



MINUTES

Ordinary Council Meeting

held in Council Chambers
Corner King & Barrack Street's, Merredin
Tuesday 22 October 2019



Common Acronyms Used in this Document

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

Table of Contents



1.	Official Opening
2.	Record of Attendance / Apologies and Leave of Absence
3.	Swearing in of Councillors Elect
4.	Election of President
5.	Declaration by the President
6.	Election of Deputy President
7.	Declaration by the Deputy President
8.	Draw for Position at the Council Table
9.	Public Question Time
10.	Election of Delegates and Deputy Delegates to Committees
10.1	<u>Shire of Merredin Audit Committee</u>
10.2	<u>Shire of Merredin Bushfires Advisory Committee</u>
10.3	<u>Eric Hind Scholarship Committee</u>
10.4	<u>Shire of Merredin Local Emergency Management Committee (LEMC)</u>
10.5	<u>Western Australian Local Government Association Great Eastern Country Zone (GECZ)</u>
10.6	<u>Wheatbelt East Regional Organisation of Councils (WEROC)</u>
10.7	<u>Wheatbelt North (WBN) Regional Road Group (RRG)</u>
10.8	<u>Wheatbelt East District Operational Advisory Committee – Bush Fire Service WA</u>
10.9	<u>Merredin Land Conservation District Committee</u>
10.10	<u>Merredin Local Health Advisory Group (LHAG)</u>
10.11	<u>Mid-West/Wheatbelt Joint Development Assessment Panel (JDAP)</u>
10.12	<u>Skeleton Weed Local Action Group (LAG)</u>
10.13	<u>Central East Aged Care Alliance (CEACA) Inc</u>
10.14	<u>Wheatbelt Communities Inc</u>

10.15	General Community Committees
11.	Disclosure of Interest
12.	Applications for Leave of Absence
13.	Petitions and Presentations
14.	Confirmation of Minutes of the Previous Meeting
14.1	Ordinary Council Meeting held on 22 September 2019
14.2	Audit Committee Meeting held on 17 September 2019
15.	Announcements by the Person Presiding without discussion
15.1	Notice of Appreciation
16.	Matters for which the Meeting may be closed to the public
	Nil
17.	Receipt of Minutes of Committee Meetings
17.1	Rural Water Council of WA (Inc) Meeting held on 5 July 2019
17.2	WALGA State Council Meeting held on 6 September 2019
17.3	Great Eastern District Operations Advisory Committee Meeting held on 10 September 2019
17.4	Wildflower Society of Western Australia Meeting held on 25 September 2019
17.5	WEROC Executive Meeting held on 25 September 2019
18.	Recommendations from Committee Meetings for Council consideration
	Nil
19.	Officer's Reports – Development Services
19.1	Lot 21 & 120 (No108) Totadgin Hall Road Merredin Animal Husbandry - Intensive
19.2	Lot 57 Burracoppin Siding Road – Proposed Installation of Communications Radio Tower
19.3	Location 151173 (No 680) Nukani East Road – Application for Grouped Dwelling
20.	Officer's Reports – Engineering Services
20.1	Wheatbelt Secondary Freight Network Program – formalisation of commitment

21.	Officer's Reports – Corporate and Community Services
21.1	<u>List of Accounts Paid</u>
21.2	<u>Statement of Financial Activity</u>
21.3	<u>Merredin Regional Community Leisure Centre – Sports Council & Belgravia Leisure – User Group Fees 2019/20</u>
22.	Officer's Reports – Administration
22.1	<u>Councillors and Staff Christmas Function</u>
22.2	<u>20 Priestley Street, Merredin – Sale by Private Treaty</u>
22.3	<u>WEROC Constitution – Adoption</u>
22.4	<u>Annual Report 2018/19</u>
23.	Motions of which Previous Notice has been given
24.	Questions by Members of which Due Notice has been given
25.	Urgent Business Approved by the Person Presiding or by Decision
26.	Matters Behind Closed Doors
27.	Closure

Shire of Merredin
Ordinary Council Meeting
3.00pm Tuesday 22 October 2019



1. Official Opening

In accordance with Clause 3 of Schedule 2.3 of the *Local Government Act 1995* the CEO presided at the meeting until the office of President was filled.

The CEO welcomed all in attendance and opened the meeting at 3:00pm

2. Record of Attendance / Apologies and Leave of Absence

Councillors:

Cr MD Willis
Cr AR Butler
Cr JR Flockart
Cr PR Patroni

Councillors Elect:

MJ McKenzie
RM Manning
LN Boehme
RA Billing
PM Van Der Merwe

Staff

G Powell	CEO
K Bartley	DCEO
P Zenni	EMDS (Until 4:30pm)
M Ivanetz	EA to CEO

Members of the Public:

T Pitt, JP, J Flockart, A McKeown, D Crook,
E Carlson, K White, M King

Apologies:

Nil

Approved Leave of Absence:

Nil

3. Swearing In of Councillors Elect

In accordance with Section 2.29 of the *Local Government Act 199*, Mr Ted Pitt, JP will swear in the Councillors Elect.

Councillor Mark McKenzie

Councillor Renee Manning

Councillor Leah Boehme

Councillor Ross Billing

Councillor Phil Van Der Merwe

4. Election of President

The CEO called for nominations for the position of President of the Council, for the ensuing 2 years.

The following nominations were received:

Councillors MD Willis and JR Flockart

Following a ballot Councillor Flockart was elected to the position of President for the Shire of Merredin.

5. Declaration by the President

Mr Ted Pitt, JP witnessed the declaration of the President.

Councillor Flockart assumed the Chair at 3:20pm

6. Election of the Deputy President

The President invited nominations for the position of Deputy President of the Council, for the ensuing 2 years.

The following nomination was received:

Councillor MD Willis

There being no further nominations Councillor Willis was elected to the position of Deputy President for the Shire of Merredin.

7. Declaration by the Deputy President

7.1 Mr Ted Pitt, JP witnessed the declaration of Councillor Willis as Deputy President of the Council.

T Pitt, JP left the meeting and did not return.

Acknowledgements

In accepting the role of President, Councillor Flockart paid special thanks to Councillor Hooper, who had been a Councillor and President since 1997.

The President acknowledged the time, commitment and efforts of Councillors, Mark Crees, Brad Anderson and Matt Crisafio.

8. Draw for the Position at the Council Table

Council's Standing Orders Local Law Clause 8.2 states:

“Members to occupy own seats

- (1) At the first meeting held after each election day, the Council shall allot a position at the Council table to each member.*
- (2) Each member is to occupy his or her allotted position at each Council meeting.”*

9. Public Question Time

Sports Council User Group

Mrs Erica Carlson, Mrs Kat White and Ms Donna Crook from the Sport Council Users Group recommended to Council that the fees for 2019/20 remain the same as 2018/19.

Mrs Carlson stated that “Sport” the heart and soul of the MRCLC and is hurting, because of the impact of fees and declining participation.

Proposed Animal Husbandry – Totadgin Hall Road

Mr Alistar McKeown advised Council that he has objected to the proposed development at Lot 21 & 120 (No 108) Totadgin Hall Road Merredin

The main points of his discussion were:

1. How the disposal of waste would be handled?
2. The unpleasant odour.
3. Contamination of stock water supply.

E Carlson, K White and D Crook – left the meeting at 3:32pm and did not return.

A McKeown – left the meeting at 3:42pm and did not return

K Bartley, DCEO – left the meeting at 3:32pm

K Bartley, DCEO – re-entered the meeting at 3:34pm

10. Election of Delegates and Deputy Delegates to Committees

In accordance with Section 5.10 of the *Local Government Act 1995*, a Councillor is entitled to be a member on any committee of their choice, even though that may exceed the quorum. Additionally, the President is entitled to be a member on any committee of their choice, even though that may exceed the quorum. The CEO is entitled to be on (or appoint a representative to) any committee having employee representation.

In respect the Deputy Delegates, Council protocol appoints the Councillors who are not members to the committee as Deputy Delegates to enable their attendance and participation in committee meetings to ensure quorums.

