

SHIRE OF
MERREDIN
INNOVATING THE WHEATBELT

MINUTES

Ordinary Council Meeting

Held in Council Chambers
Corner King & Barrack Street's, Merredin
Tuesday, 29 March 2022
Commencing 4.00pm



| Common Acronyms Used in this Document | |
|---------------------------------------|--|
| CBP | Corporate Business Plan |
| CEACA | Central East Accommodation & Care Alliance Inc |
| CEO | Chief Executive Officer |
| CSP | Community Strategic Plan |
| CWVC | Central Wheatbelt Visitors Centre |
| DCEO | Deputy Chief Executive Officer |
| EA | Executive Assistant to CEO |
| EMCS | Executive Manager of Corporate Services |
| EMDS | Executive Manager of Development Services |
| EMES | Executive Manager of Engineering Services |
| ES | Executive Support Officer |
| GECZ | Great Eastern Country Zone |
| 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 |



Shire of Merredin March Ordinary Council Meeting

| | |
|---|-----------|
| 1. Official Opening..... | 3 |
| 2. Record of Attendance / Apologies and Leave of Absence..... | 3 |
| 3. Public Question Time..... | 3 |
| 4. Disclosure of Interest..... | 4 |
| 5. Applications of Leave of Absence..... | 4 |
| 6. Petitions and Presentations..... | 4 |
| 7. Confirmation of Minutes of Previous Meetings..... | 4 |
| 8. Announcements by the Person Presiding without Discussion..... | 4 |
| 9. Matters for Which the Meeting may be Closed to the Public..... | 5 |
| 10. Receipt of Minutes of Committee Meetings..... | 5 |
| 11. Recommendations from Committee Meetings for Council Consideration..... | 5 |
| 11.1 Audit Committee meeting held on 22 March 2022..... | 5 |
| 12. Officer’s Reports - Development Services..... | 6 |
| 12.1 WAPC Subdivision Application No 162039 – Proposed Amalgamation of Lot 16 Macdonald Street and Lot 17 Macdonald Street Merredin..... | 6 |
| 13. Officer’s Reports - Engineering Services..... | 9 |
| 13.1 Wheatbelt Secondary Freight Network (WSFN) Carry Forward of Works..... | 9 |
| 14. Officers’ Reports – Corporate and Community Services..... | 13 |
| 14.1 Statement of Financial Activity (January 2022)..... | 13 |
| 14.2 List of Accounts Paid – January 2022..... | 16 |
| 15. Officers’ Reports - Administration..... | 19 |
| 15.1 Status Report – March 2022..... | 19 |
| 15.2 2022 Council Meeting Dates – Proposed Change to Closed Briefing Session..... | 22 |
| 15.3 Chief Executive Officer Quarterly Report Key Performance Indicators 2022..... | 25 |
| 16. Motions of which Previous Notice has been given..... | 28 |
| 17. Questions by Members of which Due Notice has been given..... | 28 |
| 18. Urgent Business Approved by the Person Presiding or by Decision..... | 28 |
| 19. Matters Behind Closed Doors..... | 28 |
| 19.1 Award of Contract – RFT 01 2021/22 Detailed Design Services, Apex Park & Merredin Town Square | 29 |
| 20. Closure..... | 30 |

Shire of Merredin
Ordinary Council Meeting
4:00pm Tuesday, 29 March 2022



1. Official Opening

In accordance with Section 14 of the Local Government (Administration) Regulations 1996 “Meetings held by electronic means in public health emergency or state of emergency (Act s. 5.25(1)(ba))”, the President declared that this Meeting may take place via instantaneous communication in addition to in person attendance.

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 4.05pm.

