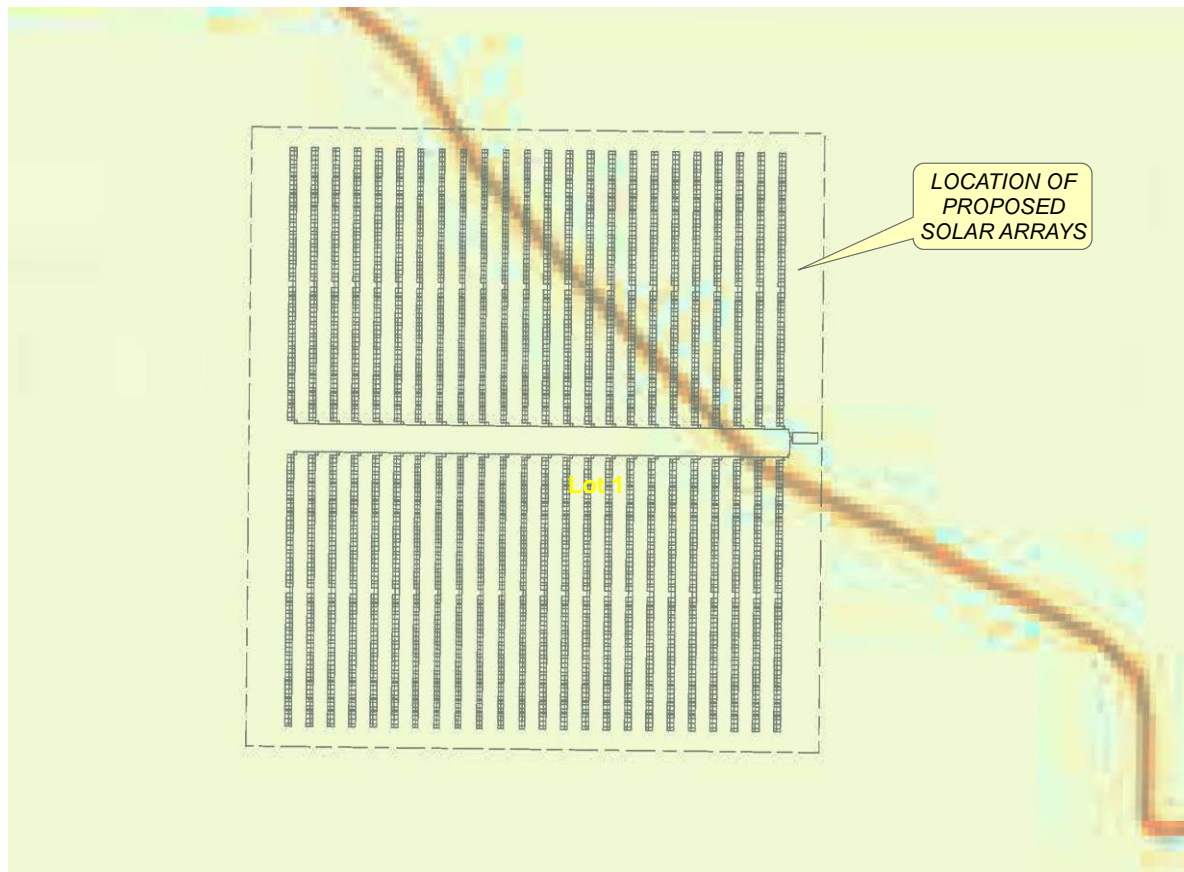
It is estimated that construction will be completed by the end of the 2017 calendar year.

Once fully operational, the landowner will have access to most the site for sheep grazing. This will assist in maintaining the ongoing agricultural use of the site and will also assist in keeping grass levels low for bushfire management purposes.

There will be almost no change to the existing landform that affects drainage or contours.

There will be a provision for a future 'green belt' of native bushes on the northern perimeter boundary to reduce visibility and dust from the nearby farm.

FIGURE 2 – DESIGN OF SOLAR ARRAYS



Source: Metro Power Company Pty Ltd

### Operations

The facility will be autonomous once operational. It will be an unmanned site which is remotely managed. As a result, there will be no need for parking, septic tanks or access roads. Maintenance will be contracted to a person operating from Merredin.

## **Traffic and Transport**

The limited scope of the development means that during both the construction phase and ongoing operation of the facility there will not be any significant impact on the road infrastructure nor any traffic congestion problems.

## **Visual Impact**

Visual impact on the landscape is based on several factors which affect the perceived visual quality. The degree to which a solar farm development will impact on the landscape will depend upon:

1. Siting, layout and design of the infrastructure, signage and ancillary facilities.

**Response:** There will be no signage and minimal ancillary facilities.

2. Visibility of the development, having regard to the location, distance from which the development is visible, skyline and view sheds.

**Response:** The solar facility will be located 125m west of Totadgin Hall Road, about 800m from the Bruce Rock–Merredin Road and about 46m south of the property boundary. A vegetated belt is proposed along the property's northern boundary.

3. Significance and sensitivity of the landscape, having regard to topography, the extent and type of vegetation, natural features, land use patterns, built form character and community values.

