

SHIRE OF
MERREDIN
INNOVATING THE WHEATBELT

MINUTES

Ordinary Council Meeting

To be held in Council Chambers
Corner King & Barrack Street's, Merredin
Tuesday, 22 November 2022
Commencing 5.30pm



Common Acronyms Used in this Document

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



November Ordinary Council Meeting

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Shire of Merredin
Ordinary Council Meeting
4:00pm Tuesday, 22 November 2022



1. Official Opening

The President acknowledged the Traditional Owners of the land on which we meet today, the Njaki Njaki people of the Nyoongar Nation and paid his respects to Elders past, present and emerging. The President then welcomed those in attendance and declared the meeting open at 4:04pm.

2. Record of Attendance / Apologies and Leave of Absence

Councillors:

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

Staff:

L Clack	CEO
C Townsend	A/DCEO
L Boehme	EMCS
L Mellor	EMES
P Zenni	EMDS
O Mellor	GO

Members of the Public:

Apologies: M Wyatt, EA/ES

Approved Leave of Absence: Cr J Flockart

3. Public Question Time

Nil

4. Disclosure of Interest

Cr Billing declared an Impartiality Interest in item 13.1

13. Officer's Reports - Engineering Services

13.1 Synergy Sub-Licence Agreement

Cr Billing declared an Impartiality Interest in this item.

<h2>Engineering Services</h2>		
Responsible Officer:	Lindon Mellor, EMES	
Author:	Daniel Hay-Hendry, MP	
Legislation:	<i>Local Government Act 1995</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 13.1A – Merredin EV Charging Station Development Plans Attachment 13.1B – Shire of Merredin Lease Plan	

Purpose of Report



Executive Decision



Legislative Requirement

For Council to consider the approval of a sub-lease between Synergy, and the Shire of Merredin, to allow for the installation of a fast electric vehicle (EV) charging station adjacent to the Town Centre of Merredin as part of the State Government's EV fast charging network.

Background

In November 2021 Synergy approached the Shire of Merredin requesting an appropriate location of the installation and operations of a fast electric vehicle (EV) charging station in Merredin as part of the State Government's proposed \$21 million EV fast charging network, which will install EV chargers at select locations throughout the State.

The State Government announcement indicates the project is intended to create Australia's longest EV fast charging network by installing charging stations at 49 locations across the state. Installation of the charging stations is scheduled to begin in November 2022, with the network fully operational by January 2024.

The proposed site for the Merredin EV Charging Station is located within the carpark opposite Barrack Street, west of the current Visitor Centre, formally addressed Lot 1503 (45) Barrack

Street, Merredin (refer to Attachment 13.1 – Merredin EV Charging Station Development Plans).

This land is owned by the Public Transport Authority (PTA), for which the Shire has a Licence to Occupy agreement. Two agreements are in place for different portions of the Lot, however, the Shire’s Licence to Occupy L7467, covers the portion of land that the proposed EV charging station is planned to be installed on (refer to Attachment 13.2 – Shire of Merredin Lease Plan).

To allow Synergy to develop and operate the proposed EV charging station on the planned site for Merredin, including carrying out the associated power connection works, Synergy would need to enter into a sub-licence agreement with the Shire.

The proposed Merredin charging station will include two EV charging units. One unit will be a direct current (DC) fast charger of 150kW, equipped with two charging cables in order to charge two cars at once; the other will be a back-up alternating current (AC) charger, of 7.6kW. Four existing car parking bays will be dedicated to three EV charging bays, one of which will be an ACROD parking bay.

The additional power demand will require the installation of a district substation transformer which will be provided and installed by Western Power. These works will include the installation of underground High Voltage (HV) cabling connecting the closest power pole to the transformer. Additionally, Synergy will be installing underground low voltage (LV) cabling from the substation to the adjacent charging units.

As part of the agreement, Synergy will be responsible for the management of the installation of the EV charging station, and all associated costs. Synergy will also be responsible for the ongoing operation and maintenance, which includes the costs associated with power usage.

However, to cover these operational costs, EV charging at the charging station for both DC and AC charging will be at the cost of the user (customer).

For payment of the charging service, customers will be able to make payment from a credit card, RFID card reader or a mobile application on their mobile phone. The mobile application will enable customers to find, charge and make payment for charging sessions all in one place.

	Comment
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As the proposed installation of the Synergy EV charging station will be no cost to the Shire for installation, operation or maintenance, the Administration considers the installation, alongside the soon to be developed Town Centre, is an opportunity which should be supported. This project aligns with the sustainability objectives within the Shire’s Strategic Community plan, and as a designated stop on the Government fast charge network, will also potentially create flow on economic benefits, as travellers may use local businesses while making a stop to charge their vehicle.

To allow Synergy to develop and operate the proposed EV charging station on the planned site, including carrying out the associated power connection works, a sub-licence agreement between the Shire. In this agreement, Synergy will be the Licensee, the Shire is the Licensor and PTA is the Head Licensor. The sub-licence with Synergy will sit under the Shire’s existing Licence to Occupy agreement (L7467) with PTA.

The Administration has sought legal advice during the development of the sub-licence from McLeods Lawyers, regarding the arrangement and wording of clauses. Synergy have

addressed the Shire’s feedback throughout this process and has amended the sub-licence to incorporate the Shire’s feedback where appropriate.

Throughout the negotiations, the Administration has tried to address any potential clashes between the installation of the EV station, with the works the Shire is carrying out for the Town Centre.

Based on the information above, the Administration recommends that Council authorise the Administration to finalise and enter into a sub-licence agreement with Synergy to enable the installation of an EV charging station at Lot 1503 (45) Barrack Street, Merredin, located within the carpark west of the Town Centre.

	Policy Implications
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Nil

	Statutory Implications
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The *Land Administration Act 1997* allows for State Government entities to lease land under a licence to occupy, including for Local Government Authorities.