2. Record of Attendance / Apologies and Leave of Absence

Councillors:

| | |
|--------------------|--|
| Cr M McKenzie | President |
| Cr L Boehme | Deputy President – Attended via teleconference 4:00 – 4:25 |
| Cr R Billing | |
| Cr C Crook | |
| Cr R Manning | |
| Cr P Patroni | |
| Cr M Simmonds | |
| Cr P Van Der Merwe | |

Staff:

| | |
|--------------|--------------------------------------|
| L Clack | CEO – Attended via teleconference |
| A Prnich | DCEO – Attended via teleconference |
| L Mellor | A/EMCS – Attended via teleconference |
| P Zenni | EMDS |
| D Hay-Hendry | A/EMES |
| M Wyatt | EA/ES |

Members of the Public: Nil

Apologies: Cr J Flockart

Approved Leave of Absence: Nil

3. Public Question Time

Ms Jean Crook of Merredin

Q: When will the western side of Bates Street after Barr Street be tidied?

The CEO has responded to the member of the public with the following answer:

A: The Shire's works crew have advised the western side of Bates Street after Barr Street has now been tidied.

4. Disclosure of Interest

Cr Crook and Cr Manning declared an Impartiality Interest in Item 12.1.

Lisa Clack, CEO, declared a Financial Interest in Item 15.3.

5. Applications of Leave of Absence

Resolution

Moved: Cr Patroni Seconded: Cr Billing

82875 That Councillor Crook be granted Leave of Absence for the April Ordinary Council Meeting.

CARRIED 8/0

6. Petitions and Presentations

Nil

7. Confirmation of Minutes of Previous Meetings

7.1 Ordinary Council Meeting held on 22 February 2022
Attachment 7.1A

Voting Requirements

Simple Majority Absolute Majority

Resolution

Moved: Cr Crook Seconded: Cr Manning

82876 That the Minutes of the Ordinary Council Meeting held on 22 February 2022 be confirmed as a true and accurate record of proceedings.

CARRIED 8/0

8. Announcements by the Person Presiding without Discussion

Meetings and events attended by the President since the last Ordinary Meeting on 22 February 2022:

- 28 February 2022 - Attended CEACA Management Meeting
- 1 March 2022 - Attended the WEROC Inc. Board meeting
- 3 March 2022 - Attended Men's Shed Merredin and delivered a talk on my career as a Police Officer, business owner, Councillor and now President of Merredin.
- 14 March 2022 - Attended DOAC meeting
- 17 March 2022 - Attended the Bush Fire Brigade AGM

- 28 March 2022 - Spoke on MMM (Around Towns) with Terry about APEX park, Pioneer Park and CBD redevelopment as well as Road Surfacing updates.
- Weekly meetings with CEO and a number of the executive regarding Visitor centre movement, as well as APEX Park, Pioneer Park and CBD redevelopment.

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

19.1 - Award of Contract – RFT 01 2021/22 Detailed Design Services, Apex Park & Merredin Town Square.

10. Receipt of Minutes of Committee Meetings

- 10.1 Minutes of Central East Accommodation & Care Alliance INC (CEACA) Management Attachment 10.1A
- 10.2 Minutes of Eastern Wheatbelt District Health Advisory Committee Meeting Attachment 10.2A
- 10.3 Minutes of Audit Committee Meeting Attachment 10.3A

Resolution

Moved: Cr Patroni

Seconded:

Cr Crook

THAT Council;

- 82877**
1. RECEIVE the minutes of Central East Accommodation & Care Alliance INC (CEACA) Management;
 2. RECEIVE the Minutes of Eastern Wheatbelt District Health Advisory Committee Meeting; and
 3. RECEIVE the Minutes of Audit Committee Meeting

CARRIED 8/0

11. Recommendations from Committee Meetings for Council Consideration

11.1 Audit Committee meeting held on 22 March 2022

Resolution

Moved: Cr McKenzie

Seconded:

Cr Simmonds

82878 That Council ADOPTS the recommendations contained within the minutes of the Audit Committee Meeting held on 22 March 2022 as Attachment 10.3A.

CARRIED 8/0

12. Officer's Reports - Development Services

12.1 WAPC Subdivision Application No 162039 – Proposed Amalgamation of Lot 16 Macdonald Street and Lot 17 Macdonald Street Merredin.

