

SHIRE OF MERREDIN



“Heart of the Wheatbelt”

MINUTES OF ORDINARY COUNCIL MEETING

20 August 2013

MINUTES OF THE SHIRE OF MERREDIN COUNCIL MEETING
TUESDAY 20 AUGUST 2013

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**Minutes for the Ordinary Meeting of the Shire of Merredin held in the Council
Chambers, Corner King and Barrack Streets, Merredin on
Tuesday 20 August 2013 commencing at 3.00pm.**

ATTENDANCE:

Councillors: M Morris
BJ Anderson
DN Hayes-Thompson
KA Hooper
T McFarlane
D Morris
W Wallace

Leave of Absence: DM Crook
RM Crees

Staff: G Powell Chief Executive Officer
S Discenza Administration Officer - Finance
M Ioppolo Executive Manager of Development Services
L Wyatt Executive Assistant to Chief Executive Officer

Gallery: Annette Brown
Lindsay Barker
John Wall

1.0 OFFICIAL OPENING

The Shire President welcomed those present and declared the meeting open at 3.00 pm.

2.0 PUBLIC QUESTION TIME

Response to Ian Lane's questions posed at the July 2013 council Meeting are as follows:

Our Ref: R 09/02

Ian Lane
PO Box 157
MERREDIN WA 6415

31 July 2013

Dear Ian

MINUTES OF THE SHIRE OF MERREDIN COUNCIL MEETING
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I refer to your recent attendance at Public Question Time at the July Council meeting and your comments in relation to the Nokanning West Road.

In particular you requested a copy of the road counts undertaken on three separate occasions. In summary they are 28 vehicles per 4 day in September/October 2005, 27 vehicles per day in August/September 2006 and 18 vehicles per day in July/August 2009.

Although some years have passed little has changed in this area to alter these numbers substantially. However, it is expected that further counts will be undertaken to confirm this outcome.

If there is further information required please contact Kevin Paust at this office.

*Yours sincerely
Greg Powell
Chief Executive Officer*

Ms Brown addressed Council referring to correspondence previously sent to the CEO and Councillors regarding her bed and breakfast accommodation on Mitchell Street. Ms Brown believes she has been discriminated against and deprived of income as the bed and breakfast planning application has been ongoing since December 2012.

Ms Brown advised Council that she had obtained legal advice and was prepared to approach the media if her application is not finalised in a timely matter. Ms Brown also advised Council of a bed and breakfast that is operational at 79 Todd Street which in her opinion, had not complied with the required procedures

The President responded to Ms Brown advising that no discrimination had occurred, and that if she had any other information to bring to the table please do so with the relevant staff.

Ms Brown and Lindsay Barker left the meeting at 3.11pm

Mr Wall advised Council he was present to hear his application to build a "granny flat" which is listed at item 10.1.

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr Crook and Cr Crees have approved leave of absence from this meeting.

4.0 DISCLOSURE OF INTEREST

Nil

5.0 PETITIONS AND PRESENTATIONS

Nil

6.0 CONFIRMATION OF MINUTES

Confirmation of the minutes of the Ordinary Council Meeting held 16 July 2013.

6.1 Ordinary Council Meeting held 16 July 2013

[Attachment 6.1A](#)

- 81184 Moved: Cr M Morris Seconded: Cr D Morris
Officer's Recommendation
That the minutes of the Ordinary Council Meeting held on 16 July 2013 be confirmed as a true and correct record of proceedings.
CARRIED 7/0

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

The President extended an invitation to Councillors to attend the WE-ROC Council Meeting to be held on Wednesday 21 August and GECZ meeting to be held on Thursday 22 August 2013 at MRC&LC.

8.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

Item 17.1 Hutton and Northey Mechanical Contract Proposal.

9.0 RECEIVAL OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL

9.1 WE-ROC Executive Meeting Held on 24 July 2013

[Attachment 9.1A](#)

- 81185 Moved: Cr McFarlane Seconded: Cr D Morris
Officers Recommendation
That the minutes of the WE-ROC Executive Meeting held 24 July 2013 be received.