	Strategic Implications
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➤ Strategic Community Plan

Theme:	Theme 3: Environment and Sustainability
Service Area Objective:	3.3 Environmental Planning
Priorities and Strategies for Change:	3.3.1 Land use planning respects our natural assets and ensures limited impact on climate change
Theme:	Theme 4: Communication and Leadership
Service Area Objective:	4.3 Advocacy
Priorities and Strategies for Change:	4.3.2 The Shire continues to advocate for infrastructure and services which meet the need of its business and residential community
Theme:	Theme 5: Places and Spaces
Service Area Objective:	5.1 Streetscapes
Priorities and Strategies for Change:	5.1.1 The Merredin CBD has been significantly upgraded and is well maintained and representative of the regional status that it holds

➤ Corporate Business Plan

Key Action:	Nil
Directorate:	Nil
Timeline:	Nil

	Sustainability Implications
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➤ 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

The conditions outlined within the sub-licence agreement are in line with those contained within the Shire’s existing Licence to Occupy (L7467). Synergy will be responsible for the installation, operation and maintenance associated with the proposed EV charging station.

Financial Implications

There is no cost to the Shire associated with the installation and operation of the proposed Synergy EV charging station.

Voting Requirements



Simple Majority



Absolute Majority

Resolution

Moved: Cr Manning

Seconded: Cr Van Der Merwe

That Council;


83043

1. **SUPPORT** in principle the installation of an Electric Vehicle charging station at Lot 1503 (45) Barrack Street, Merredin, located within the carpark west of the Town Centre;
2. **AUTHORISES** the Chief Executive Officer to finalise negotiations on the Sub-Licence agreement between the Shire of Merredin (Licensor) and the Electrical Generation and Retail Corporation trading as Synergy (Licensee), for the installation and operation of an Electrical Vehicle Charging Station in Merredin; and,
3. **AUTHORISE** the Shire President and Chief Executive Officer to apply the Shire of Merredin common seal to the subsequent sub-licence agreement between the Shire of Merredin (Licensor) and the Electrical Generation and Retail Corporation trading as Synergy (Licensee) in accordance with Items 1 and 2 above.

CARRIED 7/0

14. Officers' Reports – Corporate and Community Services

14.1 Statement of Financial Activity – October 2022

<h2>Corporate Services</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
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 Attachment 14.1B – Detailed Statements Attachment 14.1C – Capital Works Progress Attachment 14.1D – Investment Report	

Purpose of Report



Executive Decision



Legislative Requirement

For Council to receive the Statements of Financial Activity and Investment Report for the month of October 2022.

Background

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

Comment

Statement of Financial Activity

Regulation 34 of the *Local Government (Financial Management) Regulations* 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.

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:	Nil
Service Area Objective:	Nil
Priorities and Strategies for Change:	Nil

➤ Corporate Business Plan

Key Action:	Deliver long term financial planning for asset replacement and new capital projects
Directorate:	2
Timeline:	Continue to provide prudent financial controls and compliance systems

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.

➤ Workforce Plan

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

Risk Implications

The Financial Activity report 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 has implemented internal control measures such as regular Council and management reporting and a quarterly process to monitor financial performance against budget estimates.

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

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

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

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

Financial Implications

The adoption on the Monthly Financial Report is retrospective. Accordingly, the financial implications associated with adopting the Monthly Financial Report are nil.

Voting Requirements



Simple Majority



Absolute Majority

Resolution

Moved: Cr Crook


Seconded: Cr Patroni

83044

That Council RECEIVE the Statements of Financial Activity and Investment Report for the period ending 31 October 2022 in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.

CARRIED 7/0

14.2 List of Accounts Paid – October 2022

<h3>Corporate Services</h3>		
Responsible Officer:	Leah Boehme, EMCS	
Author:	As above	
Legislation:	<i>Local Government Act 1995</i> <i>Local Government (Financial Management) Regulations 1996</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 14.2A - Payments Listing October 2022	

Purpose of Report

Executive Decision

Legislative Requirement

For Council to receive the schedule of accounts paid for the month of October 2022.

Background

The attached list of accounts paid during the month of October 2022 under delegated Authority is provided for Council's information and endorsement.

Comment

Nil

Policy Implications

Nil

Statutory Implications

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

Strategic Implications

➤ Strategic Community Plan

Theme: Nil
Service Area Objective: Nil
Priorities and Strategies for Change: Nil

➤ Corporate Business Plan

Key Action: Deliver long term financial planning for asset replacement and new capital projects
Directorate: 2
Timeline: Continue to provide prudent financial controls and compliance systems

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.

➤ 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* should this item not be presented.

Financial Implications

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

Voting Requirements

Simple Majority

Absolute Majority

Resolution

Moved: Cr Simmonds


Seconded: Cr Van Der Merwe

83045

That Council RECEIVE the schedule of accounts paid during October 2022 as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totaling \$1,423,880.93 from Council's Municipal Fund Bank Account and \$880.75 from Council's Trust Account.

CARRIED 7/0

14.3 Policy Reviews – Rescission of Operational Staff Policies

<h2>Corporate Services</h2> 	
Responsible Officer:	Leah Boehme, EMCS
Author:	As above
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 14.3A – Policies to be rescinded

Purpose of Report



Executive Decision



Legislative Requirement

For Council to consider the rescission of a series of operational staff policies. Should Council support the change, the policies will move to become internal staff policies rather than policies of Council.

Background

The Administration has begun reviewing policies and will bring them to Council for consideration as each review is completed.

Policies of Council should be rules or principles that guide decision making. They form an essential component Council’s governance framework and guides Council, the Administration and residents in the context of transparent decision making, and allow for consistency and efficiency.

