



# MINUTES

## Ordinary Council Meeting

Held in Council Chambers  
Corner King & Barrack Street's, Merredin  
Tuesday, 28 March 2023  
Commencing 6.00pm

Common Acronyms Used in this Document	
CBP	Corporate Business Plan
CEACA	Central East Accommodation & Care Alliance Inc
CEO	Chief Executive Officer
CSP	Community Strategic Plan
CWVC	Central Wheatbelt Visitors Centre
DCEO	Deputy Chief Executive Officer
EA	Executive Assistant to CEO
EMCS	Executive Manager of Corporate Services
EMDS	Executive Manager of Development Services
EMES	Executive Manager of Engineering Services
ES	Executive Support Officer
GECZ	Great Eastern Country Zone
GO	Governance Officer
LGIS	Local Government Insurance Services
LPS	Local Planning Scheme
MCO	Media and Communications Officer
MoU	Memorandum of Understanding
MP	Manager of Projects
MRCLC	Merredin Regional Community and Leisure Centre
SRP	Strategic Resource Plan
WALGA	Western Australian Local Government Association
WEROC	Wheatbelt East Regional Organisation of Councils



## March Ordinary Council Meeting

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Shire of Merredin  
Ordinary Council Meeting  
6:00pm Tuesday, 28 March 2023



**1. Official Opening**

The President acknowledged the Traditional Owners of the land on which we meet today, the Njaki Njaki people of the Nyoongar Nation and paid his respects to Elders past, present and emerging. The President then welcomed those in attendance and declared the meeting open at 6:01pm.

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

**Councillors:**

Cr M McKenzie	President
Cr D Crook	Deputy President
Cr R Billing	
Cr J Flockart	
Cr R Manning	
Cr P Patroni	
Cr M Simmonds	
Cr P Van Der Merwe	

**Staff:**

L Clack	CEO
C Townsend	A/DCEO
L Boehme	EMCS
L Mellor	EMES
P Zenni	EMDS
M Wyatt	EO

**Members of the Public:** Nil

**Apologies:** Nil

**Approved Leave of Absence:** Nil

**3. Public Question Time**

Nil

**4. Disclosure of Interest**

Cr Billing declared a Financial Interest in Item 12.1.

Cr Flockart declared an Impartiality Interest in Item 14.2.

**5. Applications for Leave of Absence**

Nil

## 6. Petitions and Presentations

Nil

## 7. Confirmation of Minutes of Previous Meetings

7.1 Ordinary Council Meeting held on 28 February 2023  
Attachment 7.1A

7.2 Special Council Meeting held on 14 March 2023  
Attachment 7.2A

*Please note there has been a minor amendment to the minutes, at Item 2 (CMRef 83109).*

### Voting Requirements



Simple Majority



Absolute Majority

### Resolution

Moved: Cr Crook

Seconded: Cr Patroni

That the following Minutes be confirmed as true and accurate records of proceedings;

83118

1. Ordinary Council Meeting held on 28 February 2023; and
2. Special Council Meeting held on 14 March 2023.

CARRIED 8/0

## 8. Announcements by the Person Presiding without Discussion

Nil

## 9. Matters for Which the Meeting may be Closed to the Public

19.1 Application of the Common Seal – Land Transfers A9370 and A624

19.2 Apex Park & Merredin Town Centre Design Variation

19.3 Endorsement of Contract – Executive Manager Strategy and Community

## 10. Receipt of Minutes of Meetings

10.1 Minutes of the Audit Committee Meeting held 27 March 2023.  
Attachment 10.1A

### Voting Requirements



Simple Majority



Absolute Majority

### Resolution

Moved: Cr McKenzie

Seconded: Cr Van Der Merwe

83119

That Council RECEIVE the minutes of the Audit Committee Meeting held 27 March 2023.

CARRIED 8/0

## 11. Recommendations from Committee Meetings for Council Consideration

### Voting Requirements



Simple Majority



Absolute Majority

### Resolution

Moved: Cr Crook

Seconded: Cr Billing

That Council:

83120

1. RECEIVES the 2022 Compliance Audit Return;
2. ADOPTS the 2022 Compliance Audit Return for the period 1 January 2022 to 31 December 2022 as contained in Attachment 6.1A of the Audit Committee Minutes;
3. AUTHORISES the Shire President and Chief Executive Officer to sign the joint certification and submit the completed 2022 Compliance Audit Return, and any additional information explaining or quantifying the compliance audit, to the Department of Local Government, Sport and Cultural Industries by 31 March 2023; and
4. NOTES the Reg 17 and Risk Action Plan, as tabled to the Audit Committee.