**Response:** There will be almost no change to the existing landform that affects drainage or contours or natural vegetation.

4. Methods to reduce impacts on visual amenity include siting the solar farm, ancillary buildings, access roads and transmission infrastructure to complement the natural landform contours and landform backdrop, including ridgelines.

**Response:** The landscape is generally agricultural and no new roads or buildings will be necessary.

5. Ensuring the choice of materials and colour for the development complements the skyline and the backdrop of the view sheds.

**Response:** The applicant has lodged detailed plans with respect to the proposed development but the information incorporated in these has been marked as being 'commercial in confidence' and as such whilst these can be viewed by Councillors they are not available to the general public.

6. Minimising removal of vegetation and using advanced planting of vegetation screens as visual buffers where appropriate.

**Response:** No trees or vegetation is expected to be disturbed in the construction of the facility.

7. Ensuring good quality vegetation and landform rehabilitation, onsite and off-site, where appropriate.

**Response:** Appropriate vegetation should be planted along the northern boundary of the property to help hide the facility from the northerly neighbour.

8. Avoiding clutter, such as advertisements and apparatus.

**Response:** No signage is part of the application.

9. Other amenity issues which can affect sensitive land uses include glint or glare, however this impact will be minimal as solar panels are specifically designed to absorb light instead of reflecting light.

**Response:** Solar panels are designed to absorb light and sunlight not reflect it. The panels will be angled a 6° and will track from east to west – more or less at right angles to the sun.

Unlike a wind farm there are no large structures and there is minimal noise produced.

Due to specific engineering aspects of this solar farm development the maximum overall height of the panels will only be 2.3m. In addition, the applicant has indicated that the provision of additional landscaping via the planting of low growing native trees such as Oil Mallee's will minimise any visual impact on the surrounding area.

#### **Environmental Assessment**

The applicant has not prepared a formal Environmental Management Plan. However, he has pointed out that the area in question where the solar farm is proposed to be located has already been previously cleared and is currently utilised for cropping purposes.

During construction, disturbance and vegetation clearance can be avoided or minimised through careful siting and consideration of issues such as erosion, drainage run-off, habitat or food source destruction, dieback, weed hygiene, introduction of feral animals and contractor guidelines.

The site is relatively large and has good separation distances to sensitive land uses in the area. The nearest homestead is located approximately 250 metres to the north of the property.

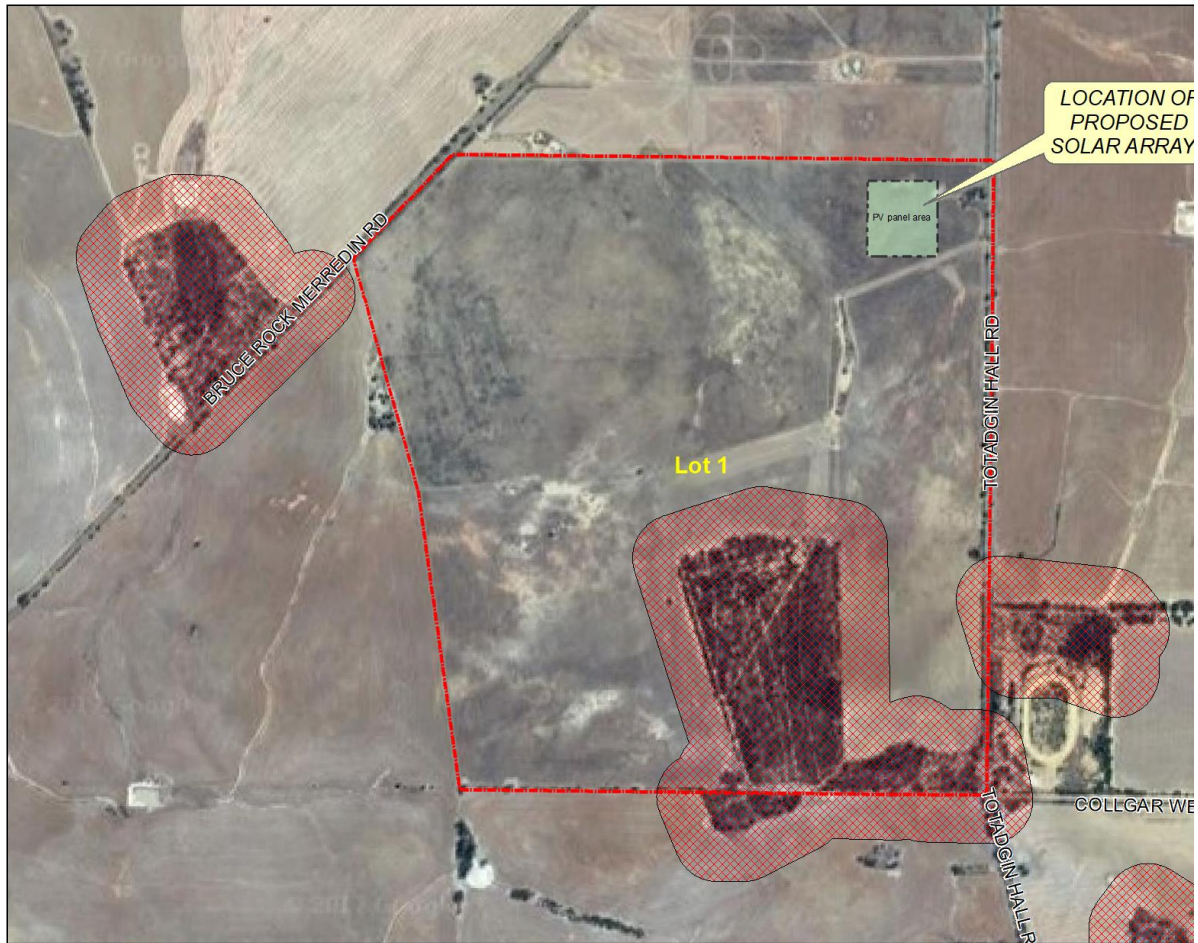
The applicant will be required to comply with all relevant Department of Environment Regulation approval requirements.