Council policies arise generally in response to discretionary legislated powers and non-legislated functions/activities of Council where the decision is outward facing – such as the provision of Community Services, grants, donations or requests.

Policies are not legislatively binding, and Council can operate outside of the policy where business reasons prevail, however, they are an important tool to provide guidance to Councillors in their deliberations on the matter in hand, and information for residents on how matters will be dealt with.

However, the current Shire of Merredin policy manual includes a series of policies related to the management of staff and resources for the organisation which are operational in nature and are not required to guide the decisions made by Council, or to provide information to residents.

As such, as part of its ongoing review of policies, the Administration is recommending a number of operational policies are rescinded. The first tranche identified for rescission relates specifically to operational staff matters. The intent is then to immediately add these policies to the staff policy manual, where they will be reviewed over time, without returning to Council for approval.

Further tranches of policies to be reviewed will relate to internal management practices at a later date.

Comment

The following policies will be removed from the Shire of Merredin Policy Manual and added to the Shire of Merredin Staff Policy Manual:

- Policy 2.1 - Use of Council Vehicles by Council Officers/ Authorised Persons
- Policy 2.3 - Staff Telephones and Allowances
- Policy 2.5 - Study Leave and Expenses - Applications
- Policy 2.6 - Conferences, Seminars and Training Courses - General Staff Attendance
- Policy 2.7 - Attendance of Executive Officers at Council/Committee Meetings
- Policy 2.8 - Uniforms - Staff
- Policy 2.9 - ROSTERED DAY OFF AND FLEXIBLE WORKING ARRANGEMENTS
- Policy 2.10 - Council Staff Housing
- Policy 2.11 - Superannuation Contributions
- Policy 2.12 - Re-Location Expenses
- Policy 2.13 - Shire Administration Centre – Security
- Policy 2.15 - Defence Reservist Leave
- Policy 2.16 - Child(ren) in the Workplace
- Policy 2.20 - Fitness for Work (previously Drugs & Alcohol)
- Policy 2.24 - Annual Leave Management
- Policy 2.25 - Grievances, Investigations and Resolution
- Policy 2.26 - Disciplinary Policy
- Policy 2.27 - Attendance Management
- Policy 7.7 - Provision of Vehicles to Council Employees

Policy Implications

As detailed above.

Statutory Implications

Local Government Act 1995.

Strategic Implications

➤ Strategic Community Plan

Theme:	4. Communication and Leadership
Service Area Objective:	4.2 Decision Making
Priorities and Strategies for Change:	The Shire is progressive while exercising responsible stewardship of its built, natural and

financial resources

➤ Corporate Business Plan

Key Action: Nil

Directorate: Nil

Timeline: Nil

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

Resolution

Moved: Cr McKenzie

Seconded:

Cr Crook


That Council;

83046

1. NOTE that a review of the policies listed in Attachment 14.3A has deemed them to be operational in nature;
2. ENDORSE the rescission of the policies listed in Attachment 14.3A; and,
3. NOTES that the policies listed in Attachment 14.3A will be included in the Shire of Merredin Staff Policy Manual.

CARRIED 7/0

14.4 IT System Upgrade – Request to Transfer Reserve Funds

<h3>Corporate Services</h3> 	
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 14.4A - Altus Payroll Proposal

Purpose of Report

Executive Decision

Legislative Requirement

For Council to consider the transfer of funding from the Shire of Merredin ITC reserve for the purposes of purchasing a replacement payroll system.

Background

During the 21/22 Audit, it was highlighted by the auditors in the initial feedback provided to management that there are some process gaps in the payroll system currently used by the Shire. The Shire is using a mainly paper based system that can allow for human errors to occur which are not easily discoverable or rectified, creating risk.

The audit team suggested all possible identified payroll errors during audit could have been avoided if the Shire adopted a more advanced payroll management system.

The Administration is recommending 'Altus Payroll' as this would be interoperable with the Shire's current systems, as it is a module able to be integrated with the Shire's primary system provider, IT Vision. Altus Payroll provides a more capable payroll solution that integrates seamlessly with SynergySoft (used by the Shire). Should the funding be authorised and the purchase be approved, IT Vision will work with the Shire during the implementation phase and continue to provide ongoing support when required.

Local Governments have been made aware that the ICT support provided for the SynergySoft program which is the current underpinning Shire operational ICT system, will lessen moving forward and other replacement software programs will need to be investigated for data management.

Currently, there are limited available software options for Local Governments, and fewer still that can be implemented as individual modules, rather than a full change of software.

It is expected that full change over to a new system may cost somewhere in the vicinity of \$500,000, so transitioning to new key modules over the coming years, and upgrading the system module by module, will lessen the burden on Shire funds in one particular year in the future.

Comment

Altus Payroll is used by many Shires across the state and country. It provides a more modern and reliable process than our current system and will support audit improvements moving forward.

As the direct purchase, the Altus system is over \$50,000 it is outside of the current Shire purchasing policy for a single quote, and as a payroll system it cannot be considered sole supply.

However, to directly purchase it is within the limits prescribed in the *Local Government (Functions and General) Regulations 1996*, which provides an exemption for the supply of goods or services obtained through the WALGA Preferred Supplier Program, which is the case for this supplier.

Given the interoperability of the Altus payroll module with the existing system, it is recommended Council authorise the CEO to directly procure the program outside of the current Shire policy, noting the purchase will still comply with the statutory requirements under the *Local Government Act 1995* and the *Local Government (Functions and General) Regulations 1996*.

It is recommended Council accept the justification presented of interoperability with current systems and waive the requirement for the Administration to undertake a competitive quotation process.