CARRIED 8/0

## 12. Officer's Reports - Development Services

### 12.1 Proposed Advertising Signage – Commercial Hotel 62 Barrack Street Merredin

*Cr Billing declared a Financial Interest in this Item and left the Chambers at 6:07pm.*

<div>Development Services</div> <div></div>	
Responsible Officer:	Peter Zenni, EMDS
Author:	As above
Legislation:	Shire of Merredin Local Planning Scheme No.6 <i>Planning and Development (Local Planning Schemes) Regulations 2015</i>
File Reference:	A186
Disclosure of Interest:	Nil
Attachments:	Attachment 12.1A - Application for development approval and supporting documentation (CONFIDENTIAL). Attachment 12.1B – Original verandah signage Attachment 12.1C – Current verandah signage Attachment 12.1D – Extract from MHI relating to the Commercial Hotel

#### Purpose of Report



Executive Decision



Legislative Requirement

To recommend to Council that it grants development (planning) approval for proposed advertising signage to be placed on the side of the existing awning (verandah) forming part of the Commercial Hotel, located at 62 Barrack Street, Merredin.

#### Background

The Shire of Merredin has received an application for development (planning) approval from the new owners of the Commercial Hotel, for the placement of advertising signage to be located on the side of the existing awning (verandah) forming part of the Commercial Hotel, located at 62 Barrack Street, Merredin.

The proposed advertising signage requires development (planning) approval from the Shire of Merredin.

Whilst the proposed development is incidental to an existing approved use and could be approved at the officer level under delegation from the Shire of Merredin Council, this matter is being referred to Council for its consideration together with the officer's report in response

to concerns stemming from the recent repainting of a portion of the exterior of the Commercial Hotel, and the heritage value of the building.

	<b>Comment</b>
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### **Statutory Requirements**

The Shire of Merredin Local Planning Scheme No 6 (LPS), which consists of the Deemed Provisions (*Planning and Development – Local Planning Schemes Regulations 2015*), the Scheme Text and Scheme Maps as well as the Shire of Merredin Local Planning Policies stipulates that advertising devices require development (planning) approval from the relevant planning authority, unless exempted from this requirement by the LPS.

Schedule Five of the LPS – Exempted Advertisements states that for retail premises exempted signs are;

*“All advertisements affixed to the building below the top of the awning, or in the absence of the awning, below the line measured at 5 metres from the ground floor level of the building subject to compliance with the Signs, Hoardings and Bill Posting Bylaws.”*

Most of the proposed advertising sign will be located on the side of the existing awning (verandah) but a portion of the sign incorporating the logo will be above the top of the awning, and as such the proposed advertising sign does not attract an exemption under the LPS and accordingly requires development (planning) approval from the Shire of Merredin.

It should be noted that notwithstanding any heritage concerns, the proposal from a statutory perspective is consistent with the current as well as longer-term use of the area.

### **Heritage Considerations**

The recent change to the ownership of the Commercial Hotel and subsequent intensive renovation works by the new management and the associated repainting of a portion of the exterior follows a period of disuse of the Commercial Hotel.

Works associated with the repainting of the exterior have resulted in some community concern with respect to potential impacts on the Heritage Value of the Commercial Hotel and the adjacent street scape along Barrack Street.

It should be noted that whilst the Commercial Hotel is incorporated into the Shire of Merredin Municipal Heritage Inventory (MHI), the MHI does not offer any statutory protections over the Commercial Hotel with respect to Heritage related considerations.

The Shire of Merredin Council at its Ordinary Council Meeting held on 28 June 2022, resolved to adopt a Draft Shire of Merredin Local Heritage Survey 2022, and notify owners and occupiers of premises listed in the Shire of Merredin Heritage List of the listing, inviting each owner and occupier to make submissions on the proposal in accordance with Schedule 2 Part 3 Clause 8 of the *Planning and Development (Local Planning Schemes) Regulations 2015*.

The Shire of Merredin is currently in the process of giving the required notice and seeking submissions. Once this has been finalised, the Council has considered the received submissions and adopted the finalised Shire of Merredin Heritage List, the Heritage List will formally be advertised for public information and at that time be enforceable at law, through development control processes. One of the premises identified for inclusion in the Shire of Merredin Heritage List, is the Commercial Hotel.