#### **Bushfire Management Plan**

A Bushfire Attack Level (BASIC) assessment was undertaken for the proposed development. The assessment concludes that the bushfire risk for the development is low. A copy of the DA application will be provided to the Department of Fire and Emergency Services for its consideration as part of the statutory advertising process.

Figure 3 shows the areas of bushfire risk areas in relation to the area of the proposed development. The distance between the two is over 560 metres.

FIGURE 3 – BUSHFIRE RISK AREAS



Source: BAL Contour Maps

**Comment**

The proposal will contribute to achieving the renewable energy targets set by the Australian Government and objectives of the Paris Climate Agreement.

The proposed development will be subject to statutory advertising in accordance with clause 4.4.2 of the Scheme.

**Policy Implications**

Council has no direct policy on the establishment of a solar farm, however it has been supportive of the establishment of sustainable energy sources through its approval of the Collgar Wind Farm and the recent 100MW Stellata Energy solar farm.

**Statutory Implications**

The proposal is consistent with State Government objectives of encouraging the development of sustainable energy sources.

The Local Planning Scheme No. 6 includes the land in the 'General Farming' zone.

The Scheme has no definition for a 'solar farm' (or solar facility) and refers to the Regulation (2015) for the majority of its definitions. As a solar farm/facility is an unlisted use it may be considered as a discretionary use for which the DA of local government is required and the public advertising procedures apply.

Clause 4.4.2 of the Scheme states that:

*'If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may -*

- (a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;*
- (b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or*
- (c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted."*

It is considered that sub-clause (b) should apply as the development should be considered by relevant agencies and nearby neighbours.

### 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.E1.2 – Work with relevant agencies to actively encourage the adoption of efficient energy and water usage

Action #: Nil

Action: Nil

Directorate: Nil

Timeline: Nil

### 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

The development of this facility will be a minimal risk to Council. As with any development, initial construction traffic may increase traffic, however this is not considered to be significant given the scale of the development.

### Financial Implications

The relevant DA fees have been paid.

### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation

#### That Council:

1. **advertise the Development Approval application for a proposed solar farm development at Lot 1 Totadgin Hall Road, Merredin for a period of 14 days, with neighbours and agencies being advised of the advertising period and the opportunity to make a submission. These agencies are to include:**
  - a. **Department of Environment Regulation (DER)**
  - b. **Department of Parks and Wildlife (DPaW)**
  - c. **Western Power (WP)**
  - d. **Department of Fire and Emergency Services (DFES);**
2. **authorise the CEO to grant Development Approval for the proposed solar farm development at Lot 1 Totadgin Hall Road, Merredin subject to the following conditions and there being no adverse comments received during the advertising period;**
3. **advise the applicant that granting of development approval does not constitute a building permit and that an application for relevant building permits must be submitted to the Shire of Merredin and be approved before any work requiring a building permit can commence on site; and**
4. **advise the applicant of the need for annual bushfire compliance.**

#### Conditions

1. **The decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2-year period, the approval shall lapse and be of no further effect.**

- 2. The development is to take place in accordance with the approved plans and supporting documentation, unless modified by a condition attached to this approval.**
- 3. Crossovers, access, and egress to the site from Totadgin Hall Road, and any internal road works and car parking, shall be located and constructed to the satisfaction of the local government and shall include all drainage and signage. Costs of equipment and construction shall be borne by the applicant.**
- 4. Appropriate vegetation must be planted along the northern boundary of the property to help hide the facility from the northerly neighbour.**

**Advice Notes:**

- 1. Advise the applicant that granting of development approval does not constitute a building permit and that an application for relevant building permits must be submitted to the Shire of Merredin and be approved before any work requiring a building permit can commence on site.**
- 2. The applicant is advised that as the proposed work is near energised electrical installations and powerlines, the person in control of the work site must ensure that no person, plant or material enters the 'Danger Zone' of an overhead powerline or other electrical network assets. The 'Danger Zone' is set out in the Western Australian *Occupational Safety and Health Regulations 1996* - specifically Reg 3.64. Any information provided by Western Power should not be used in isolation and reference to the *Occupational Safety and Health Act 1984* and *Occupational Safety and Health Regulations 1996* is required. These documents outline WorkSafe WA requirements for working near electricity.**
- 3. The applicant is advised of the need for annual bushfire compliance.**