CARRIED 7/0

10.0 DEVELOPMENT SERVICES

10.1 ANCILLARY DWELLING 96 (LOT 4) BATES STREET, CORNER REES STREET, MERREDIN.

Reporting Department:	Development Services
Reporting Officer:	Mario Ioppolo - Executive Manager of Development Services.
Legislation:	The Shire of Merredin Local Planning Scheme No 6; State Planning Policy 3.1 Residential design codes; Building Act 2011; Building Regulations 2012 Building Code of Australia 2012;
File Reference:	A367
Disclosure of Interest:	Nil
Attachments:	Copy of Plans from Applicant; (Attachment 10.1A)

Background:

<i>Property Location:</i>	96 (lot 4) Bates Street, corner Rees Street, Merredin.
<i>Owner/s:</i>	John Wall.
<i>Applicant:</i>	John Wall.
<i>Zoning:</i>	R10/30.
<i>Lot Size:</i>	4024 square metres.

An application has been received from the Applicant to erect an ancillary dwelling, often referred to as "granny flat".

There is an existing residence on the lot and the proposed structure of 60 square metres is to be erected on the northern side separated by a breezeway verandah and has a side boundary setback of 9.250 metres.

An additional verandah is proposed for the eastern face, fronting Bates Street and a patio to the west side.

Comment:

The amended Residential Design Codes which became operational on the 2nd August 2013 provide for this type of structure on lots greater than 450 square metres along with the removal of the past restrictive requirements.

No longer does the occupier of the ancillary dwelling need to be a member of the family living in the residence, nor is there a need to place a Notice (section 70A) on the land title.

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The proposed structure complies with Part 5 General Development Requirements of the Shire of Merredin Local Planning Scheme No 6.

Statutory/Policy Implications:

Nil

Financial Implications:

Nil

81186 Moved: Cr M Morris Seconded: Cr Wallace

Officer's Recommendation:

That the application for the proposed ancillary dwelling at 96 (lot 4) Bates Street, corner Rees Street, Merredin, as per the plans be granted subject to a Building Permit obtained prior to any work commencing.

CARRIED 7/0

Mario Ioppolo and John Wall left the meeting at 3.17pm

11.0 ENGINEERING SERVICES

11.1 SALE OF REFUSE SITE RECYCLABLES

Reporting Department:	Engineering Services
Reporting Officer:	EMES: Kevin Paust
Legislation:	Local Government Act 1995 Waste Avoidance and Resource Recovery Act 2007
File Reference:	EM/07/08
Disclosure of Interest:	Nil
Attachments:	Nil

Background

Council Staff have ongoing requests to purchase items from the refuse site by rate payers which are declined as Council's current Local Law states that there is to be no removal of waste from the waste facility without written permission from the Local Government.

Comment

Council held an auction to dispose of goods that were surplus to requirement or had been salvaged in February 2013 which was not well attended.

There is now an accumulation of bikes, bricks, assorted furniture and wooden pallets in good condition which should not be disposed of into the landfill site and are currently in various areas within the site.

Council now has eftpos facilities at the refuse site which could be utilised for the sale of these items and no cash would be required to be maintained on site.

It is suggested that the following prices be set for salvageable materials from the sale.

Bikes \$20.00
Bricks/Tiles \$0.25
Furniture per item \$10.00
Wooden pallets \$10.00

Statutory/Policy Implications

Waste Avoidance and Resource Recovery Act 2007
Shire of Merredin, Waste Local Law 2011
Local Government Act 1995 section 6.16 and 6.17.

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Financial Implications

This will create minor additional revenue for Council and be good for public relations.

81187 Moved: Cr M Morris Seconded: Cr McFarlane

Officer's Recommendation.

That the following charges be set for the sale of salvaged items from the Merredin Refuse Site for the period ended 30/6/2014 and the Schedule of Fees and Charges be amended accordingly.