Council Policy 1.19 – Election of Committees and Representatives is applicable.

10.1 Shire of Merredin Audit Committee

Current Members:	Cr Anderson, Cr Flockart, Cr Hooper, Cr Patroni
Deputies:	All other Councillors
Membership:	4 Councillors
Quorum:	3 Councillors
Purpose:	<p>Regulation 16 of the <i>Local Government (Audit) Regulations 1996</i> states:</p> <p><i>“An audit committee —</i></p> <p><i>(a) is to provide guidance and assistance to the local government —</i></p> <p><i>(i) as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act; and</i></p> <p><i>(ii) as to the development of a process to be used to select and appoint a person to be an auditor; and</i></p> <p><i>(b) may provide guidance and assistance to the local government as to —</i></p> <p><i>(i) matters to be audited; and</i></p> <p><i>(ii) the scope of audits; and</i></p> <p><i>(iii) its functions under Part 6 of the Act; and</i></p> <p><i>(iv) the carrying out of its functions relating to other audits and other matters related to financial management; and</i></p> <p><i>(c) is to review a report given to it by the CEO under regulation 17(3) (the CEO’s report) and is to —</i></p> <p><i>(i) report to the council the results of that review; and</i></p> <p><i>(ii) give a copy of the CEO’s report to the council.”</i></p>

Meeting Cycle:	At least once annually to recommend adoption of the Annual Report and Compliance Audit Return, and twice bi-annually to recommend adoption of the CEO's Report.
-----------------------	---

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Van Der Merwe

Seconded: Cr Boehme

82424 That in accordance with Sections 5.10, 5.11A and 7.1A of the *Local Government Act 1995*, Councillors Patroni, Flockart, Willis, Boehme be appointed as delegates to the Shire of Merredin Audit Committee, with all other Councillors appointed as Deputies.

CARRIED BY ABSOLUTE MAJORITY 9/0

10.2 Shire of Merredin Bush Fires Advisory Committee	
Current Members:	Cr Willis
Deputies:	All other Councillors
Membership:	1 Councillor and Fire Control Officers
Quorum:	3 Members
Purpose:	To enable the communication and coordination of bush fire related matters within the Shire
Meeting Cycle:	At least twice annually
Voting Requirements	

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Boehme

Seconded: Cr Patroni

82425 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995* and Section 67 of the *Bush Fires Act 1954*, Councillor Van Der Merwe be appointed as delegate to the Shire of Merredin Bush Fires Advisory Committee.

CARRIED BY ABSOLUTE MAJORITY 9/0

10.3 Eric Hind Scholarship Committee	
Current Members:	Cr Anderson
Deputies:	All other Councillors
Membership:	1 Councillor and 2 community members
Quorum:	3 Members
Purpose:	To award the Eric Hind Music Scholarship as per Council Policy 3.10
Meeting Cycle:	Once annually (if required)
Voting Requirements	

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr McKenzie

82426 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor Butler be appointed as delegate to the Eric Hind Scholarship Committee, with all other Councillors appointed as Deputies.

CARRIED BY ABSOLUTE MAJORITY 9/0

10.4 Shire of Merredin Local Emergency Management Committee (LEMC)																																					
Current Members:	Cr Hooper																																				
Deputies:	All other Councillors																																				
Membership:	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 60%; padding: 2px 5px;">Shire of Merredin</td> <td style="padding: 2px 5px;">Cr Patroni (Chair)</td> </tr> <tr> <td style="padding: 2px 5px;">Shire of Merredin</td> <td style="padding: 2px 5px;">Kim Friis, Senior Ranger (Executive Officer)</td> </tr> <tr> <td style="padding: 2px 5px;">WA Police</td> <td style="padding: 2px 5px;">Officer in Charge, Supervisor</td> </tr> <tr> <td style="padding: 2px 5px;">Dept for Child Protection & Family Support</td> <td style="padding: 2px 5px;">District Emergency Services Officer</td> </tr> <tr> <td style="padding: 2px 5px;">Department of Parks and Wildlife</td> <td style="padding: 2px 5px;">Regional Wildlife Officer</td> </tr> <tr> <td style="padding: 2px 5px;">SEMC Secretariat</td> <td style="padding: 2px 5px;">Community Emergency Management Officer</td> </tr> <tr> <td style="padding: 2px 5px;">Merredin Volunteer Bushfire Brigades</td> <td style="padding: 2px 5px;">Chief Bushfire Control Officer</td> </tr> <tr> <td style="padding: 2px 5px;">Merredin Volunteer Fire and Rescue Service</td> <td style="padding: 2px 5px;">Brigade Captain, Brigade Lieutenant</td> </tr> <tr> <td style="padding: 2px 5px;">Mental Health Services</td> <td style="padding: 2px 5px;">District Manager</td> </tr> <tr> <td style="padding: 2px 5px;">China Southern WA Flying College</td> <td style="padding: 2px 5px;">General Manager</td> </tr> <tr> <td style="padding: 2px 5px;">Merredin Hospital</td> <td style="padding: 2px 5px;">Hospital Services Manager, Nurse Manager</td> </tr> <tr> <td style="padding: 2px 5px;">Primary Health Eastern</td> <td style="padding: 2px 5px;">Manager</td> </tr> <tr> <td style="padding: 2px 5px;">Disability Services Commission</td> <td style="padding: 2px 5px;">District Manager Midlands, Local Area Coordinator</td> </tr> <tr> <td style="padding: 2px 5px;">Water Corporation</td> <td style="padding: 2px 5px;">Operations Manager</td> </tr> <tr> <td style="padding: 2px 5px;">Department of Agriculture & Food</td> <td style="padding: 2px 5px;">Local Manager</td> </tr> <tr> <td style="padding: 2px 5px;">Western Power</td> <td style="padding: 2px 5px;">Operations Manager</td> </tr> <tr> <td style="padding: 2px 5px;">Main Roads WA</td> <td style="padding: 2px 5px;">Local Manager</td> </tr> <tr> <td style="padding: 2px 5px;">St John Ambulance</td> <td style="padding: 2px 5px;">Sub-Branch Manager</td> </tr> </table>	Shire of Merredin	Cr Patroni (Chair)	Shire of Merredin	Kim Friis, Senior Ranger (Executive Officer)	WA Police	Officer in Charge, Supervisor	Dept for Child Protection & Family Support	District Emergency Services Officer	Department of Parks and Wildlife	Regional Wildlife Officer	SEMC Secretariat	Community Emergency Management Officer	Merredin Volunteer Bushfire Brigades	Chief Bushfire Control Officer	Merredin Volunteer Fire and Rescue Service	Brigade Captain, Brigade Lieutenant	Mental Health Services	District Manager	China Southern WA Flying College	General Manager	Merredin Hospital	Hospital Services Manager, Nurse Manager	Primary Health Eastern	Manager	Disability Services Commission	District Manager Midlands, Local Area Coordinator	Water Corporation	Operations Manager	Department of Agriculture & Food	Local Manager	Western Power	Operations Manager	Main Roads WA	Local Manager	St John Ambulance	Sub-Branch Manager
Shire of Merredin	Cr Patroni (Chair)																																				
Shire of Merredin	Kim Friis, Senior Ranger (Executive Officer)																																				
WA Police	Officer in Charge, Supervisor																																				
Dept for Child Protection & Family Support	District Emergency Services Officer																																				
Department of Parks and Wildlife	Regional Wildlife Officer																																				
SEMC Secretariat	Community Emergency Management Officer																																				
Merredin Volunteer Bushfire Brigades	Chief Bushfire Control Officer																																				
Merredin Volunteer Fire and Rescue Service	Brigade Captain, Brigade Lieutenant																																				
Mental Health Services	District Manager																																				
China Southern WA Flying College	General Manager																																				
Merredin Hospital	Hospital Services Manager, Nurse Manager																																				
Primary Health Eastern	Manager																																				
Disability Services Commission	District Manager Midlands, Local Area Coordinator																																				
Water Corporation	Operations Manager																																				
Department of Agriculture & Food	Local Manager																																				
Western Power	Operations Manager																																				
Main Roads WA	Local Manager																																				
St John Ambulance	Sub-Branch Manager																																				

Quorum:	N/A
Purpose:	Regulation 39 of the <i>Emergency Management Act 2005</i> states: <i>“The functions of a local emergency management committee are, in relation to its district or the area for which it is established —</i> <i>(a) to advise and assist the local government in ensuring that local emergency management arrangements are established for its district;</i> <i>(b) to liaise with public authorities and other persons in the development, review and testing of local emergency management arrangements; and</i> <i>(c) to carry out other emergency management activities as directed by the SEMC or prescribed by the regulations.”</i>
Meeting Cycle:	Quarterly

Voting Requirements

Simple Majority

Absolute Majority

Officer’s Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Van Der Mewer

82427 That, in accordance with Section 5.10s and 5.11A of the *Local Government Act 1995*, Councillor Patroni be appointed as Chair and Delegate to the Shire of Merredin Local Emergency Management Committee, with all other Councillors appointed as Deputies.