**12.2 Lot 31 (No. 24) Yorrell Way, Merredin – Building Order Requiring Removal of Incomplete and Deteriorated Two Storey Dwelling and Unfit For Human Habitation Notice**

## Development Services



<b>Responsible Officer:</b>	Peter Zenni, EMDS
<b>Author:</b>	As above
<b>Legislation:</b>	<i>Building Act 2011; Health (Miscellaneous Provisions) Act 1911</i>
<b>File Reference:</b>	A3325
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#">Attachment 12.2A</a> – Photos
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

A review of Council records reveals that on 22 December 2009 planning consent was granted to construct a two storey dwelling at Lot 31 (No 24) Yorrell Way, Merredin. Council records also indicate that a Building Permit was issued in 2009.

The construction of the dwelling commenced but was never completed.

On 21 July 2015 the previous EMDS issued a Notice under the *Building Act 2011* to the owners of the premises located at Lot 31 (No 24) Yorrell Way, Merredin advising that it was the intention of the Shire of Merredin to issue a Building Order requiring the completion or removal of the building from the site and seeking a response within 14 days.

Unfortunately with the untimely passing of Mr John Mitchell this matter lapsed until it was reviewed by the current EMDS who in November 2016 contacted the owners via telephone and email in order to ascertain their intentions with respect to the incomplete dwelling.

The EMDS highlighted that unless a genuine effort is made to bring the premises to a suitable standard as a matter of urgency the Shire of Merredin may have no option but to issue Building Orders under the *Building Act 2011* requiring that the incomplete dwelling be demolished and removed from the premises.

An email was received from owners on 21 November 2016 indicating they were waiting on a quote to complete the building and the construction of perimeter fencing and that they would contact the Shire when they had heard back from the builders.

On 4 May 2017, pursuant to provisions of the *Building Act 2011*, the EMDS issued a Notice to the owners stating that the Shire of Merredin was considering issuing a Building Order under the *Building Act 2011* that would require the incomplete two storey dwelling to be dismantled and removed from the site within sixty (60) days from the date of the Building Order being issued. The Notice also stated that submissions on the proposed building order could be made within a period of 14 days from the receipt of the advice.

On 30 May 2017, the Shire of Merredin received an email from the owners stating they had changed their address.

On 31 May 2017, pursuant to provisions of the *Building Act 2011*, the EMDS issued a new Notice to the owners stating that the Shire of Merredin was considering issuing a Building Order under the *Building Act 2011* that would require the incomplete two storey dwelling to be dismantled and removed from the site within sixty (60) days from the date of the Building Order being issued. The Notice also stated that submissions on the proposed building order could be made within a period of 14 days from the receipt of the advice.

On 1 June 2017, the EMDS received an email from the owners advising that they were trying to get someone to disassemble the building and salvage the materials involved. The EMDS spoke via telephone with the owners on 1 June 2017 and discussed their intention to disassemble the building, as well as the possibility of the sale of the property as an incomplete project. The EMDS advised that once a Building Order was in place it would be binding on subsequent owners, but that if a person was to purchase the property and lodge an application with the Shire for a building permit to complete the building, then that application would be considered on its merits.

Comment
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The two storey steel framed dwelling was never completed and has deteriorated due to exposure to the elements. The wall insulation is torn and upstairs floor has degraded to the point where it is unsafe. Loose colorbond sheeting and flashing is lying on the site and the property is not fenced thereby allowing anyone direct access to the structure.

On 4 June 2017 the EMDS received a call from a concerned member of the community in relation to 8 children playing in the building. The EMDS attended the property and spoke with the children in question highlighting the dangerous nature of the structure and requesting that they refrain from playing on the property in the future. This incident highlights the risk the incomplete structure poses to the community. The owners of the property should be required, via a Building Order issued under the *Building Act 2011*, to remove the incomplete and deteriorated dwelling from the property.

The premises has not been provided with essential fixtures and fittings and is not weather proof. By virtue of this the premises is not suitable for use for dwelling purposes and as such a Notice should be issued under the *Health (Miscellaneous Provisions) Act 1911* declaring the dwelling as being unfit for human habitation and requiring its removal from the property.

Council needs to be aware that in default of the owner carrying out the required work as specified by the Building Order/Notice it may decide to carry out the required work itself and recoup the associated costs as a debt against the owner of the property.

### Policy Implications

Nil

### Statutory Implications

Compliance with the *Building Act 2011* and the *Health (Miscellaneous Provisions) Act 1911*.

