

SHIRE OF
MERREDIN
INNOVATING THE WHEATBELT

AGENDA

Ordinary Council Meeting

To be held in Council Chambers Corner
King & Barrack Streets, Merredin
Tuesday, 23 May 2023
Commencing 4.00pm



Notice of Meeting



Dear President and Councillors,

The next Ordinary Meeting of the Council of the Shire of Merredin will be held on Tuesday, 23 May 2023 in the Council Chambers, corner of King and Barrack Streets, Merredin. The format of the day will be:

2:00pm Briefing Session

4:00pm Council Meeting

LEAH BOEHME
ACTING CHIEF EXECUTIVE OFFICER
18 May 2023

DISCLAIMER

PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING:

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

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

Common Acronyms Used in this Document	
CBP	Corporate Business Plan
CEACA	Central East Accommodation & Care Alliance Inc
CEO	Chief Executive Officer
CSP	Community Strategic Plan
CWVC	Central Wheatbelt Visitors Centre
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



May Ordinary Council Meeting

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Shire of Merredin
Ordinary Council Meeting
4:00pm Tuesday, 23 May 2023



1. Official Opening

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
L Boehme	EMCS
L Mellor	EMES
P Zenni	EMDS
M Wyatt	EO
O Mellor	GO

Members of the Public:

Apologies:

Approved Leave of Absence: Cr J Flockart

3. Public Question Time

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

4. Disclosure of Interest

5. Applications for Leave of Absence

6. Petitions and Presentations

7. Confirmation of Minutes of Previous Meetings

- 7.1 Ordinary Council Meeting held on 18 April 2023
Attachment 7.1A

Voting Requirements

- Simple Majority Absolute Majority

Officer's Recommendation

That the minutes of the Ordinary Council Meeting held on 18 April 2023 be confirmed as a true and accurate record of proceedings.

8. Announcements by the Person Presiding without Discussion

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

Nil

10. Receipt of Minutes of Meetings

- 10.1 Minutes of the Bush Fire Advisory Committee Annual General Meeting held 23 March 2023.
Attachment 10.1A
- 10.2 Minutes of the Great Eastern Country Zone Meeting held 17 April 2023.
Attachment 10.2A
- 10.3 Minutes of the Wheatbelt East Regional Organisation of Councils Inc. Board Meeting held on 26 April 2023.
Attachment 10.3A
- 10.4 Minutes of the Local Emergency Management Committee Meeting held 4 May 2023.
Attachment 10.4A

Voting Requirements

- Simple Majority Absolute Majority

Officer's Recommendation

That Council;

- 1. RECEIVE the minutes of the Bush Fire Advisory Committee Annual General Meeting held 23 March 2023;**
- 2. RECEIVE the minutes of the Great Eastern Country Zone Meeting held 17 April 2023;**
- 3. RECEIVE the minutes of the Wheatbelt East Regional Organisation of Councils Inc. Board Meeting held on 26 April 2023; and**
- 4. RECEIVE the minutes of the Local Emergency Management Committee Meeting held 4 May 2023.**

11. Recommendations from Committee Meetings for Council Consideration

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That Council;

1. RESCIND all prior appointments from the 2022/23 fire season; and
2. APPOINT the following officers for the 2023/24 fire season:

Chief Bush Fire Control Officer

Mr Michael Caughey be appointed to the position of Chief Bush Fire Control Officer

Deputy Chief Bush Fire Control Officer

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

Fire Control Officers

Chris Barnett	Burracoppin
Nigel Edgecombe / Matt Barnett (subject to completion of training)	Burracoppin South
Stephen Crook / Glenn Crees / Kael Crees / David Last	Collgar
Cam Gethin / Colin Miller / Luke Growden	Hines Hill
Chris Hooper / John Flockart / Sam Hooper	Korbelka
Darren Major / Paul Wanless	Muntadgin
Michael Caughey / Neil Smith / Philip Gray / Marshall Crook / Daniel Giles	Nukarni/Nokanning
Sheree Lowe	Shire of Merredin

Fire Weather Officers

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

Dual Fire Control Officers

Bruce Rock	Chris Hooper / John Flockart / Paul Wanless
Kellerberrin	Cam Gethin / Colin Miller
Nungarin	Michael Caughey / Neil Smith
Narembeen	Darren Major / Paul Wanless
Westonia	Chris Barnett

12. Officer's Reports – Development Services


Nil

13. Officer's Reports – Engineering Services

Nil

14. Officer's Reports – Corporate Services

14.1 Statement of Financial Activity – April 2023

<h2>Corporate Services</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Leah Boehme, EMCS	
Author:	As above	
Legislation:	<i>Local Government Act 1995, Local Government (Financial Management) Regulations 1996</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 14.1A – Statement of Financial Activity Attachment 14.1B – Detailed Statements Attachment 14.1C – Capital Works Progress Attachment 14.1D – Investment Report	

Purpose of Report



Executive Decision



Legislative Requirement

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

Background

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

Comment

Statement of Financial Activity

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

Policy Implications

Nil

Statutory Implications

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

Strategic Implications

Ø Strategic Community Plan

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

Ø Corporate Business Plan

Key Action:	Nil
Directorate:	Nil
Timeline:	Nil

Sustainability Implications

Ø Strategic Resource Plan

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

Risk Implications

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

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

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

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

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

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

Financial Implications

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

Voting Requirements

Simple Majority

Absolute Majority

Officers Recommendation

That Council RECEIVE the Statements of Financial Activity and Investment Report for the period ending 30 April 2023, in accordance with Regulation 34 of the Local Government (Financial Management) Regulations 1996.

