

SHIRE OF
MERREDIN
INNOVATING THE WHEATBELT

AGENDA

Ordinary Council Meeting

To be held in Council Chambers
Corner King & Barrack Streets, Merredin
Tuesday, 29 April 2025
Commencing 4.00pm



Notice of Meeting



Dear President and Councillors,

The next Ordinary Meeting of the Council of the Shire of Merredin will be held on Tuesday, 29 April 2025 in the Council Chambers, corner of King and Barrack Streets, Merredin. The format of the day will be:

2:00pm Briefing Session

4:00pm Council Meeting

CRAIG WATTS
CHIEF EXECUTIVE OFFICER
24 April 2025

DISCLAIMER

PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING:

Statements or decisions made at this meeting should not be relied or acted on by an applicant or any other person until they have received written notification from the Shire. Notice of all approvals, including planning and building approvals, will be given to applicants in writing. The Shire of Merredin expressly disclaims liability for any loss or damages suffered by a person who relies or acts on statements or decisions made at a Council or Committee meeting before receiving written notification from the Shire.

The advice and information contained herein is given by and to Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

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
EO	Executive Officer
EMCS	Executive Manager Corporate Services
EMDS	Executive Manager Development Services
EMES	Executive Manager Engineering Services
EMS&C	Executive Manager Strategy & Community
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



April Ordinary Council Meeting

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Shire of Merredin
Ordinary Council Meeting
4:00pm Tuesday, 29 April 2025



1. Official Opening

This meeting is being recorded on a digital audio device to assist with minute taking purposes. The public is reminded that copying or distribution of any part of the recording is not permitted. The Shire reserves all rights in relation to its copyright. Audio contained in a recording must not be altered, reproduced or republished without the written permission of the Shire and in accordance with Section 8.5 of the Shire of Merredin Standing Orders Local Law 2017, no person is to use any electronic, visual or audio recording device or instrument to record the proceedings of the Council or a Committee without the written permission of the Council.

2. Record of Attendance / Apologies and Leave of Absence

Councillors:

Cr D Crook	President
Cr R Manning	Deputy President
Cr B Anderson	
Cr H Billing	
Cr M McKenzie	
Cr L O'Neill	
Cr M Simmonds	
Cr P Van Der Merwe	

Staff:

C Watts	CEO
L Boehme	EMCS
L Carr	A/EMES
C Brindley-Mullen	EMS&C
P Zenni	EMDS
M Wyatt	EO
A Bruyys	GO

Members of the Public:

Apologies:

Approved Leave of Absence:

3. Public Question Time

Members of the public may submit questions up to 2pm on the day of the meeting by emailing ea@merredin.wa.gov.au.

4. Disclosure of Interest

5. Applications of Leave of Absence

6. Petitions and Presentations

Nil

7. Confirmation of Minutes of Previous Meetings

- 7.1 Ordinary Council Meeting held on 25 March 2025
Attachment 7.1A

Voting Requirements

- Simple Majority Absolute Majority

Officer's Recommendation

That the Minutes of the Ordinary Council Meeting held 25 March 2025 be confirmed as a true and accurate record of proceedings, noting that there was a minor grammatical change to Policy 6.19 Sporting Infrastructure Policy that was adopted.

8. Announcements by the Person Presiding without Discussion

9. Matters for which the Meeting may be Closed to the Public

- 19.1 Amendment of Resolution 83348

10. Receipt of Minutes of Meetings

- 10.1 Minutes of the Rural Water Council Meeting held 27 September 2024.
Attachment 10.1A
- 10.2 Minutes of the Local Emergency Management Committee Meeting held 6 February 2025.
Attachment 10.2A
- 10.3 Minutes of the Wheatbelt East Regional Organisation of Councils Inc Board Meeting held 17 March 2025.
Attachment 10.3A
- 10.4 Minutes of the Bush Fire Advisory Committee Annual General Meeting held 20 March 2025.
Attachment 10.4A
- 10.5 Minutes of the Wheatbelt East Regional Organisation of Councils Inc Special General Meeting held 15 April 2025.
Attachment 10.5A
- 10.6 Minutes of the Audit, Risk and Improvement Committee Meeting held 29 April 2025.
Attachment 10.6A (*to be circulated prior to the meeting*)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That Council:

1. **RECEIVE the minutes of the Rural Water Council Meeting held 27 September 2024;**
2. **RECEIVE the minutes of the Local Emergency Management Committee Meeting held 6 February 2025;**
3. **RECEIVE the minutes of the Wheatbelt East Regional Organisation of Councils Inc Board Meeting held 17 March 2025;**
4. **RECEIVE the minutes of the Bush Fire Advisory Committee Annual General Meeting held 20 March 2025;**
5. **RECEIVE the minutes of the Wheatbelt East Regional Organisation of Councils Inc Special General Meeting held 15 April 2025; and**
6. **RECEIVE the minutes of the Audit, Risk and Improvement Committee Meeting held on 29 April 2025.**

11. Recommendations from Committee Meetings for Council Consideration

Voting Requirements

- Simple Majority
 Absolute Majority

Committee’s Recommendation – Local Emergency Management Committee Meeting held 6 February 2025

That Council ACCEPT the updated Local Emergency Relief and Support Plan supplied by the Department of Communities as the Shire of Merredin Local Emergency Relief and Support Plan.

Voting Requirements

- Simple Majority
 Absolute Majority

Committee’s Recommendation – Bush Fire Advisory Committee Annual General Meeting held 20 March 2025

That Council ENDORSE the following recommendations from the Bush Fire Advisory Committee Annual General Meeting held 20 March 2025 being;

1. Item 5.0: That Council SUPPORTS the implementation to rotate the Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer roles commencing in the 2025/26 financial year;
2. Item 6.1 – Item 6.5: That Council:
 - a) RESCINDS all prior appointments from the 2024/25 fire season;
 - b) APPOINTS the following officers for the 2025/26 fire season:

Chief Bush Fire Control Officer

Mr Glenn Crees be appointed to the position of Chief Bush Fire Control Officer

Deputy Chief Bush Fire Control Officer

Mr Paul Wanless be appointed to the position of Deputy Chief Bush Fire Control Officer

Fire Control Officers

Chris Barnett	Burracoppin
Nigel Edgecombe, Matt Barnett	Burracoppin South
David Last, Glenn Crees, Kael Crees, Stephen Crook	Collgar
Cam Gethin, Colin Miller, Luke Growden	Hines Hill
Sam Hooper, Craig Last (subject to training), Lee Dalton (subject to training)	Korbelka
Paul Wanless, Darren Major	Muntadgin
Neil Smith, Mick Caughey, Phil Gray, Marshall Crook, Dan Giles	Nukarni/Nokanning
Sheree Lowe	Shire of Merredin

Fire Weather Officers

Chris Barnett	North East
Nigel Edgecombe	South East
Neil Smith	North
Craig Last	South West
Stephen Crook	Central
Paul Wanless	South
Cam Gethin	West

Dual Fire Control Officers

Sam Hooper / Lee Dalton	Bruce Rock
Cam Gethin and Colin Miller	Kellerberrin
Michael Caughey / Neil Smith	Nungarin
Darren Major / Paul Wanless	Narembeen
Chris Barnett	Westonia

3. Item 8.1: That Council NOTES Pursuant to Section 33 of the Bush Fires Act 1954, all owners and/or occupiers of land are required to carry out fire prevention work in accordance with the requisitions of this notice on or before 31st October each calendar year or within fourteen days of the date of becoming the owner or occupier of the land, should this be after the 31st October. All work specified in this Notice is to be maintained up to and including the 16th March the following calendar year; and
4. Item 8.2: That the Restricted Burning Period will commence on Tuesday, 16 September 2025, and will continue until Friday, 31 October 2025 and from Tuesday, 17 February 2026 until Monday, 16 March 2026 (permits required), and the Prohibited Burning Period will commence on Saturday, 1 November 2025, and will continue until Monday, 16 February 2026 (no burning).