Cr Crook and Cr Manning declared an Impartiality Interest in this item 12.1.

| <h2>Development Services</h2> | |
|--------------------------------|--|
| Responsible Officer: | Peter Zenni, EMDS |
| Author: | As above |
| Legislation: | <i>Planning and Development Act 2005</i> Residential Design Codes Shire of Merredin Policy No 8.2 – Amalgamation of Lots |
| File Reference: | A2460 |
| Disclosure of Interest: | Nil |
| Attachments: | Attachment 12.1A – Proposed creation of new lot and associated plans and details. |



Development Services

| | |
|--------------------------------|--|
| Responsible Officer: | Peter Zenni, EMDS |
| Author: | As above |
| Legislation: | <i>Planning and Development Act 2005</i> Residential Design Codes Shire of Merredin Policy No 8.2 – Amalgamation of Lots |
| File Reference: | A2460 |
| Disclosure of Interest: | Nil |
| Attachments: | Attachment 12.1A – Proposed creation of new lot and associated plans and details. |

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Western Australian Planning Commission (WAPC) has received a subdivision application for the proposed amalgamation of Lot 16 Macdonald Street and Lot 17 Macdonald Street, Merredin. The application has been referred to the Shire of Merredin for comment.

Comment

The property in question comprises of two lots - Lot 16 Macdonald Street and Lot 17 Macdonald Street, Merredin, both Lots are zoned 'Residential' under the Shire of Merredin Local Planning Scheme No. 6 and are owned by the same party.

The property in question has been developed and comprises a house which straddles the boundary between the two lots.

This seems to be an anomaly as buildings are not permitted to be built over property boundaries. A search of Shire records reveals that there are no records relating to the original building approval for the house, but that an application for a shed addition dated January 1972 shows the existing house as part of that application site plan. This suggests that the house has been located on the property for a long time.

The owner of the property has approached the Shire of Merredin in relation to obtaining building approval for an extension to the existing house. Given the location of the house with respect to the existing boundaries, this currently is not possible.

Subsequently, the owner of both the lots in question has applied to the WAPC for the amalgamation of the two lots in to one single lot.

This will enable the owner to apply to the Shire of Merredin for a Building Permit to extend the existing house.

There are no planning considerations which would require the Shire of Merredin to recommend the refusal of this application. In fact, the amalgamation of the two lots will address the historical anomaly and allow for future development of the amalgamated lot. Accordingly, it is suggested that the Shire of Merredin advises the WAPC that it supports the application.

Policy Implications

Compliance with Shire of Merredin Policy No 8.2 – Amalgamation of Lots.

Statutory Implications

Compliance with the *Planning and Development Act 2005* and the Residential Design Codes.

Strategic Implications

➤ Strategic Community Plan

| | |
|---------------------------------------|---|
| Theme: | 5. Places and Spaces |
| Service Area Objective: | 5.4. Town Planning and Building Control 5.4.2. The Shire has a 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: | N/A |

➤ Corporate Business Plan

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

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 Boehme

Seconded:

Cr Van Der Merwe


82879

That Council ADVISE the Western Australian Planning Commission (WAPC) that it unconditionally supports the WAPC Subdivision Application No: 162039, incorporating the amalgamation of Lot 16 Macdonald Street and Lot 17 Macdonald Street, Merredin.

CARRIED 8/0

13. Officer's Reports - Engineering Services

13.1 Wheatbelt Secondary Freight Network (WSFN) Carry Forward of Works

| <h2>Engineering Services</h2> | |  |
|--------------------------------|---|---|
| Responsible Officer: | Lindon Mellor, EMCS (A/EMES) | |
| 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: | Nil | |

Purpose of Report

Executive Decision

Legislative Requirement

Background

The Wheatbelt Secondary Freight Network (WSFN) comprises of 4,400km of Local Government roads that moves agricultural freight across and through several local governments, connecting with the State Road Network where possible. The project includes construction of overtaking lanes, road and bridge upgrades, shoulder sealing and road train assemble parking bays. The purpose of the project is to ensure a safe and fit for purpose secondary freight road network is maintained into the future by ensuring strategic local roads used for freight movement, all had the same Heavy Vehicle RAV rating to improve efficiency and safety.