14.2 List of Accounts Paid – April 2023

<h2 style="margin: 0;">Corporate Services</h2> 	
Responsible Officer:	Leah Boehme, EMCS
Author:	As above
Legislation:	<i>Local Government Act 1995</i> <i>Local Government (Financial Management) Regulations 1996</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 14.2A – Payments Listing April 2023

Purpose of Report

- Executive Decision
 Legislative Requirement

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

Background

The attached list of accounts paid under Delegated Authority during the month of April 2023, 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: 4. Communication and Leadership

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

Priorities and Strategies for Change: Nil

∅ Corporate Business Plan

Key Action: Nil

Directorate: Nil

Timeline: 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.

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 provisions of the Annual Budget.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That Council RECEIVE the schedule of accounts paid during April 2023 as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totaling \$1,203,961.67 from Council's Municipal Fund Bank Account and \$0 from Council's Trust Account.

14.3 Councillor Annual Allowances and Meeting Attendance Fees 2023/24

<h2 style="margin: 0;">Corporate Services</h2> 	
Responsible Officer:	Lisa Clack, CEO
Author:	Leah Boehme, EMCS
Legislation:	<i>Local Government Act 1995</i> <i>Local Government (Financial Management) Regulations 1996</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 14.3A – Salaries and Allowances Determination 2023

Purpose of Report

- Executive Decision
 Legislative Requirement

For Council to determine the amount to be provided for in the drafting of the Shire of Merredin (the Shire) 2023/24 Annual Budget, for Elected Members annual allowances and meeting attendance fees.

Background

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

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

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

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

Current 2022/23 Fees paid to its Elected Members are as follows:

Annual Meeting Fees	
Shire President	\$ 8,879
Deputy President	\$ 8,879
Elected Members	\$ 8,879

Annual Allowance	
Shire President	\$ 14,794
Deputy President	\$ 3,698

	Comment
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The permissible range for attendance fees and allowances are stipulated by the *Salaries and Allowance Act 1975* (S&A Act) and from 1 July 2023 have been determined as follows:

Table 4: Council meeting fees per meeting - local governments

For a Council Member other than the Mayor or President			For a Council Member who holds the office of Mayor or President	
Band	Minimum	Maximum	Minimum	Maximum
1	\$640	\$825	\$640	\$1,240
2	\$390	\$610	\$400	\$815
3	\$205	\$430	\$205	\$660
4	\$95	\$250	\$95	\$510

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

For a Council Member (including the Mayor or President)		
Band	Minimum	Maximum
1	\$325	\$415
2	\$195	\$305
3	\$100	\$215
4	\$50	\$125

Table 8: Annual attendance fees in lieu of Council meeting, committee meeting and prescribed meeting attendance fees - local governments

For a Council Member other than the Mayor or President			For a Council Member who holds the office of Mayor or President	
Band	Minimum	Maximum	Minimum	Maximum
1	\$25,600	\$32,960	\$25,600	\$49,435
2	\$15,470	\$24,170	\$15,470	\$32,410
3	\$8,000	\$17,030	\$8,000	\$26,370
4	\$3,735	\$9,890	\$3,735	\$20,325

Table 10: Annual allowance for a Mayor or President of a local government

For a Mayor or President		
Band	Minimum	Maximum
1	\$53,330	\$93,380
2	\$16,000	\$65,915
3	\$1,070	\$38,450
4	\$535	\$20,875

7.3 Annual Allowance for a Deputy Mayor, Deputy President or Deputy Chair

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

The SAT annual determination for 2023/24 is a 1.5% increase on the minimum and maximum in each band, rounded to the nearest \$5.

Suggested options that Council could consider towards setting 2023/24 annual allowance and meeting fees payable are below:

Option 1 – No change – maintain Councillor Remuneration at the current 2022/23 amounts.

Option 2 – Apply a percentage increase, within the SAT prescribed amounts (% set by Council).

Option 3 – Apply a set amount increase, within the SAT prescribed amounts (amount set by Council).

Previously, Council has opted for a percentage increase which reflects the percentage change set by SAT for the overall minimum and maximum within the band. Should Council wish to apply this again for the 2023/24 budget year, this would be an increase of 1.5% to Councillor remuneration based on the SAT determination.