CARRIED BY ABSOLUTE MAJORITY 9/0

10.5	Western Australian Local Government Association Great Eastern Country Zone (GECZ)
Current Members:	Cr Hooper, Cr Willis
Deputies:	Cr Flockart
Membership:	Shires of Bruce Rock, Cunderdin, Dowerin, Kellerberrin, Kondinin, Koorda, Merredin, Mt Marshall, Mukinbudin, Narembeen, Nungarin, Tammin, Trayning, Westonia, Wyalkatchem and Yilgarn
Quorum:	8
Purpose:	<ol style="list-style-type: none">1. To provide a united voice for Local Governments in the GECZ;2. To work collectively to enhance the sustainable social, environmental and economic development of the GECZ at strategic and project levels;3. To promote the profile of Local Government within the region encompassed within the GECZ;4. To speak on behalf of Local Governments in the GECZ;5. To elect, nominate and appoint Committees and representatives of the Zone to other organisations,6. To enter into agreements, formal or informal, with organisations having similar aims and objectives,7. To represent the views of Local Governments within the GECZ at the State Council of the Association;8. To do all and any such other things as in the opinion of the Zone may conveniently be carried on by the Zone or which promote or assist or are incidental or conducive to the attainment of these objects or any of them, or anything considered beneficial to the Zone; and9. To use the property and income of the Zone solely for the promotion of the objects or purposes of the Zone. No part of the property or income of the Zone may be paid or otherwise distributed, directly or indirectly, to members of the Zone, except in good faith in the promotion of those objects or purposes.
Meeting Cycle:	GECZ Committee and Executive Committee meetings, generally on the Thursday prior to State Council meetings or as otherwise agreed from time to time

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Patroni

Seconded: Cr Boehme

82428 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor Flockart and Councillor Willis be appointed as delegates to the Western Australian Local Government Association Great Eastern Country Zone, with Councillor McKenzie appointed as Deputy.

CARRIED BY ABSOLUTE MAJORITY 9/0

10.6 Wheatbelt East Regional Organisation of Councils (WEROC)	
Current Members:	Cr Hooper
Deputies:	Cr Patroni
Membership:	Shires of Bruce Rock, Kellerberrin, Merredin, Westonia and Yilgarn
Quorum:	3
Purpose:	<ol style="list-style-type: none"> 1. To endeavour to carry out the Regional Purposes in a manner which enhances and assists in the advancement of the region; 2. To form a strategic alliance for the retention of infrastructure, community services and population, increased funding for development and maintenance/improvement of local road networks, economic development initiatives, promotion and marketing initiatives, retention of health services, salinity and environment and general local government industry issues; 3. To encourage cooperation and resource sharing on a regional basis; and 4. Not to detract from the relationships an individual Shire holds within its community, with the State and Federal governments and other entities it interacts with in the course of usual business.
Meeting Cycle:	WEROC Council & Executive alternate monthly meetings
Voting Requirements	

Simple Majority

Absolute Majority

Officer's Comment

In accordance with Sections 5.1(a)&(b) of the WEROC MoU, the President and CEO of the Participant Member Council are members of WEROC. The Participant may appoint one elected member and one officer as a deputy who are able to attend meetings and temporarily act in place of either member.

Officer's Recommendation / Resolution

Moved: Cr Butler

Seconded: Cr McKenzie

82429 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor Flockart be appointed as delegate to the Wheatbelt East Regional Organisation of Councils with Councillor Willis appointed as Deputy.

CARRIED BY ABSOLUTE MAJORITY 9/0

10.7 Wheatbelt North (WBN) Regional Road Group (RRG)	
Current Members:	Cr Creeves
Deputies:	Cr Patroni
Membership:	Shires of Chittering, Cunderdin, Dalwallinu, Dandaragan, Dowerin, Gingin, Goomalling, Kellerberrin, Koorda, Merredin, Moora, Mt Marshall, Mukinbudin, Northam, Nungarin, Tammin, Toodyay, Trayning, Victoria Plains, Westonia, Wyalkatchem, Wongan-Ballidu, Yilgarn and York
Quorum:	N/A
Purpose:	The WBN RRG is provided with State funding from a number of categories contained within the State Road Funds to Local Government Agreement with the RRG able to prioritise, allocate and approve its funding to specific local road projects.
Meeting Cycle:	Twice annually
Voting Requirements	
<input type="checkbox"/> Simple Majority	<input checked="" type="checkbox"/> Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Boehme

Seconded: Cr McKenzie

82430 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor Patroni be appointed as delegate to the Wheatbelt North Regional Road Group with Councillor Billing appointed as Deputy.

CARRIED BY ABSOLUTE MAJORITY 9/0

10.8	Wheatbelt East District Operational Advisory Committee – Bush Fire Service WA	
Current Members:	Cr Flockart	
Deputies:	N/A	
Membership:	Chief Bush Fire Control Officers or Deputy Chief Bush Fire Control Officers and the Chief Executive Officer or delegate from the Shires of Bruce Rock, Kellerberrin, Koorda, Merredin, Mt Marshall, Mukinbudin, Narembeen, Nungarin, Tammin, Trayning, Westonia and Yilgarn	
Quorum:	5 local governments	
Purpose:	<ol style="list-style-type: none"> 1. To represent and protect the interests of the Local Governments, Volunteer Bush Fire Brigades and Volunteers within those Local Governments. As a representative committee, provide advice, direction and develop recommendations for fire management in the functional areas of Equipment, Training, Prevention, and Operational Preparation and Response. 2. Identify strategic directions for the region through representation on the Volunteer Bush Fire Brigade Advisory Committee, Volunteer Vehicle and Equipment Advisory Committee, Volunteer Firefighting Training Advisory Group and other State, Regional and Operational Committees as may be formed. 	
Meeting Cycle:	At least twice per year	
Voting Requirements		
<input type="checkbox"/> Simple Majority <input checked="" type="checkbox"/> Absolute Majority		

Officer’s Recommendation / Resolution

Moved: Cr Patroni

Seconded: Cr Willis

82431 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor McKenzie be appointed as delegate to the Wheatbelt East District Operational Advisory Committee – Bush Fire Service WA with Councillor Van Der Merwe appointed as Deputy.

CARRIED BY ABSOLUTE MAJORITY 9/0

10.9 Merredin Land Conservation District Committee	
Current Members:	Cr Butler
Deputies:	N/A
Membership:	1x representative of the Commissioner of Soil and Land or their nominee 1x Councillor for the Shire of Merredin 3x representatives of the Western Australian Farmers Federation Inc. and 10x persons who are actively engaged in, affected by or associated with, land use in the District.
Quorum:	A majority of members constitutes a quorum
Purpose:	To manage activities within in the Merredin Land Conservation District including undertaking land conservation works, promoting soil conservation programs and providing advice to the Department of Agriculture and Feed WA on land use issues.
Meeting Cycle:	As required
Voting Requirements	

Simple Majority

Absolute Majority

Officer's Comment

Members of the Committee will hold office for a 3 year term, which is published in the Government Gazette.

