

SHIRE OF
MERREDIN
INNOVATING THE WHEATBELT

MINUTES

Ordinary Council Meeting

Held in Council Chambers
Corner King & Barrack Street's, Merredin
Tuesday 20 December 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
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

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Shire of Merredin
Ordinary Council Meeting
Tuesday 20 December 2016



1. Official Opening

The President welcomed all those in attendance and declared the meeting open at 3.05pm.

2. Record of Attendance / Apologies and Leave of Absence

Councillors:

Cr KA Hooper	President
Cr RM Crees	Deputy President
Cr BJ Anderson	
Cr LN Boehme	
Cr MA Crisafio	
Cr JP Flockart	
Cr MD Willis	

Staff:

G Powell	CEO
R McCall	Deputy CEO
P Zenni	EMDS (until 3.44pm)
V Green	EA to CEO

Members of the Public: A McCrae; K Hayes (until 3.10pm)

Apologies: Cr ML Young

Approved Leave of Absence: Cr CA Blakers (CMRef 81861)

3. Public Question Time

At Council's November 2016 meeting, Mr Peter Gerrand asked the following questions:

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.

Subsequent to the Council Meeting, the CEO sought legal advice on the matter. The legal advice itself will remain a confidential document but concluded ... *“the Shire would not be precluded from providing a 24/7 gym ...by National Competition Policy (which) does not in itself impose legislative obligations or sanctions. Local governments are no longer required to report on their compliance with the Policy Statement to the Department (of Local Government and Communities) as they once were. In any case, the actions of the Shire in providing a 24/7 gym and subsidising the Leisure Centre are not necessarily incompatible with the principles of competitive neutrality outlined in the Policy Statement. Those principles would only have applied if the Leisure Centre was a “significant business activity” (which it is not) and in any case allow for the subsidy of business activities where required in the public interest.”*

Any remaining questions raised by Mr Gerrand have been dealt with through the Freedom of Information application.

Mrs Karen Hayes and Mrs Audine McCrae addressed Council regarding their concerns of the possible impact that a gym at the MRCLC would have on Merredin Squash and Fitness.

The President explained that Belgravia Leisure was contracted to manage the MRCLC with the hope that the centre could increase services to the community and reduce the cost in operating the MRCLC to the ratepayer.

The President thanked Mrs Hayes and Mrs McCrae for taking the time to address Council in relation to their concerns and advised the matter would be considered at a later point of the meeting (Refer [Item 19.1](#)).

Mrs Hayes and Mrs McCrae left the meeting at 3.10pm and did not return.

4. Disclosure of Interest

Councillor Flockart declared a Financial Interest and Impartiality Interest in Items 12.3 and 19.1.

Councillor Crisafio declared a Financial Interest in Item 12.3.

5. Applications for Leave of Absence

Councillor Willis requested Leave of Absence for the January 2017 Council meeting.

Voting Requirements



Simple Majority



Absolute Majority

Councillor's Recommendation / Resolution

Moved: Cr Crisafio

Seconded: Cr Crees

81878 That Councillor Willis be granted Leave of Absence for the January 2017 Council meeting.

CARRIED 7/0

6. Petitions and Presentations

Nil

7. Confirmation of Minutes of the Previous Meeting

7.1 Ordinary Council Meeting held on 15 November 2016

[Attachment 7.1A](#)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Boehme

81879 That the Minutes of the Ordinary Council Meeting held on 15 November 2016 be confirmed as a true and accurate record of proceedings.

CARRIED 7/0

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 56](#) for the resolution of this Item.

10. Receipt of Minutes of Committee Meetings

- 10.1 GECZ Executive Meeting held on 10 November 2016
[Attachment 10.1A](#)
- 10.2 WEROC Council Meeting held on 30 November 2016
[Attachment 10.2A](#)
- 10.3 GECZ Meeting held on 1 December 2016
[Attachment 10.3A](#)
- 10.4 Audit Committee Meeting held on 20 December 2016
[Attachment 10.4A](#) (tabled at the meeting)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Flockart

8188o That the Minutes of the Great Eastern Country Zone Executive Meeting held on 10 November 2016, the Wheatbelt East Regional Organisation of Councils Meeting held on 30 November 2016, the Great Eastern Country Zone Meeting held on 1 December 2016 and the Audit Committee Meeting held on 20 December 2016 be received.

CARRIED 7/o

11. Recommendations from Committee Meetings for Council consideration

11.1 Audit Committee Meeting held on 20 December 2016

6.1 CEO's Review of Risk Management, Internal Control and Legislative Compliance

Committee's Resolution

Moved: Cr Anderson

Seconded: Cr Flockart

That the Audit Committee:

1. receives the CEO's review of risk management, internal control and legislative compliance and notes the Shire of Merredin Profile Summary; and
2. recommends to Council that it adopt the CEO's review of risk management, internal control and legislative compliance and the Shire of Merredin Risk Profile Summary.

CARRIED BY ABSOLUTE MAJORITY 4/0

Voting Requirements

Simple Majority

Absolute Majority

Council Resolution

Moved: Cr Crees

Seconded: Cr Anderson

81881 That the CEO's review of risk management, internal control and legislative compliance and the Shire of Merredin Risk Profile Summary be adopted.

CARRIED BY ABSOLUTE MAJORITY 7/0

6.2 Annual Report 2015/16

Committee's Resolution

Moved: Cr Anderson

Seconded: Cr Flockart

That the Audit Committee:

1. adopt the 2015/16 Annual Report, and receive the Auditor's Report and Management Report from Butler Settineri (Audit) Pty Ltd for the 2015/16 financial year;
2. recommend the adoption of the 2015/16 Annual Report, and receipt of the Auditor's Report and Management Report from Butler Settineri (Audit) Pty Ltd for the 2015/16 financial year to Council; and
3. recommend to Council that it hold its Annual General Meeting of Electors on Tuesday 7 February 2017 commencing at 6.00pm in the Council Chambers.

CARRIED BY ABSOLUTE MAJORITY 4/0

Voting Requirements



Simple Majority



Absolute Majority

Council Resolution

Moved: Cr Crees

Seconded: Cr Boehme

81882 That:

1. the 2015/16 Annual Report be adopted, and the Auditor's Report and Management Report from Butler Settineri (Audit) Pty Ltd for the 2015/16 financial year be received; and
2. Council hold its Annual General Meeting of Electors on Tuesday 7 February 2017 commencing at 6.00pm in the Council Chambers.