12. Officer’s Reports – Development Services

12.1 Application for Development Approval – Change of Use 13 Bates Street Merredin

<h2 style="margin: 0;">Development Services</h2> 	
Responsible Officer:	Peter Zenni, EMDS
Author:	As above
Legislation:	<i>Planning and Development Act 2005</i> Shire of Merredin Local Planning Scheme No.6 <i>Building Act 2011</i> <i>Health (Miscellaneous Provisions) Act 1911</i>
File Reference:	A282
Disclosure of Interest:	Nil
Attachments:	Attachment 12.1A – Application for development approval and supporting documentation

Purpose of Report

- Executive Decision
 Legislative Requirement

For Council to consider approving the application for Development Approval (DA) for the creation of several residential units at the property located at 13 Bates Street, Merredin, which would allow for a portion of the property to be used for short-term accommodation.

Background

The Shire of Merredin (the Shire) has received an application for development approval for several residential units at the property located at 13 Bates Street, Merredin, which would allow for a portion of the property to be used for short-term accommodation.

Comment

Legislative Framework - Planning Requirements

The property located at 13 Bates Street, Merredin is zoned ‘Town Centre’ under the Shire of Merredin Local Planning Scheme No. 6. (the Scheme). Historically the property which consists of a two-storey building was used to house commercial tenancies including shops on the bottom floor as well as offices on the upper floor. Whilst the tenancies on the bottom floor have continued to be used, the office space on the upper floor has been vacant for some time.

The applicant is seeking development approval from the Shire for a change of use for the rear of the ground floor, and all of the upper floor, which would allow for the use of a portion of the building for short-term accommodation.

The proposed development will consist of the conversion of a portion of the building on the ground floor to house two accommodation units behind the existing commercial shop tenancies (which would still front Bates Street) as well as seven accommodation units on the upper floor. The accommodation units would be used for short-term accommodation. The use of the commercial shop tenancies at the fronting Bates Street would continue unchanged.

The Scheme stipulates the following guiding objectives for the Town Centre zone:

- To maintain a consolidated, compact and accessible town centre area for a mix of business and retail uses.
- To provide for a range of uses to ensure maximum occupation of land and buildings, even where uses may be interim or transitional.
- To retain Merredin townsite as the focus for commercial, office, civic and cultural and service functions.
- To provide for a high level of community services.
- To maintain safety and efficiency of traffic flows and provide for adequate facilities for the storage and circulation of vehicles.
- To preclude the storage of bulky and unsightly goods where they may be in public view.
- To provide for and encourage mixed use developments to capitalise on the central location.
- To maintain the compatibility with the general streetscape for all new buildings in terms of scale, height, style, materials, street alignment and design of facades.
- To provide street furniture, planting and sheltered places for pedestrians.
- To encourage the provision of public art to improve the amenity and ambiance of the town centre area.
- To reduce uses attracting large volumes of heavy vehicle traffic other than to service retail outlets.
- To provide for residential uses only where the residential uses are combined with a commercial use, e.g. hotel, or where the residential uses occupy a floor level where it is impracticable or inappropriate to establish a shop or office.

The Shire's Executive Manager of Development Services (EMDS) has discussed the proposal with the Shire's Planning Consultant, and both are of the view that given the existing commercial shop tenancies will remain on the bottom floor facing Bates Street, the use of the rear and upstairs portion of the building for short-term accommodation aligns with objectives of the Scheme.

The current Scheme has no definition for a 'short-term accommodation'.

Clause 4.4.2 of the Scheme states that:

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

(a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;

(b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or

(c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

It should be noted that the Shire is in the process of finalising a comprehensive review of the Scheme via an Omnibus Amendment which has just been through a process of advertising for public comment for a period of 60 days, the results of which will be brought before Council for final adoption at its May Ordinary Council Meeting.

The Omnibus Amendment incorporates a provision for short-term (unhosted) accommodation into the Scheme and identifies it as a 'D' use in the Town Centre zone thus providing Council with discretion to grant development approval.

Given that the application has been lodged with the Shire prior to the final adoption and gazettal of the Omnibus Amendment, it is proposed that Council consider the proposed development, to allow for the use of a portion of the property located at 13 Bates Street, Merredin for short-term accommodation, as a 'Use Unlisted' which is consistent with the objectives of the Town Centre zone and grant development approval accordingly.

The property in question currently does not provide for any onsite carparking. It should be noted that this is a carryover from the previous approved land use which incorporated commercial shops as well as office space and which relied on street parking of which there is ample availability in the Merredin Town Centre, both in Bates Street as well as adjoining streets and dedicated public carparks.

Given the overall floor space of the building and proposed use, it does not seem that there will be any additional demand for car parking above that which formed part of the previous shop/office use of the building.

Because this is a new application for development approval, the Shire does have the ability to require a cash in lieu payment for use of on-street parking in accordance with its Local Planning Scheme Policy No. 7 – Car Parking Cash in Lieu Payments. However, as there is ample on-street parking in the Bates Street area and surrounds, the applicant has requested that Council waive the cash in lieu requirement.

It should be noted that the Shire has previously waived the cash in lieu requirement for development in the Town Centre zone on the basis of ample availability of street parking.

Legislative Framework - Building Requirements

The proposed changes to the building will result in the change of building classification under the National Construction Code (BCA) and as such require significant structural alterations to the building, which will need to be documented via the lodgement of a Certified (BA1) Building Application with the Shire.

The proposed portion of the building subject to the building works will not be able to be occupied until all relevant works have been completed to the satisfaction of the certifying Building Surveyor, addressing such matters as:

- Access for persons with a disability
- Provision of adequate lighting and ventilation
- Energy efficiency requirements

- Fire safety considerations, including fire separation and achieving required Fire Resistance Levels (FRL’s)
- Provision of RCD’s
- Provision of hard-wired smoke detectors
- Access to sanitary facilities, toilets, bathroom, laundry, toilet
- Access to kitchen facilities, etc.

Legislative Framework - Health Requirements

The proposed use will constitute what is defined as a ‘Lodging House’ under the *Health (Miscellaneous Provisions) Act 1911*, and as such require registration with the Shire. Compliance will be required with the Shire of Merredin Health Local Laws relating to Lodging Houses and the premises subject to ongoing inspections by the Shire’s Environmental Health Officer (EHO).

Policy Implications

Compliance with Local Planning Scheme Policy No 7 – Car Parking Cash in Lieu Payments

Statutory Implications

Compliance with the *Planning and Development Act 2005*.

Compliance with the Shire of Merredin Local Planning Scheme No.6

Compliance with the *Building Act 2011*.

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

Strategic Implications

∅ 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

∅ Corporate Business Plan

Theme:	5. Places and Spaces
Priorities:	Nil
Objectives:	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

Sustainability Implications

∅ Strategic Resource Plan

Nil

Risk Implications

The proposed development will not result in an adverse impact on the amenity of the surrounding area and will act to revitalise portion of the Town Centre, accordingly, the risks associated with this proposal are considered Low (3) based on the likelihood of Rare (1) and consequence of Moderate (3) of adverse events associated with the proposed development taking place.

Financial Implications

Development approval application fees have been paid.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That Council GRANTS development approval for the proposed development in accordance with the application submitted on 15 April 2025 at the property located at 13 Bates Street, Merredin, which would allow for a portion of the property to be used for short-term accommodation, as outlined in Attachment 12.1A

ADVICE NOTES

1. *The applicant is advised that if the development, the subject of this approval, is not substantially commenced within a period of 24 months from the date of the approval, the approval will lapse and be of no further effect. For the purposes of this condition, the term "substantially commenced" has the meaning given to it in the Planning and Development (Local Planning Schemes) Regulations 2015 as amended from time to time.*
2. *The applicant is advised that provisions of Shire of Merredin Local Planning Scheme Policy No 7 – Car Parking Cash in Lieu Payments, will not be imposed on this occasion.*
3. *The applicant is advised that granting of development approval does not constitute a building permit and that an application for relevant building permit must be submitted to the Shire of Merredin and be approved before any building work can commence on site. These building requirements will include;*
 - a) *A Certified (BA1) Building Application incorporating a Certificate of Design Compliance being lodged with the Shire of Merredin for the required building works;*
 - b) *The building being brought into full compliance with the National Construction Code (BCA);*
 - c) *The portion of the building subject to the building works not being occupied until such time as the Shire of Merredin has received a Certificate of Construction Compliance from the certifying Building Surveyor and has issued an Occupancy Permit for the building;*
4. *The applicant is advised that the premises must be registered with the Shire of Merredin as a Lodging House; and*
5. *The applicant is advised that if an applicant or owner is aggrieved by this determination, there is a right of review by the State Administrative Tribunal in accordance with the Planning and Development Act 2005 Part 14. An application must be made within 28 days of the determination.*

12.2 Proposed Shire of Merredin Dogs Amendment Local Law 2025

<h3>Development Services</h3> 	
Responsible Officer:	Peter Zenni, EMDS
Author:	Chris Liversage – Conway Highbury
Legislation:	<i>Dog Act 1976</i> <i>Local Government Act 1995</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 12.2A - Proposed Shire of Merredin Dogs Amendment Local Law 2025

Purpose of Report



Executive Decision



Legislative Requirement

For Council to consider making a local law to amend the Shire of Merredin’s (the Shire) Dogs Local Law to reflect changes to the *Dog Act 1976*.