The Recommendation/Conservation Strategy forming part of the MHI as it pertains to the Commercial Hotel, states as follows;

*“Recognise and encourage protection through Town Planning Scheme. Photographically document prior to any modifications. Make owners aware of the heritage value of the building and encourage restoration of original front verandah to attract tourists.”*

The Shire of Merredin has retained some digital photos of the original verandah signage prior to the repainting of the verandah and these will be placed on the property file as well as the Shire’s electronic records system for posterity.

The Shire’s Executive Manager Development Services (EMDS) has spoken with Ms Laura Gray, the Shire of Merredin Heritage Consultant, who has confirmed that the Shire is undertaking the correct steps in:

1. Seeking to incorporate the Commercial Hotel into the Shire of Merredin Heritage List;
2. Retaining digital photos of the original verandah signage, that date prior to the repainting of the verandah; and
3. Taking into consideration that the original verandah signage has now been removed and granting development (planning) approval for the proposed advertising signage, is likely to attract business to the Commercial Hotel and thereby contribute towards its financial viability, and accordingly offer some heritage protection for the building in the long term.

#### Policy Implications

Nil

#### Statutory Implications

Compliance with the Shire of Merredin Local Planning Scheme No.6, and the *Planning and Development (Local Planning Schemes) Regulations 2015*.

#### Strategic Implications

##### Ø Strategic Community Plan

Theme:	5. Places and Spaces
Service Area Objective:	5.4 Town Planning & Building Control 5.4.2 The Shire has current local planning scheme and associated strategy which is flexible and able to suitably guide future residential and industrial growth
Priorities and Strategies for Change:	Nil

##### Ø Corporate Business Plan

Key Action:	4.1.1 Continue to upgrade the Integrated Planning Framework, meet statutory requirements of the Local Government Act and Regulations and regulatory obligations required under other regulations
Directorate:	Development Services

Timeline: Ongoing

	<b>Sustainability Implications</b>
Ø	Strategic Resource Plan

Nil

	<b>Risk Implications</b>
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Given the lack of statutory controls currently in place with respect to heritage considerations relating to the Commercial Hotel, the associated potential for a successful State Administrative Tribunal (SAT) appeal in case of development (planning) application refusal by the Shire of Merredin and the Shire's stated objectives to attract and retain economically viable business presence into Merredin, it is believed that the application for the proposed advertising signage should be supported by Council.

	<b>Financial Implications</b>
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Nil. The relevant development application fees have been paid.

	<b>Voting Requirements</b>
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Simple Majority



Absolute Majority

	<b>Resolution</b>
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Moved: Cr Flockart

Seconded: Cr Simmonds

**83121**

That Council GRANTS development (planning) approval for the proposed advertising signage to be placed on the side of the existing awning (verandah) forming part of the Commercial Hotel, located at 62 Barrack Street, Merredin, as outlined in Attachment 12.1A to this report.

**CARRIED 7/0**


*Cr Billing returned to the Chambers at 6:08pm.*

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

Nil

## 14. Officers' Reports – Corporate and Community Services

### 14.1 Statement of Financial Activity – February 2023

<div>Corporate Services</div> <div>SHIRE OF MERREDIN INNOVATING THE WHEATBELT</div>	
Responsible Officer:	Leah Boehme, 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 – Statement of Financial Activity Attachment 14.1B – Detailed Statements Attachment 14.1C – Capital Works Progress Attachment 14.1D – Investment Report

#### Purpose of Report



Executive Decision



Legislative Requirement

For Council to receive the Statements of Financial Activity and Investment Report for the month of February 2023, and be advised of associated financial matters.

#### Background

The Statement of Financial Activity, Detailed Statements, Capital Works Progress and Management Report are attached for Council's information.

#### Comment

#### Statement of Financial Activity

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* requires the Shire to prepare a monthly statement of financial activity for consideration by Council within 2 months after the end of the month of the report. These reports are included at Attachments 14.1A to D inclusive.

#### Policy Implications

Nil

### Statutory Implications

As outlined in the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

### Strategic Implications

#### Ø Strategic Community Plan

Theme:	4. Communication and Leadership
Service Area Objective:	4.2.2 The Shire is progressive while exercising responsible stewardship of its built, natural and financial resources
Priorities and Strategies for Change:	Nil

#### Ø Corporate Business Plan

Key Action:	Nil
Directorate:	Nil
Timeline:	Nil

### Sustainability Implications

#### Ø Strategic Resource Plan

Compliance with the *Local Government (Administration) Regulations 1996* and to also give Council some direction regarding its management of finance over an extended period of time.

