



MINUTES

Special Council Meeting

Held in Council Chambers
Corner King & Barrack Street's, Merredin
Tuesday 28 July 2020
Commencing 6.00 pm

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19.1	Lot 503 Gabo Avenue Merredin – Application to Extend Existing Temporary Development Approval Relating to CBH Grain Handling Facilities
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Common Acronyms Used in this Document	
WEROC	Wheatbelt East Regional Organisation of Councils
GECZ	Great Eastern Country Zone
WALGA	Western Australian Local Government Association
CEACA	Central East Aged Care Alliance
T/CEO	Temporary Chief Executive Officer
DCEO	Deputy CEO
EMDS	Executive Manager of Development Services
EMES	Executive Manager of Engineering Services
EMCS	Executive Manager of Corporate Services
EA	Executive Assistant to CEO
LPS	Local Planning Scheme
LGIS	Local Government Insurance Services
SRP	Strategic Resource Plan
CBP	Corporate Business Plan
CSP	Community Strategic Plan
MRCLC	Merredin Regional Community and Leisure Centre
CWVC	Central Wheatbelt Visitors Centre
MoU	Memorandum of Understanding

Shire of Merredin
Special Council Meeting
6:00pm Tuesday 28 July 2020



1. Official Opening

The President acknowledged the Traditional Owners of the land on which we meet today and paid her respects to the Elders past and present. The President welcomed those in attendance and declared the meeting open at 6.04 pm.

2. Record of Attendance / Apologies and Leave of Absence

Councillors:

Cr JR Flockart	President
Cr MD Willis	Deputy President
Cr Butler	
Cr LN Boehme	
Cr PR Patroni	
Cr MJ McKenzie	
Cr RA Billing	
Cr RM Manning	
Cr PM Van Der Merwe	

Staff:

M Dacombe	TCEO
A Prnich	DCEO
C Brown	EMCS
P Zenni	EMDS
M Ivanetz	EA to CEO

Members of the Public: Nil

Apologies: Nil

Approved Leave of Absence: Nil

3. Public Question Time

Nil

4. Disclosure of Interest

Councillors Manning, Boehme, Van Der Merwe and Billing declared an Impartiality Interest in Item 15.2.

5.	Applications of Leave of Absence
	Nil
6.	Petitions and Presentations
	Nil
7.	Confirmation of Minutes of Previous Meetings
	Nil
8.	Announcements by the Person Presiding without discussion
	Nil
9.	Matters for which the Meeting may be closed to the public
19.1	Lot 503 Gabo Avenue Merredin – Application to Extend Existing Temporary Development Approval Relating to CBH Grain Handling Facilities
10.	Receipt of Minutes of Committee Meetings
	Nil
11.	Recommendations from Committee Meetings for Council consideration
	Nil
12.	Officer's Report – Development Services
	Nil
13.	Officer's Report – Engineering Services
	Nil

14. Officer's Reports – Corporate and Community Services

14.1 2020/21 Differential Rates Adoption

Corporate Services



Responsible Officer:	Charlie Brown, EMCS
Author:	Charlie Brown, EMCS
Legislation:	Local Government Act 1995; Local Government (Financial Management) Regulations 1996
File Reference:	FM/5/20
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Council resolved at the Special Council Meeting, 26th May 2020 to adopt the differential rates for advertising for the 2020/21 financial year. (CMRef 82561)

That Council:

- adopt for draft budget purposes the following differential rate in the dollar and minimum payments for Unimproved Value rated properties, subject to finalisation of the draft 2020/21 Budget and the establishment of the funding shortfall required from imposition of rates on Gross Rental Value rated properties:**

Unimproved Value	Minimum Rate	Rate in \$
UV1 – Rural	\$1,110.00	0.01930
UV2 – Urban Rural	\$1,110.00	0.03110
UV3 – Mining	\$200.00	0.03680
UV4 - Special Zone Wind Farm & Power Generation	\$1,110.00	0.03680
UV5 – Special Use Airstrip	\$1,110.00	0.03680

- 2. in accordance with Section 6.36 of the *Local Government Act 1995*, advertise its intention to levy differential rates on Unimproved Value properties for the 2020/21 Budget on council's website the availability of the Shire of Merredin's 2020/21 Differential Rating Objects and Reasons.**

CARRIED 9/o

Comment

A notice seeking submissions to the proposed differential rates for 2020/21 was placed on council's website as required. The closing date for submissions was the 3rd July 2020. No submissions have been received.