CARRIED BY ABSOLUTE MAJORITY 7/0

12. Officer's Reports - Development Services

12.1 Endorsement of Water Corporation Recycled Water Supply Agreement

<h2>Development Services</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Peter Zenni, EMDS	
Author:	Rebecca Bowler, EHO	
Legislation:	Nil	
File Reference:	WS/1/1	
Disclosure of Interest:	Nil	
Attachments:	Attachment 12.1A - Draft Water Corporation & Shire of Merredin Draft Recycled Water Supply Agreement.	
Maps / Diagrams:	Nil	

Purpose of Report

Executive Decision

Legislative Requirement

Background

The MoU for Treated Wastewater between Water Corporation and Shire of Merredin, first signed in April 2006, expired on 1 April 2016. For the past 11 months staff have been negotiating with the Water Corporation on a new Recycled Water Supply Agreement. The Agreement is set to be signed for a further 10 years which will ensure the continued, regular supply of recycled water to the Shire's irrigation dam number 1. The Shire of Merredin receives the UV treated water at no cost to the Shire, a mutually beneficial relationship, as the Water Corporation required the dam for the disposal of treated effluent.

Comment

There have been a number of clauses and conditions of the new agreement on which staff sought amendment. The Water Corporation has been resistant to making changes to the standard agreement. There were only two changes made and they were to clause 12 and 13 of the Agreement relating to Indemnity and Monetary Limits.

Policy Implications

Nil

Statutory Implications

Ongoing requirement for Shire compliance with the Agreement, Department of Health and Department of Environment Regulation reporting requirements.

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 #: 1

Action: Progressively upgrade Merredin's independent water scheme

Directorate: Engineering 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 Crisafio

Seconded: Cr Anderson

81883 That the draft Recycled Water Supply Agreement between the Water Corporation and Shire of Merredin be adopted and the CEO be requested to finalise the Agreement and it be signed under Seal.

CARRIED BY ABSOLUTE MAJORITY 7/0

12.2 Policy Manual Review – Policy 8.22 Outbuildings in Residential Areas

Development Services



Responsible Officer:	Peter Zenni, EMDS
Author:	As above
Legislation:	<i>Building Act 2011</i>
File Reference:	Policy Manual
Disclosure of Interest:	Nil
Attachments:	<u>Attachment 12.2A</u> – Amended Policy 8.22
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Staff are currently undertaking a review of the Shire of Merredin Policy Manual. Policy 8.22 - Outbuildings in Residential Areas is one of the policies subject to the review process.

Comment

Policy 8.22 - Outbuildings in Residential Areas needs to be updated to reflect existing legislative requirements.

Details of the proposed amendments to the Policy are included in the Attachment.

Policy Implications

The revised Policy will give clear guidance to staff with respect to development approval of outbuildings in residential areas within the Shire of Merredin.

Statutory Implications

Compliance with the *Building Act 2011* and the National Construction Codes (BCA).

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 practices 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 Anderson

Seconded: Cr Crees

81884 That Policy 8.22 – Outbuildings in Residential Areas, as presented in Attachment 12.2A, be adopted.

CARRIED 7/0

12.3 Lot 503 Gabo Avenue, Merredin – Application for Planning Approval Transportable Ablution Facility

Councillor Crisafio declared a Financial Interest in this Item and left the meeting at 3.29pm. Councillor Flockart declared a Financial Interest and an Impartiality Interest in this Item and left the meeting at 3.29pm.

In previous items relating to CBH both Councillors Hooper and Crees had declared Financial Interests as both are holders of a \$2 share which could be of more than face value should CBH undertake a restructure and public listing. However as CBH will remain a non-distributing co-operative, and the share is non-tradable and of no value, it is apparent that no financial interest exists.

<h2>Development Services</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Peter Zenni, EMDS	
Author:	As above	
Legislation:	Shire of Merredin Town Planning Scheme No 6.	
File Reference:	A9247	
Disclosure of Interest:	Nil	
Attachments:	Attachment 12.3A - Application and associated plans and specifications	
Maps / Diagrams:	Nil	

Purpose of Report

Executive Decision

Legislative Requirement

Background

An application has been received on behalf of CBH for the placement of a transportable ablution facility at Lot 503 Gabo Avenue, Merredin.

Comment

On Monday 21 November 2016 the EMDS was contacted by CBH's representative who advised that following the recent construction of open grain storage facilities at Lot 503 Gabo Avenue, Merredin there was a need for the provision of an onsite toilet facility for personnel working on the site as currently the nearest toilet facilities are located approximately one kilometre away.

A visit to the site in question revealed that a skid mounted transportable ablution facility had already been placed on site without Council approval. The ablution facility had not been plumbed in at the time of the site visit. The building has since been removed from the site to an unknown place.

Lot 503 Gabo Avenue, Merredin is zoned "General Industry" in accordance with the Shire of Merredin Town Planning Scheme No. 6.

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 ablution facility is an ATCO transportable which is skid mounted. Whilst skid mounted structures under Council 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 General Industry, the size of the lot in question and the fact that all of the surrounding lots are also zoned General Industry limits its impact on the visual amenity of the surrounding area.

The EMDS prepared this agenda item for Council recommending retrospective approval be granted whilst awaiting the submission of a formal application for development approval. This application together with associated drawings and structural engineer details was recently submitted. The EMDS contacted CBH and advised that the Council application fee incorporated a penalty component as the development had already commenced without approval. CBH then withdrew the application. The application has since been resubmitted but the application fees have not been paid.

The *Building Act 2011* requires a Building Permit to be issued prior to the placement of a transportable building on site. The Shire of Merredin Town Planning Scheme No. 6 requires that planning consent be granted by Council before a building permit can be issued for the placement of a transportable building on site.

In this case the building was initially placed on site without a valid building permit or Council's planning consent. Accordingly the relevant approvals being sought could be considered retrospective in nature and the relevant Council fee structure addresses this through the provision of a higher fee structure. The normal application fee for development of this type (had it been applied for before development commenced) would be \$147. The fee for retrospective approval according to the Council fees and charges schedule is as follows – Application where development (non-extractive industry) has commenced – relative fee plus twice that fee, ie \$441.

CBH queried whether the building could be removed from the site until such time as the matter had been considered by Council and thereby avoid payment of the additional application fees. The EMDS advised that as the building had already been placed on site and staff had become aware of this taking place there was no possibility of avoiding the applicable Shire fee structure.