Background

At the Ordinary Council Meeting held on 28 January 2025, Council resolved to adopt a draft Shire of Merredin Dogs Amendment Local Law (CMRef 83528). In accordance with statutory requirements, the proposed local law was subsequently advertised for public comment and a copy sent to the Chief Executive Officer (CEO) of the Department of Local Government, Cultural and Sporting Industries (DLGSC).

Comment

The proposed amendment local law deletes clauses 5.1 and 5.2 of the Shire of Merredin Dogs Local Law 2002, in that areas where dogs are prohibited and where dogs may be exercised off lead are now established by council resolution and the giving of local public notice instead of by a local law, reflecting amendments made to the *Dog Act 1976* since the local law was initially made.

There were no comments from the public or DLGSC. The Shire may now ‘make’ the Amendment Local Law which will come into effect 14 days after publication in the Government Gazette.

Policy Implications

Compliance with Shire of Merredin Policy 3.13 – Use of Common Seal.

Statutory Implications

Section 51 of the *Dog Act 1976* provides that local governments may make local laws relating to dogs and amend them, using the process set out in s3.12 of the *Local Government Act 1995*. Sections 31(2B) and 31(3A) of the *Dog Act 1976* provide that areas where dogs are prohibited from being, and where they may be exercised off lead are established by a local government giving local public notice.

At the Ordinary Council Meeting held on 28 January 2025 council resolved to give the required public notice (CMRef 83528), which was subsequently published on 14 February 2025.

Strategic Implications

Ø Strategic Community Plan

Theme:	4. Communication and Leadership
Service Area Objective:	4.2.3 The Council is well informed in their decision-making, supported by a skilled administration team who are committed to providing timely, strategic information and advice
Priorities and Strategies for Change:	Nil

Ø Corporate Business Plan

Theme:	4. Communication and Leadership
Priorities:	Nil
Objectives:	4.4.1 The Shire is continuously working to maintain efficient communication, providing open, transparent and factual information, through a variety of channels

Sustainability Implications

Ø Strategic Resource Plan

Nil

Risk Implications

The proposed Dogs Amendment Local Law will align the mechanism of declaring places where dogs are prohibited absolutely as well as places which are exercise areas with contemporary practices as well as legislative requirements. The proposed Dogs Amendment Local Law has been subject to public advertising and will receive further consideration by the Parliamentary Standing Committee on Legislation. Accordingly, the risks associated with this proposal are considered Low (3) based on the Likelihood (1) and Consequence (3) of an adverse event associated with the proposal taking place

Financial Implications

There are costs associated with the drafting of the amendment local law, advertising for comments, and eventual publication in the Government Gazette. An allocation of funds for the completion of the local law review project forms part of the Shire's 2024/25 Annual Budget.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That Council:

1. **MAKES** the Shire of Merredin Dogs Amendment Local Law 2025;
2. **AUTHORISES** the Shire President and Chief Executive Officer to affix the Shire of Merredin Common Seal to the Shire of Merredin Dogs Amendment Local Law 2025;
3. **PUBLISHES** the local law in the Government Gazette;
4. **SENDS** a copy to the Chief Executive Officer of the Department of Local Government, Cultural and Sporting Industries;
5. **GIVE** local public notice in accordance with s3.12(6) of the Local Government Act 1995, after Gazettal;
 - a) Stating the title of the local law;
 - b) Summarizing the purpose and effect of the local law and specifying the day on which it comes into operation;
 - c) Advising that copies of the local law may be inspected or obtained from the Shire offices;
6. **SEND** a copy of the local law and a duly completed explanatory memorandum signed by the Shire President and Chief Executive Officer to the Western Australian Parliamentary Joint Standing Committee on Delegated Legislation; and
7. **AUTHORISES** the Chief Executive Officer to take any other action necessary to progress the gazettal of the Amendment Local Law.

12.3 Application For Development Approval - Proposed Solar Farm Expansion Lot 1 Totadgin Hall Road, Merredin

Development Services



Responsible Officer:	Peter Zenni, EMDS
Author:	Paul Bashall – Consultant Planner (Planwest (WA) Pty Ltd)
Legislation:	<i>Planning and Development Act 2005</i> Local Planning Scheme No 6
File Reference:	A7112
Disclosure of Interest:	Nil
Attachments:	Attachment 12.3A - Development Approval application and supporting documentation

Purpose of Report



Executive Decision



Legislative Requirement

For Council to consider advertising an application for development approval for a proposed solar farm development at Lot 1 Totadgin Hall Road, Merredin, and subject to there being no adverse comments received during the advertising period, that it authorises the Chief Executive Officer (CEO) to issue conditional development approval.

Background

Introduction

The Managing Director, Metro Power Company has applied for Development Approval (DA) on behalf of Metro Power Company Pty Ltd, for an expansion of an existing solar facility on land about 5 kilometres south of Merredin townsite. The proposed solar facility will occupy an area of about 10 hectares on Lot 1 Totadgin Hall Road, Merredin, which is 192.8 hectares in area. The Lot is owned by the Metro Power Company Pty Ltd. The works are estimated to be about \$4m. Figure 1 shows the subject land.

The original proposal, lodged in mid-2017, located on the northeast corner of Lot 1, was advertised in accordance with clause 4.4.2 (uses not listed) of the Scheme. Due to the proximity of two dwellings, the solar farm was relocated to the southeast corner of the property. This was approved by the Council in November 2017.

Existing Land Use

The property is currently used for cropping and occasional grazing purposes and is mostly cleared of vegetation.

The applicant has indicated that cropping and sheep grazing activities will continue on the bulk of the property and that sheep grazing will also continue on the area where the solar

panels will be in order to minimise the growth of weeds etc and thereby reduce any associated bush fire risks.

FIGURE 1 – AERIAL VIEW OF SITE



Source: Planwest, ESRI

Proposed Development

The proposed development will form an extension of the existing solar farm previously approved in 2017 and incorporates an additional 150 rows of ground-mounted panels, four packaged battery systems, a single central inverter substation package, a high voltage RMU switch and a 50kL concrete firewater tank. This is consistent of the trend for the excess power to be stored in order to allow for controlled access to the grid.

A new crossover is proposed to Totadgin Hall Road to provide faster access fire fighters and Western Power workers. The design and location will need to be to the satisfaction of the local government to ensure that there is no impact on local drainage and road formation.

Although there is no mention of a perimeter fence, it is assumed that this will be applied as per the original perimeter fence to meet Western Power requirements for restricted access. The original proposal comprised of 1.8m ring lock with 2 strands of barbed wire on top. This will need to be a condition of development to maintain public safety.

The applicant states that there will be almost no change to the existing landform that affects drainage or contours. Available contours indicate a slope of about 3-4 metres over the site of about 300m (ie about 1% slope). The drainage of the site will need to comply with the local government requirements.

Figure 2 provides an extract from the DA showing the extent of the proposed development.

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

The facility will be autonomous once operational. It will be an unmanned site which is remotely managed – apart from the on-going sheep grazing activities. As a result, there will be no need for parking, septic tanks or access roads.