During finalisation of the draft budget and subsequent rates modelling, it was not necessary to adjust the rate in the dollar in all rate classes to conform to Section 6.33 (3) of the *Local Government Act 1995*.

In adopting the recommended model, Ministerial approval is not required as the differential rated properties are not more than double the non-differentially rated properties once the annual increase has been applied.

Policy Implications

Nil

Statutory Implications

Local Government Act 1995

6.33. Differential general rates

- (1) *A local government may impose differential general rates according to any, or a combination, of the following characteristics —*
 - (a) *the purpose for which the land is zoned, whether or not under a local planning scheme or improvement scheme in force under the Planning and Development Act 2005; or*
 - (b) *a purpose for which the land is held or used as determined by the local government; or*
 - (c) *whether or not the land is vacant land; or*
 - (d) *any other characteristic or combination of characteristics prescribed.*
- (2) *Regulations may —*
 - (a) *specify the characteristics under subsection (1) which a local government is to use; or*
 - (b) *limit the characteristics under subsection (1) which a local government is permitted to use.*
- (3) *In imposing a differential general rate a local government is not to, without the approval of the Minister, impose a differential general rate which is more than twice the lowest differential general rate imposed by it.*

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- (4) *If during a financial year, the characteristics of any land which form the basis for the imposition of a differential general rate have changed, the local government is not to, on account of that change, amend the assessment of rates payable on that land in respect of that financial year but this subsection does not apply in any case where section 6.40(1)(a) applies.*
 - (5) *A differential general rate that a local government purported to impose under this Act before the Local Government Amendment Act 2009 section 39(1)(a) came into operation 1 is to be taken to have been as valid as if the amendment made by that paragraph had been made before the purported imposition of that rate.*

6.35. Minimum payment

- (1) *Subject to this section, a local government may impose on any rateable land in its district a minimum payment which is greater than the general rate which would otherwise be payable on that land.*
 - (2) *A minimum payment is to be a general minimum but, subject to subsection (3), a lesser minimum may be imposed in respect of any portion of the district.*
 - (3) *In applying subsection (2) the local government is to ensure the general minimum is imposed on not less than —*
 - (a) *50% of the total number of separately rated properties in the district; or*
 - (b) *50% of the number of properties in each category referred to in subsection (6),**on which a minimum payment is imposed.*
 - (4) *A minimum payment is not to be imposed on more than the prescribed percentage of —*
 - (a) *the number of separately rated properties in the district; or*
 - (b) *the number of properties in each category referred to in subsection (6),**unless the general minimum does not exceed the prescribed amount.*
 - (5) *If a local government imposes a differential general rate on any land on the basis that the land is vacant land it may, with the approval of the Minister, impose a minimum payment in a manner that does not comply with subsections (2), (3) and (4) for that land.*
 - (6) *For the purposes of this section a minimum payment is to be applied separately, in accordance with the principles set forth in subsections (2), (3) and (4) in respect of each of the following categories —*
 - (a) *to land rated on gross rental value; and*
 - (b) *to land rated on unimproved value; and*
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- (c) to each differential rating category where a differential general rate is imposed.

Strategic Implications

➤ Strategic Community Plan

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

➤ Corporate Business Plan

Strategy: SP.D4.4 – Practice prudent management of financial resources
Action #: 2
Action: Continue to provide prudent financial controls and compliance systems.
Directorate: Corporate Services
Timeline: Ongoing

Sustainability Implications

➤ Strategic Resource Plan

Nil

➤ Workforce Plan

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

Risk Implications

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

Financial Implications

Adopting the differential model as detailed below will result in rates revenue in accordance with Council's Strategic Resources Plan incorporating the Long Term Financial Plan and Asset Management Plan.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Billing

Seconded: Cr McKenzie

82579 That Council:

1. Notes that no submissions were received regarding the proposed 2020/21 Differential General Rates and Minimum Payments: and
2. After considering public submission, of which there were zero, endorses the 2020/21 Differential General Rates and Minimum Payments as follows, with a view of striking the rates as part of the 2020/21 Budget adoption:

Unimproved Value	Minimum	Rate in \$
UV1 – Rural	\$1,110.00	0.01930
UV2 – Urban Rural	\$1,110.00	0.03110
UV3 – Mining	\$200.00	0.03680
UV4 - Special Zone Wind Farm & Power Generation	\$1,110.00	0.03680
UV5 – Special Use Airstrip	\$1,110.00	0.03680

CARRIED 9/0

14.2 2020/21 Budget Adoption

Corporate Services



Responsible Officer:	Charlie Brown, EMCS
Author:	Charlie Brown, EMCS
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 14.2A – Draft 2020/21 Budget

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Draft 2020/21 Budget has been compiled based on the principles contained in the Strategic Community Plan, Strategic Resources Plan.