Refuse Site – Salvageable Items:

Bikes	\$20.00
Bricks/Tiles	\$0.25
Furniture per item	\$10.00
Wooden pallets	\$10.00

CARRIED BY ABSOLUTE MAJORITY 7/0

11.2 **WASTE WATER LAGOON-CHANDLER ROAD LANDFILL SITE**

Reporting Department:	Engineering Services
Reporting Officer:	Kevin Paust
Legislation:	Local Government Act 1995
File Reference:	WM16/02
Disclosure of Interest:	Nil
Attachments:	Cummins Liquid Waste Disposal

Background

At the July Council meeting it was resolved to re-open the waste water lagoon at the Chandler Road Refuse site post July 1 and restricted it's use to Shire of Merredin residents only.

It was also resolved to raise the rate per litre charge from 7 cents to 15 cents per litre.

31167 Moved: Cr Anderson Seconded: Cr McFarlane

That the fees and charges for liquid waste disposal be increased from 0.7c per litre to 15.0c per litre.

CARRIED 6/2

Comment

Correspondence has been received from Cummins Liquid Waste regarding the increase in fees and charges on liquid waste disposal at the Chandler Road Refuse Site. ([Attachment 11.2A](#))

Fees and charges within the Shire have been historically raised by 5% annually. In the 2012/13 financial year the rate was set at \$0.06 cents per litre, with a 5% increase in the 2013/14 financial year this increase was initially \$0.066 rounded to \$0.07 cents per litre. There was not a reason given for the resolution which Council reached at the July meeting and it is now asked that Council consider the following:

Due to the restriction of the disposal of liquid waste to Shire residents only into our waste water lagoon, there is no requirement to construct a new waste water lagoon due to low volumes being dumped.

The revenue generated for Council at \$0.07 cents per litre on 3000 litres is \$210.00.

In the 2012/13 financial Council received 79,150 litres @ 0.06 cents per litre generating total revenue of \$4,749.00. If the same litres are received in the 2013/14 financial year it will generate revenue of \$5,540 at \$0.07 cents per litre and \$11,872 at the increased rate of \$0.15 cents per litre.

Council has a number of options to consider in responding to this issue.

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It can reiterate it's previous decision of \$0.15 per litre.

It can revert to previous practice of 5% increase ie: \$0.07 per litre; or

Amend its position by reducing the amount to somewhere between \$0.15 and \$0.07 per litre.

Should Council consider the last option has merit it may increase revenue, provide some relief for the complainant and his customers as well as reducing the inconsistency in charges across the region.

Statutory/Policy Implications

Local Government Act 1995 section 6.16 and 6.17.

Financial Implications

Minor loss of income to the Shire but any increase in revenue was not included in the 2013/14 budget.

Officer's Recommendation

That the fee for dumping of sullage be reduced from \$0.15 per litre to \$0.10 per litre effective from 17 July 2013.

Cr M Morris, Cr Wallace and Cr McFarlane agreed motion 31167 from the July Council meeting being rescinded.

81188 Moved: Cr M Morris Seconded: Cr Wallace

That motion 31167, "That the fees and charges for liquid waste disposal be increased from 0.7c per litre to 15.0c per litre" be rescinded

CARRIED 6/1

Cr Anderson requested his vote in the negative be recorded

81189 Moved: Cr M Morris Seconded: Cr Wallace

Resolution

That the fee for dumping of sullage be reduced from \$0.15 per litre to \$0.10 per litre effective from 17 July 2013.