Staff do not have the ability to vary Council's fees and charges. Council has the ability to vary its fees and charges via resolution however it should be noted that the fee structure in itself is designed to act as a deterrent for failing to follow due process with respect to approval requirements. Whilst technically CBH has contravened provisions of the *Building Act 2011* and the Shire of Merredin Town Planning Scheme No. 6 there is no intention on the part of staff to pursue these breaches through the imposition of statutory penalties, however the EMDS feels that application fees should be paid on the basis of the current fees and charges schedule taking in to account the nature of the development application being placed before Council for its consideration.

Council's determination on the fee that is to be applied to this application is sought.

Policy Implications

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

Statutory Implications

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

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 relevant planning application fees have not been paid.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Anderson

Seconded: Cr Willis

- 81885**
1. That planning approval be granted to CBH for the placement of a transportable ablution facility at Lot 503 Gabo Avenue, Merredin as per the approved plans presented in Attachment 12.3A subject to the payment of an application fee of \$147.
 2. That the applicant be advised of the following:
 - a. an application for the installation of a system for the bacteriolytic treatment of sewage must be lodged and approved before any work on the construction of an effluent disposal system can be commenced on site;
 - b. tie downs are provided in accordance with engineer specifications and relevant Australian Standards; and
 - c. the building must not be used or occupied until the above has been completed to the satisfaction of the Shire of Merredin.

CARRIED 5/0

Councillors Crisafio and Flockart re-entered the meeting at 3.39pm.

12.4 Lot No 19232, 19293, 25347 Hines Hill North Road, Hines Hill – Application for Subdivision

<h2 style="margin: 0;">Development Services</h2> 	
Responsible Officer:	Peter Zenni, EMDS
Author:	Paul Bashall - Planwest
Legislation:	<i>Planning and Development Act 2005</i> ; Local Planning Scheme No. 6 – Shire of Merredin
File Reference:	A9739
Disclosure of Interest:	Nil
Attachments:	Attachment 12.4A -WAPC subdivision application supplementary documentation
Maps / Diagrams:	Nil

Purpose of Report

- Executive Decision
 Legislative Requirement

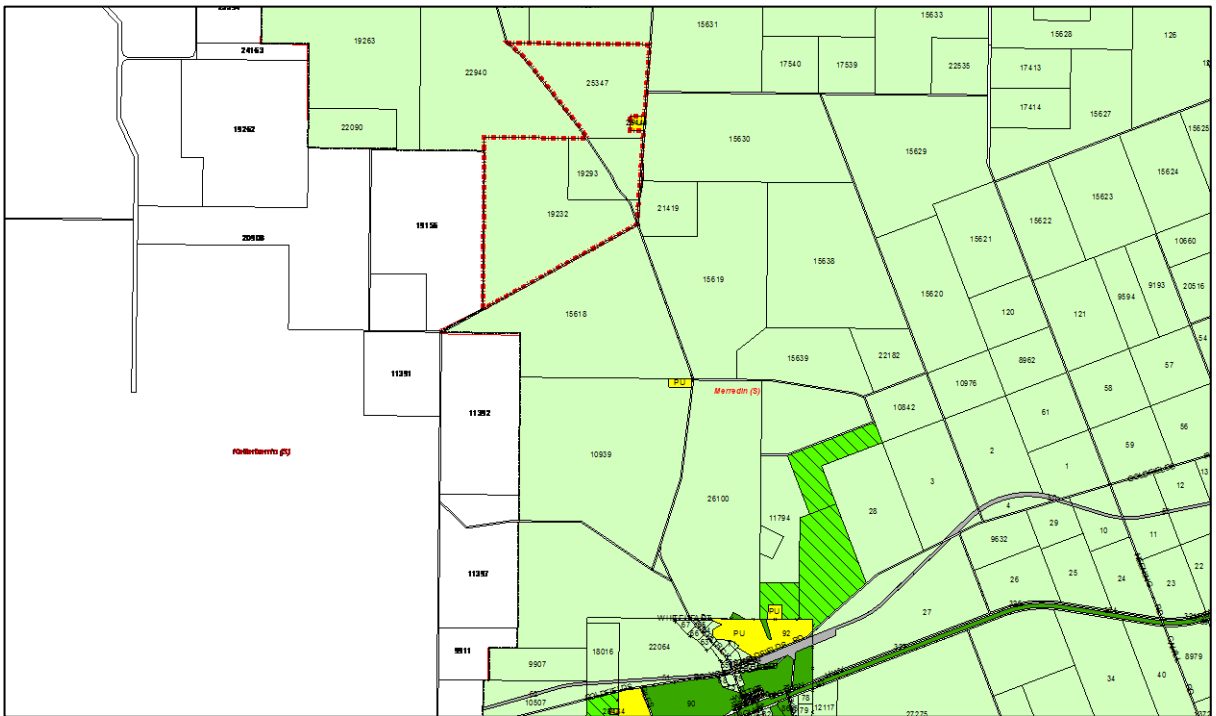
Background

An application for subdivision, located about 7 kilometres north of the Hines Hill townsite, has been referred to Council by the WA Planning Commission for comments or requirements, prior to issuing a determination. The proposal seeks to create two new lots from 3 existing lots. The applicant has stated that each resultant lot will be sold to separate purchasers.

Figure 1 shows the location of the proposed subdivision in relation to the Hines Hill townsite and the existing zones. The Figure shows that the land is currently zoned Rural in the Local Planning Scheme No. 6 (Scheme).