This would result in an increase to Councillors of \$136 each over the course of the year, with the President receiving a further \$221 increase and the Deputy President receiving a \$57 increase.

Below outlines the resulting payments, to be paid in arrears to Councillors quarterly.

Annual Meeting Fees		Annual Allowance	
For a Council Member other than the Mayor or President	For a Council Member who holds the office of Mayor or President	Annual Allowance Shire President	Annual Allowance Deputy President
\$9,015	\$9,015	\$15,015	\$3,755

The development of the recommendation for this report reflects the assumption Council will increase allowances in line with the SAT determinations, which is also in line with previous decision making, rather than reflecting an Administration recommendation.

However, should Council wish to apply either a different percentage increase, or set amount to fees, this can be reflected in an alternate motion.

Policy Implications

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

Statutory Implications

Local Government Act 1995

Section 5.98 entitles Council Members to be paid fees and reimbursed expenses up to the amount determined by the SAT under the S&A Act, section 7B.

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

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

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

Local Government (Administration) Regulations 1996

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

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

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

Salaries and Allowances Tribunal – Local Government Elected Members Review 9 April 2023.

Strategic Implications

∅ Strategic Community Plan

Theme: 4. Communication and Leadership

Service Area Objective: 4.2. Decision Making
4.2.2 The Shire is progressive while exercising responsible stewardship of its built, natural and financial resources

Priorities and Strategies for Change: Nil

∅ Corporate Business Plan

Key Action: Nil

Directorate: Nil

Timeline: Nil

Sustainability Implications

∅ Strategic Resource Plan

Nil

Risk Implications

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

Financial Implications

Based on the proposed increases, this will result in a total expenditure in the 2023/24 financial year for annual allowances and meeting attendance fees for Councillors of \$90,890.00

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That Council ENDORSE the following annual allowances and meeting attendance fees for inclusion in the Shire of Merredin Annual Budget 2023/24, to be paid quarterly in arrears:

Annual Meeting Fees		Annual Allowance	
For a Council Member other than the Mayor or President	For a Council Member who holds the office of Mayor or President	Annual Allowance Shire President	Annual Allowance Deputy President
\$9,015	\$9,015	\$15,015	\$3,755

14.4 Delegations Register Review - 2022/23

<h3>Corporate Services</h3>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Lisa Clack, CEO	
Author:	Leah Boehme, EMCS	
Legislation:	<i>Local Government Act 1995</i>	
File Reference:	P/2/1	
Disclosure of Interest:	Nil	
Attachments:	Attachment 14.4A – Shire of Merredin Register of Delegated Authority – track changes Attachment 14.4B – Shire of Merredin Register of Delegated Authority	

Purpose of Report



Executive Decision



Legislative Requirement

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

Background

Section 5.46 of the *Local Government Act 1995* (the Act) requires local governments to keep a register of their delegations and review this register at least once every financial year. Council performed an annual review of delegations at its Ordinary Council Meeting held in June 2021 (CMRef 82747). This was further reviewed in January 2022, where Delegation 4.12 – Payments from the Municipal or Trust Funds was reviewed and amended as the only delegation requiring change at that time (CMRef 82855).

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

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

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

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

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

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

	Comment
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The 2022/23 annual review of the Shire of Merredin Register of Delegated Authority was undertaken to determine the following:

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

The proposed amendments reflect the following:

- Amending existing delegations to improve workflow processes and service delivery;
- Minor wording and formatting changes;
- Removal of the word ‘of’ from Executive Manager titles; and
- Renaming the Deputy Chief Executive Officer position to Executive Manager Strategy & Community, as per Item 19.3 of the Ordinary Council Meeting held on 28 March 2023 (CMRef 83130), and amending delegations as required to match the change.

More significant changes are detailed below:

Delegation	Change
DL1.8 Appointment of Acting Chief Executive Officer	Removal of Deputy Chief Executive Officer (DCEO) from policy and addition of Executive Manager Strategy and Community (EMS&C), this had a number of connotations to the existing delegation. The delegation now allows for the appointment of any of the four Executive Managers as Acting Chief Executive Officer (A/CEO). An additional line was also added to allow any of the four Executive Managers to call a Special Council Meeting to determine the A/CEO in case of an emergency.
DL3.1 Temporary Closure of Thoroughfares	Addition of Manager of Projects as a subdelegate.
DL3.2 Public Thoroughfares – Fixing or Altering Levels or	Addition of Manager of Projects as a subdelegate.