Officer's Recommendation / Resolution

Moved: Cr Patroni

Seconded: Cr Billing

82432 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995* and Sections 22 and 23 of the *Soil and Land Conservation Act 1945*, Councillor Butler be appointed as delegate to the Merredin Land Conservation District Committee with Councillor Willis appointed as Deputy.

CARRIED BY ABSOLUTE MAJORITY 9/0

10.10 Merredin Local Health Advisory Group (LHAG)	
Current Members:	Cr Patroni
Deputies:	Cr Anderson
Membership:	The LHAG membership should reflect and have the capacity to represent community and consumer diversity. Membership should be drawn from, but not limited to, consumers, local government and health related professionals and agencies. The Health Service Manager will be a member. Number of members for Merredin LHAG is 6 - 10.
Quorum:	5 members
Purpose:	To provide a forum for: <ol style="list-style-type: none"> 1. ongoing communication and interaction between WA Country Health staff and community members; and 2. development of workable solutions for local health service related issues.
Meeting Cycle:	Bi-monthly
Voting Requirements	

Simple Majority

Absolute Majority

Officer's Comment

The LHAG has not been active of late, as being able to conduct regular meetings and attract community interest and members to the Group has proven difficult. However, as local health services are important to our community it is recommended that Councillor representation on the LHAG be maintained, so that in the event the LHAG recommences, a Councillor appointment is already known

Officer's Recommendation / Resolution

Moved: Cr Van Der Merwe

Seconded: Cr Willis

82433 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor Patroni be appointed as delegate to the Merredin Local Health Advisory Group Committee with Councillor Manning appointed as Deputy.

CARRIED BY ABSOLUTE MAJORITY 9/0

10.11 Mid-West/Wheatbelt Joint Development Assessment Panel (JDAP)	
Current Members:	Cr Crees, Cr Hooper
Deputies:	Cr Willis
Membership:	Shires of Beverley, Boddington, Brookton, Bruce Rock, Carnamah, Chapman Valley, Chittering, Coolgardie, Coorow, Corrigin, Cuballing, Cue, Cunderdin, Dalwallinu, Dandaragan, Dowerin, Dumbleyung, Dundas, Esperance, Greater Geraldton, Gingin, Goomalling, Irwin, Kalgoorlie-Boulder, Kellerberrin, Kondinin, Koorda, Kulin, Lake Grace, Laverton, Leonora, Merredin, Meekatharra, Menzies, Mingenew, Moora, Morawa, Mt Magnet, Mt Marshall, Mukinbudin, Murchison, Narembeen, Narrogin, Ngaanyatjaraku, Northam, Northampton, Nungarin, Pingelly, Quairading, Ravensthorpe, Sandstone, Tammin, Three Springs, Toodyay, Trayning, Victoria Plains, Wagin, Wandering, West Arthur, West Arthur, Westonia, Wickepin, Williams, Wiluna, Wongan-Ballidu, Wyalkatchem, Yalgoo and Yilgarn.
Quorum:	3 members
Purpose:	To determine development applications within a certain type and value threshold through consistent, accountable, and professional decision-making.
Meeting Cycle:	As required – DAP’s only meet when there is a DAP application to determine. Local government representatives will only sit on the panel when the application(s) being determined by the panel have been made under their local planning scheme.
Voting Requirements	
<input type="checkbox"/> Simple Majority	<input checked="" type="checkbox"/> Absolute Majority

Officer’s Comment

Regulation 29 of the *Planning and Development (Development Assessment Panels) Regulations 2011* states that a DAP member holds office for the term specified in the member’s Ministerial instrument of appointment. Current members are Councillors Crees and Hooper whose term expires on 26 July 2018, hence they must retain their membership to the JDAP.

However, Council is required to appoint up to 2 Alternate Members, and have their appointment accepted by the Minister. Due to the low number of JDAP applications likely for the Shire of Merredin it is recommended to appoint just 1 Alternate Member.

Officer's Recommendation / Resolution

Moved: Cr Butler

Seconded: Cr Manning

82434 That Councillor Flockart and Willis be nominated as Alternate Members for the Shire of Merredin on the Mid-West/Wheatbelt Joint Development Assessment Panel and their nomination be submitted to the Minister for Planning for consideration.

CARRIED BY ABSOLUTE MAJORITY 9/0

P Zeni, EMDS – left the meeting at 4:00pm

10.12 Skeleton Weed Local Action Group (LAG)	
Current Members:	Cr Creees
Deputies:	Nil
Membership:	Shires of Merredin, Nungarin and Trayning
Quorum:	5 members
Purpose:	<ol style="list-style-type: none">1. Promote awareness of the locations of known skeleton weed infestations;2. Discuss the management and eradication techniques described in the Skeleton Weed Best Practice Guidelines;3. Share knowledge on the success/failure of alternative management techniques for skeleton weed;4. Coordinate searching where appropriate;5. Discuss issues and provide information and recommendations on future program to GIMC;6. Provide input into management of local non-compliance issues; and7. Formulate a local/regional strategy to deal with skeleton weed within the framework of the State-wide program
Meeting Cycle:	2-3 times per annum
Voting Requirements	

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Boehme

Seconded: Cr McKenzie

82435 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor Willis be appointed as delegate to the Skeleton Weed Local Action Group with Councillor Billing appointed as Deputy.

CARRIED BY ABSOLUTE MAJORITY 9/0

P Zenni, EMDS – re entered the meeting at 4:07pm

10.13 Central East Aged Care Alliance (CEACA) Inc	
Current Members:	Cr Hooper
Deputies:	Mr Greg Powell
Membership:	1 person resident in and appointed by the Council in the each of the following Shires - Bruce Rock, Kellerberrin, Koorda, Merredin, Mt Marshall, Mukinbudin, Trayning, Westonia, Wyalkatchem and Yilgarn.
Quorum:	50% of membership plus 1
Purpose:	<ol style="list-style-type: none">1. To capture economic benefit in the Wheatbelt by providing older people with the necessary services and infrastructure to remain living in their community of interest;2. To provide housing for an ageing population in the CEACA Region;3. To secure funding from various sources for the construction of housing;4. To manage the housing across the Region, including its tenants and sale;5. To maintain the housing constructed in the Region; and6. To ensure the ongoing viability and increase the number of accommodation units across the Region as required.
Meeting Cycle:	Quarterly with Executive Committee Meetings held within a similar timeframe, or as required.
Voting Requirements	
<input type="checkbox"/> Simple Majority	<input checked="" type="checkbox"/> Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Patroni

Seconded: Cr Boehme

82436 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor Flockart be appointed as delegate to the Central East Aged Care Alliance (CEACA) Inc with Mr Greg Powell appointed as Deputy.

CARRIED BY ABSOLUTE MAJORITY 9/0

10.14 Wheatbelt Communities Inc	
Current Members:	Cr Hooper, Mr Greg Powell
Deputies:	Cr Crees,
Membership:	<ol style="list-style-type: none"> 1. Two (2) persons resident in the Shire of Bruce Rock and appointed by the Council of the Shire of Bruce Rock; 2. Two (2) persons resident in the Shire of Kellerberrin and appointed by the Council of the Shire of Kellerberrin; 3. Two (2) persons resident in the Shire of Merredin and appointed by the Council of the Shire of Merredin; 4. Two (2) persons resident in the Shire of Westonia and appointed by the Council of the Shire of Westonia; and 5. Two (2) persons resident in the Shire of Yilgarn and appointed by the Council of the Shire of Yilgarn.
Quorum:	50% of Members plus 1
Purpose:	<ol style="list-style-type: none"> 1. To create an environment of sustainable growth in the Central Eastern Wheatbelt Region; 2. To facilitate the economic development and social wellbeing of the Central Eastern Wheatbelt Region; 3. To identify the economic needs of the Central Eastern Wheatbelt Region and make these needs known to key decision makers in Government and private enterprise; 4. To foster cooperative and joint venturing initiatives between Members and appropriate partners on projects of mutual benefit or to further joint interests; 5. To concentrate available resources on seeking solutions to identified mutual problems and achieve savings in resources that can be gained through cooperative effort; and 6. To promote economic development within the Central Eastern Wheatbelt Region.
Meeting Cycle:	Quarterly
Voting Requirements	

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Manning

Seconded: Cr Butler

82437 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor Flockart and Mr Greg Powell be appointed as delegates to Wheatbelt Communities Inc.