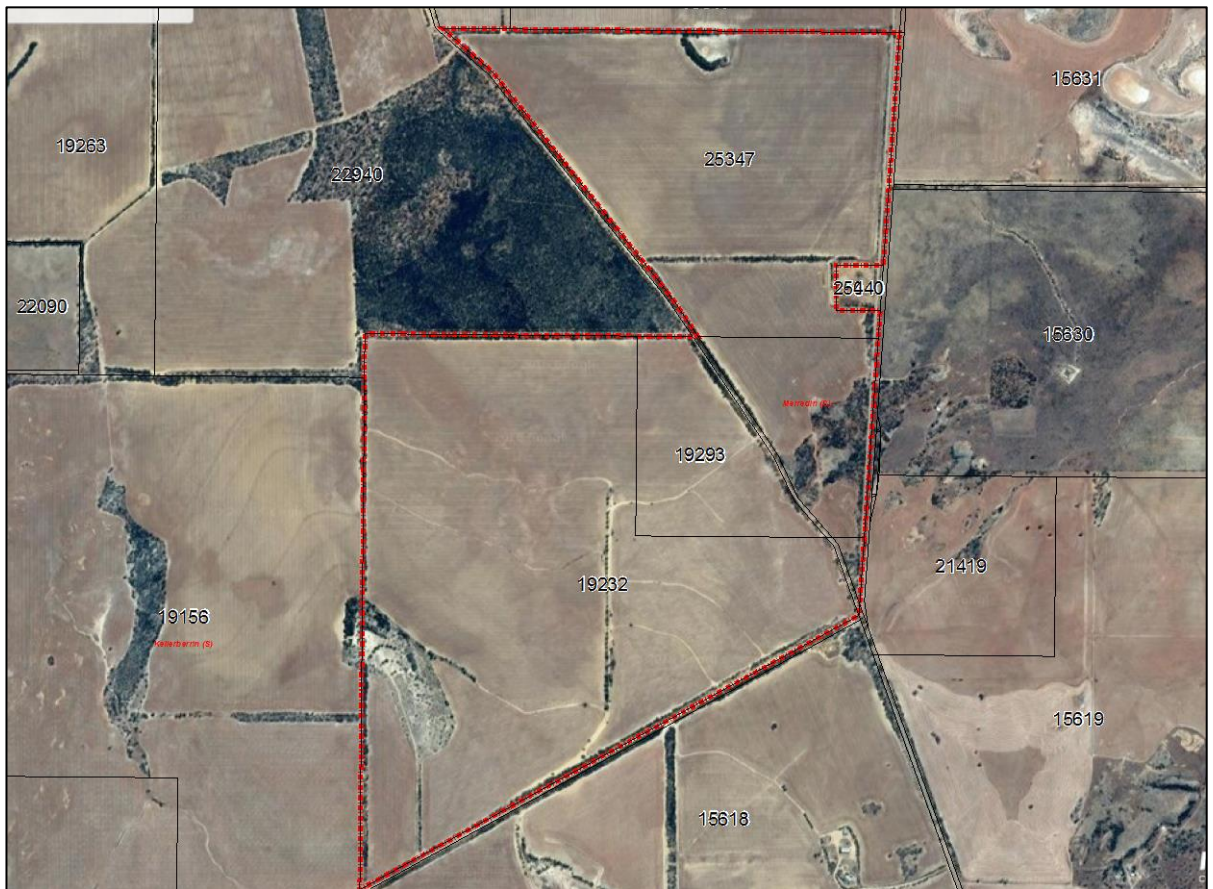
The 3 existing lots measure 330ha (Lot 19232), 88.6ha (Lot 19293) and 179.4ha (Lot 25347). Presently Lot 19293 is divided by Pustkuchen Road into two portions. The proposed subdivision will ‘dissolve’ this lot by amalgamating both parts with the larger lots west and east of Pustkuchen Road. One of the resultant two lots will be on the west side, the other on the east side.

FIGURE 1 – LOCATION PLAN



Source: DoP, Planwest

Figure 2 shows an aerial photograph of the area.