NOT CARRIED BY ABSOLUTE MAJORITY 4/3

81190 Moved: Cr Anderson Seconded: Cr McFarlane

That the fee for dumping sullage remain at \$0.15c per litre

LOST 2/5

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81191 Moved: Cr D Morris Seconded: Cr
That the fee for dumping be reduced to \$0.09c per litre
LAPSED FOR WANT OF A SECONDER

81192 Moved: D Hayes-Thompson Seconded: Cr McFarlane
That the fee for the dumping of sullage be reduced to \$0.11c per Litre
CARRIED BY ABSOLUTE MAJORITY 5/2
Cr D Morris asked for her vote in the negative to be recorded

12.0 CORPORATE AND COMMUNITY SERVICES

12.1 LIST OF ACCOUNTS PAID

Reporting Department:	Finance & Administration
Reporting Officer:	Evelyn Arnold
	Finance and Administration
Legislation:	Local Government Act 1995 & Financial Management Regulations
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	List of Accounts Paid

Background

The attached List of Account Paid (**Attachment 12.1A**) during the month under Delegated Authority is provided for Council's information.

Statutory/Policy Implications

Local Government Act 1995 and Financial Management Regulations.

Financial Implications

All liabilities settled have been in accordance with the Annual Budget provisions. It should be noted that outstanding creditors total \$134,693.82.

81193 Moved: Cr D Morris Seconded: Cr McFarlane

Officer's Recommendation

That Council receive the schedule of accounts as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$1,008,233.12 from Council's Municipal Fund Bank Account and \$12,061.62 from Council's Trust Account.

CARRIED 7/0

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12.2 **MONTHLY FINANCE REPORT**

Reporting Department:	Finance and Administration
Reporting Officer:	Evelyn Arnold
Legislation:	Local Government Act 1995
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Monthly Finance Report

Background

The Monthly Finance Report is attached for Council's information.
(Attachment 12.2A)

Statutory/Policy Implications

Local Government Act 1995 and Financial Management Regulations.

Financial Implications

As outlined in **Attachment 12.2A.**

81194 Moved: Cr Anderson Seconded: Cr Wallace

Officer's Recommendation

That Council receive the Monthly Finance Report for July 2013.

CARRIED 6/1

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12.3 **WRITE-OFF OF UNCOLLECTABLE RATES AND SUNDRY DEBTORS**

Reporting Department:	Finance & Administration
Reporting Officer:	Evelyn Arnold
Legislation:	Local Government Act 1995
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Nil

Background

A review of Council's outstanding debtors (rates and sundry debtors) have highlighted some debts that require to be written off as uncollectable.

Comment

Outstanding Rates

Council's outstanding rates balance currently includes amounts owed by various mining companies. These charges relate to prior year rates for mining tenements.

All of the companies listed below have been deregistered. The amounts charged relate to mining tenements which are now "deceased" and therefore no longer rateable. As mining tenements there is also no property to seize in order to recover the debt. Therefore, the most economic recourse left is to write the debt off as uncollectable.

Assessment Number	Company Name	Deregistration Date	Amount
A9436	Goldmine Pty Ltd	18/12/2011	\$1,121.38
A9422	Meridian Mining Ltd	Pending	\$245.93
A9423	Meridian Mining Ltd	Pending	\$245.93
Total			\$1,613.24

It should also be noted that during the 2012/13 financial year \$589 was written off under small balances under \$10 from rate payers accounts.

Sundry Debtors

Prior to the installation of the EFTPOS terminal at the Merredin Landfill Site invoices were being raised for rubbish been deposited. The below amounts have remained unpaid and now require to be written off.

Debtor Number	Age of Debt - Days	Amount
DF115	222	\$29.00
DC289	380	\$29.00
DW57	2809	\$134.07
Total		\$192.07

Statutory/Policy Implications

S 6.12 (1) (c) of Local Government Act 1995 'Power to defer, grant discounts, waive or write off debts'. Absolute Majority Required.

Financial Implications

The cost to the Merredin Shire Council of is \$1,613.24 in rates not collected. The Sundry Debtor amount will be written off against the provision for Doubtful Debts which currently sits at \$12,575.00.