Alignments or Drainage onto Adjoining Land – Public Access	
DL3.3 License to Deposit Materials on or Excavate Adjacent to a Street	Addition of Executive Manager Engineering Services (EMES) as a subdelegate.
DL3.4 Events on Roads	Addition of Manager of Projects as a subdelegate.
DL4.1 Tenders	Full review as per the WALGA Delegations Register template. Addition of Executive Managers and MP as subdelegates, as well as CEO conditions on the sub-delegation.
DL4.2 Property Acquisition and Disposal	Change to the value of property (other than land) that can be acquired or disposed of by the CEO from \$50,000 to \$100,000.
DL4.3 Investments	Change to signatories to match change of DCEO role title.
DL4.5 Light Vehicles	Addition of Manager of Projects as a subdelegate.
DL4.7 Cash Funding, In-kind Contributions and Fee Waivers (formerly Donations to Community Groups)	Major changes to align to new Community Grants structure, including a change to the delegation’s title.
4.11 Agreement as to payment of Rates and Service Charges	Addition of CEO, under exceptional circumstances, being able to halt interest on an assessment for a period of up to 12 months.
4.12 Payments from the Municipal or Trust Funds	Changes in line with DCEO role change and removal of authority limits due to this not belonging in the delegation. A new Staff Purchasing Policy has been created to encompass these authority limits.
4.13 Write-Off/ Waive Small Fees and Charges	Amended to match new Community Grant Policy and addition of EMES as subdelegate, with authority of \$1,000 for landfill site only.
5.1 Offences – Bush Fires Act 1954	Separation of the issue and withdrawal of infringements within duty delegated section.
5.4 Dog Act 1976	Removal of condition 1, allowing the Executive Manager Development Services (EMDS) to withdraw notices and/ or infringements.
5.5 Cat Act 2011	Removal of condition 1, allowing the EMDS to withdraw notices and/ or infringements.
5.7 Food Act 2008	Addition of condition 3, allowing the EMDS to withdraw infringement notices.

It should be noted that a further review of the register will occur early in the new financial year, as part of our broader review of delegations and governance. This may result in the removal or addition of delegations, and see further changes occur.

In addition to the proposed amendments detailed in Attachment 14.4A, the amendment table at the end of the document does not currently reflect the proposed changes. This table will auto generate once the amendments have been entered into Attain, the Shire’s compliance software.

Policy Implications

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

Statutory Implications

Section 5.42 of the *Local Government Act 1995* states that a number of the local government’s powers and duties can be delegated to the CEO. Section 5.43 of the Act details the limitations on those delegations. Section 5.44 of the Act outlines the circumstance under which the CEO may delegate powers and duties to other employees.

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

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

An absolute majority of Council is required to adopt the Delegations Register.

The separate legislation referenced in the individual delegations is also applicable.

Strategic Implications

∅ Strategic Community Plan

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

∅ Corporate Business Plan

Key Action: Nil
Directorate: Nil
Timeline: Nil

Sustainability Implications

∅ Strategic Resource Plan

Nil

Risk Implications

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

Financial Implications

Nil

Voting Requirements

Simple Majority


Absolute Majority

Officer's Recommendation

That Council:

- 1. NOTES the review of the Shire of Merredin Register of Delegated Authority for the 2022/23 financial year, which meets the requirement of Section 5.46 (2) of the Local Government Act 1995; and**
- 2. ENDORSES the updated Shire of Merredin Register of Delegated Authority, as per Attachment 14.4B.**

14.5 Policy Review – 3.12 Purchasing Policy

<h3>Corporate Services</h3> 	
Responsible Officer:	Leah Boehme, EMCS
Author:	As above
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 14.5A – Policy 3.12 Purchasing Policy (track changes) Attachment 14.5B – Policy 3.12 Purchasing Policy (final)

Purpose of Report



Executive Decision



Legislative Requirement

For Council to consider a revised Policy – 3.12 Purchasing Policy, which outlines the purchasing practices that must be adhered to by all staff of the Shire of Merredin (the Shire) when completing any purchasing activities.

Background

Policy 3.12 ensures that appropriate practices occur in regard to purchasing, across the organisation.

As part of the 2021/22 Audit, it was noted that *'as per the Shire's purchasing policy, which was last reviewed in September 2020, the invitation for a public tender is for amounts \$200,000 or above. This is not in line with Regulation 3.57 of the Local Government (Functions and General) Regulations 1996, which sets the tender invitation amounts at \$250,000 or above.'*

There is an opportunity for the Shire to review its procurement policy to avail itself of the increased limits available under the regulations. This could lead to more efficient procurement practises and cost-effective operations. This was reported to the Audit Committee as part of the exit meeting held on 19 December 2022 and it was agreed that a review would be undertaken. This report and attachment forms that review.

A review of the policy also found that a number of updates have been made to the WALGA purchasing policy template, which was used to develop the Shire's policy initially. These updates have been made to the proposed policy, as presented in Attachment 14.5B.

It was also found that current requirements of the existing policy for quotes to be obtained for items of low value (\$2,001 ex GST and above) can be quite restrictive, which can lead to

breaches of the purchasing policy occurring. On a number of occasions, staff have not been able to meet the minimum quote requirement due to a lack of local suppliers/ other suppliers or a reluctance of businesses to provide written quotes for items or services of a low value.