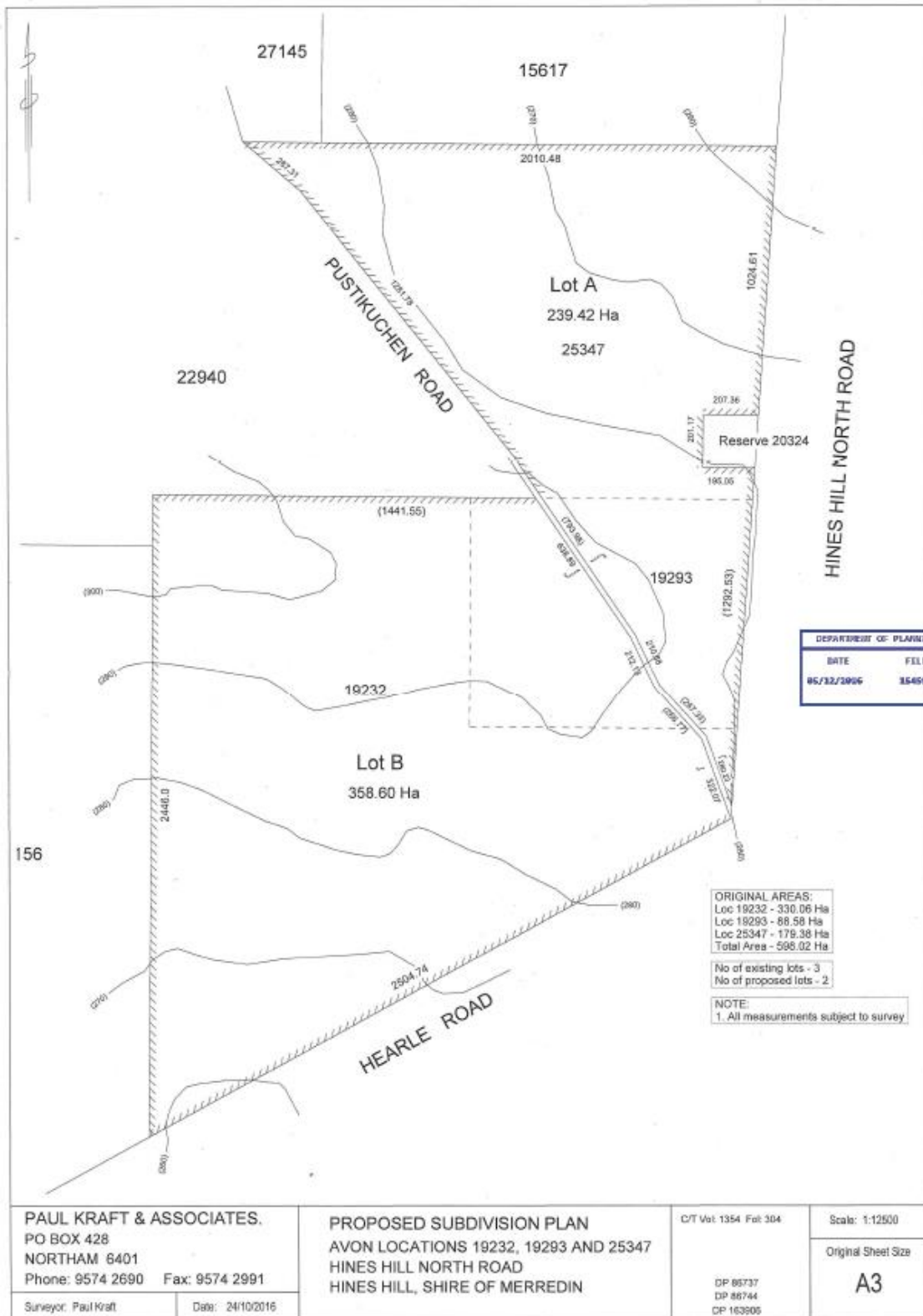


FIGURE 3 – SUBDIVISION APPLICATION SKETCH

Comment

The three existing lots currently could be issued with separate titles allowing a house to be developed on each lot. The proposed subdivision will reduce the number of lots by one and therefore reduce the housing potential in the rural zone.

There are no detrimental implications on Council services. The proposed configuration makes planning sense as Pustkuchen Road will no longer divide any property.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

➤ Strategic Community Plan

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

➤ Corporate Business Plan

Strategy: SP.D1.3 – Promote new commercial and industrial development through appropriate zoning of land, provision of suitable infrastructure and efficient and effective business approval processes.

Action #: 1
Action: Regular review of 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

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Anderson

81886 That the WA Planning Commission be advised that the Shire of Merredin has no requirements for the proposed subdivision of Lot No 19232, 19293, 25347 Hines Hill North Road, Hines Hill, however it is recommended that a standard condition be imposed to ensure that the new lots are shown on a survey document to ensure that no component of the new lots straddle Pustkuchen Road.

Councillor Crisafio left the meeting at 3.42pm.

CARRIED 6/o

12.5 Public Health Act 2016 - Council Delegation to the Chief Executive Officer

<h2 style="margin: 0;">Development Services</h2> 	
Responsible Officer:	Peter Zenni, EMDS
Author:	As above
Legislation:	<i>Public Health Act 2016</i>
File Reference:	PH/9/1
Disclosure of Interest:	Nil
Attachments:	Attachment 12.5A - Correspondence
Maps / Diagrams:	Nil

Purpose of Report

- Executive Decision
 Legislative Requirement

Background

Correspondence has been received from the Department of Health advising of the staged implementation of the Public Health Act 2016. The gazettal of the *Public Health Act 2016* represents a significant update and change to the implementation of environmental health legislation, replacing the *Health Act 1911*. As there is a significant amount of work required to transition to the new regulatory framework, the Department of Health (WA) has advised that implementation is to occur in a staged manner over the next 3 to 5 years.

The old *Health Act 1911* (which will be known as the *Health (Miscellaneous Provisions) Act 1911*), and all regulations made under it, will continue to be the main enforcement tool used by Environmental Health Officers (EHO) until the provisions of the new Act are proclaimed over the coming years.

There are 5 stages of implementation, of which Stages 1 and 2 are already in effect and have no practical implications for local government. Stage 3 involves key elements of the administrative framework provided by Part 2 of the *Public Health Act 2016* coming into operation to replace the equivalent administrative framework provided by Part II of the *Health Act 1911*. This includes gazettal of EHOs to enforce the provisions of the Act within their local government authority and annual reporting requirements. Stage 3 is expected to occur on 24 January 2017, with works needed to be undertaken to effect this transition within the Shire of Merredin.

Stage 4 will adopt changes to the *Public Health Act 2016* relating to notifiable infectious diseases and related conditions, prescribed conditions of health, serious public health incident powers and public health emergencies. The date for commencement is yet to be determined. No action by local government is expected during this implementation stage.

Stage 5 will be the most significant stage of implementation for enforcement agencies as it represents the point at which they move from the framework provided by the *Health (Miscellaneous Provisions) Act 1911* to the *Public Health Act 2016*. The development of new regulations under the *Public Health Act 2016* relating to environmental health matters will commence, and feature provisions for:

1. the built environment;
2. water;
3. body art and personal appearances; and
4. pests and vectors.

Equivalent provisions in the *Health (Miscellaneous Provisions) Act 1911* and regulations and by-laws made under that Act will be repealed.

The following provisions will also commence with the enforcement provisions:

1. Public Health Planning;
2. Public Health Assessments; and
3. Registration and licensing.

Stage 5 will require substantial works by local government to implement. The Department of Health has advised that it will be working closely with local government authorities in the lead up to this stage, including consultation on the development of the required regulations.

All currently employed EHOs will automatically be authorised officers and will continue to enforce both the new and the old public health legislation as the transition continues. However, implementation of Stage 3 requires that they must be provided a certificate of authority, to be produced on request. The Shire's authorised delegate is required to sign the certificate.

Using Section 21(1)(b)(i) Part 2 of the new *Public Health Act 2016*, Council may delegate the powers and duties conferred on it to the Chief Executive Officer or an authorised officer of the local government. At this time, the effect of the delegation being sought is minor (sign the certificate), however as further provisions are gazetted to expand the powers of the *Public Health Act 2016*, this delegation will provide for the smooth implementation of these provisions as they come in to effect.

Precedent for this is already in place with the current delegation to the CEO made under Section 26 of the *Health Act 1911* which enables the CEO to act on behalf of Council in respect to the Act and associated Regulations. This includes initiating legal action on behalf of the Shire for breaches of the *Health Act 1911*. The current delegation will need to remain in place during the transition to the new *Public Health Act 2016*.

Comment

The designation of authorised officers and the appointment of EHOs is now the responsibility of local government (enforcement agency). The Department of Health no longer has a role in the designation or appointment of EHOs/Authorised Officers.

Once Stage 3 comes into effect on 24 January 2017, all designations will need to be made under the *Public Health Act 2016*, and no longer under the *Health Act 1911* (to be renamed the *Health (Miscellaneous Provisions) Act 1911*).

Section 17 of the new *Public Health Act 2016* provides Council the ability to appoint EHOs/Authorised Officers without the need to apply for approval from the Health Department of WA. As such Council will need to provide delegation to the CEO enabling him to undertake this new function.

Section 24 of the new *Public Health Act 2016* provides Council the ability to designate a person or class of persons as Authorised Officers and to issue authority cards to those officers. This function was previously carried out by the Health Department of WA. Council will now need to provide delegation to the CEO enabling him to undertake this new function.