### Strategic Implications

#### ➤ Strategic Community Plan

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

#### ➤ Corporate Business Plan

Strategy: SP.D2.3 – Facilitate the improvement of housing condition through; advocacy in relation to public housing, as a housing developer and in encouraging community pride  
Action #: 1  
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

This is an unbudgeted item. Should Council decide to carry out the required work in default of the owner it could recover the costs associated with this work as a debt against the owner of the property.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation

1. That pursuant to Sections 110, 111 and 112 of the *Building Act 2011*, Council issue a Building Order requiring the owners of the property located at Lot 31 (No. 24) Yorrell Way, Merredin to dismantle and remove the incomplete and deteriorated dwelling from the premises located at Lot 31 (No 24) Yorrell Way, Merredin within a period of sixty (60) days.
2. That in accordance with provisions of Section 135 of the *Health (Miscellaneous Provisions) Act 1911* (as amended), Council declare the house located at Lot 31 (No. 24) Yorrell Way, Merredin as being unfit for human habitation.
3. That in accordance with provisions of Section 137 of the *Health (Miscellaneous Provisions) Act 1911* (as amended), Council issue a Notice requiring the owners of the property located at Lot 31 (No 24) Yorrell Way Merredin to take down and remove the house from the property located at Lot 31 (No. 24) Yorrell Way Merredin within a period of sixty (60) days.
4. That in case of default by the owners, Council authorises the Chief Executive Officer to undertake the required work and to recoup any associated costs as a debt against the owners of the property.

**12.3 Lot 1509 (No. 105) Mitchell Street, Merredin – Application for Planning Approval - Transportable Office Building**

## Development Services



<b>Responsible Officer:</b>	Peter Zenni, EMDS
<b>Author:</b>	As above
<b>Legislation:</b>	Local Planning Scheme No. 6
<b>File Reference:</b>	A265
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#">Attachment 12.3A</a> – Application and photos
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

An application for planning approval has been received for the placement of a second hand transportable office building on Lot 1509 (No, 105) Mitchell Street, Merredin.

### Comment

The proposed transportable office building will be located at Lot 1509 (No. 105) Mitchell Street, Merredin which is zoned “Light Industry” in accordance with the Shire of Merredin Local Planning Scheme No. 6.

The proposed transportable building will be used as an office which is a “D” use under the Local Planning Scheme No. 6 and as such requires approval from Council.

In addition, Council has a local planning policy in place which controls movable buildings and which requires that an application for planning consent be lodged with Council.

The proposed office building is an ATCO type transportable which is skid mounted. Whilst skid mounted structures under Council’s policy on movable buildings are not permitted in residential areas, they can be permitted by Council in other (non-residential) zoned areas.

In this case the lot is zoned light industrial, the size of the lot in question and the small overall size of the proposed transportable building will limit its impact on the visual amenity of the surrounding area.

As part of the proposed development the proponent will be required to construct a hardstand staff parking facility as well as provide additional landscaping (screening) to the lot in question.

There are existing staff toilet facilities already provided on the lot in question and permission has been provided in writing by the owner of the lot for the use of these toilet facilities by all staff working on the lot.

### Policy Implications

Compliance with Shire of Merredin local planning policy on movable buildings.

### Statutory Implications

Compliance with the Local 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 Local 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 relevant planning application fees have been paid.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation

1. That development approval be granted for the placement of a second hand transportable office building on Lot 1509 (No 105) Mitchell Street, Merredin as per the approved plans forming part of Attachment 12.3A, subject to:
  - a. the ongoing provision of and access to by all staff to existing on site staff toilet facilities;
  - b. provision of a hardstand staff parking facility incorporating a dedicated bay for people with a disability; and
  - c. provision of additional landscaping/screening to the Northern boundary of the lot to the satisfaction of the Shire of Merredin.
2. That the applicant be advised of the following:
  - a. the granting of planning approval does not constitute a building permit and that an application for a building permit must be submitted to the Shire of Merredin and be approved before any work can commence on site; and
  - b. that an application for an occupancy permit must be sought and obtained before the transportable office building can be occupied.

**13. Officer's Reports - Engineering Services**

**13.1 Policy Manual Review – Purchasing Policy 3.12**

Engineering Services	
<b>Responsible Officer:</b>	Mike Hudson, EMES
<b>Author:</b>	As above
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Functions and General) Regulations 1996</i>
<b>File Reference:</b>	Policy Manual
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#"><u>Attachment 13.1A</u></a> – Revised Purchasing Policy 3.12
<b>Maps / Diagrams:</b>	Nil



**Purpose of Report**

Executive Decision

Legislative Requirement

**Background**

In September 2015 the *Local Government (Functions and General) Regulations 1996* were amended to allow Councils to have panel contracts. This item proposes to amend Council's Purchasing Policy - 3.12 to give Council the flexibility of creating these panels where a need exists to prevent Council contravening the Regulations.

**Comment**

The combination of clauses 11.1 and 12 (Statutory Implications) set a threshold limit of \$150,000 for the supply of goods and services (with no sunset clause) before tenders have to be publicly invited.

The Regulation also allows the local government to establish panels of pre-qualified suppliers for goods and services that are required on a continuous need basis. For example, electrical, plumbing and mechanical services.

Regulation 24(a)(c) requires that the local government has a written policy in respect to the provision of pre-qualified panels. These are detailed in the proposed amendments to the Policy.



It is the intent of this policy amendment to increase the efficiency and compliance of the Shire's purchasing functions by the formation of a panel of pre-qualified suppliers.