Discussions with the Shire’s auditors have confirmed that \$6,000 ex GST would be an appropriate limit to set for Shire of Merredin staff to make purchases without requiring a quote. The Shire’s purchasing practices, whereby staff are required to raise a Purchase Order prior to making a purchase, will still apply.

	Comment
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The Policy has been reviewed with a number of key changes. The main points of note include:

- A change for the lowest purchasing threshold bracket from ‘Up to \$2,000 (ex GST)’ to ‘Up to \$6,000 (ex GST)’ and a line added to clarify these purchases can be made utilising a Shire Purchase Order or Corporate Credit Card.
- The second purchasing threshold bracket (\$2,001 - \$5,000 ex GST) has been removed.
- The third purchasing threshold bracket has been changed from ‘from \$5,001 and up to \$20,000 (ex GST)’ to ‘from \$6,001 and up to \$20,000 (ex GST)’ and quotes being able to be either verbal or written.
- The purchasing bracket from \$50,001 and up to \$200,000 ex GST has been changed to ‘from \$50,001 and up to \$250,000 (ex GST),’ as per the Auditor’s recommendation.
- A new category has been added to allow purchasing of WALGA services to require only one written quotation.
- The anti-avoidance section has been updated, due to an error in the previous policy needing to be corrected.
- The figures relating to Aboriginal Businesses and Australian Disability Enterprises have been updated from \$200,000 to \$250,000 ex GST to match the changes in the thresholds.
- Formatting to meet the new Shire policy template has also occurred.

The intent of the above changes is to make the policy more current and easier to implement across the Organisation, as well as meeting the requirements of the *Local Government (Functions and General) Regulations 1996*.

	Policy Implications
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Changes to Policy 3.12, as documented in Attachment 14.5A and B.

	Statutory Implications
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As outlined in the *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996*.

	Strategic Implications
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∅ Strategic Community Plan

Theme: 4. Communication and Leadership

Service Area Objective: 4.2. Decision Making

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

Priorities and Strategies
for Change:

Nil

∅ Corporate Business Plan

Key Action: Nil

Directorate: Nil

Timeline: Nil

Sustainability Implications

∅ Strategic Resource Plan

Nil

Risk Implications

The current Policy does not meet the requirements of the *Local Government (Functions and General) Regulations 1996* in regard to invitations for public tender, and the current requirements for quotes for items of low value can be quite restrictive, which can lead to breaches of the Purchasing Policy occurring. Having a higher limit set for quotes to not be required could pose a greater risk to the Organisation, however, in the current economic climate and with the limit being set at \$6,000, the risk to the Organisation is considered to be low.

Financial Implications

Nil

Voting Requirements

Simple Majority


Absolute Majority

Officer's Recommendation

That Council ADOPT the revised Policy 3.12 – Purchasing Policy, as presented in Attachment 14.5B.

15. Officer’s Reports – Community Services

15.1 Policy Review – Fire Control

<h1>Community Services</h1> 	
Responsible Officer:	Lisa Clack, CEO
Author:	Sheree Lowe, ESO
Legislation:	<i>Local Government Act 1995</i> <i>Bush Fires Act 1954</i> <i>Bush Fires Regulations 1954</i> <i>Work Health and Safety Act 2020</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 15.1A – Policy 4.2 – Harvest Bans (current) Attachment 15.1B – Policy 4.2 – Harvest and Vehicle Movement Bans (revised) Attachment 15.1C – Policy 4.3 – Use of Shire Equipment and Resources for Firefighting Purposes Attachment 15.1D – Policy 4.4 – Hazard Reduction Burns by Bush Fire Brigades Attachment 15.1E – Policy 4.5 – Children on the Fire Ground Attachment 15.1F – Policy 4.6 – Honorarium for Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer

Purpose of Report

Executive Decision

Legislative Requirement

To meet the Shire of Merredin’s (the Shire) obligations under the *Bush Fires Act 1954* and the *Work Health and Safety Act 2020*, and to ensure review the Shire’s Policy Manual occurs. While reviewing the Shire’s Policy Manual, the Administration identified the need for additional policies related to fire control needed to be developed.

Background

In accordance with the Shire’s Risk Management Framework and the *Local Government Act 1995*, policies are to be reviewed regularly.

The Emergency Services Officer (ESO) completed a review of the policies relevant to fire control for the Shire. This review highlighted that a number of key policies did not exist and those that did, needed significant amendment. Upon review of the existing policy and development of the new policies, the ESO sought feedback from the relevant executive staff of the Shire and disseminated the documents to members of the Bush Fire Advisory Committee (BFAC). All feedback received was considered prior to the policies being presented to Council.

The policy submitted to Council for review is:

- Policy 4.2 – Bush Fire Control (renamed Harvest and Vehicle Movement Bans)

The new policies proposed for addition to the Policy Manual are:

- Policy 4.3 – Use of Shire Equipment and Resources for Firefighting Purposes;
- Policy 4.4 – Hazard Reduction Burns by Bush Fire Brigades;
- Policy 4.5 – Children on the Fire Ground; and
- Policy 4.6 – Honorarium for Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer.