Policy Implications

Nil

Statutory Implications

Compliance with the *Public Health Act 2016*.

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 practices 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 Flockart

81887 That pursuant to Section 21(1)(b)(i) Part 2 of the *Public Health Act 2016* Council resolves to delegate all the powers and duties conferred or imposed on the Shire of Merredin by the *Public Health Act 2016* to the Chief Executive Officer.

Councillor Crisafio re-entered the meeting at 3.44pm.

CARRIED BY ABSOLUTE MAJORITY 7/0

P Zenni, EMDS, left the meeting at 3.44pm and did not return.

13. Officer's Reports - Engineering Services

13.1 Policy Manual Review – Policy 2.20 Drugs and Alcohol

Engineering Services



Responsible Officer:	Mike Hudson, EMES
Author:	As above
Legislation:	<i>Local Government Act 1995; Occupation Safety and Health Act 1984</i>
File Reference:	Policy Manual
Disclosure of Interest:	Nil
Attachments:	Attachment 13.1A - Proposed Policy
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

At its November 2014 meeting Council adopted Policy 2.20 Drugs & Alcohol (CMRef 81470). The policy now requires amendment to include fatigue management and further explanation describing the disciplinary applications of the policy.

Comment

The amendment addresses fatigue management in the workplace and details the disciplinary actions for contravention of the policy.

Policy Implications

Policy 2.20 Drugs & Alcohol will be updated as Policy 2.20 Fitness for Work

Statutory Implications

Local Government Act 1995; Occupational Safety and Health Act 1984

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 and procedures are effective, transparent and aligned with program delivery
Directorate: Corporate Services
Timeline: Ongoing

Sustainability Implications

➤ Strategic Resource Plan

Nil

➤ Workforce Plan

Directorate: CEO
Activity: Governance
Current Staff: All
Focus Area: Attraction and retention
Strategy Code: AR9
Strategy: Continuation, enhancement and implementation of the staff health and wellbeing program
Implications: Nil

Risk Implications

Nil

Financial Implications

Nil

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Boehme

81888 That Policy 2.20 Fitness for Work, as presented in Attachment 13.1A, be adopted.

CARRIED 7/0

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 Willis

Seconded: Cr Boehme

81889 That the schedule of accounts paid as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$580,646.93 from Council's Municipal Fund Bank Account and \$7,649.31 from Council's Trust Account be received.

G Powell, CEO, left the meeting at 3.52pm and re-entered the meeting at 3.53pm.

CARRIED 7/0

14.2 Statement of Financial Activity

<h2 style="margin: 0;">Corporate Services</h2> 	
Responsible Officer:	Charlie Brown, EMCS
Author:	As above
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	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 is attached for Council’s information.

Comment

Operating Income and Expenditure is consistent with Council’s YTD Budget, with Expenditure being 9% lower than expected for this period.

Operating Expenditure

All programs are under expended with only Recreation & Culture, and Other Property & Services outside the allowable variance but still under expended.

Operating Income

All programs are within the allowable variance for this period of time.

Capital Expenditure

A detailed look at Capital Expenditure can be found in Note 13.

Investments

A further \$1 million was invested for 60 days at 2.24% from Council’s Municipal Fund. Full details of Council’s investment portfolio can be found in the attachment.

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 Willis

Seconded: Cr Anderson

81890 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 November 2016 be received.

CARRIED BY ABSOLUTE MAJORITY 7/0

**14.3 Integrated Planning and Reporting – Quarterly Monitoring Review
 November 2016**

<h2 style="margin: 0;">Corporate Services</h2> 	
Responsible Officer:	Rebecca McCall, DCEO
Author:	As above
Legislation:	<i>Local Government Act 1995</i>
File Reference:	CM/13/4
Disclosure of Interest:	Nil
Attachments:	<u>Attachment 14.3A</u> - Corporate Business Plan 2015/16–2018/19: Quarterly Review – November 2016
Maps / Diagrams:	Nil

Purpose of Report

- Executive Decision
 Legislative Requirement

Background

The IPR planning and monitoring cycle is continuous. The planning cycle requires all local governments to undertake a major Strategic Review in the first four years. This meant the Shire of Merredin’s first Strategic Review was undertaken in 2015/16. Council adopted the reviewed IPR Suite of Plans to include the:

- Corporate Business Plan 2015/16-2018/19
- Strategic Community Plan 2015/16-2025/26
- Strategic Resource Plan 2016-2031
- Workforce Plan 2015/16-2018/19

Comment

With the implementation of the suite of plans, monitoring is undertaken through the IPR Process Plan outlining Merredin’s Baseline Report to include:

- Vision Elements
- Key Priorities
- Actions
- Strategic Goals
- Strategies

The Corporate Business Plan Quarterly Review – November 2016 is presented to Council for its perusal.

Policy Implications

Nil

Statutory Implications

It is a requirement to produce a plan for the future under Section 5.56(1) of the *Local Government Act 1995*. The IPR Framework was introduced as part of the State Government's Local Government Reform Program.

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 #: 1
Action: Monitor, report and review IPR Suite of Plans
Directorate: Corporate Services
Timeline: Ongoing

Sustainability Implications

➤ Strategic Resource Plan

The Strategic Resource Plan 2016-2031 outlines the Shire of Merredin's long term financial commitments and strategies to manage Council's assets.

➤ Workforce Plan

Directorate: Chief Executive Officer
Activity: All Activity Areas
Current Staff: 54
Focus Area: All Focus Areas
Strategy Code: AR
Strategy: Attraction and Retention
Implications: It is anticipated that the workforce will remain the same

Risk Implications

The adoption, implementation and monitoring of the IPR Suite of Plans provides a mechanism to:

- deliver accountable and measurable outcomes;
- deliver services and manage assets that can sustain the community; and
- manage systems with the rigour of process and integrity of data to accurately reflect asset management costs.