Policy Implications

Nil

Statutory Implications

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

6.8. (1) A local government is not to incur expenditure from its municipal fund which is not included in its annual budget except where the expenditure (b) is authorized in advance by resolution*;

Strategic Implications

➤ Strategic Community Plan

Theme: 4. Communication and Leadership

Service Area Objective: 4.2 Decision Making

4.2.1 The Shire is progressive while exercising responsible stewardship of its built, natural and financial resources

Priorities and Strategies
for Change:

Nil

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.

➤ Workforce Plan

Directorate: Nil

Activity: Nil

Current Staff: Nil

Focus Area: Nil

Strategy Code: Nil

Strategy: Nil

Implications: Nil

Risk Implications

Continuing to complete payroll in our current manner could lead to errors and audit findings in future years.

Financial Implications

The ITC Reserve currently has a balance of \$316,632.00 Transfer of \$68,270.50 to cover setup and implementation of the Altus Payroll program, with optional features, would still leave \$248,361.50 in the reserve. The purpose of this reserve is 'To be utilised to fund future ITC requirements,' which is what the Administration is proposing occurs.

Voting Requirements



Simple Majority



Absolute Majority

Resolution

Moved: Cr Van Der Merwe Seconded: Cr Simmonds

That Council:

1. APPROVES the transfer of \$68,270.50 from the ITC Reserve account (196736010) to job W0062 – Other Computer Software Expenses, as per the table below, for the purpose of purchasing the Altus Payroll module through IT Vision; and


83047

<i>Account number</i>	<i>Description</i>	<i>Current balance/ budget</i>	<i>Change</i>	<i>Revised budget</i>
196736010	ITC Reserve account	\$316,632	-\$68,270.50	\$248,361.50
Job W0062	Other Computer Software Expenses	\$11,000	\$68,270.50	\$79,270.50

2. WAIVE the requirement for the Administration to undertake a competitive quotation process for a new payroll system and AUTHORISE the CEO to directly procure the Altus Payroll Module from supplier IT Vision to a total value of \$68,270.50 ex GST, based on the interoperability of the module with the Shires current ICT systems.

CARRIED 6/1

14.5 Policy Review – Credit Card Policy

<h3>Corporate Services</h3>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
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:	14.5A – Policy 3.22 Credit Card Policy (with track changes)	

Purpose of Report



Executive Decision



Legislative Requirement

For Council to consider a revised Credit Card Policy which is anticipated to reduce risk of inappropriate credit card use to the organisation.

Background

Policy 3.22 provides clear direction on the use of the Shire’s corporate cards to mitigate the risk of fraud and inappropriate use.

The 2020/2021 Audit found ‘four of the twelve sampled credit card statements were only signed off by credit card holders and were not independently reviewed by a senior staff member for payment authorisation.’

Comment

In response to the audit findings mentioned above, a process change was implemented to ensure this issue did not occur in future.

The change involved all credit card statements being signed off by both the cardholder and the CEO each month, with the CEO’s card being signed by the CEO and another member of the executive team.

A policy update is now required to formalise and reflect the change in process which has been implemented in response to the audit finding.

Policy Implications

As detailed above.

Statutory Implications

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

Strategic Implications

➤ Strategic Community Plan

Theme:	4. Communication and Leadership
Service Area Objective:	4.2 Decision Making
Priorities and Strategies for Change:	The Shire is progressive while exercising responsible stewardship of its built, natural and financial resources

➤ Corporate Business Plan

Key Action:	Nil
Directorate:	Nil
Timeline:	Nil

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

Without this policy update, the Shire will have not met our management actions required to respond to the 2020/21 Audit findings, and risk a further audit finding in the future related to credit card sign off.

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Resolution

Moved:

Cr Simmonds

Seconded:


Cr Crook

83048

That Council **ADOPT** the revised Policy 3.22 – Credit Card Policy, as presented in Attachment 14.5A.

CARRIED 7/0

14.6 Budget Review October 2022

<h3>Corporate Services</h3>		
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 14.6A – Budget Review	

Purpose of Report



Executive Decision



Legislative Requirement

For Council to consider a review of the annual budget for the Shire of Merredin, based on the year-to-date figures at October 2022. It should be noted this will be the first of two budget review processes conducted in 2022.

Background

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

With the current financial position of the organisation in mind, it was decided to complete two reviews during this financial year. A further review will be conducted in March 2023, utilising end of month figures from February, which will fulfil our statutory compliance requirement.

Comment

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

The review of the 2022/23 Budget has been completed. A number of variations to existing budget allocations have been identified and included in the revised budget, which can be found in Attachment 14.6A.

It should be noted that actual costs presented in this document are representative of end of month October 2022 figures.

Issues and options considered.

The budget review has comprised:

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

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

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

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

Surplus Brought Forward

Following the closure of the books for the last financial year, the actual surplus brought forward from 2021/22 is now estimated to be higher than the budget estimate by \$105,900. The brought forward figure, however, will not be confirmed until the Annual Financial Statements are finalised and signed off by our auditors.

Operating Income and Expenditure

Income

The Financial Assistance Grant (General and Roads) received is \$274,000 more than the original budget allocation. The FAGS grant was conservatively estimated at budget time as final figures had not been received from the WALGGC.

Income received from Tampia Operations Pty Ltd was also not allowed for in the original budget. This money has been moved to reserves according to Council resolution (CMRef: 82653) and will make no difference to the bottom line.

Expenditure

The total wages budget has been increased by approximately \$150,000 (4% increase) to ensure all wage and superannuation increases are allowed for.

Additionally increases in insurance costs of approximately \$60,000 and audit fees of \$36,000 have also been allowed for.

Other changes to income and expenditure are minimal and are summarised on page five of the attachment.

Capital Income and Expenditure

Capital income and expenditure has only changed minimally and is shown on page 8 of the attachment, except for the reserve transfers of Tampia monies as mentioned above.

Policy Implications

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

Statutory Implications

As outlined in the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996*. Though this review will not meet our Statutory Compliance obligations given it is being held so early, Budget Review 2 scheduled for March 2023 will meet the prescribed compliance requirements.