Federal funding for the project was announced ahead of the May 2019 Federal Election, with a combined total of \$87.5M for WSFN, then in October 2020 on the back of the COVID19 stimulus a further \$100M was announced. Both funding streams are 80% Federal, 20% State (2/3 State & 1/3 Local Government). In 2019, all 42 Wheatbelt Local Governments formally agreed to be a part of the WSFN Program and accept the Program Delivery Plan, including the Shire of Merredin.

Under the WSFN programme, the Shire of Merredin has funding until 2025, towards upgrades to Merredin-Naremben Road. This funding totals just over \$5.3m over the funding period.

| | |
|--|----------------|
| | Comment |
|--|----------------|

In the current 2021/22 financial year budget at total of \$947,700 (ex GST) has been allocated towards Merredin-Naremben Road (RC239), with a contribution of \$884,520.32 (ex GST) from WSFN funding. A breakdown of the works and the associated funding is outlined below:

| Start SLK | End SLK | Phase | Approved Budget | WSFN Funding | Shire Contribution |
|-----------|---------|--------------|-----------------|--------------|--------------------|
| 0 | 2.08 | Construction | \$525,800 | \$490,746.67 | \$35,053.33 |
| 2.08 | 3.58 | Construction | \$400,400 | \$373,706.67 | \$26,693.33 |
| 5.06 | 11.7 | Development | \$6,500 | \$6,067 | \$433 |
| 15.35 | 18.41 | Development | \$15,000 | \$14,000 | \$1000 |

In the 2020-21 financial year, a budget was allocated towards the design and scope development of works for 2021-22, but unfortunately these development works were not completed. As a result, when scoping these works to develop tender documentation, a number of challenges were identified:

1. Existing culvert bridge

There is an existing culvert bridge located at Straight Line Kilometre (SLK) 0.55. Due to the current width of the culvert bridge, that section of road does not meet the WSFN requirements and consequently would not be eligible for funding under the WSFN project without further widening. Furthermore, a condition assessment, found that the culvert bridge was in poor condition, with evidence of concrete cancer and movement. This means a full replacement of the culvert is required, to ensure the longevity of the bridge into the future.

Further funding was sought from WSFN in December 2021 to total of \$170,218 (ex GST) to complete the replacement of the culvert bridge, however this request was not supported by the WSFN steering committee. Without further funding, these works would not fit within the current budgeted works. The Administration intends to resubmit this application, with amendments to try obtain further funding.

2. Tree clearing

There are several existing trees at the Northern end of Merredin-Naremben that will require removal to enable proper compaction of the shoulders and prevent any future root damage to the new surface. This will allow for the widening of the road to be completed as part of the upgrade. Although it is only a small section of trees, in accordance with the Environmental Protection Act 1986 (the Act), a clearing permit will be required to undertake these works. The submission of an application for a clearing permit is underway, but as the Department of Water and Environmental Regulation's (DWER) target timeframe for a decision is 60 working days it is believed this will likely delay the completion of works in the short term.

3. Timing

A scope of works is in the process of being formed, however there are concerns with starting the project this late in the financial year, that the required contractor acceleration to meet deadlines would increase the project cost. Additionally, with the current market conditions, other shires in the region are already seeing price increases of between 20% to 60% in the delivery of their WSN projects. The combination of market increases and the requirements for contractor acceleration would likely result in costs that greatly exceed the project budget.

Leading into winter it is also likely that rain over the coming months will impact construction works and reduce the quality of the finished road. The weather may result in similar issues experienced following the Merredin-Narembeen Road works last year.

Due to the issues identified, it is recommended that Council delay these works until the 2022-23 financial year and request that the WSN Steering Committee carry forward the remaining funding. The Administration will still commence the associated planning and preparation works this financial year, to ensure the relevant funding is able to be expended in the 2022-23 financial year.

By doing so it will allow for better delivery and an improved final product. Equally with current market pressures it will allow to the Administration to combine both this financial year and next year's works into one package, creating cost efficiencies, through the economy of scale, and reduced mobilisation costs.