Maintenance will be contracted to a person operating from Merredin.

The northern rectangle of solar arrays shown in Figure 2, are existing. The six rectangles of arrays south of this are proposed in this DA. In between the existing and proposed panel areas are the 4 packaged battery systems.

FIGURE 2 – EXTRACT FROM DA PLANS

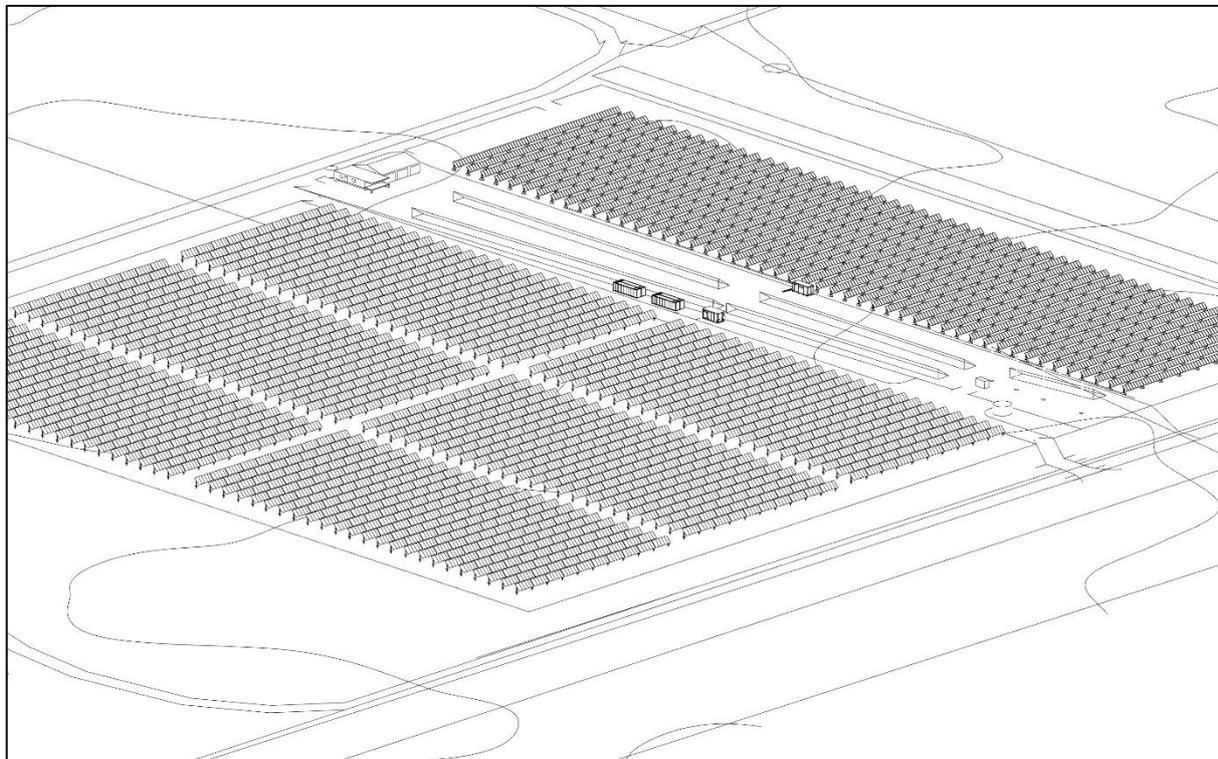


Source: Metro Power Company Pty Ltd

Figure 3 provides an isometric view of the proposed and existing development looking towards the northwest.

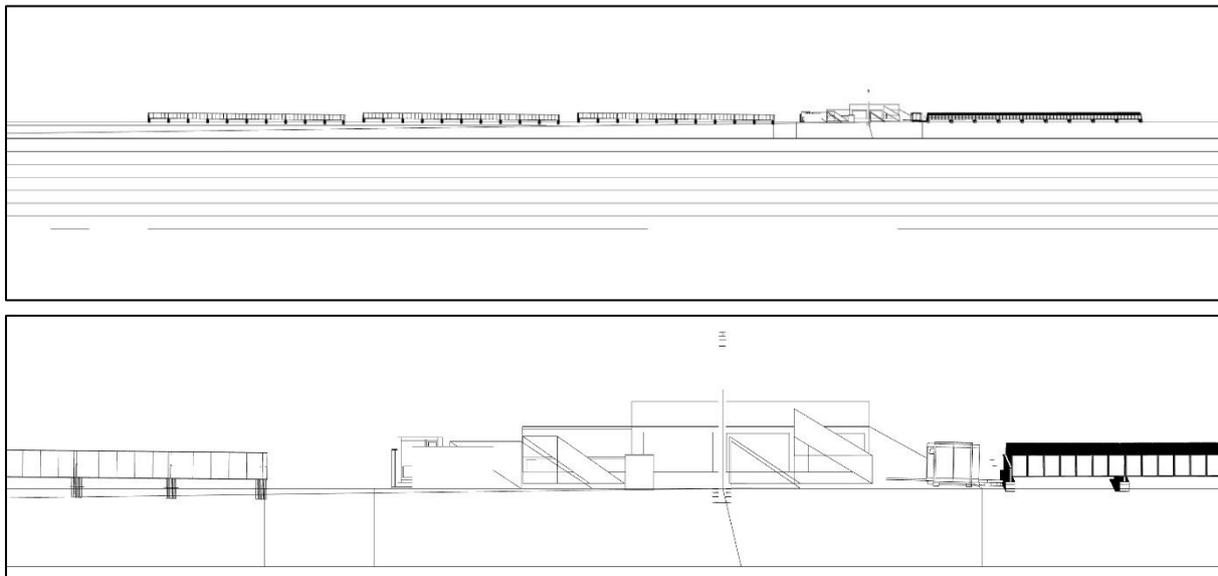
The top part of Figure 4 shows a side elevation of the existing and proposed facility from Totadgin Hall Road, and the bottom part, an enlargement of the area where the batteries will be located. The lower elevation shows the existing shed in the background indicating the minimal visual impact of the battery packages.

FIGURE 3 – ISOMETRIC VIEW OF EXISTING AND PROPOSED FACILITY



Source: Metro Power Company Pty Ltd

FIGURE 4 – SIDE ELEVATION OF FACILITY



Source: Metro Power Company Pty Ltd

Bushfire Prone Areas

The land is impacted by the bushfire prone mapping provided by the Department of Fire and Emergency Services (DFES) as shown in Figure 5.

The DA is not accompanied with a Bushfire Management Plan (BMP); however, the applicant has stated that a bushfire consultant has been engaged. This will need to be confirmed by a

condition that will need to be cleared by the Shire of Merredin (The Shire) in consultation with DFES.

FIGURE 5 – BUSHFIRE PRONE MAPPING AREAS



Source: DFES, Planwest

Comment

The visual impact and environmental assessment aspects of the original solar farm development have been assessed as part of the original approval in November 2017.

The addition of solar panels and the batteries (and associated infrastructure) has a minimal visual impact as the development will be screened from view to the north by the existing solar farm and to the west, south and east by existing vegetation, as can be seen in Figures 4 and 5.

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

Local Planning Strategy

The Council's existing Local Planning Strategy is silent on alternative energy production, including solar power, and includes no reference to any opposition to such facilities providing the loss to rural production is minimised. The proposal states that the land will continue to be grazed with sheep after construction is complete.

The revised Strategy does position the Shire as a centre for renewable energy facilities and is supportive of the current proposal.

Policy Implications

Council has no direct policy on the establishment of a solar farm, however it has been supportive of several renewable energy facilities in the Shire. This support is echoed in the Shire’s revised Local Planning Strategy and provided for in the Omnibus Scheme amendment currently heading towards final approval.

Statutory Implications

State

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

Local Government

The Local Planning Scheme No 6 includes the land in the ‘General Farming’ zone as shown in Figure 6.