Strategic Implications

➤ Strategic Community Plan

Theme:	4. Communication and Leadership
Service Area Objective:	4.2 Decision Making
Priorities and Strategies for Change:	The Shire is progressive while exercising responsible stewardship of its built, natural and financial resources

➤ Corporate Business Plan

Key Action:	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

Nil

➤ Workforce Plan

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

Risk Implications

In the current financial climate, the purpose of this early review is to minimise the risk of issues arising later in the financial period. Should the review have been completed only in the January – March period, there was a risk of significant financial issues occurring and not being able to be rectified due to the late nature of the review.

Financial Implications

As outlined in Attachment 14.6A.

Voting Requirements

Simple Majority

Absolute Majority

Resolution

Moved: Cr Patroni

Seconded: Cr Van Der Merwe

83049

That Council APPROVES the 2022 - 2023 Budget Review 1, as at 31 October 2022, and AUTHORISES the amendments detailed in Attachment 14.6A.

CARRIED 7/0

14.7 Policy Reviews – Policy 2.29, 5.5, 5.7, 5.12, 6.1, 6.2, 6.3, 6.5, 6.6, 6.7, 6.8, 6.12, 6.15 and 6.18

<h2>Community Services</h2> 	
Responsible Officer:	Chloe Townsend, A/DCEO
Author:	As above
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 14.7A - Shire of Merredin Policies 2.29, 5.5, 5.7, 5.12 Attachment 14.7B – Shire of Merredin MRCLC Policies 6.1, 6.2, 6.3, 6.5, 6.6, 6.7, 6.8, 6.12, 6.15, 6.18

Purpose of Report



Executive Decision



Legislative Requirement

For Council to consider the recommended reviews of the attached policies.

Background

The Administration has begun reviewing relevant policies and will bring them to Council for consideration as each review is completed.

The policies submitted for Council consideration in this report are:

- Policy 2.29 Community Engagement
- Policy 5.5 Sponsor Advertisements
- Policy 5.7 Conditions of Usage - Recreation Reserves
- Policy 5.12 Cummins Theatre - Donations/Loans/ Sponsorship
- Policy 6.1 Supervision of Children at the MRCLC
- Policy 6.2 Delivery of Sport and Recreations Programs – Volunteers
- Policy 6.3 Lost Property
- Policy 6.5 Designated Smoking Areas at the MRCLC
- Policy 6.6 Kitchen Costs for Clubs/Associations
- Policy 6.7 Function Room Costs for Clubs/Associations

- Policy 6.8 Outdoor Club/Associations utilising MRCLC Indoor Facilities
- Policy 6.12 Closure of Grandstand Bar
- Policy 6.15 Vandalism Policy
- Policy 6.18 Code of Behaviour and Penalty Structure

	Comment
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Many of the attached policies were reviewed to remove the operational and process details. Policies detail the strategic intention of Council, and the Administration then has internal guidelines and procedures to enact these.

Many of the policies reviewed this month removes the process/ guideline contained in the policy. This will allow the Administration to make minor changes to adapt internal guidelines and procedures, in response community or service requirements. These amendments will only be made where they continue to meet the original intention of the policy set by Council, however allows changes to occur, without requiring the full policy to be updated by Council resolution.

Policy 2.29

The purpose of Policy 2.29 is to outline the Shire of Merredin’s commitment to timely, consistent and genuine community engagement as a core component of Council’s decision-making process.

This policy was reviewed with minor changes include:

- Updating the strategic community plan
- Removing the details which are part of the process/ guidelines

Policy 5.5

The objective of this policy is to provide guidelines on acceptable advertising on Shire owned and managed land.

This policy was updated from an approach specific to the MRCLC to a more holistic approach covering all Shire-owned and managed land.

Policy 5.7

The objective of this policy was to cover the hire and use of Shire ovals, parks and reserves.

The Administration is recommending this policy be rescinded, as relevant Acts cover the contents (i.e. the *Liquor Control Act 1988* covers alcohol consumption in public places), and operational procedures cover the booking of ovals.

Policy 5.12

The objective of Policy 5.12 is to provide the Manager Community and Culture and potential contributors with definitions and guidelines in relation to donations, loans and sponsorship for the Cummins Theatre.

This policy was reviewed with minor changes.

MRCLC policies - for review

The following policies were reviewed, and the Administration recommends that these remain in the policy manual as they remain under the Shire's purview.

Policy 6.1

The objective of Policy 6.1 is to stipulate the age that children require full supervision and to define adequate supervision so that the MRCLC is a safe environment for all participants and spectators of all recreational and leisure activities.

The policy has been reviewed and is recommended to be reviewed without amendment.

Policy 6.3

The objective of Policy 6.2 is to provide staff with an effective system to ensure lost property at the MRCLC is claimed by the owner, or the item is discarded after an appropriate period of time.

The policy is recommended to be reviewed without amendment. This policy is still relevant to the MRCLC for the Shire's outdoor workforce maintaining the grounds.

Policy 6.8

The objective of Policy 6.8 is to outline on the occasion where outdoor user groups want to utilise indoor facilities due to bad weather, it shall be provided free of charge to the club.

This policy has been reviewed without amendment.

Policy 6.15

The objective of Policy 6.15 is to ensure the MRCLC is managed efficiently and effectively whilst providing users with a safe and well-maintained facility.

This policy was reviewed with minor amendments.

Policy 6.18

The objective of Policy 6.18 is to provide users of the MRCLC and Recreation Grounds guidelines for an acceptable standard of conduct and outline the penalty structure for users contravening the Code of Behaviour.

The policy was reviewed with minor amendments for clarity. The Administration recommends the policy be retained.