The panel will principally be formed from the local businesses that traditionally provide to the Shire and other selected service providers not covered by eQuotes.

### Policy Implications

Supports the establishment of a panel of pre-qualified suppliers for the provision of goods and services to maintain compliance with the *Local Government Act 1995*.

### Statutory Implications

The *Local Government (Functions and General) Regulations 1996* state:

#### ***“Part 4 – Provision of goods and services***

*Division 2 - Tenders for providing goods and services:*

#### ***11. When tenders have to be publicly invited***

- (1) Tenders are to be publicly invited according to the requirements of this Division before a local government enters into a contract for another person to supply goods or services if the consideration under the contract is, or is expected to be, more, or worth more, than \$150 000 unless subregulation (2) states otherwise.*
  - (2) Tenders do not have to be publicly invited according to the requirements of this Division if—*
    - (a) the supply of the goods or services is to be obtained from expenditure authorised in an emergency under section 6.8(1)(c) of the Act; or*
    - (b) the supply of the goods or services is to be obtained through the WALGA Preferred Supplier Program; or*
    - (c) within the last 6 months —*
      - (i) the local government has, according to the requirements of this Division, publicly invited tenders for the supply of the goods or services but no tender was submitted that met the tender specifications or satisfied the value for money assessment; or*
      - (ii) the local government has, under regulation 21(1), sought expressions of interest with respect to the supply of the goods or services but no person was, as a result, listed as an acceptable tenderer;*
- or*
- (d) the contract is to be entered into by auction after being expressly authorised by a resolution of the council of the local government; or*
  - (e) the goods or services are to be supplied by or obtained through the government of the State or the Commonwealth or any of its agencies, or by a local government or a regional local government; or*
    - (ea) the goods or services are to be supplied —*

- (i) *in respect of an area of land that has been incorporated in a district as a result of an order made under section 2.1 of the Act changing the boundaries of the district; and*
          - (ii) *by a person who, on the commencement of the order referred to in subparagraph (i), has a contract to supply the same kind of goods or services to the local government of the district referred to in that subparagraph;*
        - or
      - (f) *the local government has good reason to believe that, because of the unique nature of the goods or services required or for any other reason, it is unlikely that there is more than one potential supplier; or*
      - (g) *the goods to be supplied under the contract are —*
        - (i) *petrol or oil; or*
        - (ii) *any other liquid, or any gas, used for internal combustion engines;*
      - or
    - (h) *the following apply —*
      - (i) *the goods or services are to be supplied by a person registered on the Aboriginal Business Directory WA published by the Small Business Development Corporation established under the Small Business Development Corporation Act 1983; and*
      - (ii) *the consideration under the contract is \$250 000 or less, or worth \$250 000 or less; and*
      - (iii) *the local government is satisfied that the contract represents value for money;*
    - or
  - (i) *the goods or services are to be supplied by an Australian Disability Enterprise;*  
or
  - (j) *the contract is a renewal or extension of the term of a contract (the original contract) where —*
    - (i) *the original contract was entered into after the local government, according to the requirements of this Division, publicly invited tenders for the supply of goods or services; and*
    - (ii) *the invitation for tenders contained provision for the renewal or extension of a contract entered into with a successful tenderer; and*
    - (iii) *the original contract contains an option to renew or extend its term; and*
    - (iv) *the supplier's tender included a requirement for such an option and specified the consideration payable, or the method by which the consideration is to be calculated, if the option were exercised;*
  - or
- (k) *the goods or services are to be supplied by a pre-qualified supplier under Division 3.*

### **Division 3 — Panels of pre-qualified suppliers**

#### **24AA. Terms used**

*In this Division —*

**panel of pre-qualified suppliers** means a panel of pre-qualified suppliers of goods or services established in accordance with this Division;

**pre-qualified supplier**, of particular goods or services, means a person who is part of a panel of pre-qualified suppliers for the supply of those goods or services.

#### **12. Anti avoidance provision for r. 11(1)**

*(1) This regulation applies if a local government intends to enter into 2 or more contracts (the contracts) in circumstances such that the desire to avoid the requirements of regulation 11(1) is a significant reason for not dealing with the matter in a single contract.”*

#### **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.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

**That the revised Policy 3.12 – Purchasing Policy, as presented in Attachment 13.1A, be adopted.**

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

**14.1 List of Accounts Paid**

<h2>Corporate Services</h2>		
<b>Responsible Officer:</b>	Charlie Brown, EMCS	
<b>Author:</b>	As above	
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
<b>File Reference:</b>	Nil	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	<a href="#"><u>Attachment 14.1A</u></a> - List of Accounts Paid	
<b>Maps / Diagrams:</b>	Nil	

**Purpose of Report**



Executive Decision



Legislative Requirement

**Background**

The attached List of Accounts Paid during the month of June 2017 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 \$2,889,443.51 from Council's Municipal Fund Bank Account and \$1,790.05 from Council's Trust Account be endorsed.**

**14.2 Statement of Financial Activity**

<h2 style="margin: 0;">Corporate Services</h2> 	
<b>Responsible Officer:</b>	Charlie Brown, EMCS
<b>Author:</b>	As above
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#"><b>Attachment 14.2A</b></a> - Statement of Financial Activity, Detailed Schedules and Investment Report
<b>Maps / Diagrams:</b>	Nil

**Purpose of Report**

- Executive Decision
  Legislative Requirement

**Background**

The Statement of Financial Activity is attached for Council’s information.