The proposed differential general and minimum rates were approved by Council on 26th May 2020 and advertised for public comment. No submissions were received by 3rd July 2020 when the public comment period closed.

Comment

The main features of the draft 2020/21 Budget include:

1. The budget has been prepared with a 0% rate increase in accordance with Council's response to the current World Pandemic. This increase applies to all general and differential general rate categories utilising the Gross Rental Valuation (GRV) and the Unimproved Valuation (UV) provided by Landgate.
2. Fees and Charges have not been increased and are itemised in the draft 2019/20 Budget;
3. Household and Commercial Waste charges have not been increased.
4. A capital works budget totalling \$17.87M for investment in infrastructure, land and buildings, plant and equipment is planned. Expenditure on road infrastructure is the major component of this (\$12.76M). This includes a proposal of \$7M for CBD Upgrade.
5. Other Capital Expenditure includes \$2.85M that is dependent on Grant Funding as is the CBD Proposal of \$7.0M

6. Proposed Loan Funding of \$600,000 for Housing and a further proposed loan of \$4,925,000 to match potential grant funding is included.

The estimated brought forward balance is \$3,156,247 however this is unaudited and may change once the annual accounts are finalised. The major influence on the brought forward balance is the receipt of 50% of the 2020/21 Financial Assistance Grants allocation in May 2020.

Policy Implications

The draft 2020/21 Budget is based on the principles contained in the Strategic Plans.

Statutory Implications

Section 6.2 of the *Local Government Act 1995* requires that not later than 31 August in each financial year the local government is to prepare and adopt a budget for its municipal fund for the financial year ending on the next following 30 June.

Division 5 and 6 of Part 6 of the *Local Government Act 1995* refers to the setting of budgets and raising of rates and charges. The *Local Government (Financial Management) Regulations 1996* details the form and content of the budget. The draft 2020/21 Budget as presented is considered to meet the statutory requirements.

Strategic Implications

➤ Strategic Community Plan

Zone: Zone 4 – Communication & Leadership
Zone Statement: Merredin Council engages with its Community and leads by example.
Key Priority: 4.1 – Ensuring all planning, reporting and resourcing is in accordance with best practice, compliance and statutory requirements.

➤ 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: Corporate Services
Timeline: Ongoing

Sustainability Implications

➤ Strategic Resource Plan

The draft 2020/21 Budget has been compiled on the principles contained in the Strategic Resource Plan.

➤ **Workforce Plan**

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

Risk Implications

Council would be contravening the *Local Government Act 1995* and the *Local Government (Financial Management) Regulations 1996* if this item was not presented to Council for adoption.

Financial Implications

Specific financial implications are as outlined in the Detail section of this report and as itemised in the draft 2020/21 Budget as contained the attachment 14.2(A).

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Boehme

Seconded: Cr Billing

8258o That Council:

1. Pursuant to the provisions of Section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, Council adopt the 2020/21 Budget as contained in attachment 14.2(A), with the inclusion of budget ratios on page 30 of the document, for the Shire of Merredin;
2. Pursuant to Sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995* impose the following differential general and minimum rates on Gross Rental and Unimproved Values adopted for the purpose of yielding the deficiency disclosed by the Municipal Fund Budget in the Rate Setting Statement:

2.1 General Rates

Gross Rental Values	Minimum	Rate in \$
GRV	\$890	0.106152

General Differential Rates:

Unimproved Value	Minimum	Rate in \$
UV1 – Rural	\$1,110.00	0.019300
UV2 – Urban Rural	\$1,110.00	0.03110
UV3 – Mining	\$200.00	0.036800
UV4 - Special Zone Power	\$1,110.00	0.036800
UV5 – Special Use Airstrip	\$1,110.00	0.036800

3. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, Council nominate the following due dates for the payment in full by instalments:

Full payment or 1st Instalment due date	4 September 2020
2nd Instalment due date	6 November 2020
3rd Instalment due date	15 January 2021
4th Instalment due date	19 March 2021

4. Pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996* Council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$13 for each instalment after the initial instalment is paid;
5. pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 68 of the *Local Government (Financial Management) Regulations 1996* Council adopts an interest rate of 5.5% where the owner has elected to pay rates (and service charges) through an instalment option;
6. pursuant to Section 6.51(1) and subject to Section 6.51(4) of the *Local Government Act 1995* and Regulation 70 of the *Local Government (Financial Management) Regulations 1996* Council adopts an interest rate of 5.5% for rates (and service charges) and costs of proceedings to recover such charges that remain unpaid after becoming due and payable;
7. pursuant to Section 67 of the *Waste Avoidance and Resources Recovery Act 2007* Council adopts the Schedule of Fees and

Charges for the Shire of Merredin removal and/or deposit of domestic and commercial waste included in Attachment 14.2A;

- 8. pursuant to Section 5.99 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Administration) Regulations 1996*, Council adopts the following annual fees for payment of elected members in lieu of individual meeting attendance fees:**

Shire President	\$8,445.56
Deputy Shire President	\$8,445.56
Councillors	\$8,445.56

- 9. pursuant to Section 5.98A of the *Local Government Act 1995* and Regulation 33 and 33A of the *Local Government (Administration) Regulations 1996*, Council adopts the following annual local government allowance to be paid in addition to the annual meeting allowance:**

Shire President	\$14081
Deputy Shire President	\$3,520

- 10. in accordance with Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996* and AASB 1031 Materiality the level to be used in the Statement of Financial Activity in 2020/21 for the reporting material variance shall be 10% or \$10,000, whichever is greater.**

CARRIED 9/o

15. Officer's Reports - Administration

15.1 Long Tan Day

Administration



Responsible Officer:	Mark Dacombe, T/CEO
Author:	Melissa Ivanetz, EA to CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Battle of Long Tan occurred on 18 August 1966. This year commemorates 54 years since the battle and is of significance to the Merredin Community.

Comment

The working group which includes Vietnam Veteran and Merredin resident Aub Tompkin, who fought in the battle of Long Tan, have organised a small service to take place at the Reflection Pond in Roy Little Park at 4pm.

Given that this coincides with the August Council meeting, the working group would like to request that the Council Meeting begin at 4.30pm, once the Long Tan service is finished.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

➤ Strategic Community Plan

Zone:

Zone Statement:

Key Priority:

➤ [Corporate Business Plan](#)

Key Action:

Directorate:

Timeline:

Sustainability Implications

➤ [Strategic Resource Plan](#)

Nil

➤ [Workforce Plan](#)

Directorate: Nil

Activity: Nil

Current Staff: Nil

Focus Area: Nil

Strategy Code: Nil

Strategy: Nil

Implications: Nil

Risk Implications

Nil

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Patroni

Seconded: Cr McKenzie

82581 That Council;

1. Postpone the August 2020 Ordinary Council Meeting to start at 4:30pm on Tuesday 18 August.
2. Advertise the changes in accordance with section 5.25(g) of the Local Government Act and Regulation 12 (2)

CARRIED 9/o

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 of by Decision

Nil

19. Matters Behind Closed Doors

In accordance with Section 5.23 (2) (c) of the *Local Government Act 1995* Council went Behind Closed Doors to discuss this matter.

Resolution

Moved: Cr Flockart

Seconded: Cr Willis

82582 That Council move Behind Closed Doors at 6.27pm.

CARRIED 9/o

19.1 Lot 503 Gabo Avenue Merredin – Application to Extend Existing Temporary Development Approval Relating to CBH Grain Handling Facilities

Officer's Recommendation / Resolution

Moved: Cr Billing

Seconded: Cr Boehme

82583 That Council Resolves:

1. The information be received;
2. The application submitted by CBH for an extension as well as amendment to the current Temporary Development Approval be brought back to Council for its consideration at the ordinary meeting of Council in August 2020, and
3. The Shire CEO in consultation with the Shire President, with appropriate technical support, be authorised to negotiate with CBH to developing a mutually acceptable agreement on a strict confidentiality basis to address road related infrastructure upgrades for consideration by Council.

CARRIED 9/o

Resolution

Moved: Cr Flockart

Seconded: Cr Boehme

82584 That Council return from Behind Closed Doors at 6.32pm.

CARRIED 9/o

20. Closure

There being no further business the President then thanked those in attendance and declared the meeting closed at 6.35pm

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