FIGURE 6 – LOCAL PLANNING SCHEME EXTRACT



Source: DPLH, Planwest

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

Clause 4.4.2 of the Scheme states that *‘If a person proposes to carry out on land any use that is not specifically mentioned in the Zoning Table and cannot reasonably be determined as falling within the type, class or genus of activity of any other use category the local government may -*

(a) determine that the use is consistent with the objectives of the particular zone and is therefore permitted;

(b) determine that the use may be consistent with the objectives of the particular zone and thereafter follow the advertising procedures of clause 9.4 in considering an application for planning approval; or

(c) determine that the use is not consistent with the objectives of the particular zone and is therefore not permitted.

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

Strategic Implications

∅ Strategic Community Plan

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

∅ Corporate Business Plan

Theme: 5. Places and Spaces
Priorities: Nil
Objectives: 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

Sustainability Implications

∅ Strategic Resource Plan

Nil

Risk Implications

The proposed development will not result in an adverse impact on the amenity of the surrounding area. The Shire has previously granted development approval for the installation of a solar farm on the property in question. Accordingly, the risks associated with this proposal are considered Low (3) based on the likelihood of Rare (1) and consequence of Moderate (3) of adverse events associated with the proposed development taking place.

Financial Implications

The relevant development application fees have been paid.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That Council;

- 1. ADVERTISES the Development Approval application for a period of 14 days, with neighbours and agencies being advised of the advertising period and the opportunity to make a submission. These agencies are to include;**
 - **Western Power (WP);**
 - **Department of Fire and Emergency Services (DFES);**
- 2. AUTHORISES the Shire of Merredin Chief Executive Officer to grant Development Approval for the proposed solar farm development at lot 1 Totadgin Hall Road, Merredin, as outlined in Attachment 12.3A, subject to conditions and advice notes and where there are no adverse comments received during the advertising period;**
- 3. ADVISES the applicant that granting of development approval does not constitute a building permit and that an application for relevant building permits must be submitted to the local government and be approved before any work requiring a building permit can commence on site; and**
- 4. ADVISES the applicant of the need for annual bushfire compliance.**

Conditions

- 1. The decision constitutes planning approval only and is valid for a period of 2 years from the date of approval. If the subject development is not substantially commenced within the 2-year period, the approval shall lapse and be of no further effect.*
- 2. The development is to take place in accordance with the approved plans and supporting documentation, unless modified by a condition attached to this approval.*
- 3. Crossovers, access, and egress, to the site from Totadgin Hall Road, and any internal road works and car parking shall be located and constructed to the satisfaction of the local government and shall include all drainage and signage. Costs of equipment and construction shall be borne by the applicant.*
- 4. The preparation and implementation of a Bushfire Management Plan prepared by a licenced bushfire consultant to the satisfaction of the local government.*
- 5. Drainage of the site to be constructed to the satisfaction of the local government.*
- 6. The construction of perimeter fencing to the satisfaction of Western Power requirements for restricted access.*

Advice Notes

- 1. Advise the applicant that granting of development approval does not constitute a building permit and that an application for relevant building permits must be submitted to the local government and be approved before any work requiring a building permit can commence on site.*

2. *The applicant is advised that as the proposed work is near energised electrical installations and powerlines, the person in control of the work site must ensure that no person, plant or material enters the 'Danger Zone' of an overhead powerline or other electrical network assets.*
3. *The applicant is advised of the need for annual bushfire compliance.*

13. Officer's Reports – Engineering Services

Nil

14. Officer’s Reports – Corporate and Community Services

14.1 Statement of Financial Activity – February 2025

<h2>Corporate Services</h2> 	
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 14.1A – Statement of Financial Activity

Purpose of Report

Executive Decision

Legislative Requirement

For Council to receive the Statement of Financial Activity for the month of February 2025.

Background

The Statement of Financial Activity is 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. The report is included at Attachment 14.1A.

It should be noted that fixed asset reconciliations are delayed annually until the sign off of the Annual Financial Statement by the Office of the Auditor General. Asset reconciliations are nearing completion.

It should also be noted that three of the monthly attachments for February were presented at the March Ordinary Council Meeting, however the Statement of Financial Activity was not presented due to a backend system error in our financial software.

Policy Implications

Nil

Statutory Implications

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

Authorisation of expenditure - the Local Government Act 1995 Part 6 Division 4 s6.8 (1) requires the local government not to incur expenditure from its Municipal Fund for an additional purpose except where the expenditure:

(b) Is authorised in advance by resolution*

“Additional purpose” means a purpose for which no expenditure estimate is included in the local government’s annual budget.

*requires an absolute majority of Council.

Strategic Implications

∅ 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

∅ Corporate Business Plan

Theme: 4. Communication and Leadership
Priorities: Nil
Objectives: 4.2 Decision Making

Sustainability Implications

∅ 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 generally 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 10% or \$10,000 whichever is greater, for operating and capital, 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.

There is a compliance risk associated with this Item as the Shire would be contravening the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* if this Item was not presented to Council. The risk rating is considered to be Low (4), which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2). This risk will be eliminated by the adoption of the Officer's Recommendation.

Financial Implications

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

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That Council RECEIVE the Statement of Financial Activity for the period ending 28 February 2025 in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996.

14.2 Statement of Financial Activity – March 2025

<h2 style="margin: 0;">Corporate Services</h2> 	
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 – Statement of Financial Activity Attachment 14.2B – Detailed Statements Attachment 14.2C – Capital Works Progress Attachment 14.2D – 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 March 2025, and be advised of associated financial matters, including consideration of proposed budget amendments.

Background

The Statement of Financial Activity, Detailed Statements, Capital Works Progress and Investment 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 14.2A to D inclusive.

It should be noted that fixed asset reconciliations are delayed annually until the sign off of the Annual Financial Statement by the Office of the Auditor General. Asset reconciliations are nearing completion.

Budget Amendments

With a series of planned capital works to take place at the Merredin Regional Community and Leisure Centre (MRCLC) in the coming months, it has been identified that funds currently budgeted in REC – Other Rec Facilities Building (Capital) need to be moved to REC – Infrastructure Other (Capital) to ensure that appropriate accounting treatment of the capital works can take place. These works will include:

- \$150,000 ex GST for the bowling green
- \$70,000 ex GST for the reticulation of the bowling green
- \$50,000 ex GST for the outdoor court lighting

This total of \$270,000 is proposed to be moved from the current building capital account to the infrastructure capital account, as per the below table.

GL/Job	Description	Current Budget	Variation Amount	Revised Budget
4100310	SEW – Building (Capital)	\$566,000	(\$270,000)	\$296,000
4110390	REC – Infrastructure Other (Capital)	\$0	\$270,000	\$270,000

Further to the above, due to an error in the back end of the Shire of Merredin’s (the Shire’s) financial system, the remaining capital funds related to works at the MRCLC are currently budgeted in an incorrect building capital GL account 4100310. The remaining funds will be moved from this GL to 4110310 – REC – Other Rec Facilities Building (Capital), as per below.

GL/Job	Description	Current Budget	Proposed Amendment above	Further proposed amendment	Revised Budget
4100310	SEW – Building (Capital)	\$566,000	(\$270,000)	(\$296,000)	\$0
4110310	REC – Other Rec Facilities Building (Capital)	\$0		\$296,000	\$296,000

Policy Implications

Nil

Statutory Implications

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

Authorisation of expenditure - the Local Government Act 1995 Part 6 Division 4 s6.8 (1) requires the local government not to incur expenditure from its Municipal Fund for an additional purpose except where the expenditure:

- (b) Is authorised in advance by resolution*

“Additional purpose” means a purpose for which no expenditure estimate is included in the local government’s annual budget.

*requires an absolute majority of Council.

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

Theme:	4. Communication and Leadership
Priorities:	Nil
Objectives:	4.2 Decision Making

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 10% or \$10,000 whichever is greater, for operating and capital, 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.

There is a compliance risk associated with this Item as the Shire would be contravening the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* if this Item was not presented to Council. The risk rating is considered to be Low (4), which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2). This risk will be eliminated by the adoption of the Officer's Recommendation.

Financial Implications

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

In regard to the proposed budget amendments, the suggested amendments only move expenditure from one capital account to two others. There is no change to the total expenditure and therefore there is no effect on the bottom line.