Policy Implications

Council Policy 3.8 – Implementing the budget.

Statutory Implications

Nil

Strategic Implications

➤ Strategic Community Plan

Zone: Zone 6 – Transport and networks
Zone Statement: Merredin provides transport networks that connect it locally, nationally and internationally.
Key Priority: 6.1 Developing and maintaining a road hierarchy and providing an appropriate level of service for the road network.

➤ Corporate Business Plan

Key Action: 6.1.2 Advocate for improved road infrastructure networks across the region.
Directorate: Engineering Services

Sustainability Implications

➤ Strategic Resource Plan

Nil

➤ Workforce Plan

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

Risk Implications

If Council do not agree to apply for a carry forward of WSNF grant funding, then this funding may be lost if delivery is not completed.

Financial Implications

Council has set aside funds in the 2021-22 annual budget towards this project that will need to be carried forward into the 2022-23 financial year.

Should the request to the Wheatbelt Secondary Freight Network to carry forward the funds be approved, the relevant adjustments to the budget will be made during the mid-year budget review.

Voting Requirements



Simple Majority



Absolute Majority

Resolution

Moved: Cr Crook

Seconded:

Cr Van Der Merwe

That Council;

1. **APPROVE** the delay of major capital works upgrades to Merredin-Narembeen road in the 2021-22 financial year to the 2022-23 financial year.
2. **AUTHORISE** the Administration to request Wheatbelt Secondary Freight Network Steering Committee carry forward the 2021-22 allocated funding of \$884,520.32 (ex GST) towards Merredin-Narembeen road upgrade from the Wheatbelt Secondary Freight Network to the 2022-23 financial year.

82880

CARRIED 8/0

Cr Boehme left the meeting at 4.25pm.

14. Officers' Reports – Corporate and Community Services

14.1 Statement of Financial Activity (January 2022)

| | |
|---|--|
| <h2>Corporate Services</h2>  | |
| Responsible Officer: | Lisa Clack, CEO |
| Author: | As above |
| Legislation: | <i>Local Government Act 1995, Local Government (Financial Management) Regulations 1996</i> |
| File Reference: | Nil |
| Disclosure of Interest: | Nil |
| Attachments: | Attachment 14.1A – Statement of Financial Activity Attachment 14.1B – Detailed Statements Attachment 14.1C – Capital Works Progress Attachment 14.1D – Management Report (Confidential) |

Purpose of Report

Executive Decision

Legislative Requirement

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 Patroni

Seconded:

Cr Billing

82881

That Council in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, RECEIVE the Statement of Financial Activity for the period ending 31 January 2022.

CARRIED 7/0

14.2 List of Accounts Paid – January 2022

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

Purpose of Report

Executive Decision

Legislative Requirement

Background

The attached list of Accounts Paid during the Month of January 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 Nil
for Change:

➤ 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 to Council.

Financial Implications

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

Voting Requirements



Simple Majority



Absolute Majority

Resolution

Moved: Cr Manning

Seconded:

Cr Crook


82882

That Council RECEIVE the schedule of accounts paid during January 2022 as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$574,221.59 from Council's Municipal Fund Bank Account and NIL from Council's Trust Account.

CARRIED 7/0

15. Officers' Reports - Administration

15.1 Status Report – March 2022

| | | |
|-------------------------|---|--|
| <h1>Administration</h1> | |  SHIRE OF MERREDIN INNOVATING THE WHEATBELT |
| Responsible Officer: | Lisa Clack, CEO | |
| Author: | Meg Wyatt, EA | |
| Legislation: | <i>Local Government Act 1995</i> | |
| File Reference: | Nil | |
| Disclosure of Interest: | Nil | |
| Attachments: | Attachment 15.1A – Status Report – March 2022 | |

Purpose of Report



Executive Decision



Legislative Requirement

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 more recent Council resolutions.