**Comment**

Operating Income and Expenditure is mainly consistent with Council’s YTD Budget, with Expenditure finishing the year 4% lower and Income 12% Higher than expected for this period. This is mainly due to 50% of the 2017/18 Financial Assistance Grant being paid in advance.

**Capital Expenditure**

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

**Others**

Councillors may note the discrepancies between Financial Activity (PR) and Note 3, and the Trust Bank Note 4 against the Trust Summary on Note 12.

These both currently show a \$717,931 variance and this relates to invoices raised on behalf of CEACA for site works on Stage I and Stage II. Once the invoices are paid this variance will not be reported.



### Policy Implications

Nil

### 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 #: 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 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 2017 be received.**

**14.3 2017/18 Differential Rates Adoption**

<div style="display: flex; justify-content: space-between; align-items: center;"> <span style="font-size: 24px; color: #0070C0;">Corporate Services</span>  </div>	
<b>Responsible Officer:</b>	Charlie Brown, EMCS
<b>Author:</b>	As above
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
<b>File Reference:</b>	Nil
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#">Attachment 14.3A</a> - Late Submission
<b>Maps / Diagrams:</b>	Nil

**Purpose of Report**

Executive Decision

Legislative Requirement

**Background**

At its May 2017 meeting Council adopted differential rates (CMRef 81976). A notice seeking submissions to the proposed rates was advertised on Friday 26 May 2017.

The proposed rates are set out below.

Unimproved Value	Minimum Rate	Rate in the \$
UV1 Rural	\$1,040	0.020467
UV2 Urban Rural	\$1,040	0.029149
UV3 Mining	\$200	0.040770
UV4 Wind Farm	\$1,040	0.040770
UV4 Airstrip	\$1,040	0.040770
UV6 Merredin Power	\$1,040	0.040770

### Comment

The closing date for submissions was 19 June 2017. No submissions were received prior to that date, however one was received on 30 June 2017, requesting a reduced rate for Exploration/Prospecting Licenses. Of the 4 Mining Tenements registered in the rate book, 2 are Exploration Licenses that attract a minimum rate of \$200.

During finalisation of the draft budget and subsequent rates modelling, it was necessary to adjust the rate in the dollar in all rates classes to conform to Section 6.33(3) of the *Local Government Act 1995*, due to a revaluation of the UV1 Rural Class that resulted in increased valuations.

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 2017/18 Budget.

**Voting Requirements**

Simple Majority

Absolute Majority

**Officer's Recommendation**

**That the differential rates model as detailed below be adopted for the 2017/18 financial year:**

Unimproved Value	Minimum Rate	Rate in the \$
UV1 Rural	\$1,040	0.019270
UV2 Urban Rural	\$1,040	0.029300
UV3 Mining	\$ 200	0.035700
UV4 Wind Farm	\$1,040	0.035700
UV4 Airstrip	\$1,040	0.035700
UV6 Merredin Power	\$1,040	0.035700

**14.4** 2017/18 Budget Adoption

<h2>Corporate Services</h2>		 SHIRE OF <b>MERREDIN</b> INNOVATING THE WHEATBELT
<b>Responsible Officer:</b>	Charlie Brown, EMCS	
<b>Author:</b>	As above	
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
<b>File Reference:</b>	Nil	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	<a href="#">Attachment 14.4A</a> - Draft 2017/18 Budget	
<b>Maps / Diagrams:</b>	Nil	

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

The draft 2017/18 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 2017/18 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 2017/18 Budget continues to deliver on other strategies adopted by Council and maintains a high level of service across all programs 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 2017/18 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 2017/18 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 \$49,453 in the draft 2017/18 Budget.
4. A capital works budget totalling \$18.960M for investment in infrastructure, land and buildings, and plant and equipment is planned. Expenditure on road infrastructure is the major component of this (\$3.4M) in line with Council’s strategy to increase the investment in road and associated assets. Expenditure of \$13.46M relates to CEACA for which the Shire of Merredin is the conduit for the funds.
5. A loan for the CBD Upgrade of \$2.0M is grant dependent and will not proceed should funding applications be unsuccessful.

The estimated brought forward balance is \$2,865,040, however this is unaudited and may change once the annual accounts are finalised. The major influence on the brought forward balance is the receipt of 50% of the 2017/18 Financial Assistance Grants allocation in June 2017.