Voting Requirements

Simple Majority

Absolute Majority

Officer’s Recommendation

That Council:

1. **RECEIVE** the Statements of Financial Activity and Investment Report for the period ending 31 March 2025 in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996; and
2. **APPROVES** amendments to the Shire of Merredin 2024/25 Annual Budget as per the following table, pursuant to section 6.8(1(b)) of the Local Government Act 1995:

GL/Job	Description	Current Budget	Variation Amount	Revised Budget
4100310	SEW – Building (Capital)	\$566,000	(\$566,000)	\$0
4110310	REC – Other Rec Facilities Building (Capital)	\$0	\$296,000	\$296,000
4110390	REC – Infrastructure Other (Capital)	\$0	\$270,000	\$270,000

14.3 List of Accounts Paid – March 2025

<h2 style="margin: 0;">Corporate Services</h2> 	
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 14.3A - Payments Listing March 2025

Purpose of Report

- Executive Decision
 Legislative Requirement

For Council to receive the schedule of accounts paid for the month of March 2025.

Background

The attached list of accounts paid during the month of March 2025, under Delegated Authority, is provided for Council’s information and endorsement.

Mechanisms in place to check corporate credit card usage identified an anomaly which has been addressed, relating to an accidental unauthorised use of a corporate credit card. The purchase was cancelled and the relevant staff member reprimanded, this will be shown on the April Payment Listing.

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

∅ 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

∅ Corporate Business Plan

Theme: 4. Communication and Leadership
Priorities: Nil
Objectives: 4.2 Decision Making

Sustainability Implications

∅ 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

There is a compliance risk associated with this Item as the Shire would be contravening the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* if this Item was not presented to Council. The risk rating is considered to be Low (4), which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2). This risk will be eliminated by the adoption of the Officer's Recommendation.

Financial Implications

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

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That Council RECEIVE the schedule of accounts paid during March 2025 as listed, covering cheques, EFT's, directly debited payments and wages, as numbered and totaling \$726,167.54 from the Merredin Shire Council Municipal bank account and \$0 from the Merredin Shire Council Trust bank account.

14.4 Councillor Annual Allowances and Meeting Attendance Fees 2025/26

<h3>Corporate Services</h3> 	
Responsible Officer:	Craig Watts, CEO
Author:	Leah Boehme, EMCS
Legislation:	<i>Local Government Act 1995, Local Government (Financial Management) Regulations 1996</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 14.4A – Local Government CEO and Elected Members Determination 2025

Purpose of Report



Executive Decision



Legislative Requirement

For Council to determine the amount to be provided for in the drafting of the Shire of Merredin (the Shire) 2025/26 Annual Budget, for Elected Members annual allowances and meeting attendance fees.

Background

The *Local Government Act 1995* (the Act) 5.98(1)(b) provides for the payment to Elected Members of fees for attending Council Meetings on either a per meeting, or an annual basis.

The amounts are set annually by the Salaries and Allowances Tribunal (SAT). Each Council is placed into a band to determine applicable fees. The Shire is categorised as a band three (3) Council.

The Act also allows for the reimbursement of, or an allowance for, covering certain expenses incurred by Elected Members.

The remuneration amounts independently set by SAT, are appropriate to the responsibilities, duties and effort required to fulfil the role of an Elected Member for the Shire.

Current 2024/25 Fees paid to its Elected Members are as follows:

Annual Meeting Fees		Annual Allowance	
Shire President	\$ 8,495	Shire President	\$ 14,155
Deputy President	\$ 8,495	Deputy President	\$ 3,535
Councillors	\$ 8,495		

	Comment
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The permissible range for attendance fees and allowances are stipulated by Salaries and Allowance Act (SAT) and from 1 July 2025 have been determined as follows:

Table 4: Council meeting fees per meeting - local governments

Elected Council Member			Elected Council Member Mayor or President	
Band	Minimum	Maximum	Minimum	Maximum
1	\$700	\$890	\$700	\$1,215
2	\$420	\$660	\$420	\$880
3	\$225	\$465	\$225	\$710
4	\$105	\$270	\$105	\$550

Table 6: Committee meeting and prescribed meeting fees per meeting - local governments

Elected Council Member		
Band	Minimum	Maximum
1	\$350	\$450
2	\$210	\$330
3	\$110	\$235
4	\$55	\$135

Table 8: Committee meeting and prescribed meeting fees per meeting for independent committee members – local government and regional local governments

Independent Committee Member		
Band	Minimum	Maximum
1 - 4	\$0	\$450

Table 9: Annual attendance fees in lieu of council meeting, committee meeting and prescribed meeting attendance fees - local governments

For a council member other than the mayor or president			For a council member who holds the office of mayor or president	
Band	Minimum	Maximum	Minimum	Maximum
1	\$27,560	\$35,480	\$27,560	\$53,215
2	\$16,655	\$26,020	\$16,655	\$34,890
3	\$8,615	\$18,335	\$8,615	\$28,385
4	\$4,020	\$10,650	\$4,020	\$21,880

Table 11: Annual allowance for a mayor or president of a local government

For a mayor or president		
Band	Minimum	Maximum
1	\$57,404	\$100,514
2	\$17,222	\$70,951
3	\$1,152	\$41,388

4	\$575	\$22,470
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7.3 Annual Allowance for a Deputy Mayor, Deputy President or Deputy Chair

(1) The percentage determined for the purposes of section 5.98A(1) of the LG Act is 25 per cent.

The SAT annual determination for 2025/26 is a 3.5% increase on the minimum and maximum attendance fees and annual allowance ranges in each band. With the increase to the band 3 minimum rate by 3.5%, current Elected Member fees would fall below the minimum if no increase was observed.

Suggested options that Council could consider towards setting 2025/26 annual allowance and meeting fees payable are below:

- Option 1 – Apply the minimum band 3 rates (\$8,615 Elected Member)
- Option 2 – Apply a percentage increase, within the SAT prescribed amounts (\$8,495 x 3.5% = \$8,792 – rounded to nearest \$5 = \$8,790)
- Option 3 – Apply a set amount increase, within the SAT prescribed amounts (for example \$300 onto previous year \$8,495 = \$8,795)

For the 2025/26 budget year, the Administration proposes an increase of 3.5% to Elected Member remuneration based on the SAT determination, rounded to the nearest \$5. This would result in an increase to Elected Members of \$295 each over the course of the year, with the President receiving a further \$495 increase and the Deputy President receiving a \$125 increase.

Below outlines the resulting recommended payments, to be paid to Elected Members quarterly in arrears.

Annual Meeting Fees		Annual Allowance	
For a council member other than the mayor or president	For a council member who holds the office of mayor or president	Annual Allowance Shire President	Annual Allowance Deputy President
\$8,790	\$8,790	\$14,650	\$3,660

Policy Implications

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

Statutory Implications

Local Government Act 1995

Section 5.98 entitles Elected Members to be paid fees and reimbursed expenses up to the amount determined by the SAT under the *Salaries and Allowances Act 1975* (S&A Act), Section 7B.

Section 5.98(5) allows the Mayor/President to be paid an additional allowance up to the amount determined by the SAT under the S&A Act Section 7B.

Section 5.98A allows the Deputy Mayor/President may to be paid an additional allowance up to the amount determined by the SAT under the S&A Act Section 7B.

Section 5.99 allows Elected Members to be paid annual allowance instead of meeting fees up to the amount determined by the SAT under the S&A Act Section 7B, subject to an absolute majority decision.

Local Government (Administration) Regulations 1996

Part 8 - Local Government payments and gifts to members; Regulation 30, Meeting Attendance Fees (Act s. 5.98(1) and (2A)).

Regulation 31, Expenses to be reimbursed (Act s. 5.98(2)(a)).

Regulation 32, Expenses that may be approved for reimbursement (Act s. 5.98(2)(b)).

Salaries and Allowances Tribunal – Local Government CEO and Elected Members Determination, 4 April 2025 (Attachment 14.4A).