CARRIED BY ABSOLUTE MAJORITY 9/0

10.15 General Community Committees

Officer's Comment

There are a number of other community committees which have Councillor representation and these, along with the current Council representative, are listed below:

Committee	Council Representative
Museum and Historical Society	Cr Butler
Merritville Retirement Village	Cr Hooper
MADCAPS Child Care Centre	Cr Boehme
Rural Water Council	Cr Crees and Cr Willis
Eastern Wheatbelt Biosecurity Group	Cr Crees
Doorways	Cr Crisafio
Merredin Residential College	Cr Crees

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*:

- 1. Councillor be appointed to the Museum and Historical Society Committee;**
- 2. Councillor Willis be appointed to the Merritville Retirement Village Committee;**
- 3. Councillor be appointed to the MADCAPS Child Care Centre Committee;**
- 4. Councillor Patroni Flockart be appointed to the Rural Water Council;**
- 5. Councillor _____ be appointed to the Doorways Committee;**
- 6. Councillor _____ be appointed to the Merredin Residential College Committee; and**

Councillor Willis be appointed to the Eastern Wheatbelt Biosecurity Group.

CARRIED BY ABSOLUTE MAJORITY 9/0

Officer's Resolution

Moved: Cr Boehme

Seconded: Cr Butler

82438 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*:

1. Councillor Willis be appointed to the Merritville Retirement Village Committee;
2. Councillors Patroni & Flockart be appointed to the Rural Water Council;
3. Councillor Willis be appointed to the Eastern Wheatbelt Biosecurity Group.

11. Disclosure of Interest

Councillor Billing declared a Financial Interest in Item 22.1.

12. Applications for Leave of Absence

Nil

13. Petitions and Presentations

Nil

14. Confirmation of Minutes of the Previous Meetings

14.1 Ordinary Council Meeting held on 17 September 2019

[Attachment 14.1A](#)

14.2 Audit Committee Meeting held on 17 September 2019

[Attachment 14.2A](#)

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Patroni

Seconded: Cr Boehme

82439 That the Minutes of the Ordinary Council Meeting held on 17 September 2019 and the Audit Committee Meeting held on 17 September 2019 be confirmed as a true and accurate record of proceedings.

CARRIED 9/0

17. Receipt of Minutes of Committee Meetings

- 17.1 Rural Water Council of WA (Inc) Meeting held on 5 July 2019
[Attachment 17.1A](#)
- 17.2 WALGA State Council Summary Meeting held on 21 August 2019
[Attachment 17.2A](#)
- 17.3 Great Eastern District Operations Committee Meeting held on 10 September 2019
[Attachment 17.3A](#)
- 17.4 Wildflower Society of Western Australia (Inc) Meeting held on 25 September 2019
[Attachment 17.4A](#)
- 17.5 WEROC Council Meeting held on 27 August 2019
[Attachment 17.5A](#)
- 17.6 Local Emergency Management Committee Meeting held on 27 August 2019
[Attachment 17.6A](#)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Van Der Merwe

Seconded: Cr Willis

82440 That the Minutes of the Rural Water Council of WA (Inc) Meeting held on 5 July 2019, WALGA State Council Summary Meeting held on 21 August 2019, Great Eastern Country Zone Meeting held on 27 August 2019, Wildflower Society or Western Australia (Inc) held on 25 September 2019, WEROC Council Meeting held on 27 August 2019, be received.

CARRIED 9/0

19. Officer's Reports - Development Services

19.1 Lot 21 & 120 (No 108) Totadgin Hall Road Merredin Animal Husbandry - Intensive

<h2>Development Services</h2>		
Responsible Officer:	Peter Zenni, EMDS	
Author:	Peter Zenni, EMDS	
Legislation:	Shire of Merredin Local Planning Scheme No. 6 Planning and Development (Local Planning Schemes) Regulations 2015 Health (Miscellaneous Provisions) Act 1911	
File Reference:	A7102	
Disclosure of Interest:	Nil	
Attachments:	<u>Attachment 19.1A</u> – Application for planning approval and associated documentation, aerial photos and public submissions	

Purpose of Report

Executive Decision

Legislative Requirement

Background

The Shire of Merredin has received an application for planning approval for the carrying out of animal husbandry - intensive on Lots 21 & 120 (No 108) Totadgin Hall Road, Merredin.

Comment

The Shire of Merredin Council at its meeting held on Tuesday 20th August 2019, considered the application and resolved as follows;

- 1. That the proposed application for a proposed animal husbandry – intensive activity on Lots 21 & 120 (No 108) Totadgin Hall Road Merredin WA 6415, be subject to statutory advertising for a period of 14 days in accordance with requirements of the Shire of Merredin Local Planning Scheme No.6.***

2. ***That the Shire of Merredin Council authorise the Shire Chief Executive Officer to grant planning consent on its behalf for the proposed animal husbandry – intensive activity on Lots 21 & 120 (No 108) Totadgin Hall Road Merredin WA 6415, subject to there being no objections submitted during the statutory advertising period.***
3. ***That the planning consent be subject to the applicant developing and implementing an activity management plan aimed at ensuring that;***
 - a) ***the animal husbandry – intensive activity is limited to the keeping of 600 hens in rotational pens for the purposes of egg production;***
 - b) ***the rotational pens are moved on a regular basis to prevent the build-up of waste materials;***
 - c) ***the rotational pens are not permitted to approach close than 100 meters to any dam or water course;***
 - d) ***the hens are checked regularly and any dead birds and any associated offensive matter is picked up and disposed of in a burial pit on a daily basis;***
 - e) ***all dead birds and any associated offensive matter placed in to the burial pit is properly covered with sand at the end of each day to prevent the breeding of flies and creation of nuisances;***
 - f) ***the burial pit be located in a location on the property as far as possible removed from adjacent housing as well as any water courses.***

The proposed animal husbandry – intensive activity was advertised for public comment in The Phoenix newspaper on Friday 13th September 2019, requesting any submissions on the proposal to be submitted to the Shire of Merredin in writing on or before Tuesday 1st October 2019.

The Shire of Merredin also sent correspondence to the owners of properties in the vicinity of Lots 21 & 120 (No 108) Totadgin Hall Road, Merredin advising them of the proposed activity and the ability to make written submissions on the proposal.

During the advertising period the Shire of Merredin received three (3) enquiries from members of the public as well as one (1) email enquiry from the Department of Primary Industries and Regional Development (DPIRD).

The Shire of Merredin received two (2) written submissions, these being from the Department of Primary Industries and Regional Development (DPIRD) and Mr Alistair McKeown (copies of submissions are attached herewith).

DPIRD Submission

The submission from the Department of Primary Industries and Regional Development was received by the Shire of Merredin following the closure of the statutory advertising period and as such there is no onus on the Shire of Merredin to take it in to consideration. However the submission states that DPIRD is not opposed to the proposal and makes valid comment on the need to implement a biosecurity plan as well as an operational plan aimed at dealing with waste management practices. Both of these matters can be addressed by being incorporated as part of conditional approval of the proposed activity.

Alistair McKeown Submission

Mr McKeown's submission objects to the proposed development on the basis that it is located less than 1km from boundary fences, homes and stock watering supplies thus raising concerns with respect to the following;

- Disposal of waste
- Vermin
- Unpleasant odour
- Contamination of stock watering supply.

Mr McKeown has also requested to see an environmental impact study for the proposed development.