Cr Anderson left the chambers at 3.51pm

81195 Moved: Cr D Morris Seconded: Cr Hayes-Thompson

Officer's Recommendation

- 1. That Council approve the write off of \$1,613.24 being the outstanding rates deemed to be unrecoverable.**
- 2. That Council note the write off of \$589 being small balance write off.**
- 3. That Council approve the write off of \$192.07 being the outstanding sundry debtors deemed to be unrecoverable.**

CARRIED BY ABSOLUTE MAJORITY 6/0

Cr Anderson returned to the meeting at 3.53pm

12.4 **STATE GRANT ASSISTANCE PACKAGE**

Reporting Department:	Corporate and Community Services
Reporting Officer:	Evelyn Arnold
Author:	Marilyn Sayers
Legislation:	Local Government Act 1995
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Applications (Attachment 12.4A) for funding from: AWWE Group and Burracoppin Daffodil Day Event

Background

The \$10,000 State Government Assistance Grant has been received and following community consultation, two applications for funding have been received thus far.

Comment

During community consultation it was suggested that the Shire Council retain \$2,000 to cover the "free of charge" venue hires when they are asked to small community groups from time to time. This would essentially mean Council is not out of pocket when making such decisions.

Further applications are expected but not received at time of writing this agenda item. They will total approximately \$3,000.

Statutory/Policy Implications

Nil

Financial Implications

Nil

Officer's Recommendation

1. *That the submissions from AWWE Group and Burracoppin Daffodil Day Event for \$2,500 and \$1,000 respectively, be funded.*
2. *The Council retain \$2000 of the grant to cover costs associated with making decisions to support community groups use Shire venues free of charge.*

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81196 Moved: Cr D Morris

Seconded: Cr M Morris

Resolution

- 1. That the submissions from AWE Group and Burracoppin Daffodil Day Event for \$2,500 and \$1,000 respectively, be funded.*
- 2. That expressions of interests be called from community groups for the balance of the – State Government Assistance Grant to be received by the end of October 2013.*

CARRIED 6/1

13.0 ADMINISTRATION

13.1 CUMMINS THEATRE – FEE WAIVER

Reporting Department:	Administration
Reporting Officer:	CEO
Author:	Lorraine Wyatt
Legislation:	Local Government Act 1995
File Reference:	FM 21/01
Disclosure of Interest:	Nil
Attachments:	Correspondence

Background

Correspondence was received from Merredin Netball Association which has booked the Cummins Theatre for Friday 30 August and Saturday 31 August to hold its 50th birthday reunion and grand final presentation. The event is expected to be attended by 150 guests and the Friday is required for set up. A copy of the correspondence can be found at [Attachment 13.1A](#).

Comment

Council receives a number of telephone requests from a variety of community groups requesting a fee waiver or reduction and while not all of them are formalised in writing, it is fair to say that Council is not in a position to support them all in their entirety.

The net cost of operating Cummins Theatre has increased from \$169,784 in 2012/13 to \$194,578 in 2013/14 an increase of \$24,794.

The request has been made to waive the hire fee for the Friday hire requesting a reduction of \$621.50 being:

Theatre hire – more than 4 hours (community)	\$440.00
plus Tivoli room hire – more than 4 hours (community)	\$181.50

It is noted that the netball association is offering a donation to the Repertory Club on the Saturday night in exchange for its assistance. Consideration should be given to the consumption of alcohol and the current bar arrangements.

The two options available are:

Option 1 – Waive the fees and absorb the loss of revenue as the venue cannot be used during this time.

Option 2 - Council charges full hire fees as set out in the 2013/14 Fees and charges schedule.

16.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

17.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

Nil

18.0 MATTERS BEHIND CLOSED DOORS

81200 Moved: Cr Wallace Seconded: Cr Anderson
That the meeting be adjourned at 4.18pm.

CARRIED 4/2

81202 Moved: Cr Hayes-Thompson Seconded: Cr M Morris
That the meeting resume in open session at 4.23pm.

CARRIED 7/0

18.1 Hutton and Northey Mechanical Contract Proposal

Officer's Recommendation

That Council award our commercial vehicle and heavy plant maintenance program to Hutton and Northey and that the relevant positions be made redundant effective 1 October 2013.