Strategic Implications

Ø Strategic Community Plan

Theme: 4. Communication and Leadership
Service Area Objective: 4.2. Decision Making
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

Theme: 4. Communication and Leadership
Priorities: Nil
Objectives: 4.2 Decision Making

Sustainability Implications

Ø Strategic Resource Plan

Nil

Risk Implications

There is a compliance risk associated with this Item as the Shire would be contravening the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* if this Item was not presented to Council. The risk rating is considered to be Moderate (6), which is determined by a likelihood of Unlikely (2) and a consequence of Moderate (3). This risk will be eliminated by the adoption of the Officer’s Recommendation.

Financial Implications

Based on the proposed increases, this will result in a total expenditure in 2025/26 for annual allowances and meeting attendance fees for the seven Elected Members who will remain for the entire financial year of \$79,840.00. The one position that will only be funded for July to

October will require a budget of \$2,930. This means a total of \$82,770 will be included in the 2025/26 Annual Budget.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That Council ENDORSE the following annual allowances and meeting attendance fees for inclusion in the 2025/26 Annual Budget, to be paid quarterly in arrears:

Annual Meeting Fees		Annual Allowance	
For a council member other than the mayor or president	For a council member who holds the office of mayor or president	Annual Allowance Shire President	Annual Allowance Deputy President
\$8,790	\$8,790	\$14,650	\$3,660

14.5 Endorsement of Proposed Fees and Charges

<h1>Corporate Services</h1> 	
Responsible Officer:	Leah Boehme, EMCS
Author:	Leah Boehme, EMCS
Legislation:	<i>Local Government Act 1995, Local Government (Financial Management) Regulations 1996</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 14.5A – Schedule of Fees and Charges 2025/26 Attachment 14.5B – Fees and Charges Changes Highlighted

Purpose of Report



Executive Decision



Legislative Requirement

For Council to consider and then provide in-principle endorsement of the proposed amendments to the Shire of Merredin (the Shire) Schedule of Fees and Charges for 2025/26.

Background

Section 6.16 of the *Local Government Act 1995* (Imposition of fees and charges) enables a local government to apply fees and charges for the goods or services it provides, to recover costs.

The schedule included as Attachment 14.5A – Schedule of Fees and Charges 2025/25, proposes fees and charges for in-principal adoption only at this stage, and will assist towards the preparation of the 2025/26 Annual Budget. Formal adoption of the fees and charges occurs as part of the budget adoption process.

Comment

The proposed schedule of fees and charges for 2025/26 is included as Attachment 14.5A.

The overall format of the Fees and Charges document has not changed from the previous years, however a review of a number of service areas has resulted in a number of proposed fee and charge changes. The main areas to see changes are the Merredin Regional Community and Leisure Centre (MRCLC).

Council should also note that a blanket 3% increase, rounded to the nearest 10c has been applied as standard across the Shire's fees and charges. Attachment 14.5B outlines the

proposed changes that are above or below the 3% rise and includes comments, where necessary, against any requested increase/ decrease, new fees, or fees to be removed.

Policy Implications

Nil

Statutory Implications

Local Government Act 1995, Part 6 - Financial management (Division 5 - Financing local government activities) (Subdivision 2 - Fees and charges) 6.16. Imposition of fees and charges.

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 4.2.3 The Council is well informed in their decision-making, supported by a skilled administration team who are committed to providing timely, strategic information and advice
Priorities and Strategies for Change:	Nil

Ø Corporate Business Plan

Theme:	4. Communication and Leadership
Priorities:	Nil
Objectives:	

Sustainability Implications

Ø Strategic Resource Plan

Nil

Risk Implications

There is a compliance risk associated with this Item as the Shire would be contravening the *Local Government (Financial Management) Regulations 1996* if this Item was not presented to Council. The risk rating is considered to be Low (4), which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2). This risk will be eliminated by the adoption of the Officer's Recommendation.

Financial Implications

Adopting the proposed fees and charges as detailed below, will allow estimated anticipated revenue for the 2025/26 financial year to be calculated for budgeting purposes.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That Council:

1. **PROVIDES** its in-principle endorsement of the Schedule of Fees and Charges 2025/26, included as Attachment 14.5A to the report; and
2. **INCLUDES** the proposed schedule within the drafting of the Shire of Merredin's 2025/26 Annual Budget for further consideration.

15. Officer's Reports – Administration

15.1 Elected Member Superannuation Payments

<h1>Administration</h1>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Craig Watts, CEO	
Author:	As above	
Legislation:	<i>Local Government Act 1995</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 15.1A – Moore Advice on Superannuation for Elected Members	

Purpose of Report



Executive Decision



Legislative Requirement

For Council to consider paying superannuation payments for Elected Members as permitted by the reforms to the *Local Government Act 1995*.

Background

Recent amendments to the *Local Government Act 1995* by the Department of Local Government Sport and Cultural Industries (DLGSC) enable local governments to resolve to pay superannuation contributions to Elected Members in addition to existing fees and allowances by absolute majority decision. Superannuation payments for Band 1 and Band 2 Councils are compulsory however for Band 3 and Band 4 Councils, Elected Members can, as a group request to receive superannuation payments.

Comment

On 12 February 2025 the Shire of Merredin (the Shire) Administration attended a webinar on superannuation for Elected Members hosted by the WA Local Government Association and Moore (taxation advisors), which provided best practice options for implementation of superannuation and the steps for implementing such payments.

As a Band 3 Council, the Shire is not bound to pay compulsory superannuation to Elected Members. Where Council resolves to make superannuation contributions to its members, the amount payable is equivalent to the amount that the Shire would be required to contribute under the Commonwealth *Superannuation Guarantee (Administration) Act 1992*

similar to that provided to employees of the Shire. The superannuation contribution rate is expected to increase to 12% by 1 July 2025

For superannuation purposes, meeting allowance fees and the allowances for the Shire President and Deputy Shire President are considered ordinary time earnings (OTE) for Elected Members. Payments such as expense reimbursements and annual allowances in lieu of reimbursement of expenses are not considered ordinary time earnings and do not attract superannuation contributions.

If Council resolves to pay superannuation to Elected Members, they must nominate a superannuation account to receive these contributions. Elected Members who do not wish to receive contributions may opt out of this by providing written notice to the CEO. Compulsory superannuation payments to Band 1 and Band 2 local government authorities come into effect from 19 October 2025. To enable the Shire Administration to effectively budget for any change, it is suggested that if payment of superannuation for Elected Members is endorsed, that this is effective from 19 October 2025.

Elected Members should note that the Shire Administration is unable to provide personalised financial planning advice, and it is recommended that they seek their own financial advice regarding their personal circumstances from an independent financial planning advisor.

Council has been provided with two (2) options for consideration, being to either commence payment of superannuation to Elected Members, or not to make superannuation payments.

Policy Implications

Nil

Statutory Implications

Amendments to the *Local Government Act 1995* provide an exemption from having to declare a conflict of interest when deciding to pay superannuation to Elected Members.

Strategic Implications

∅ Strategic Community Plan

Theme:	4. Communication and Leadership
Service Area Objective:	4.2.3 The Council is well informed in their decision making, supported by a skilled administration team who are committed to providing timely, strategic information and advice.
Priorities and Strategies for Change:	Nil

∅ Corporate Business Plan

Theme:	Nil
Priorities:	Nil
Objectives:	Nil

Sustainability Implications

∅ Strategic Resource Plan

Nil

Risk Implications

There are reputational and compliance risks associated with providing Elected Members with superannuation if the Administration does not provide clear instructions and guidance to Elected Members, including clear communication encouraging Elected Members to seek their own independent financial advice. This is considered to be a risk rating of Medium (6) based on a risk likelihood of Possible (3) and a consequence of Minor (2). Adoption of the Officer's Recommendation will eliminate that risk.