MRCLC policies – for rescinding

The following policies have been reviewed, and the Administration recommends rescinding these from the policy manual as they are outside Shire's purview/ influence while a contractor is operating the centre, or the relevant legislation covers them.

Policy 6.2

The objective of Policy 6.2 was to provide volunteer guidelines for volunteers at the MRCLC.

The Administration is recommending the policy be rescinded. As the recreation centre is not currently run by the Shire, the responsibility of volunteer guidelines is in the purview of the contractor. If the Shire operates the MRCLC in the future, a policy and guidelines would be put in place with updates relating to insurance and work safety regulations.

Policy 6.5

The objective of Policy 6.5 is to specify the areas of the MRCLC which are classed as smoke free.

The Administration is recommending the policy be rescinded as the areas zoned in this policy are covered by the relevant legislation. However, the Administration will be bringing a new policy that will prohibit smoking at all Shire community facilities, including the Cummins Theatre, Library, Visitor Centre and MRCLC, in the future. This may be done in conjunction with the Shire public health plan, planning.

Policy 6.6

The objective of Policy 6.6 was to detail the costs associated with sporting groups using the MRCLC kitchen.

This policy is recommended to be rescinded. In the current arrangements, this is detailed in the club's MoU agreements. In the future, this will continue to be covered in the fee arrangements and MoU agreements for clubs.

Policy 6.7

The objective of Policy 6.7 is to provide details on the cost of Grandstand Bar facilities for Associations and Clubs nominated on the liquor license utilising the facilities at the MRCLC.

This policy is recommended to be rescinded. In the current arrangements, this is detailed in the clubs MoU agreements. In future, this will continue to be covered in the fee arrangements and MoU agreements for clubs.

Policy 6.12

The objective of Policy 6.12 is to provide the on-duty Bar Manager delegated authority to close the Grandstand Bar when appropriate circumstances arise.

The Administration is recommending this policy be rescinded. As the Shire does not operate the Recreation Centre, the responsibility is in the purview of the contractor. If the Shire operates the MRCLC in the future, a policy and guideline would be enacted.

The provisions of all fifteen policies have been reviewed, and where changes have been made the revisions are shown in the attachments to the report. It is recommended that Council endorse and rescind the relevant policies as per the updated versions attached.

Policy Implications

Updates as attached to:

- 2.29 Community Engagement
- 3.21 Art Collection and Acquisition Art Prize
- 5.5 Sponsor Advertisements
- 5.12 Cummins Theatre - Donations/Loans/ Sponsorship
- 6.1 Supervision of Children at the MRCLC
- 6.3 Lost Property
- 6.8 Outdoor Club/Associations utilising MRCLC Indoor Facilities
- 6.15 Vandalism Policy
- 6.18 Code of Behaviour and Penalty Structure

Rescind:

- 5.7 Conditions of Usage - Recreation Reserves
- 6.2 Delivery of Sport and Recreations Programs – Volunteers
- 6.5 Designated Smoking Areas at the MRCLC
- 6.6 Kitchen Costs for Clubs/Associations
- 6.7 Function Room Costs for Clubs/Associations
- 6.12 Closure of Grandstand Bar

Statutory Implications

Local Government Act 1995

Strategic Implications

➤ Strategic Community Plan

Theme: 4. Communication and Leadership
Service Area Objective: 4.2 Decision Making
Priorities and Strategies for Change: The Shire is progressive while exercising responsible stewardship of its built, natural and financial resources

➤ Corporate Business Plan

Key Action: Nil
Directorate: Nil
Timeline: Nil

Sustainability Implications

➤ Strategic Resource Plan

➤ 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

Resolution

Moved: Cr Crook

Seconded:

Cr Simmonds

That Council;

1. NOTE the review of the following policies:

a) Policy 2.29, Policy 5.5, Policy 5.7, Policy 5.12, Policy 6.1, Policy 6.2, Policy 6.3, Policy 6.5, Policy 6.6, Policy 6.7, Policy 6.8, Policy 6.12, Policy 6.15 and Policy 6.18;

83050

2. ENDORSES the following policies:

a) Policy 2.29, Policy 5.5, Policy 5.12, Policy 6.1, Policy 6.3, Policy 6.8, Policy 6.15 and Policy 6.18 as per Attachments 14.7A and Attachment 14.7B; and


3. ENDORSES the following policies be rescinded:

a) Policy 6.2, Policy 6.5, Policy 6.6, Policy 6.7, Policy 6.12 and Policy 5.7 as per Attachments 14.7A and Attachment 14.7B.

CARRIED 6/1

15. Officers' Reports - Administration

15.1 Status Report – November 2022

<h2>Administration</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Lisa Clack, CEO	
Author:	Meg Wyatt, EA	
Legislation:	Local Government Act 1995	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 15.1A – Status Report – November 2022	

Purpose of Report



Executive Decision



Legislative Requirement

For Council to consider the updated Status Report for October 2022.

Background

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

Comment

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

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

➤ Strategic Community Plan

Theme: 4. Communication and Leadership
Service Area Objective: 4.4 Communications
4.4.1 The Shire is continuously working to maintain efficient communication, providing open, transparent and factual information, through a variety of channels
Priorities and Strategies for Change: Nil

➤ Corporate Business Plan

Key Action: Nil
Directorate: Nil
Timeline: Nil

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

Resolution

Moved: Cr Patroni

Seconded: Cr Billing

83051

That Council RECEIVES the Status Report on Council Resolutions for November 2022.

CARRIED 7/0

16. Motions of which Previous Notice has been given

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

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

19. Matters Behind Closed Doors

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

Council Decision

Moved: Cr Van Der Merwe **Seconded:** Cr Simmonds

83052 **That Council move Behind Closed Doors and that Standing Orders be suspended at 4:32pm.**

CARRIED 7/0

Reason

That matters related to the personal affairs of any person, a matter that if disclosed would reveal information that has a commercial value to a person or information about a business, professional commercial or financial affairs of a person, were to be discussed.