81203 Moved: Cr M Morris Seconded: Cr Wallace
Resolution

That Council outsource the commercial vehicle and heavy plant maintenance program.

CARRIED 7/0

81204 Moved: Cr M Morris Seconded: Cr Hayes-Thompson
That expressions of interests be called from suitably qualified businesses based within the Shire of Merredin to undertake small and heavy plant and vehicle maintenance and the CEO be delegated authority to accept the most advantageous proposal.

CARRIED 7/0

19.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

81205 Moved: Cr Hayes-Thompson Seconded: Cr McFarlane
That late agenda items be accepted.

CARRIED 7/0

19.1 CHANGES TO THE SIGNIFICANT ACCOUNTING POLICIES

Reporting Department: Finance & Administration
Reporting Officer: Evelyn Arnold
Finance and Administration
Legislation: Local Government Act 1995 & Financial
Management Regulations
File Reference: Nil
Disclosure of Interest: Nil
Attachments: **Accounting Policies 2012 ([Attachment 19.1A](#))**
Accounting Policies 2013 ([Attachment 19.1B](#))

Background

From 30 June 2013 Council is required to adopt a different approach to the valuation of the non-current assets. This requires an amendment to the significant accounting policies due to the changes and amendments to Local Government (Financial Management) Regulations 1996.

Comment

The significant accounting policies form part of both the annual budget and the annual financial report. They outline the accounting frame work under which the accounts can be considered. Attached are the policies included in the June 2012 annual financial report and the new accounting policies which will form part of the June 2013 annual financial report.

The major changes surround the adoption of fair value as basis for the valuation of non-current assets. All Council fixed assets will be assessed according to a fair value hierarchy of either level 1, 2 or 3. These levels are outlined in AASB (Australian Accounting Standard) 13. They range from level 1 assets which have an observable market for example a vehicle to Level 2 less observable market this would cover specialised buildings for example a town hall to level 3 where no market may exists and a cost approach may need to be taken for example infrastructure assets such as roads. This process is to be phased in over 3 years. In addition, Councils are now required to recognise Easements and "Land under Council Control" should they meet certain criteria.

Statutory/Policy Implications

Local Government (Financial Management) Regulations 17 (a).

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Financial Implications

Budget allocations have been made in the next few years to allow for the need to engage consultants in order to comply with the changes to the regulations. For the 2013/14 the amount allowed is \$20,000.

81206 Moved: Cr Hayes-Thompson Seconded: Cr D Morris

Officer's Recommendation

That the changes to the Significant Accounting Policies be adopted.

CARRIED 7/0

19.2 **LONG TERM FINANCIAL PLAN - ADOPTION**

Reporting Department:	Administration
Reporting Officer:	CEO
Legislation:	Local Government Act 1995
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Draft Long Term Financial Plan

Background

As part of the Integrated Planning Framework, Council is required to prepare and adopt a Long Term Financial Plan (LTFP).

Comment

The LTFP represents a financial forecast of Council's position for the next ten years. Council staff, assisted by consultants (Localise and Morrison Low), have prepared Council's LTFP. During the development of the Strategic Community Plan, the Asset Management Plan, the Work Force Plan and the Corporate Business Plan, the LTFP has been reviewed to ensure that it reflects the financial impact of the strategic priorities of the Community and Council of the Shire of Merredin.

A copy of the final document is at [Attachment 19.2A](#).

Statutory/Policy Implications

Local Government Act 1995 and Regulations governing the planning framework.

Financial Implications

Broad financial implications over the next ten years with the first four years summarised in the Corporate Business Plan and the first year reflecting the annual budget for 2013/14 recently adopted by Council.

81207 Moved: Cr Hayes-Thompson Seconded: Cr D Morris

Officer's Recommendation

That the Long Term Financial Plan, as attached, be adopted.

CARRIED 7/0

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20.0 **CLOSURE**

There being no further business the President declared the meeting closed at 4.49pm.