Financial Implications

Should Council resolve to pay Elected Members superannuation contributions, this will be included within the budgeted Elected Members payments for the 2025/26 financial year. Based on the assumption of 12% superannuation payments and all Elected Members choosing to receive superannuation, the indicative cost to the Shire is anticipated to be approximately \$12,000.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

Option 1

That Council:

- 1 COMMENCE payment of superannuation contributions to Elected Members in relation to ordinary time earnings, being meeting fees and the Shire President and a Deputy Shire President allowances, at a rate specified by the *Superannuation Guarantee (Administration) Act 1992*, from 19 October 2025;**
- 2 REQUEST Elected Members participating in superannuation contributions submit the details of their nominated superannuation fund in writing to the Chief Executive Officer by 1 July 2025;**
- 3 REQUEST Elected Members who intend to opt out of receiving superannuation contributions to advise the Chief Executive Officer in writing by 1 July 2025; and**
- 4 NOTE that the Shire Administration is unable to provide financial planning advice and that Elected Members should seek their own independent financial planning advice based on their personal circumstances.**

Option 2

That Council **RESOLVE not to pay superannuation contributions to Elected Members.**

15.2 Delegations Register Review - 2024/25

<h1>Administration</h1> 	
Responsible Officer:	Craig Watts, CEO
Author:	Meg Wyatt, EO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 15.2A – Shire of Merredin Register of Delegated Authority – track changes Attachment 15.2B – Shire of Merredin Register of Delegated Authority

Purpose of Report



Executive Decision



Legislative Requirement

For Council to consider and approve the recommended changes to the Shire of Merredin Register of Delegated Authority.

Background

Section 5.46 of the *Local Government Act 1995* (the Act) requires local governments to keep a register of their delegations and review this register at least once every financial year. Council performed an annual review of delegations at its Ordinary Council Meeting held in April 2024 (CMRef 83378).

Delegated authority aims to improve the time taken to make decisions within the constraints of relevant legislation.

Without delegated authority, many decisions of the Shire of Merredin (the Shire) would need to be made by Council at its ordinary meetings. Having appropriate delegations in place allows day to day decisions to be made by the Chief Executive Officer (CEO), who in turn can sub-delegate these to other staff if appropriate.

Under the Act, local governments may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties, other than those prescribed under section 5.43 Limits on Delegations to the CEO.

All delegations made by Council must be by absolute majority as prescribed by sections 5.42 and 5.44 of the Act that legislates Council’s ability to delegate functions to the CEO.

The criteria WALGA recommends for determining when to provide delegated authority is outlined below, and the Administration has considered these when conducting the annual review.

- Does the delegation contribute to sound decision making that complies with legislative obligations?
- Does it improve efficiency and customer service outcomes?
- Does it ensure ‘Routine’ decisions are better managed?
- Have risks and political and community sensitivities been sufficiently managed through the conditions and limitations on the delegation?
- Does the delegate have the skills, technical expertise and training to exercise the delegated powers or duties?
- Are there appropriate policies, procedures and/or training to support decision makers when using the Delegated Authority?

	Comment
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The 2024/25 annual review of the Shire of Merredin Register of Delegated Authority was undertaken to determine the following:

1. The appropriateness of the existing delegations; and
2. The need to amend any of those delegations.

The proposed amendments reflect the following:

- Amending existing delegations to improve workflow processes and service delivery;
- Update of title for Executive Manager Engineering Services to Executive Manager Infrastructure Services throughout the register;
- Removal of Manager of Projects from Delegations as it is no longer a position held at the Shire;
- Minor wording and formatting changes; and
- Correction of sections and name of relevant Acts and Regulations.

More significant changes are detailed below:

Delegation	Change
DL1.1 Local Laws and Appointment of Authorised Persons	Update to title, Express power or duty delegated, Conditions, and Statutory Framework sections to give further information on what is allowed with the delegation.
DL1.6 Local Laws	Update of “appropriate Minister” to CEO of the appropriate Department or Departmental CEO in Express power or duty delegated section.
DL2.1 Demolition Permit	Addition of Executive Manager Infrastructure Services as Subdelegate.
DL2.2 Building Orders	Addition of Executive Manager Infrastructure Services as Subdelegate.
DL2.3 Grant of Occupancy Certificate and Building Approval Certificate	Addition of Executive Manager Infrastructure Services as Subdelegate.

DL2.4 Building Permit	Addition of Executive Manager Infrastructure Services as Subdelegate.
DL2.5 Extension of Period of Duration of Occupancy Certificate and Building Certificate Approval	Addition of Executive Manager Infrastructure Services as Subdelegate.
DL2.6 Consent to Permitted Users	Addition of Executive Manager Infrastructure Services as Subdelegate.
DL2.7 Caravan Parks and Camping Grounds Act 1995 and Regulations 1997	Update to Express power or duty delegated, giving the CEO delegated authority to approve, withdraw approval or refuse. Addition of Executive Manager Infrastructure Services as Subdelegate.
DL2.8 Grant of Occupancy Certificate - Strata and Building Approval Certificate - Strata	Addition of Executive Manager Infrastructure Services as Subdelegate.
DL3.1 Temporary Closure of Thoroughfares	Addition of Works and Services Manager as a subdelegate.
DL3.2 Public Thoroughfares – Fixing or Altering Levels or Alignments or Drainage onto Adjoining Land – Public Access	Addition of Works and Services Manager as a subdelegate.
DL3.4 Events on Roads	Addition of Works and Services Manager as a subdelegate.
DL4.12 Payments from the Municipal, Reserve or Trust Funds	Updated wording under Subdelegate conditions to include variation amounts.
DL4.13 Defer, Grant Discount, Waive or Write Off Debts or Small Fees and Charges	Addition of another condition to make sure the Shire is in line with new regulations.
DL5.1 Offences – Bush Fires Act 1954	Update to Express power or duty delegated section, to update who can issue and withdraw infringements. Addition of Executive Manager Infrastructure Services as Subdelegate. Update to Subdelegate conditions to include EMIS.
DL5.2 Burning, Prohibited and Restricted Time (Variations)	Update to Policy listed.
DL5.4 Dog Act 1976	Addition of Executive Manager Infrastructure Services as Subdelegate.
DL5.5 Cat Act 2011	Addition of Executive Manager Infrastructure Services as Subdelegate. Addition of EMIS to Subdelegate conditions.
DL5.7 Food Act 2008	Addition of Executive Manager Strategy & Community as a subdelegate.

DL5.11 Public Health Act 2016	Addition of Executive Manager Strategy & Community as subdelegate.
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In addition to the proposed amendments detailed in Attachment 15.2A, the amendment table at the end of the document does not currently reflect the proposed changes. This table will auto generate once the amendments have been entered into Attain, the Shire’s compliance software.

Policy Implications

Shire of Merredin Policies are referred to throughout the Register of Delegated Authority.

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. Section 5.44 of the Act outlines the circumstance under which the CEO may delegate powers and duties to other employees.

Section 5.46 (2) states ‘*At least once every financial year, delegations made under this Division are to be reviewed by the delegator.*’

As required by Section 5.46 (3) of the *Local Government Act 1995*, the use of exercising the delegated authority is to be reported to Council, which is done as an attachment to the Monthly Information Bulletin provided under separate cover to Council each month.

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

Theme: 4. Communication and Leadership
 Service Area Objective: 4.2. Decision Making
 Priorities and Strategies for Change: Nil

∅ Corporate Business Plan

Theme: 4. Communication and Leadership
 Priorities: Nil
 Objectives: 4.2. Decision Making

Sustainability Implications

∅ Strategic Resource Plan

Nil

Risk Implications

Council is required to review its delegations under the *Local Government Act 1995* at least once every financial year. Failure to complete the review would result in non-compliance with our statutory responsibilities under these legislative frameworks.

There is a compliance risk associated with this Item as the Shire would be contravening the *Local Government Act 1995* if this Item was not presented to Council. The risk rating is considered to be Moderate (6), which is determined by a likelihood of Unlikely (2) and a consequence of Moderate (3). This risk will be eliminated by the adoption of the Officer's Recommendation.

Financial Implications

Nil

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That Council:

- 1. NOTES the review of the Shire of Merredin Register of Delegated Authority for the 2024/25 financial year, which meets the requirement of Section 5.46 (2) of the Local Government Act 1995; and**
- 2. ENDORSES the updated Shire of Merredin Register of Delegated Authority, as per Attachment 15.2B.**

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

19.1 Amendment of Resolution 83348

20. Closure

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