Comment

In the interest of increased transparency and communication with the community, 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 Simmonds

Seconded:

Cr Billing

82883

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

CARRIED 7/0

15.2 2022 Council Meeting Dates – Proposed Change to Closed Briefing Session

| | |
|---|---|
| <h1>Administration</h1>  | |
| Responsible Officer: | Lisa Clack, CEO |
| 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: | Nil |

Purpose of Report



Executive Decision



Legislative Requirement

Background

In October 2021 Council determined that in 2022, the following changes would be made to Council meeting and briefing dates.

That Council;

- 1. Meets on the 4th Tuesday of the Month with the exception of December, on the following dates in 2022: 25 January, 22 February, 22 March, 26 April, 24 May, 28 June, 26 July, 23 August, 27 September, 25 October, 22 November; and 13 December;*
- 2. With meetings commencing at 4:00 pm; and*
- 3. Trial for a period of three months closed agenda briefing sessions on the 1st Tuesday of the month at 5.30pm, and prior to the Monthly Ordinary Meetings commencing at 2.00 pm.*

The Local Government Act 1995 requires a local government, at least once a year, to give local public notice of the dates, times and places at which Ordinary Meetings of Council are held within the next 12 months.

All Committee and Council meetings are held in the Council Chambers at the Shire of Merredin Administration Building at Corner King & Barrack Streets, Merredin.

In accordance with Regulation 12 of the Local Government (Administration) Regulation's 1996, an advertisement was placed in the local community paper in October 2021. In addition, this advertisement was placed on the Shire's website and on the Shire's notice boards.

Comment

In previous years the Ordinary Council Meetings (OCM) have been held on the third Tuesday of every month commencing at 4.00pm. Council also held two agenda briefing sessions, on the first Tuesday of the month at 5.30pm, and prior to the Council meeting on the third Tuesday of the month at 2pm. Both briefing sessions are closed to the public.

From January to March 2022, Council has trialled keeping a closed agenda briefing session on the first Tuesday of the month, while the date of the OCM has been pushed back a week to the fourth Tuesday.

This three-week gap between briefing and the OCM has created some difficulties for the Administration in providing timely and regular updates to Council. It is recommended to address this issue, the closed briefing session currently held on the first Tuesday of the month, is moved to the second Tuesday of the month for the remainder of the calendar year.

Council may wish to revise the day on which the briefings are held, and although the Officer's Recommendation assumes that Council will be supportive of the change as listed, Council can make a further amendment if required.

Policy Implications

Nil

Statutory Implications

Section 5.25 (1) (g) of the Local Government Act 1995 provides for giving of public notices of the date and agenda for Council or Committee meetings.

Regulation 12(1) of the Local Government (Administration) Regulation's 1996 provides: -

"(1) At least once each year a local government is to give local public notice of the dates on which a time and place at which-

(a) the ordinary council meetings; and

(b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to the members of the public, are to be held in the next 12 months."

While the Closed Briefing Sessions are not required to be advertised under the regulation, it is usual practice to publish this information in the interests of transparency.

Should Council wish to make a further change to the dates of the OCM in an alternate recommendation as part of this report, this provision would apply.

Strategic Implications

➤ Strategic Community Plan

Theme: 4. Communication and Leadership

Service Area Objective: Merredin Council engages with its Community and leads by example.

Priorities and Strategies for Change: 4.2 Council engaging broadly and proactively with the community

➤ Corporate Business Plan

Key Action: 4.2.1 Support Councillor engagement at functions and events

Directorate: All directorates

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

The risk is relatively low as a change to a closed briefing session is not required to be advertised.

Financial Implications

Nil. The change to dates will be amended within existing communications resources.

Voting Requirements



Simple Majority



Absolute Majority

Resolution

Moved: Cr Patroni

Seconded:

Cr Simmonds

82884

That Council HOLD two closed agenda briefing sessions per month, one on the second Tuesday of the month at 5.30pm, and the second prior to Monthly Ordinary Council Meetings commencing at 2.00 pm.