	Comment
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Policy 4.2 – Bush Fire Control (renamed Harvest and Vehicle Movement Bans)

The purpose of Policy 4.2 is to provide clear guidelines for bushfire control. Upon review, the Administration discovered the current policy is unsuitable, particularly given the recent changes to the *Work Health and Safety Act 2020*.

The amendments include more thorough guidelines for establishing the need for a Harvest and Vehicle Movement Ban, who can call a Harvest and Vehicle Movement Ban and in what circumstances, when Harvest and Vehicle Movement Bans can be lifted, and the annual blanket Harvest and Vehicle Movement Bans on Christmas Day, Boxing Day and New Year's Day.

Policy 4.3 – Use of Shire Equipment and Resources for Firefighting Purposes

The purpose of this Policy is to codify the Shire's commitment to protecting the community with the contribution of any available plant, machinery and personnel, relative to the gravity of the incident.

Policy 4.4 – Hazard Reduction Burns by Bush Fire Brigades

The purpose of this Policy is to outline the conditions under which hazard reduction burns conducted by Bush Fire Brigades may be carried out.

Policy 4.5 – Children on the Fire Ground

The purpose of this Policy is to clarify the Shire's position on allowing children under 18 years of age to carry out firefighting operations. It should be noted that the Department of Fire and Emergency Services (DFES) permits children to become operational members of the Bush Fire Service at 16 years of age.

Policy 4.6 - Honorarium for Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer

The purpose of this Policy is to outline the intent behind the honorarium and set the conditions of payment.

Policy Implications

Review of Policy 4.2 and proposed addition of Policies 4.3, 4.4, 4.5 and 4.6.

- Policy 4.2 – Harvest and Vehicle Movement Bans;
- Policy 4.3 - Use of Shire Equipment and Resources for Firefighting Purposes;
- Policy 4.4 - Hazard Reduction Burns by Bush Fire Brigades;
- Policy 4.5 - Children on the Fire Ground; and
- Policy 4.6 - Honorarium for Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer.

Statutory Implications

Local Government Act 1995

Bush Fires Act 1954

Bush Fires Regulations 1954

Work Health and Safety Act 2020

Strategic Implications

∅ Strategic Community Plan

Theme:	1. Community and Culture
Service Area Objective:	1.3 Community Safety 1.3.1 The Shire, Local Emergency Services and wider community working together to prevent bushfires and other emergencies as well as being well placed to respond and recover in such events
Priorities and Strategies for Change:	Nil

∅ Corporate Business Plan

Key Action:	Nil
Directorate:	Nil
Timeline:	Nil

Sustainability Implications

∅ Strategic Resource Plan

Nil

Risk Implications

The intent of the revised and proposed policies is to mitigate the risk to the Shire of Merredin in emergency services.

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That Council;

- 1. NOTES the review of Policy 4.2 – Bush Fire Control, as per Attachment 15.1B; and**
- 2. ENDORSES the following policies:**
 - a. Policy 4.2 – Harvest and Vehicle Movement Bans, as per Attachment 15.1B**
 - b. Policy 4.3 – Use of Shire Equipment and Resources for Firefighting Purposes, as per Attachment 15.1C**
 - c. Policy 4.4 – Hazard Reduction Burns by Bush Fire Brigades, as per Attachment 15.1D**
 - d. Policy 4.5 – Children on the Fire Ground, as per Attachment 15.1E**
 - e. Policy 4.6 – Honorarium for Chief Bush Fire Control Officer and Deputy Chief Bush Fire Control Officer, as per Attachment 15.1F.**

15.2 Memorandum of Understanding – Australia’s Golden Outback

<h1>Community Services</h1> 	
Responsible Officer:	Lisa Clack, CEO
Author:	Robyn McCarthy, Manager CWVC
Legislation:	Nil
File Reference:	Contract Number TC2020216
Disclosure of Interest:	Nil
Attachments:	Attachment 15.2A - Memorandum of Understanding 2023-2026 between Australia’s Golden Outback and Central Wheatbelt Visitor Centre

Purpose of Report

Executive Decision

Legislative Requirement

For Council to consider and approve the changes in the updated Memorandum of Understanding (MoU) between Australia’s Golden Outback and Central Wheatbelt Visitor Centre and authorise the application of the Shire of Merredin Common Seal.

Background

The Australia’s Golden Outback (AGO) MoU with the Central Wheatbelt Visitor Centre (CWVC) is due to expire 1 July 2023.

Australia’s Golden Outback has had a MoU with the CWVC since 2007. It has been reviewed and renewed annually until 2017 where it was extended to a three year period and reviewed and renewed by each party prior to its expiry date or sooner as required. AGO has similar MoU’s with all their sub-regional Visitor Centres and is designed to align the goals of each party to develop and promote the AGO’s region and provide the highest possible standards of service to both the regional tourism industry and the visiting public.