### Risk Implications

The Statement of Financial Activity is presented monthly and provides a retrospective picture of the activities at the Shire. Contained within the report is information pertaining to the financial cost and delivery of strategic initiatives and key projects.

To mitigate the risk of budget over-runs or non-delivery of projects, the Chief Executive Officer (CEO) has implemented internal control measures such as regular Council and management reporting and a quarterly process to monitor financial performance against budget estimates.

Materiality reporting thresholds have been established at half the adopted Council levels, which equate to \$10,000 for operating budget line items and \$10,000 for capital items, to alert management prior to there being irreversible impacts.

It should also be noted that there is an inherent level of risk of misrepresentation of the financials through either human error or potential fraud.

The establishment of control measures through a series of efficient systems, policies and procedures, which fall under the responsibility of the CEO as laid out in the *Local Government (Financial Management Regulations) 1996* regulation 5, seek to mitigate the possibility of this occurring.

These controls are set in place to provide daily, weekly, and monthly checks to ensure that the integrity of the data provided is reasonably assured.

### Financial Implications

The adoption on the Statement of Financial Activity is retrospective. Accordingly, the financial implications associated with adopting this are nil.

### Voting Requirements



Simple Majority



Absolute Majority

### Resolution

Moved: Cr Billing

Seconded: Cr Flockart

83122

That Council RECEIVE the Statements of Financial Activity and Investment Report for the period ending 28 February 2023, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996.

CARRIED 8/0

## 14.2 List of Accounts Paid – February 2023

*Cr Flockart declared an Impartiality Interest in this Item.*

<div>Corporate Services</div> <div>SHIRE OF MERREDIN INNOVATING THE WHEATBELT</div>	
Responsible Officer:	Leah Boehme, EMCS
Author:	As above
Legislation:	<i>Local Government Act 1995</i> <i>Local Government (Financial Management) Regulations 1996</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 14.2A - Payments Listing February 2023

### Purpose of Report



Executive Decision



Legislative Requirement

For Council to receive the schedule of accounts paid for the month of February 2023.

### Background

The attached list of Accounts Paid during the Month of February 2023 under Delegated Authority is provided for Council's information and endorsement.

### Comment

Nil

### Policy Implications

Nil

### Statutory Implications

As outlined in the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996*.

### Strategic Implications

Ø Strategic Community Plan

Theme: 4. Communication and Leadership

Service Area Objective: 4.2.2 The Shire is progressive while exercising responsible stewardship of its built, natural and financial resources

Priorities and Strategies for Change: Nil

Ø Corporate Business Plan

Key Action: Nil

Directorate: Nil

Timeline: Nil

#### Sustainability Implications

Ø Strategic Resource Plan

Compliance with the *Local Government (Administration) Regulations 1996* and to also give Council some direction regarding its management of finance over an extended period of time.

#### Risk Implications

Council would be contravening the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* should this item not be presented.

#### Financial Implications

All liabilities settled have been in accordance with the Annual Budget provisions.

#### Voting Requirements



Simple Majority



Absolute Majority

#### Resolution

Moved: Cr Patroni

Seconded: Cr Van Der Merwe


83123

That Council RECEIVE the schedule of accounts paid during February 2023 as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totaling \$891,161.11 from Council's Municipal Fund Bank Account and \$0 from Council's Trust Account.

CARRIED 8/0



### 14.3 Annual Budget Review

<div>Corporate Services</div> <div>SHIRE OF <b>MERREDIN</b> INNOVATING THE WHEATBELT</div>	
Responsible Officer:	Leah Boehme, 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 14.3A – Budget Review March 2023 Attachment 14.3B – Annual Budget Review Explanatory Notes (Confidential)

#### Purpose of Report



Executive Decision



Legislative Requirement

The purpose of this report is to request Council endorsement for the proposed budget amendments as part of the statutory budget review (Attachment 14.3A).

An amendment to the 2022/23 Shire of Merredin Fees and Charges is also recommended for Councils consideration.

#### Background

Regulation 33A of the Local Government (Financial Management) Regulations 1996 states that the Council is required to conduct a review of its approved annual budget after considering the changes in its operating environment since the beginning of the financial year, with a view of forecasting the financial impacts likely to arise for the remainder of the year.