19.1 Rateable Property Assessment A9370 – 6 Cummings Street – Write-off of interest request

Corporate Services



Responsible Officer:	Leah Boehme, EMCS
Author:	As above
Legislation:	<i>Local Government Act 1995 Rates and Charges (Rebates and Deferments) Act 1992</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

For Council to consider a request from a ratepayer to write off the interest on Assessment A9370, to the amount of \$5,543.74.

Background

The property owner, through a financial Counsellor, has requested that the Shire write-off outstanding interest on Assessment A9370, which currently totals \$5,543.74.

Assessment: A9370

Address: 6 Cummings Street, Merredin

Lot: 234

Description: Vacant land

Owner: R A Jolly & M Kondo

Outstanding Debt: \$25,285.80 (As at 31 October 2022).

This property was purchased by Mr Russell Jolly and Ms Michiko Kondo in May 2010. Legal action to recover outstanding rates was pursued from March 2016.

The debt recovery firm were unable to locate Mr Jolly or Ms Kondo at their listed address but found that they may be living at a property in Cookernup. Further investigation confirmed that Mr Jolly and Ms Kondo owned a residential property which they purchase in 2012, and proceedings were commenced to seize vehicles in lieu of outstanding rates. At this time, Mr Jolly contacted the legal team and noted that he had fractured his spine and was to have surgery in the imminent future. Mr Jolly indicated that steps were being commenced to sell the family home, at which point, all outstanding debt would be repaid. He also advised that

Ms Kondo had left the country in May 2017 and that he had believe that Ms Kondo had been making the rates payments to that point as rates notices were not being received. The Shire instructed the debt recovery firm to hold, and not proceed with the vehicle seizure, due to the circumstances and promise of payment to be forthcoming.

Unfortunately, no payment was received and the property continued to incur further debt. Mr Jolly's current partner contacted the Shire to advise of the change to Mr Jolly's address, however, was told that as she was not listed on the land title and did not provide documentation to allow her to act on Mr Jolly's behalf, she was unable to make changes. Rates notices continued to be sent to the listed address.

Due to unpaid rates and charges, Council resolved to sell the property at the Ordinary Council Meeting in September 2020, as there was an outstanding amount of \$13,464.10 and no payments had been received since November 2013. The property sale was advertised by public notice on 17 June 2021, however the property did not sell at auction.

On 1 June 2022, the Senior Finance Officer received email correspondence from the Financial Counsellor acting for Mr Jolly. The Letter outlined that Mr Jolly was suffering financial hardship and requested a full waiver of interest charged on his property on compassionate grounds. The letter also indicated that Mr Jolly and his partner would go through the process of trying to sell the property so that they could pay the rates owing. The letter finally asked that a review of the legal fees charged occurred, with a 'hopeful expectation of a reduction given the information presented.'

On 3 November 2022, the EMCS contacted the Financial Counsellor to discuss options moving forward. The Counsellor advised that Mr Jolly was currently making payments on a number of outstanding debts, and that payments being made were not covering new charges being applied. Mr Jolly currently has no ability to enter into a payment plan with the Shire and would like to give the land back to the Shire if possible. Due to the second party listed on the title (Ms Kondo) not being contactable, it is currently not possible for this to occur or for the property to be sold. The Counsellor will speak to Mr Jolly about the possibility of seeking legal support to deal with the ownership of the land moving forward and contact the Shire to update of any changes.

Comment

As at 31 October 2022, there is a total of \$25,285.80 outstanding charges on Assessment A9370 including debt collection legal costs and current charges for the 22/23 period. A breakdown of the outstanding charges is shown in the table below:

Description	Levies
Rates	\$ 7,661.00
Interest	\$ 5,543.74
Legal Charges (inc GST)	\$ 10,740.35
EMERGENCY SERVICES LEVY (ESL)	\$ 709.00
ESL PENALTY	\$ 261.61
RECYCLING - DOMESTIC/COMMERCIAL	\$ 370.10
Total	\$ 25,285.80

The outstanding rates debt on property A9370 have been longstanding, with debts registered on the property title dating back to 2014, with the last payment being received in November 2013.

Further attempts to sell the property would result in greater legal expenses being incurred and in the current market, a sale at auction would be unlikely. The outstanding debt is also greater than the expected sale price of the lot, with the neighbouring land lot currently being advertised for sale at a cost of \$24,000.

Policy Implications

Nil

Statutory Implications

Local Government Act 1995

6.12. Power to defer, grant discounts, waive or write off debts

- (1) Subject to subsection (2) and any other written law, a local government may —
- (c) write off any amount of money, which is owed to the local government.

** Absolute majority required.*

6.64. Actions to be taken

(1) If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —

- (a) from time to time lease the land; or
- (b) sell the land; or
- (c) cause the land to be transferred to the Crown; or
- (d) cause the land to be transferred to itself.

(2) On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.

(3) Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.

Strategic Implications

➤ Strategic Community Plan

Theme:	Nil
Service Area Objective	Nil
Priorities and Strategies for Change:	Nil

➤ Corporate Business Plan

Key Action:	Nil
Directorate:	Nil
Timeline:	Nil

Sustainability Implications

➤ Strategic Resource Plan

Nil

Risk Implications

If a resolution for the property is not found, the costs associated with the property will continue to accrue interest and service charges, which may continue to not be recovered.

Financial Implications

The amount to be written-off is \$5,543.74. These interest costs have not been included as income in the current 22/23 budget.