Impacts

Environmental (nuisances and pollution)

The build-up of waste products associated with intensive animal husbandry has the potential to result in the creation of nuisances (odours, fly breeding etc.) as well as environmental pollution such as nutrient runoff in to water bodies.

Generally the severity of the environmental impact is directly linked to the scale of the activity and the management practices put in place to minimise the creation of nuisances and the potential for environmental pollution.

In this case the proposed activity will take place on a rural property of 100 acres and the scale of the activity will be low (600 hens). The applicant advises that the hens will be kept in movable pens to prevent the build-up of waste materials and that the hens will be checked daily for any dead birds which will be disposed of in a waste pit on the property. Providing this process is managed properly it should not lead to the creation of nuisances above that normally expected with farming related activities such as the running of sheep or cattle.

The property has a number of man-made stock watering dams as well as a creek system which runs across the property as seen in aerial photos (attached).

The Shire of Merredin Local Laws 1999 stipulate minimum separation distance requirements between feedlots and minor water bodies. This separation distance is 100 meters. Whilst the proposal before Council does not fit the definition of a feedlot, the 100m separation distance is seen as being appropriate.

The Shires Executive Manager Development Services (EMDS) has spoken with the Principal Environmental Health Officer for the Shire of Dandaragan, who provides EHO services to the Shire of Moora and has provided advice with respect to a similar activity operating within the Shire of Moora to that which is currently before Council. He has advised that this activity is the operation of a free range egg farm that utilises rotational pens her further advised that this activity has not resulted in any issues associated with odour or build-up of waste materials.

The EMDS has spoken with the operator and has been advised that as part of her operation the chickens are free range during the day and are placed in to the rotational pens in the evening, she is part of a network of free range egg producers and advises that the experience amongst her peers is that providing the rotational pens are relocated on a weekly basis and are cleaned as part of the relocation process there are no issues experienced with smells or waste build up as the amount of waste material accumulated is minimal and dries up when

exposed to the sun. The only issue relating to vermin relate to an increase in fox activity in the area.

Based on advice provided by the EMDS believes that the first 3 points forming part of Mr McKeown's submission, as highlighted above can be adequately addressed via the development and implementation of a suitable activity management plan.

The last point raised by Mr McKeown, dealing with contamination of stock watering supply can be managed via compliance with The Shire of Merredin Local Laws 1999 which stipulate minimum separation distance requirements between feedlots and minor water bodies. This separation distance is 100 meters.

Accordingly in order to minimise the potential for the creation of nuisances as well as ensuring compliance with the Shires Health Local Laws, the applicant should be required to develop and implement an activity management plan aimed at ensuring that;

- a) the animal husbandry – intensive activity is limited to the keeping of 600 hens in rotational pens for the purposes of egg production;
- b) the rotational pens are moved and cleaned on a weekly basis to prevent the build-up of waste materials;
- c) the rotational pens are not permitted to approach close than 100 meters to any dam or water course;
- d) the hens are checked and any dead birds and any associated offensive matter is picked up and disposed of in a burial pit on a daily basis;
- e) all dead birds and any associated offensive matter placed in to the burial pit is properly covered with sand at the end of each day to prevent the breeding of flies and creation of nuisances;
- f) the burial pit be located in a location on the property as far as possible removed from adjacent housing as well as any water courses.
- g) Fox control measures are implemented on the property.

The implementation of a suitable activity management plan as well as a biosecurity plan should adequately address comments provided by both DPIRD and Mr McKeown.

The scale of the proposed development and the size of the lot in question do not necessitate the preparation of an environmental impact study in relation to the proposed activity.

The Shire of Merredin has received confirmation from the Department of Water and Environmental Regulation that the application in question does not need to be formally referred for environmental impact assessment.

Policy Implications

Nil

Statutory Implications

Compliance with Shire of Merredin Local Planning Scheme No. 6

Compliance with the Shire of Merredin Local Laws 1999.

Compliance with Planning and Development (Local Planning Schemes) Regulations 2015

Compliance with Health (Miscellaneous Provisions) Act 1911

Strategic Implications

➤ **Strategic Community Plan**

Zone: Economy and growth

Zone Statement: Merredin seeks new opportunities for growth and strives to develop rich and multifaceted economy

Key Priority: 2.3 Supporting initiatives from local business for growth

➤ **Corporate Business Plan**

Key Action: 4.1.1 Continue to upgrade the Integrate Planning Framework, meet statutory requirements of the Local Government Act 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

Planning application fees have been paid

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr McKenzie

82441

That Council:

Grant development (planning) approval for a proposed animal husbandry – intensive activity on Lots 21 & 120 (No 108) Totadgin Hall Road Merredin WA 6415, subject to;

- 1. The development and implementation to the satisfaction of the Shire of Merredin, of an activity management plan aimed at ensuring that;**
 - a. the animal husbandry – intensive activity is limited to the keeping of 600 hens in rotational pens for the purposes of egg production;**
 - b. the rotational pens are moved and cleaned on a weekly basis to prevent the build-up of waste materials;**
 - c. the rotational pens are not permitted to approach close than 100 meters to any dam or water course;**
 - d. the hens are checked and any dead birds and any associated offensive matter is picked up and disposed of in a burial pit on a daily basis;**
 - e. all dead birds and any associated offensive matter placed in to the burial pit is properly covered with sand at the end of each day to prevent the breeding of flies and creation of nuisances;**
 - f. the burial pit be located in a location on the property as far as possible removed from adjacent housing as well as any water courses.**
 - g. Fox control measures are implemented on the property.**
- 2. The development and implementation of a biosecurity plan to the satisfaction of the Department of Primary Industry and Regional Development.**

CARRIED 9/o

Councillor Patroni – left the meeting at 4:25pm

Councillor Patroni - re-entered the meeting at 4:26pm

19.2 Lot 57 Burracoppin Siding Road – Proposed Installation of Communications Radio Tower

<h2>Development Services</h2>		
Responsible Officer:	Peter Zenni, EMDS	
Author:	Peter Zenni, EMDS	
Legislation:	Shire of Merredin Local Planning Scheme No. 6	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 19.2A – Application for development approval, associated plans and specification	

Purpose of Report

- Executive Decision Legislative Requirement

Background

The Shire of Merredin has received an application for development (planning) approval from Arc Infrastructure for the removal of an existing communications tower and associated infrastructure and the installation of a new 50m communications tower on Lot 57 Burracoppin Siding Road, Burracoppin.

Comment

The proposed development consists of the removal of existing communications tower and associated infrastructure and the installation of a new 50m communications tower on Lot 57 Burracoppin Siding Road, Burracoppin.

Strategic

The proposal is consistent with the current as well as longer-term use of the area.

Statutory

The property located on Lot 57 Burracoppin Siding Road, Burracoppin is designated ‘Railway Local Scheme Reserve’ under the Shire of Merredin Local Planning Scheme No.6. (LPS).

Clause 2.4 of the LPS states that in determining an application for planning approval the local government is to have due regard to the ultimate purpose intended for the reserve and that in the case of land reserved for the purposes

of a public authority, the local government is to consult with that authority before determining an application for planning approval.

In this case the objectives of the Local Planning Scheme No. 6 relating to a Railway Local Reserve areas follows;

- To provide land and facilities for railway purposes and associated activities.
- To protect land from activities considered inappropriate to the successful continued operation of railway infrastructure.

The proposed development does not contravene the above objectives and complements the current long term use of the area.

The land in question is owned by the State of WA and is a reserve vested in the Public Transport Authority.

The development application has been signed by the Executive Director Infrastructure Planning and Land Services on behalf of the PTA. The Shires Executive Manager Development Services (EMDS) has spoken with a representative of the PTA and confirmed that the PTA supports the application as lodged by Arc Infrastructure with the Shire of Merredin.

The proposed communications tower will be utilised for both Arc Infrastructure and PTA railway related purposes only. It will not be used by other commercial communication carriers.

The communications tower is going to replace an existing communications tower which will be removed from the site. The area in question is located outside of the Burracoppin Town site boundary and as such the construction of the proposed structure (Class 10b building) will be exempted from building permit requirements.