An error has been identified in the fees and charges set for 2022/23. In previous years the charge for disposal of small animals allowed for up to 10 animals to be disposed of for one set fee, this fee was inadvertently changed to a 'per item' cost in 2022/23. It is proposed to rectify this error.

#### Comment

Council is required to consider the submitted budget review and make a determination in relation to the outcomes and recommendations.

The review of the 2022/23 Budget has been completed. A number of variations to existing budget allocation have been identified and included in the revised budget, which can be found in Attachment 14.3A.

It should be noted that actual costs presented in this document are representative of February 2023 end of month figures.

#### **Issues and options considered.**

The budget review has comprised of:

- a review of the adopted budget and an assessment of actual results to date against that budget;
- an assessment and projection of likely results over the remainder of the financial year against the adopted budget; and
- Consideration of any issues not provided for in the adopted budget that may need to be addressed.

The review of the adopted budget has taken into account progress in the first two-thirds of the year, the likely operating environment over the remaining part of the year under prevailing economic conditions, and the most likely impact on the Council's financial position.

The focus in this review has been on ensuring that there is sufficient operational capacity to deliver the services and budget programs as set out in the adopted 2022/23 Annual Budget and to accommodate events and issues that have arisen since budget adoption.

The most significant variations between the original adopted budget and the revised budget are as follows:

#### **Surplus Brought Forward**

The actual surplus brought forward from 2021/22 has been confirmed at \$2,356,758 during the 2021/22 Audit. The figures considered during Budget Review 1 were \$3,485 higher than the actuals presented in this review.

#### **Operating Income and Expenditure**

Throughout the budget, a range of minor amendments have occurred. A comprehensive list of the main proposed changes is available in Confidential Attachment 14.3B, however, the key items of note are presented below.

- Bank interest has been received at a higher-than-expected rate, due to rises in interest over the year. We expect to receive around \$69,000 extra in interest between our municipal and reserve funds. Interest received on the reserve funds has been moved back into the appropriate reserves.
- The OLOPS – Employee Costs account 2050300 has been reduced due to the Emergency Services Officer (ESO) being on leave for the majority of the first half of the financial year. This cost will return to normal in the 2023/24 financial year.
- Money has been allocated to 2050311 and 2050330 to cover unbudgeted expenses that have occurred relating to CCTV failure and the accurate allocation of insurance expenses.
- Overall, the Bushfire Brigade (BFB) accounts have an expected overspend of around \$7,000 for the year. It should be noted that the Emergency Services Officer (ESO) has

been granted approval for the overspend by DFES and the Shire will receive funds to correct this in future financial years.

- A slight increase in income for the ESL SES – Operating Grant is due to an overspend repayment of \$8,907 from the 2021/22 year being paid to the Shire during this financial year.
- Major plumbing works required at a Shire house required a significant increase to the allocated budget for that property. This property is rented by Government Regional Officer Housing (GROH) and works were required to be immediately when reported.
- 2110586 has been increased to account for the purchase of the library photocopier. Initially this was budgeted as a capital item, but due to the actual cost being under \$5,000, it was unable to be included in capital. The money allocated in the capital funds has been moved to this GL to account for the purchase.
- 3120390 saw an increase, due to the profit on the sale of assets being higher than anticipated.

### **Capital Income and Expenditure**

Capital income and expenditure has changed minimally and is displayed on page 8 of the Budget Review March 2023 attachment (Attachment 14.3A). The majority of changes to the capital projects that have occurred have been taken to Council for consideration over the past months. Additional changes have been made to the following lines:

- 4040130, an invoice was received for the Council Chambers IT system after the end of financial year
- A total of \$26,500 has now been allocated to the North Merredin Primary School toilet refurbishment. An increase of \$9,000 was taken to Council previously for approval, however an issue with corroded plumbing has required extra works to be planned to be undertaken urgently. These works will commence immediately if approved during budget review.
- An extra \$10,000 has been allocated to the Railway Museum platform refurbishment, due to quotes not yet being received and it being anticipated that these may be higher than initially anticipated.
- A new capital item has been included for emergency works required to Totadgin Hall Road.
- Increases have also occurred to Bullshead Road, Goldfields Road and Merredin-Narembreen Road given the changes to the construction environment.

### **Other Points of Note**

- Overall, adjustments have also been made to the Public Works Overheads (PWO), Plant Operation Costs (POC), Administration Allocated and Depreciation lines throughout the budget to ensure appropriate and accurate reporting of organisational costs.
- The account name of 2050216 has been changed from Relief Ranger Services to Contract Ranger Services to better describe the current arrangement.
- A new account has been created for organisational OHS related costs, and both the new account and existing PWO – OHS and Toolbox Meetings account have had name

changes to 'WHS' to reflect the new terminology of the Work Health and Safety Act 2020.