CARRIED 7/0

15.3 Chief Executive Officer Quarterly Report Key Performance Indicators 2022

Lisa Clack, CEO, declared a Financial Interest in this Item 15.3 and left the meeting at 4:34pm.

| | |
|---|---|
| <h2 style="color: #0056b3;">Administration</h2>  | |
| Responsible Officer: | Lisa Clack, CEO |
| Author: | As above |
| Legislation: | <i>Local Government Act 1995</i> |
| File Reference: | Nil |
| Disclosure of Interest: | Lisa Clack, CEO – Financial Interest |
| Attachments: | Confidential Attachment 15.3A – Quarterly update, CEO KPI's |

Purpose of Report



Executive Decision



Legislative Requirement

Background

The purpose of this report is for Council to receive an update the Key Performance Indicators (KPI's) for the Chief Executive Officer.

In accordance with the Local Government Act 1995 section 5.38 and the Chief Executive Officer's contract of employment, at the January Ordinary Council Meeting, Council resolved:

That Council ADOPT the Key Performance Indicators set for the Chief Executive Officer as outlined in Confidential Attachment 15.3A to this report.

Comment

A number of the key performance indicators agreed for the CEO, and adopted by Council required an update to be provided in March, and again in June on the progress against the agreed performance indicators.

The March update is provided as Confidential Attachment 15.3A – Quarterly update, CEO KPI's attached to this report.

Policy Implications

Policy 2.31 - Mandatory Standards for CEO Recruitment, Performance and Termination

Statutory Implications

Local Government Act 1995, Part 5, Division 4, s 5.38 and Division 2, s5.23 (2)

Strategic Implications

➤ Strategic Community Plan

Theme: 4. Communication and Leadership
The Merredin community is highly engaged in planning and action for its future, with a well governed, forward-looking, and proactive local government.

Service Area Objective: 4.2. Decision Making
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

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 Van Der Merwe **Seconded:** Cr Simmonds

82885 That Council RECEIVES the Quarterly Update on Key Performance Indicators set for the Chief Executive Officer, as outlined in Confidential Attachment 15.3A to this report.

CARRIED 7/0

Lisa Clack, CEO, returned to the meeting at 4.35pm

16. Motions of which Previous Notice has been given

Nil

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

Nil

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

Nil

19. Matters Behind Closed Doors

In accordance with Section 5.23 (2) (b), (c) and (d) 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 Crook


82886 **That Council move Behind Closed Doors and that Standing Orders be suspended at 4:36pm.**

CARRIED 7/0

Reason

Matters relating to potential contracts which may be entered into were to be discussed.

19.1 Award of Contract – RFT 01 2021/22 Detailed Design Services, Apex Park & Merredin Town Square

| | | |
|--------------------------------|---|---|
| <h2>Engineering Services</h2> | |  SHIRE OF MERREDIN INNOVATING THE WHEATBELT |
| Responsible Officer: | Daniel Hay-Hendry, A/EMES | |
| Author: | As above | |
| Legislation: | <i>Local Government Act 1995</i> | |
| File Reference: | Nil | |
| Disclosure of Interest: | Nil | |
| Attachments: | Attachment 19.1A – RFT 01 2021/22 Confidential Recommendation Report (Detailed Design Services, Apex Park & Merredin Town Square) | |

Voting Requirements

Simple Majority

Absolute Majority

Resolution

Moved: Cr Crook

Seconded: Cr Patroni

That Council;

- 1. RECEIVES** the report of the Tender Panel for RFT 01 2021/22 Detailed Design Services, Apex Park & Merredin Town Square at Attachment 19.1A;
- 2. APPROVES** the recommendations as contained within the Section 8, Recommendations, of Attachment 19.1A – RFT 01 2021/22 Confidential Recommendation Report; and
- 3. AUTHORISES** the Shire President and Chief Executive Officer to apply the Shire of Merredin common seal to the Contract between the Shire of Merredin and Place Laboratory for RFT 01 2021/22 Detailed Design Services, Apex Park & Merredin Town Square as outlined in Attachment 19.1A – RFT 01 2021/22 Confidential Recommendation Report.

82887

CARRIED 7/0

Council Resolution

Moved: Cr McKenzie **Seconded:** Cr Patroni

82888 **That Council return from Behind Closed Doors at 4:40pm 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 4:42pm.

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