Comment

The 2023-26 MoU has been reviewed by AGO and supplied with additions highlighted in Attachment 15.2A. The former Acting Deputy Chief Executive Officer (A/DCEO) for the Shire of Merredin and the Manger for the Central Wheatbelt Visitor Centre reviewed the additions/alteration with no further recommendations.

All changes within the MoU have been highlighted in Attachment 15.2A and are listed below:

1. Front Cover of MoU - The MoU period has been changed to 2023-2026.

2. Memorandum of Understanding Agreement Objective – Change of ‘Australia’s Golden Outback Visitors Centres’ to ‘Central Wheatbelt Visitor Centre’ and addition of words ‘develop’ and ‘and’.
3. Principles of Agreement – Addition of Point 8 to better reflect AGO’s Strategic Plan 2021-26 which includes developing a Tourism Destination Management Plan for the Golden Outback region in partnership with Tourism WA and regional stakeholders, as shown in the below table:

Co-operative Activity	Australia’s Golden Outback will:	The Visitor Centres will:
8. Development	a) Provide information on available professional development and capability building activities.	a) Participate in applicable professional development & capability activities and on-share to Visitor Centre members where relevant.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

∅ Strategic Community Plan

Theme: 2. Economy and Growth
 Service Area Objective: 2.2 Tourism
 2.2.2 The Shire works closely with businesses and other community groups to actively support and develop visitor growth.
 Priorities and Strategies for Change: Nil

∅ Corporate Business Plan

Key Action: Nil
 Directorate: Nil
 Timeline: Nil

Sustainability Implications

∅ Strategic Resource Plan

Nil

Risk Implications

Nil

Financial Implications

Nil

Voting Requirements

Simple Majority


Absolute Majority

Officers Recommendation

That Council;

1. **APPROVE** the recommended changes to the Memorandum of Understanding 2023-2026 between Australia's Golden Outback and Central Wheatbelt Visitor Centre, as per Attachment 15.2A; and
2. **AUTHORISES** the Shire President and Chief Executive Officer to apply the Shire of Merredin Common Seal to the Memorandum of Understanding 2023-2026 between Australia's Golden Outback and Central Wheatbelt Visitor Centre.

15.3 Memorandum of Understanding – Member Councils of the Great Eastern Country Zone Western Australian Local Government Association

<h2>Community Services</h2> 	
Responsible Officer:	Lisa Clack, CEO
Author:	Sheree Lowe, Emergency Services Officer
Legislation:	<i>Emergency Management Act 1995</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 15.3A – Memorandum of Understanding – Member Councils of the Great Eastern Country Zone Western Australian Local Government Association

Purpose of Report

Executive Decision

Legislative Requirement

For Council to consider providing in-principle support for the signing of the Memorandum of Understanding (MoU) between the Member Councils of the Great Eastern Country Zone Western Australian Local Government Association for the provision of mutual aid during emergencies and post incident recovery.

Background

At the June 2022 meeting of the Great Eastern Country Zone (GECZ), the Shire of Mt Marshall proposed the formation of a MoU for Emergency Management Resources Sharing. The Shire of Mt Marshall cited the Wheatbelt Shackleton Fire Debrief meeting, where one of the actions was to see if Local Governments were able to share resources with regards to such things as accommodation, equipment and staff.

At the August 2022 GECZ meeting, the following resolution was passed:

8.4.5 Memorandum of Understanding - Emergency Management Resource Sharing

The Great Eastern Country Zone resolved in August 2022 to endorse a Memorandum of Understanding (MoU) for emergency management purposes:

That the Zone endorse the Memorandum of Understanding for the provision of mutual aid during emergencies and post incident recovery.

The Zone Executive Officer will arrange to distribute the MoU to each Zone Local Government for signature, and arrange for the collation of a comprehensive schedule of machinery and equipment relevant to this agreement.

Comment:

The Zone Executive requested the administration to compile a list of all machinery owned by their Local Government.

Action:

That the Zone Executive Officer arrange to distribute the MoU to each Zone Local Government for signature, and arrange for the collation of a comprehensive schedule of machinery and equipment relevant to this agreement.

The MoU for the provision of mutual aid during emergencies and post incident recovery has been drafted and distributed to Member Councils on 16 May 2023, requesting consideration and endorsement by Councils by 1 June 2023.

Comment

Although a number of local governments have resource sharing agreements in place, they vary across the GECZ. WALGA was asked to prepare a suitable template to ensure all local governments in the GECZ were aligned with the proposed agreement and it met all required outcomes.

Given the timeframe, the approval in-principle of the agreement is sought, with the ability to make any minor adjustments, if necessary, prior to the application of the common seal.