#### Policy Implications

The draft 2017/18 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 2017/18 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 2017/18 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 2017/18 Budget as contained in Attachment 14.4A 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	0.101703	\$840



**General Differential Rates:**

<b>Unimproved Value</b>	<b>Rate in \$</b>	<b>Minimum Rate</b>
<b>UV1 Rural</b>	<b>0.019270</b>	<b>\$1,040</b>
<b>UV2 Urban Rural</b>	<b>0.029300</b>	<b>\$1,040</b>
<b>UV3 Mining</b>	<b>0.035700</b>	<b>\$200</b>
<b>UV4 SZ Wind Farm</b>	<b>0.035700</b>	<b>\$1,040</b>
<b>UV5 SU Airstrip</b>	<b>0.035700</b>	<b>\$1,040</b>
<b>UV6 Merredin Power</b>	<b>0.035700</b>	<b>\$1,040</b>

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:

<b>Full payment or 1<sup>st</sup> Instalment due date</b>	<b>1 September 2017</b>
<b>2<sup>nd</sup> Instalment due date</b>	<b>3 November 2017</b>
<b>3<sup>rd</sup> Instalment due date</b>	<b>5 January 2018</b>
<b>4<sup>th</sup> Instalment due date</b>	<b>9 March 2018</b>

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 \$13 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 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 14.4A.

8. 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	\$8,173.50
Deputy Shire President	\$8,173.50
Councillors	\$8,173.50

9. 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	\$13,628
Deputy Shire President	\$3,407

10. 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 2017/18 for the reporting material variance shall be 10% or \$10,000, whichever is greater.

**14.5 License to Occupy – PTA Leases - L7465, L7466 and L7467**

<div style="display: flex; justify-content: space-between; align-items: center;"> <span style="font-size: 24px; font-weight: bold;">Corporate Services</span>  </div>	
<b>Responsible Officer:</b>	Rebecca McCall, DCEO
<b>Author:</b>	As above
<b>Legislation:</b>	<i>Local Government Act 1995</i>
<b>File Reference:</b>	L66
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#"><u>Attachment 14.5A</u></a> - License to Occupy L7465, L7466 and L7467
<b>Maps / Diagrams:</b>	Nil

**Purpose of Report**

- Executive Decision
  Legislative Requirement

**Background**

The Shire of Merredin’s objective is to consolidate and rationalise Council owned property. As part of this process the existing license to occupy arrangements with the Public Transport Authority (PTA) were reviewed. The review will result in the combination of termination of existing arrangements and the entering into new licenses to occupy. The License to Occupy leases are included in the Attachment.

**Comment**

Details of the licenses to occupy include:

License to Occupy #	Existing License #	Purpose	Tenure
L7465	L2966 & L6918	Military & Railway Museums	10 years
L7466	L2577 & L5317	Overnight Shelter & Community Purposes	10 years
L7467	L1758, L1790, L2824 & L7398	CBD Car Parking & Beautifications (Gardens)	10 years
N/A	L5300 & L7398	Ex Motorcycle Touring Club & Access Road	Terminating

License to Occupy #	Existing License #	Purpose	Tenure
N/A	L6880	Sporting Complex	Terminating

The terms and conditions outlined in each of the Licenses to Occupy includes but is not limited to permitted use, outgoings, insurance requirements and tenure. Maintenance for each of the Licenses to Occupy will be the responsibility of the Shire of Merredin throughout the duration of the tenure. These are in line with the earlier licenses.

**Policy Implications**

Nil

**Statutory Implications**

Section 3.58 of the *Local Government Act 1995* states the provision under which the lease of land can be carried out.

**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: Built Heritage  
 Key Priority: Town Enhancement

➤ **Corporate Business Plan**

Strategy: SP.L3.1- Protect and promote the Shire’s diverse culture and heritage  
 Action #: 1  
 Action: Support the preservation of heritage buildings and significant sites  
 Directorate: Development Services  
 Timeline: Ongoing  
 Strategy: SP.L4.1 – Enhance the public amenity and functionality of Merredin  
 Action #: 5  
 Action: Progressively renew public open spaces to include public amenities, parks and gardens within Merredin  
 Directorate: Engineering Services  
 Timeline: Ongoing

## Sustainability Implications

### ➤ Strategic Resource Plan

An allocation for ongoing operational maintenance is included in the annual budget.

### ➤ Workforce Plan

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

## Risk Implications

The risks implications include the financial commitment to maintain State Government owned property for a period of ten (10) years. These costs are factored into the Strategic Resource Plan.

Without a license to occupy the operations of the Military and Railway Museums would cease. The Old Railway Station, a heritage listed building would likely not be maintained by the PTA resulting in the potential rapid decline of the building condition. In addition, the Shire of Merredin utilises PTA land to provide car parking, parks and gardens which provides access to businesses and town beautification. The services provided by the Churches Fraternal (Overnight Shelter and provision of second hand furniture) would either cease or be relocated to another facility if the license to occupy is not approved.

## Financial Implications

The financial implications include the commitment to maintain the licensed areas for a period of ten (10) years. Allocations for maintenance costs are included in the 2017/18 Budget and the Strategic Resource Plan.

There is a license preparation fee of \$350 per license to occupy.

## Voting Requirements

Simple Majority

Absolute Majority

## Officer's Recommendation

**That the Shire of Merredin enters into an agreement with the Public Transport Authority for licenses to occupy L7465 Merredin, L7466 Merredin and L7657 Merredin for a ten (10) year period.**

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

Nil items to report

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been left blank