Policy Implications

Nil

Statutory Implications

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

Strategic Implications

➤ Strategic Community Plan

Zone: Economy and growth

Zone Statement: Merredin seeks new opportunities for growth and strives to develop rich and multifaceted economy

Key Priority: 2.3 Supporting initiatives from local business for growth

➤ Corporate Business Plan

Key Action: 4.1.1 Continue to upgrade the Integrate Planning Framework, meet statutory requirements of the Local Government Act 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

The relevant development application fees have been paid.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Boehme

Seconded: Cr Billing

82442 That Council:


1. **Grant development (planning) approval to Arc Infrastructure for the removal of an existing communications radio tower and associated infrastructure and the installation of a new 50m Communications Radio Tower on Lot 57 Burracoppin Siding Road, Burracoppin, as outlined in attachment 19.2A;**

2. **Endorse the following advice notes;**

Whilst construction work associated with the installation of the 50m Communications Radio Tower is not subject to a requirement for a building permit to be obtained from the Shire of Merredin, the structure must comply with the all of the relevant provisions of the National Construction Code (BCA) and applicable Australian Standards.

CARRIED 9/0

19.3 Location 15173.(No 68o) Nukarni East Road – Application for Grouped Dwelling

Development Services		 <p>SHIRE OF MERREDIN INNOVATING THE WHEATBELT</p>
Responsible Officer:	Peter Zenni, EMDS	
Author:	Peter Zenni, EMDS	
Legislation:	Shire of Merredin Local Planning Scheme No. 6 <i>Bulding Act 2011</i> <i>Health (Miscellaneous Provisions) Act 1911</i>	
File Reference:	A5089	
Disclosure of Interest:	Nil	
Attachments:	Attachment 19.3A – Application for development approval, associated plans and specification	

Purpose of Report

- Executive Decision Legislative Requirement

Background

The Shire of Merredin has received an application for development (planning) approval for the placement of a second (grouped) dwelling on Location 15173 (No 68o) Nukarni East Road, Merredin

Comment

Location 15173 (No 68o) Nukarni East Road, Merredin is zoned ‘General Farming’ under the Shire of Merredin Local Planning Scheme No.6 (LPS). Until recently the placement of a second (grouped) dwelling on a single lot in a general farming zoned area was not permitted under the LPS. This changed with the gazettal of Amendment No. 4 to the LPS which occurred on 06/04/2018, and which had the following effect; Modified Table One – Zoning Table by deleting the ‘X’ against ‘grouped dwelling’ in a General farming zone and inserting a ‘D’, and adding a footnote to Table as follows; ‘ Subject to clause 4.13’.

Clause 4.13- deleted paragraph 2 and replaced it with the following- ‘In the ‘General Farming’ zone, the erection of more than one (1) single house per lot will generally not be supported. The local government may, at its discretion, approve the erection of one (1) additional dwelling on a rural lot, provided that;

- a) the total number of dwellings on the lot will not exceed three(3) dwellings;
- b) the additional dwelling complies with the setback requirements not less than those specified for the residential Design Code R2;
- c) the lot has an area of not less than 40 hectares;
- d) it can be demonstrated that the additional dwelling is for workers or family members employed for primary production activities on the lot;
- e) adequate provision of potable water for, and disposal of sewerage from, the additional dwelling can be demonstrated;
- f) the additional dwelling will not adversely detract from the rural character and amenity of the area or conflict with primary production on the subject lot or adjoining land;
- g) access to the existing road network is to be provided for any additional dwelling and shared with any existing dwelling where practicable;
- h) the existence of more than one dwelling on a lot in the 'General Farming' zone shall not be considered by itself to be sufficient grounds for subdivision.'

With respect to the above requirements, the EMDS makes the following comments;

- A. The total number of dwellings following the approval of this application and placement of the proposed dwelling on the lot will be two (2) dwellings.
- B. The placement location of the proposed dwelling on the lot will comply with the required setback requirements;
- C. The lot in question has an area of 340 hectares.
- D. The additional dwelling is being placed on the lot for use by family members who will be engaged in the operation of the farm for primary production purposes.
- E. The additional dwelling will be provided with potable water supply via rain water tank and onsite effluent disposal facilities in compliance with requirements of the Health (Miscellaneous Provisions) Act 1911.
- F. The additional dwelling will not adversely affect the rural character and the amenity of the locality.
- G. Existing road network will be utilised to gain access to the additional dwelling.

Policy Implications

The proposed additional dwelling is a transportable structure built by TR Homes and as such is subject to policy requirements specified by the Shire of Merredin LPS Local Planning Scheme Policy No.1 – Moveable Buildings.

Statutory Implications

Compliance with Shire of Merredin Local Planning Scheme No.6

Compliance with the Building Act 2011

Compliance with Health (Miscellaneous Provisions) Act 1911

Strategic Implications

➤ Strategic Community Plan

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

➤ Corporate Business Plan

Key Action: 4.1.1 Continue to upgrade the Integrate Planning Framework,
meet statutory requirements of the Local Government Act 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

The relevant development application fees have been paid.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Boehme

Seconded: Cr Butler


82443 That Council;

1. Grant development (planning) approval for the placement of a second (grouped) dwelling on Location 15173 (No 680) Nukarni East Road Merredin, as identified in attachment 19.3A, subject to;
 - a) The ongoing use of the dwelling being limited to workers or family members who will be engaged in the operation of the farm for primary production purposes.
 - b) Provision of potable water to the dwelling via suitable onsite rain water tank storage.
 - c) The installation of a suitable onsite effluent disposal system in accordance with requirements of the Health (Miscellaneous Provisions) Act 1911.
2. Advise the applicant that;
 - The granting of planning approval does not constitute a building permit and that an application for a building permit must be submitted to the Shire of Merredin and be approved before any work can commence on site.
 - An application for a suitable on-site effluent disposal system must be submitted to the Shire of Merredin and be approved before any work on the installation of the effluent disposal system can commence on site.

CARRIED 9/0

20. Officer's Reports - Engineering Services

20.1 Wheatbelt Secondary Freight Network Program – formalisation of commitment

<h2>Engineering Services</h2>		
Responsible Officer:	Mike Hudson, EMES	
Author:	Melissa Ivanetz, EA to CEO	
Legislation:	<i>Local Government Act 1995</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	<p><u>Attachment 20.1A</u> – WSFN Program Delivery Plan</p> <p><u>Attachment 20.1B</u> – WSFN MCA Methodology</p> <p><u>Attachment 20.1C</u> – WSFN Governance Plan</p>	

Purpose of Report

Executive Decision Legislative Requirement

Background

It is requested by the Wheatbelt Secondary Freight Network Steering Committee that the associated 42 Local Governments formalise their commitment to WSFN Program, to be eligible for future funding and project consideration, via a formal resolution of Council.

Comment

42 Local Governments of the Wheatbelt region have worked collaboratively for over 4 years to secure funding to improve secondary freight network routes on Local Government Roads in the Wheatbelt. The Wheatbelt Secondary Freight Network (WSFN) Program has successfully been allocated \$70 million of Federal funding (ROSI) and this has been matched with State funding of \$17.5 million (reflecting the 80/20 funding agreement). The State funding will be sourced two thirds from the State and one third from the Local Governments whose assets are being upgraded. The available \$87.5M will not be sufficient to upgrade all the identified 80 routes and good governance of this program, and ongoing collaboration between all parties, will be critical in securing additional funding.

Attached is Program Governance Plan (PGP) which identifies how key governance and administrative aspects will be undertaken to ensure successful delivery of the program. It will assist to outline the structure and processes for decision making and consultation within the Wheatbelt Region Regional Road Groups (WR RRG) and Local Governments. The PGP will provide a framework and guidelines for all members of the WSNF Program to operate within. The PGP will be used to communicate to all stakeholders how the program will be governed. This PGP should be read in conjunction with the attached Program Delivery Plan and the Multi-criteria Analysis (MCA) Methodology documents that provide operational details about how on-ground capital works will be delivered for Stage 1 and beyond.