Voting Requirements

Simple Majority

Absolute Majority

Resolution

Moved: Cr McKenzie

Seconded: Cr Crook

That Council;

83053

1. **WRITE OFF** the balance of interest costs owing on Assessment A9370 totaling \$5,543.74 as at 31 October 2022;
2. **AUTHORISE** the CEO to halt any further interest charges on Assessment A9370 for the 22/23 financial year; and
3. **AUTHORISE** the CEO to write to the ratepayer advising of the outcome of the request, as per the above.

CARRIED 7/0

19.2 Cummings Street Units – Request to Transfer Reserve Funds

Corporate Services



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

Purpose of Report

Executive Decision



Legislative Requirement

For Council to consider approving the transfer of \$15,687.10 from the Cummings Street Unit Reserve for the purpose of completing necessary repairs and maintenance to the units.

Background

The Shire operates the Cummings Street Units as part of a joint agreement with the Department of Communities to provide social housing within Merredin.

During the first week of November, two tenants from the Cummings Street Units vacated the residential premises. On Monday 7 November the EMCS and SFO visited the vacated units to inspect the current state of the properties, located at Unites 3 and 5.

On inspection it was noted Unit 3 had some ceiling cracking to the kitchen area, cracking to the walls and cornice of the storeroom and cracked and missing tiles to the bathroom hob. Quotes to rectify these issues has come in at \$2695, plus the cost to repaint quoted at \$2,310.

Unit 5 was in poorer condition, with multiple holes being evident in doors and walls. The bathroom window was missing its glass entirely. The kitchen drawers were broken and there appeared to be smoke damage to the ceiling above the stove. Quotes to rectify these issues has come in at \$4,895, plus the cost to repaint as required has been quoted at \$3,850. Blinds were also damaged, torn and missing, which will cost \$287.10 to replace.

Further issues with the gutters to units 4 & 5 have also been identified. These are seeing water leakage into the eaves. The quote to rectify this issue is \$1650.

The total cost of repairs will be \$15,687.10. All quotes are inclusive of GST.

Discussion with the local Department of Communities representative indicated that repairs were essential to allow new tenants to move in, and there is currently a waitlist for housing with the Department.

It should also be noted that locks to both units have been changed and a missing glass window has been repaired to make both units secure. The cost of these actions has been charged to the relevant Cummings Unit building operations accounts, BO052 and BO054.

A separate request has come from the tenants of Unit 2 and 4 who would like a small ramp installed in the car parking area to allow for tenants with mobility issues to get up the existing kerb, which is around 50mm high.

Comment

Money is placed into the Cummings Street Unit Reserve to cover maintenance costs that exceed the usual rental income from the units or larger projects that may arise. There is currently \$61,254.57 in the reserve.

At the July 2022 Council meeting, Council considered its long term interest in the property and resolved to working towards divesting from the asset and joint agreement when it was resolved

That Council;

1. *REQUEST that the Department of Communities purchase the Shire of Merredin's interest (both land and assets) in the Cummings Street Joint Venture project at current market value; and*
2. *ALLOCATE a total of \$2500 in the 2022-23 draft budget towards associated valuation and conveyance costs.*

As such, the Administration is recommending the repairs be funded from reserves, and an immediate amendment is made to the budget to facilitate this.

Not only is this the purpose of the Cummings St Unit reserve, also the remaining funds from the reserve will be transferred to Communities if the current proposal for the Shire of Merredin equity in the units be purchased by Communities, comes to fruition (CM82968). As this negotiation is currently underway and the Shire may divest itself of the asset prior to the end of the financial year, any required funding for the units from the reserves should be allocated immediately rather than relying on journaling of funds at the end of the financial year.

Policy Implications

Nil

Statutory Implications

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

6.8. (1) A local government is not to incur expenditure from its municipal fund which is not included in its annual budget except where the expenditure (b) is authorized in advance by resolution*;

Strategic Implications

➤ Strategic Community Plan

Theme:	4 Communication and Leadership
Service Area Objective	4.2 - Decision Making 4.2.1 – The Shire is progressive while exercising responsible stewardship of its built, natural and financial resources
Priorities and Strategies for Change:	Nil

➤ Corporate Business Plan

Key Action:	Deliver long term financial planning for asset replacement and new capital projects
Directorate:	2
Timeline:	Continue to provide prudent financial controls and compliance systems

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.

➤ Workforce Plan

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

Risk Implications

Should the transfer not take place, the required repairs will not occur and the unit will not be able to be tenanted. This will lead to lost income over an extended period.

Financial Implications

The Cummings Street Unit Reserve currently has a balance of \$61,254.57. Transfer of \$15,687.10 to cover repairs to the units as detailed earlier in the report, would still leave \$45,567.47 in the account. The purpose of this reserve is 'To be utilised for all maintenance and capital costs associated with Council owned units in Cummings Street,' which is what the Administration is proposing occurs.

Voting Requirements

Simple Majority

Absolute Majority

Resolution

Moved: Cr Billing

Seconded: Cr Simmonds

That Council APPROVES the transfer of \$15,687.10 from the Cummings Street Unit Reserve account (196738010) to Job BO005 – Cummings Units Common Area - Building Operations, as per the table below, for the purpose of completing necessary repairs and maintenance to the units, as described in the report.

83054

<i>Account number</i>	<i>Description</i>	<i>Current balance/ budget</i>	<i>Change</i>	<i>Revised budget</i>
196738010	Cummings Street Unit Reserve account	\$61,254.57	-\$15,687.10	\$45,567.47
Job BO005	Cummings Units Common Area - Building Operations	\$3,700	\$15,687.10	\$19,387.10

CARRIED 7/0

Council Resolution

Moved: Cr Patroni

Seconded: Cr Van Der Merwe

83055

That Council return from Behind Closed Doors at 4:44pm, resume Standing Orders and that the resolutions being passed in the confidential session be confirmed in open meeting.

CARRIED 7/0

20. Closure

There being no further business, the President thanked those in attendance and declared the meeting closed at 4:46pm.

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