- 3090201 OTH HOUSE – Rental Reimbursements has been renamed to OTH HOUSE – Shire Housing Rental Reimbursements.
- 3090301 COM HOUSE – Staff Rental Reimbursements has been renamed to COM HOUSE – Rental reimbursements to ensure that income from staff housing and the Cummings Street Units are clearly differentiated.

### Fees and Charges

A review of the fees and charges set for the disposal of animals at the tip has found an error in the intention for the charges set.

In previous years the charge for disposal of small animals allowed for up to 10 animals to be disposed of for one set fee, which in 2021/22 was \$63.50. In the 2022/23 Fees and Charges, this fee was inadvertently changed to a 'per item' cost of \$64.50, meaning the disposal of 10 small animals would now cost \$645.

As this fee and charge is most commonly charged to our local veterinary service, it is recommended that as part of our annual budget review, this fee is amended to be \$64.50 for up to 10 small animals, as per the below table.

Account	Description	Unit	Charge	GST	Total (incl GST)	GST	Notes
<b>Existing Fee/Charge</b>							
3100135	Animal Disposal Fee (small animals)	Per Item	\$58.64	\$5.86	\$64.50	Y	Nil
<b>Proposed Fee/Charge</b>							
3100135	Animal Disposal Fee (small animals)	Up to 10	\$58.64	\$5.86	\$64.50	Y	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

Ø Strategic Community Plan

Theme: 4. Communication and Leadership

Service Area Objective: 4.2.2 The Shire is progressive while exercising responsible stewardship of its built, natural and financial resources

Priorities and Strategies Nil  
for Change:

Ø Corporate Business Plan

Key Action: 4.1.1 Continue to update the Integrated Planning Framework, meet statutory requirements of the Local Government Act and Regulations and regulatory obligations required under other regulations

Directorate: Nil

Timeline: Nil

#### Sustainability Implications

Ø Strategic Resource Plan

Nil

#### Risk Implications

Compliance with the Local Government (Administration) Regulations 1996 and to ensure Council have direction regarding the management of finances over an extended period of time.

#### Financial Implications

All liabilities settled have been in accordance with the Annual Budget provisions. Suggested amendments to the 2022/23 Annual Budget, as outlined in Attachment 14.3A. Fee and charge amendment as proposed could lead to less income, however this fee does not appear to have been considered at incorrect rate during budget setting.

## Voting Requirements



Simple Majority



Absolute Majority

## Resolution

Moved: Cr McKenzie

Seconded: Cr Crook

That Council;

1. APPROVES the review of the 2022/23 Annual Budget (Budget Review 2) as at 28 February 2023;
2. AUTHORISES the recommended budget amendments, as detailed in Attachment 14.3A;
3. PROVIDES a copy of the 2022/23 Annual Budget Review and determination to the Department of Local Government, Sport and Cultural Industries, in accordance with Regulation 33A of the Local Government (Financial Management) Regulations 1996;
4. AMENDS the 2022/23 Fees and Charges for Animal Disposal Fee (small animals) as per the table below:

Account	Description	Unit	Charge	GST	Total (incl GST)	GST	Notes
Existing Fee/Charge							
3100135	Animal Disposal Fee (small animals)	Per Item	\$58.64	\$5.86	\$64.50	Y	Nil
Proposed Fee/Charge							
3100135	Animal Disposal Fee (small animals)	Up to 10	\$58.64	\$5.86	\$64.50	Y	Nil

5. NOTES the change will be incorporated into the 2022/23 Schedule of Fees and Charges for the Shire of Merredin;
6. APPROVES advertising the changes to the fees and charges as per Item 4 and 5 above, in accordance with the Local Government Act 1995; and
7. INITIATES the changes to the fees and charges as per Item 4, upon completion of Item 6 of the recommendation above.

CARRIED 8/0

83124

#### 14.4 Merredin Show Complimentary Tickets

<div>Community Services</div> <div></div>	
Responsible Officer:	Lisa Clack, CEO
Author:	Meg Wyatt, EO
Legislation:	Nil
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Nil

#### Purpose of Report



Executive Decision



Legislative Requirement

To meet the requirement of Policy 1.21 CEO and Councillor Attendance at Events for the acceptance of complimentary tickets, and attendance of Councillors and staff at the Merredin Show on 1 April 2023.