Financial Implications

There are financial implications to Council in relation to this item as the suite of plans recognise outcomes. Identified outcomes from the IPR Suite of Plans are factored into the Council's Strategic Resource Plan 2016-2031.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Boehme

Seconded: Cr Flockart

81891 That the Corporate Business Plan 2015/16-2018/19: Quarterly Review – November 2016 be received.

CARRIED 7/0

15. Officer's Reports – Administration

15.1 Policy Manual Review – Members of Council

<h2>Administration</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Greg Powell, CEO	
Author:	Vanessa Green, EA to CEO	
Legislation:	<i>Local Government Act 1995</i>	
File Reference:	Policy Manual	
Disclosure of Interest:	Nil	
Attachments:	Attachment 15.1A – Policies	
Maps / Diagrams:	Nil	

Purpose of Report

- Executive Decision Legislative Requirement

Background

Section 1 of the Policy Manual – Members of Council – has been reviewed.

Comment

The review has established that other than Policy 1.1 - Code of Conduct all policies (1.2 through to 1.16 inclusive) are relevant to Council's current practices. It is therefore not recommended to make any changes to those policies at this time.

Policy 1.1 - Code of Conduct is undergoing further review with amendments to be included following the Public Sector Commission's release of the *Guide for Local Government Developing a Code of Conduct* publication and the changes to the Gift/Travel Declarations. It is anticipated Policy 1.1 – Code of Conduct will be presented to Council early in 2017.

Policy Implications

Nil as no amendments to existing policies are recommended at this time.

Statutory Implications

Local Government Act 1995

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/Resolution

Moved: Cr Anderson

Seconded: Cr Willis

81892 That the review of Policies 1.2 through to 1.16 inclusive be noted, with no amendments recommended at this time.

CARRIED 7/0

15.2 Delegations Register Review

Administration



Responsible Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Delegations Register
Disclosure of Interest:	Nil
Attachments:	Attachment 15.2A – Delegations Register
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision

Legislative Requirement

Background

In accordance with Section 5.46 of the *Local Government Act 1995*, the Delegations Register has been reviewed and contains a number of proposed amendments.

Comment

The main amendments relate to Delegation 1.1, which now only refers to the *Local Government Act 1995*, with new delegations introduced for each separate piece of other legislation. These new delegations are included at the end of the Register (Delegations 5.3 to 5.10 inclusive). This amendment has also resulted in the need to delete Delegation 1.6.

Text shown in blue (excluding the Delegation Number and Subject) are proposed additions to the existing delegations. These additions include the authority for the CEO to appoint persons or classes of persons under each separate piece of legislation.

Policy Implications

Nil

Statutory Implications

Section 5.42 of the *Local Government Act 1995* states that a number of the local government's powers and duties can be delegated to the CEO. Section 5.43 of the Act details the limitations on those delegations. The review has been conducted within those legislative requirements.

An absolute majority of Council is required to adopt the Delegations Register.

The separate legislation referenced in the individual delegations is also applicable.

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

By not conducting the review and adopting the Register Council would be in breach of the *Local Government Act 1995*.

Financial Implications

Nil

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Anderson

81893 That the Delegations Register, as presented in Attachment 15.2A, be adopted.

CARRIED BY ABSOLUTE MAJORITY 7/0

15-3 Policy Manual Review – Regional Price Preference, Tenders - Procedure and Purchasing Policies

<h2 style="margin: 0;">Administration</h2> 	
<p>Responsible Officer:</p> <p>Author:</p> <p>Legislation:</p> <p>File Reference:</p> <p>Disclosure of Interest:</p> <p>Attachments:</p> <p>Maps / Diagrams:</p>	<p>Greg Powell, CEO</p> <p>Vanessa Green, EA to CEO</p> <p><i>Local Government Act 1995; Local Government (Functions and General) Regulations 1996</i></p> <p>Policy Manual</p> <p>Nil</p> <p>Attachment 15.3A – Revised Policies</p> <p>Nil</p>

Purpose of Report

- Executive Decision
 Legislative Requirement

Background

The policies relating to the Shire’s purchasing processes have been reviewed.

Comment

In conducting the review consideration was given to the nature and intent of the policies.

Policy 3.3 Regional Price Preference Policy aligns with the requirements of the *Local Government (Functions and General) Regulations 1996* and as it’s not likely that the regions detailed in the policy require alteration, no amendments to the policy are recommended at this time. Further References have been included to link the policy with other relevant legislation and information.

Policy 3.6 Tenders – Procedure duplicates the process detailed in Regulations 11-24. As Council is bound to comply with the Regulations, the policy is not required. Additionally, the procedure is operational in nature and therefore the responsibility of the Administration, as opposed to Council.

Policy 3.12 Purchasing Policy also (in parts) duplicates the requirements of the Regulations which are operational in nature and therefore it is recommended these be removed. Sections from WALGA’s model policy template have been included where they are relevant to the Shire’s practices and Further References included to link the policy with other relevant legislation and information.

The Administration has already implemented a central tender management system and this will be further enhanced with documented internal tender and purchasing procedures to ensure compliance with the Regulations.

Policy Implications

The Policy Manual will be updated accordingly.

Statutory Implications

Regulation 11A of the *Local Government (Functions and General) Regulations 1996* states that a local government is to adopt and implement a purchasing policy in relation to contracts.

Regulation 24E of the Regulations states that where a local government intends to give a regional price preference it is to adopt a regional price preference policy.

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

By not adopting the Regional Price Preference and Purchasing Policies Council would be in breach of the *Local Government (Functions and General) Regulations 1996*.

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Anderson

81894 That:

1. the review of Policy 3.3 – Regional Price Preference Policy be noted with no amendments recommended at this time;
2. Policy 3.6 – Tenders – Procedure be deleted from the Policy Manual; and
3. revised Policy 3.12 – Purchasing Policy, as presented in Attachment 15.3A, be adopted.

CARRIED 7/0

15-4 Local Government Election 2017

Administration



Responsible Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	ICR20161011
Disclosure of Interest:	Nil
Attachments:	Attachment 15.4A – Correspondence
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Correspondence has been received from the WA Electoral Commission (WAEC) outlining the process to be taken should Council resolve for the WAEC to conduct the 2017 Local Government Ordinary Election via postal vote.

The next election is scheduled for October 2017. There will be four Councillor positions becoming vacant, being Councillors Blakers, Flockart, Willis and Young.

Comment

For many years the WAEC has conducted the local government elections for the Shire of Merredin as a postal election with a good response from voters being achieved. The advantages of using the WAEC to conduct the election include:

1. a postal ballot has a higher elector turnout;
2. it is seen to be independent from Council; and
3. it relieves Administration staff of the workload associated with the election process.

It is therefore proposed that the WAEC conduct the 2017 Local Government Ordinary Election via postal vote.