Policy Implications

Statutory Implications

Emergency Management Act 1995

Strategic Implications

∅ Strategic Community Plan

Theme:	1. Community and Culture
Service Area Objective:	1.3 Community Safety 1.3.1 The Shire, Local Emergency Services and wider community working together to prevent bushfires and other emergencies as well as being well placed to respond and recover in such events
Priorities and Strategies for Change:	Nil

∅ Corporate Business Plan

Key Action:	Nil
Directorate:	Nil
Timeline:	Nil

Sustainability Implications

∅ Strategic Resource Plan

Nil

Risk Implications

The MoU is designed to reduce the risk faced by any single local government in an emergency situation by creating a pool of additional resources to draw from.

Built into the MoU is the understanding that no local government will be required to provide support to another in an emergency that would unduly compromise the operability of the Council giving support.

Financial Implications

There will be financial implications with both the provision of support and the requesting of support, which are outlined in the MoU.

Voting Requirements

Simple Majority

Absolute Majority


Officers Recommendation

That Council;

1. **ENDORSES**, in principle, the Memorandum of Understanding for the provision of mutual aid during emergencies and post incident recovery between Great Eastern Country Zone Member Councils as per Attachment 15.3A; and
2. **AUTHORISES** the Shire President and Chief Executive Officer to apply the Shire of Merredin Common Seal to the Memorandum of Understanding at Attachment 15.3A, subject to any minor changes as endorsed by the Chief Executive Officer.

16. Officer's Reports – Administration

16.1 Status Report – May 2023

<h2>Administration</h2>		 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 16.1A – Status Report – May 2023	

Purpose of Report



Executive Decision



Legislative Requirement

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

Background

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

Comment

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

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

∅ 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

Risk Implications

Nil

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officers Recommendation

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

16.2 Sustainable Economic Growth for Regional Australia (SEGRA) Conference

<h1>Administration</h1>		
Responsible Officer:	Lisa Clack, CEO	
Author:	As above	
Legislation:	Nil	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Nil	

Purpose of Report



Executive Decision



Legislative Requirement

For Council to consider the attendance of Councillors as delegates at the Sustainable Economic Growth for Regional Australia (SEGRA) Conference being held Wednesday 26 July 2023 to Thursday 27 July 2023 in Toowoomba, Queensland.

Background

The 2023 Sustainable Economic Growth for Regional Australia (SEGRA) Conference will be held at the Empire Theatres in Toowoomba, QLD on Wednesday, 26 July to Thursday, 27 July 2023.

SEGRA is an annual conference that aims to assist regional, rural and remote Australia to source and identify the techniques, skills and issues they need to address which will help achieve successful economic growth and development.

SEGRA acts to provide end to end value to regional Australia using a systems approach to:

- Raise the profile of regions as essential parts of Australia's national outlook
- Empower regions to be responsible for their own destinies
- Identify ideas, regional issues and opportunities
- Influence policy by encouraging evidence based responses and supporting practice based research and projects
- Promote regional connectivity

The current policy requires a report to be submitted to Council for Councillors to undertake interstate travel on behalf of the Shire. The policy also recommends a limit of two Councillors travel to each requested conference, unless resolved by Council.

Comment

Cr Renee Manning has expressed an interest in attending the conference, which will be held in Queensland from 26 July to 27 July 2023. There is currently an early-bird discount available on tickets which expires on 30 June.

Other Councillors have also previously expressed an interest in attending.

There is a budget allocated for Councillor training and expenses (Members – Training and Development; 2040104), and travel (Members – Travel and Accommodation; 2040109) which will meet the costs associated with sending up to two Councillor delegates, as per the policy recommendation. Should Council wish to send additional attendees, the associated costs could be met within the available budget, depending on the number of extra representatives that may be supported.

In terms of the value of the conference, the SEGRA goals are well aligned to the goals of the Shire of Merredin as a regional hub, and to addressing the challenges of economic development in the regions.

Policy Implications

Under the current policy (1.20 – Councillor Training and Professional Development Policy), should Councillors wish to attend an interstate conference, a Councillor is required to submit a request to the Chief Executive Officer (CEO), and a Council report will be prepared to consider the request.

Additionally, unless resolved by Council, a maximum of two Councillor delegates should attend any interstate event.

Statutory Implications

Nil

Strategic Implications

∅ Strategic Community Plan

Theme: 2. Economy and Growth

Service Area Objective: 2.1.2 The Shire of Merredin is the place of choice for business investment and for new residents settling to enjoy a balance lifestyle and employment opportunities

Priorities and Strategies for Change: Nil

∅ Corporate Business Plan

Key Action: Nil

Directorate: Nil

Timeline: Nil

Sustainability Implications

∅ Strategic Resource Plan

Nil

Risk Implications

Nil

Financial Implications

Can be met within existing and draft budget allocations.

Voting Requirements



Simple Majority



Absolute Majority

Officers Recommendation

That Council;

1. **SUPPORT** sending a delegation of up to two (2) Elected Members to the 2023 SEGRA Conference; and
2. **APPROVE** the attendance of Cr Renee Manning and _____ at the 2023 SEGRA conference.

17. Motions of which Previous Notice has been given

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

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

20. Matters Behind Closed Doors

21. Closure

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