#### Background

The Merredin Show is held annually at the Merredin Regional Community & Leisure Centre (MRCLC). The Shire of Merredin (the Shire) sponsors this event and through the sponsorship receive a booth to provide the community with information about key projects, upcoming events, and on-going works. The Shire also receives complimentary tickets for Councillors and staff to attend the event.

In the past these tickets have been used for Councillors and staff that volunteer to attend the Shire booth to help provide insight and answer any questions raised by the community.

#### Comment

This year the Administration is requesting that a staff member and a Councillor are rostered on for each one-hour time slot, allowing two people to be at the booth at all times. The roster will be 9am-10am (for set up), 10am – 4pm (to attend the booth) and from 4pm-5pm (for pack down).

This year the Shire has received 15 complimentary tickets for attendance at the 2023 Merredin Show. The Administration proposes that Council accepts the 15 complimentary

tickets and approves the Chief Executive Officer (CEO) to allocate them to staff and Councillors working on the Shire of Merredin booth.

### Policy Implications

If the CEO or Councillors were to attend this event Policy 1.21 CEO and Councillor Attendance at Events would apply.

Decisions to attend events in accordance with this policy will be made by simple majority or by the CEO in accordance with any authorisation in this policy.

In making a decision on attendance at an event, the Council will consider:

- a) who is providing the invitation or ticket to the event,
- b) the location of the event in relation to the local government (within the district or out of the district),
- c) the role of the Council member or CEO when attending the event (participant, observer, presenter) and the value of their contribution,
- d) whether the event is sponsored by the local government,
- e) the benefit of local government representation at the event,
- f) the number of invitations / tickets received, and
- g) the cost to attend the event, including the cost of the ticket (or estimated value of the event per invitation) and any other expenses such as travel and accommodation.

The CEO is authorised to decide the attendance at events for the CEO (or delegate) or Councillors when the following criteria are met:

- i. There is insufficient time between the receipt of the invitation and the next ordinary Council meeting for the matter to be considered by Council and;
- ii. The criteria listed in points a-g above have been considered and the CEO determines there is an appropriate benefit to the local government in attendance at the event.

As there is sufficient time between the receipt of the complimentary tickets and the Ordinary Council Meeting, this item has been brought to Council for a decision.

### Statutory Implications

Nil

### Strategic Implications

#### Ø Strategic Community Plan

Theme: Nil

Service Area Objective: Nil

Priorities and Strategies  
for Change: Nil

#### Ø Corporate Business Plan

Key Action: Nil

Directorate: Nil

Timeline: Nil



### Sustainability Implications

Ø Strategic Resource Plan

Nil

### Risk Implications

Nil as this will be decided in accordance with Council Policy 1.21.

### Financial Implications

Nil

### Voting Requirements



Simple Majority



Absolute Majority

### Resolution

Moved: Cr Crook

Seconded: Cr Simmonds

That Council;


83125

1. ACCEPT the 15 complimentary tickets provided by the Merredin Show Committee; and
2. APPROVES the Chief Executive Officer to allocate the 15 complimentary tickets to staff and Councillors attending the Shire of Merredin booth for the event.

CARRIED 8/0

## 15. Officers' Reports - Administration

### 15.1 Status Report – March 2023

<div>Administration</div> <div></div>	
Responsible Officer:	Lisa Clack, CEO
Author:	Meg Wyatt, EA
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 15.1A – Status Report – March 2023

#### Purpose of Report



Executive Decision



Legislative Requirement

For Council to consider the updated Status Report for March 2023.

#### Background

The Status Report is a register of Council Resolutions that are allocated to the Shire's Executive Staff for actioning. When the Executive Staff have progressed or completed any action in relation to the Council Resolution, comments are provided until the process is completed or superseded by a further Council Resolution.

#### Comment

In the interest of increased transparency and communication with the community and Council, the Status Report is provided for information.

#### Policy Implications

Nil

#### Statutory Implications

Nil

### Strategic Implications

#### Ø Strategic Community Plan

Theme: 4. Communication and Leadership

Service Area Objective: 4.4 Communications  
4.4.1 The Shire is continuously working to maintain efficient communication, providing open, transparent and factual information, through a variety of channels

Priorities and Strategies for Change: Nil

#### Ø Corporate Business Plan

Key Action: Nil

Directorate: Nil

Timeline: Nil

### Sustainability Implications

#### Ø Strategic Resource Plan

Nil

### Risk Implications

Nil

### Financial Implications

Nil

### Voting Requirements



Simple Majority



Absolute Majority

### Resolution

Moved: Cr Patroni

Seconded: Cr Van Der Merwe

**83126**

That Council RECEIVES the Status Report on Council Resolutions for March 2023.