Policy Implications

Nil

Statutory Implications

Sections 4.20(4) and 4.61(2) of the *Local Government Act 1995* apply in appointing the WAEC to conduct the election on behalf of the Shire of Merredin.

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

The estimated cost for the WAEC to conduct the 2017 election via postal ballot is \$17,500 including GST.

An allocation will need to be made in the 2017/18 Budget for the WAEC's costs, as well as additional advertising expenditure should Council wish to advertise locally in addition to the legislated State-wide advertising included as part of the WAEC quotation.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Boehme

81895 That:

1. in accordance with Section 4.20(4) of the *Local Government Act 1995* the Electoral Commissioner be responsible for the conduct of the 2017 ordinary election together with any other elections or polls which may be required; and
2. in accordance with Section 4.61(2) of the *Local Government Act 1995* that the method of conducting the 2017 election be as a postal election.

CARRIED BY ABSOLUTE MAJORITY 7/0

15-5 Integrated Reporting and Planning Requirements

Administration



Responsible Officer:	Greg Powell, CEO
Author:	As above; Peter Naylor, CEO Shire of Cunderdin
Legislation:	<i>Local Government Act 1995; Local Government (Administration) Regulations 1996</i>
File Reference:	CM/13/4
Disclosure of Interest:	Nil
Attachments:	Nil
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Shires of Cunderdin and Tammin are considering this matter. Other Shire's have also been asked to in an attempt to achieve a "regional" perspective on strategic planning.

In 2010 the Integrated Planning and Reporting (IPR) Framework and Guidelines were introduced in WA as part of the State Government's Local Government Reform Program. All local governments were required to have their first suite of IPR documents in place by 1 July 2013.

The IPR suite of documents included:

- Strategic Community Plan;
- Corporate Business Plan;
- Strategic Resource Plan;
- Workforce Plan.

In essence the IPR was designed as a process to:

- articulate the community's vision, outcomes and priorities; and
- allocate resources to achieve the vision, striking a considered balance between aspirations and affordability.

The initial preparation of the plans was phased in a gradual basis as the framework and guidelines were developed by the Department of Local Government & Communities.

The unfortunate scenario however existed that almost as soon as the plans were adopted they became null and void due to the demise of the Royalties for Regions Country Local Government Fund, the freeze placed on the indexation of the Local Government Financial Assistance Grants (by the Commonwealth Government) and the freeze placed on the indexation of the State to Local Government Roads Agreement (by the State Government).

Comment

The Wheatbelt Development Commission (WDC), Regional Development Australia Wheatbelt (RDAW), and Department of Sport & Recreation (DSR) prepare a number of Wheatbelt Regional Plans. These documents along with the local government IPR Plans basically identify the same strategic goals for every local government in the Wheatbelt.

For example the Liveable Communities section of the Wheatbelt Regional Investment Blueprint Roadmap for Growth, prepared by the WDC, includes:

- **Goal:** Diverse, safe, healthy and resilient communities where services and infrastructure reflect the needs and aspirations of residents.
- **Priority 1:** Connected settlements – support economic growth and offer multiple liveability options.
- **Priority 2:** Service Delivery Reform – collaborative strategies ensure health, education, aged and youth / children’s services reflect the needs of current and future Wheatbelt residents.
- **Priority 3:** Community Amenity – contribute to community well-being and liveability and create economic opportunity.

It seems that to avoid a great deal of duplication and to save time with our resources the WDC, RDAW and / or DSR could be engaged to work in a closer liaison with local governments to carry out an overall strategic plan for the Wheatbelt communities, which includes community consultation, and preparation of an overarching strategic plan with an addendum added for each local government independently.

An additional benefit to this process could be that if the many projects identified within each local government area could be prioritised. It would enable the local governments to work more confidently with their community organisations to apply for grant funding, when their project/s are due, and receive that funding.

Policy Implications

Nil

Statutory Implications

Section 5.56 of the *Local Government Act 1995* and Regulations 19C and 19DA of the *Local Government (Administration) Regulations 1996* are applicable.

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
Action #: Collaborate with neighbouring Shires (and beyond) for the benefit of the region as a whole
Action: 1
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 Boehme

Seconded: Cr Willis

81896 That Council supports an approach to the Wheatbelt Development Commission, Department of Sport and Recreation and Regional Development Australia Wheatbelt with a view to:

1. streamlining the strategic planning processes for the Wheatbelt; and
2. working in collaboration for the preparation of the Integrated Planning and Reporting requirements for the local governments in the Wheatbelt.

CARRIED 7/0

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

18.1 Merredin Economic Diversification Proposal

Officer's Recommendation / Resolution

Moved: Cr Crisafio

Seconded: Cr Anderson

81897 That Council supports the formation of a Community Reference Group, with the Department of Water as the lead agency, to develop a marketing or pre-feasibility document for potential agrifood investors as outlined in correspondence from the Department of Water dated 16 December 2016.

CARRIED 7/o

19. Matters Behind Closed Doors

19.1 Merredin Regional Community and Leisure Centre – Gymnasium Development Proposal

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 Flockart declared a Financial Interest and an Impartiality Interest in this Item and left the meeting at 4.30pm and did not return.

Resolution

Moved: Cr Crees

Seconded: Cr Boehme

81898 That Council move Behind Closed Doors at 4.30pm.

CARRIED 6/o

R McCall, DCEO, left the meeting at 4.42pm and re-entered the meeting at 4.44pm.

Councillor Boehme left the meeting at 5.09pm and re-entered the meeting at 5.11pm.

Resolution

Moved: Cr Crees

Seconded: Cr Boehme

81899 That Council return from Behind Closed Doors at 5.13pm.

CARRIED 6/o

Voting Requirements

Simple Majority

Absolute Majority

Resolution

Moved: Cr Crees

Seconded: Cr Willis

81900 That:

1. the legal advice stating Council is not constrained in approving the operation of a 24/7 gym at the Merredin Regional Community and Leisure Centre be noted;
2. Belgravia Leisure be requested to prepare a business case for the operation of a 24/7 gym by 31 May 2017; and
3. the operators of Merredin Squash and Fitness be advised accordingly.

CARRIED BY ABSOLUTE MAJORITY 6/o

20. Closure

There being no further business the President thanked all those in attendance, wishing everyone a safe and Merry Christmas and a Happy New Year, and declared the meeting closed at 5.14pm.