**CARRIED 8/0**

**16. Motions of which Previous Notice has been given**

Nil

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

Nil

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

Nil

**19. Matters Behind Closed Doors**

In accordance with *Section 5.23 (2)(c)(e)(ii)(iii), of the Local Government Act 1995* Council will go Behind Closed Doors to discuss these matters.

	Council Decision
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**Moved:** Cr Billing

**Seconded:** Cr Manning

**83127**

**That Council move Behind Closed Doors and that Standing Orders be suspended at 6:22pm.**

**CARRIED 8/0**

	Reason
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That matters related to a contract entered into, or which may be entered into, by the local government, information that has a commercial value to a person, and information about the business, professional, commercial or financial affairs of a person were to be discussed.

## 19.1 Application of the Common Seal – Land Transfers A9370 and A624

### Corporate Services



Responsible Officer:	Leah Boehme, EMCS
Author:	As above
Legislation:	<i>Local Government Act 1995, Local Government (Financial Management) Regulations 1996</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Nil

#### Voting Requirements



Simple Majority



Absolute Majority

#### Resolution

Moved: Cr Flockart

Seconded: Cr Crook

**83128**

That Council AUTHORISES the Chief Executive Officer and Shire President to apply the Common Seal of the Shire of Merredin to the Transfer of Land documents for A624 and A9370 on behalf of Council.

**CARRIED 8/0**

## 19.2 Apex Park & Merredin Town Centre Design Variation

### Engineering Services



Responsible Officer:	Lindon Mellor, EMES
Author:	Daniel Hay-Hendry, MP
Legislation:	<i>Local Government Act 1995</i> <i>Local Government (Financial Management) Regulations 1996</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Nil

### Voting Requirements



Simple Majority



Absolute Majority

### Resolution

Moved: Cr Van Der Merwe

Seconded: Cr Crook

That Council;


1. APPROVE the Chief Executive Officer to accept variation requests VO01, VO03 and VO05 to contract RFT 01 2021/22 Detailed Design Services between the Shire of Merredin and Place Laboratory;
2. NOTE the acceptance of the above variation requests will increase the total contract value between the Shire of Merredin and Place Laboratory for RFT 01 2021/22 Detailed Design Services for Apex Park and Merredin Town Centre to the Proposed Amended Contract Value outlined within the report;
3. AUTHORISE the Chief Executive Officer, if necessary, to accept any further variations which do not result in the total contract value between the Shire of Merredin and Place Laboratory exceeding the Proposed Maximum Contract Value for RFT 01 2021/22 Detailed Design Services for Apex Park and Merredin Town Centre as outlined within this report; and
4. NOTES that the maximum contract value outlined within Item 3, is within current budget provisions.

83129

CARRIED 8/0

### 19.3 Endorsement of Contract – Executive Manager Strategy and Community

*EMES, L Mellor, EMCS, L Boehme, EMDS, P Zenni and A/DCEO, C Townsend left the Chambers at 6:27pm.*

<h2>Administration</h2>		
Responsible Officer:	Lisa Clack, CEO	
Author:	As above	
Legislation:	Local Government Act 1995	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Nil	
<b>Voting Requirements</b>		



Simple Majority



Absolute Majority

<b>Resolution</b>
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**Moved:** Cr McKenzie

**Seconded:** Cr Patroni

**83130**

**That Council ENDORSE the proposal of the Chief Executive Officer to employ the preferred candidate for the Executive Manager Strategy and Community role as described in the report.**

**CARRIED 8/0**

*EMES, L Mellor, EMCS, L Boehme, EMDS, P Zenni and A/DCEO, C Townsend returned to the Chambers at 6:28pm.*

	<b>Council Resolution</b>
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**Moved:** Cr Van Der Merwe      **Seconded:** Cr Patroni

**83131**      That Council return from Behind Closed Doors at 6:29pm, resume Standing Orders and that the resolutions being passed in the confidential session be confirmed in open meeting.

**CARRIED 8/0**

## **20. Closure**

There being no further business, the President thanked those in attendance and declared the meeting closed at 6:30pm.



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