Now that the initial funding for the delivery of on-ground capital works for Stage 1 has been confirmed, it is proposed that all 42 Local Governments formalise their commitment to WSNF Program, to be eligible for future funding and project consideration. It is requested by the WSNF Steering committee that this formal commitment from all 42 Councils be via a formal resolution of Council, which will entail the presentation and acknowledgement of the following WSNF program documents:

- Project Governance Plan
- Program Delivery Plan
- Multi Criteria Analysis Methodology.

The 42 Council resolutions will be collated as addendums to a formal agreement that the Regional Road Group will sign with the Federal and State Governments on behalf of all 42 LGs associated with the WSNF program formalising the ongoing commitment to the program.

In order to demonstrate best outcomes and value for money it is necessary to develop a transparent process to identify which routes have the highest priority for the limited available funding. A prioritisation of the Wheatbelt Secondary Freight Network routes will via a multi-criteria analysis (MCA) will be developed to score each route based on the available data submitted by Local Governments and the Revitalising Agricultural Region Freight (RARF) strategy being coordinated by the WA State Government. The criteria upon which each route will be assessed in the MCA includes:

Data Set	Description
ROSMA KSI Rate	ROSMA data will be supplied by Main Roads WA. It captures the rate of 'Killed or Serious Injury' (KSI) incidents on a route.
Seal Width	The seal width of the road described as a percentage of the route length, allowing an average seal width will be applied across the route. Seal width will be compared to a minimum seal width of 7m as per a Type 5 road.
Road Condition	Shire's have assessed road condition on a one to five scale, which has been applied as a direct metric. Five indicating very poor condition
ADT Counts	Average Daily Traffic counts provide data on the average number of total vehicles traveling on a road per day over the measurement period, capturing both heavy and light vehicle use.
ESA Counts	An Equivalent Standard Axle is defined as a dual tyred single axle transmitting 8.2 tonne to the pavement. ESA counts are therefore reflective of the total number and load of heavy vehicles that impact a road.

On-ground works for the WSNF program are expected to commence in financial year 2020/21 and be staged over a 3 to 5 year period depending upon Federal Government stipulations.

For the year 2019/20 the WSNF have identified 2 x pilot projects to begin on-ground works and refine project delivery methodologies and processes. These will be \$1 million dollars each and have been identified for the following Shires:

- Wheatbelt North
- Shire of Victoria Plains
- Lancelin to Meckering Route
- Mogumber - Yarawindah Road
- Project value \$1M
- Wheatbelt South
- Shire of Quairading
- Cunderdin to Kweda Route
- Cunderdin - Quairading Road
- Project Value \$1M

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

➤ Strategic Community Plan

Vision Element: Zone 6 – Transport and Networks
Strategic Goal: Merredin provides transport networks that connects 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
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

Local Governments with projects approved over the course of the WSNF program will be required to contribute approximately 7% of each individual project's total cost. The remaining funding will be provided by Federal Government 80% and State Government 13%.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Patroni

Seconded: Cr Boehme

82444 That Council;

1. Formalise its commitment to the Wheatbelt Secondary Freight Network Program enabling it to be eligible for future funding and project consideration.
2. Receive the following WSFN Program documents which outline how the WSFN Steering Committee propose to administer the WSFN Program:
 - Program Governance Plan
 - Program Delivery Plan
 - Multi Criteria Analysis Methodology
3. Endorse the processes and procedures outlined in the Program Governance Plan which enables the Wheatbelt North and Wheatbelt South Regional Road Groups and the WSFN Steering Committee to make decisions in accordance with in the Program Governance Plan.

CARRIED 9/0

P Zenni – left the meeting at 4:30pm and did not return

21. Officers Reports – Corporate and Community Services

21.1 List of Accounts Paid

<h2>Corporate Services</h2>		 <p>SHIRE OF MERREDIN INNOVATING THE WHEATBELT</p>
Responsible Officer:	Charlie Brown, EMCS	
Author:	Leticia Richards, SFO	
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 21.1A - List of Accounts Paid	

Purpose of Report

- Executive Decision Legislative Requirement

Background

The attached List of Accounts Paid during the month of September 2019 under Delegated Authority is provided for Council’s information.

Comment

Nil

Policy Implications

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

Statutory Implications

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

Strategic Implications

➤ **Strategic Community Plan**

Zone: Zone 4 – Communication & Leadership
Zone Statement: Merredin Council engages with its Community and leads by example.

Key Priority: 4.1 – Ensuring all planning, reporting and resourcing is in accordance with best practice, compliance and statutory requirements.

➤ Corporate Business Plan

Key Action: 4.1.1 – Continue to update the Integrated Planning Framework, meet statutory requirements of the Local Government Act and Regulations and regulatory obligations required under other regulations.

Directorate: Corporate Services

Timeline: Ongoing

Sustainability Implications

➤ Strategic Resource Plan

Nil

➤ Workforce Plan

Directorate: Nil

Activity: Nil

Current Staff: Nil

Focus Area: Nil

Strategy Code: Nil

Strategy: Nil

Implications: Nil

Risk Implications

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

Financial Implications

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

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Van Der Merwe

82445 That the schedule of accounts paid as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$923,888.45 from Council's Municipal Fund Bank Account and \$2,402.68, from Council's Trust Account be endorsed by Council.

CARRIED 9/o

21.2 Statement of Financial Activity

<h2>Corporate Services</h2>		
Responsible Officer:	Charlie Brown, EMCS	
Author:	Leticia Richards, SFO	
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	<p><u>Attachment 21.2A</u> - Statement of Financial Activity</p> <p><u>Attachment 21.2B</u> – Detailed Statements</p> <p><u>Attachment 21.2C</u> – Monthly Investment Report</p> <p><u>Attachment 21.2D</u> – Financial Ratios</p> <p><u>Attachment 21.2E</u> – Capital Expenditure</p>	

Purpose of Report

- Executive Decision
 Legislative Requirement

Background

The Statement of Financial Activity, which includes the Detailed Schedules, Statement of Financial Position, Current Ratios and Investment Register, are attached for Council’s information.

Comment

Operating Income and Expenditure is consistent with Council’s YTD Budget with Operating Income consistent with budget estimates and Expenditure showing a 5% variance.

The expenditure variance will even out next month to show a clearer picture.

Capital Expenditure

A detailed look at capital expenditure can be found in Note 8 and as a separate attachment.

Policy Implications

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

Statutory Implications

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

Strategic Implications

➤ Strategic Community Plan

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

➤ Corporate Business Plan

Key Action: 4.1.1 – Continue to update the Integrated Planning Framework, meet statutory requirements of the Local Government Act and Regulations and regulatory obligations required under other regulations.
Directorate: Corporate Services
Timeline: Ongoing

Sustainability Implications

➤ Strategic Resource Plan

Compliance with the *Local Government (Administration) Regulations 1996* and to give Council some direction in regards to 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.

In order 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 of the Monthly Financial Report is retrospective. Accordingly, the financial implications associated with adopting the Report are nil.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Butler

82446 That in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, the Statement of Financial Activity and the Investment Report for the period ending 30 September 2019 be received.

CARRIED 9/0

21.3 Merredin Regional Community Leisure Centre – Sports Council & Belgravia Leisure – User Group Fees 2019/20

<h2>Corporate Services</h2>		
Responsible Officer:	Kellie Bartley, DCEO	
Author:	Kellie Bartley, DCEO	
Legislation:	<i>Local Government Act 1995</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	<p><u>Attachment 21.3A</u> – Letter of Request from Merredin Sports Council</p> <p><u>Attachment 21.3B</u> – Email of Request from Belgravia Leisure</p> <p><u>Attachment 21.3C</u> – Management Plan (2015)</p> <p><u>Attachment 21.3D</u> – Schedule of Fees</p>	

Purpose of Report

Executive Decision Legislative Requirement

Background

Council adopted the Merredin Recreation Community & Leisure Centre (MRCLC) User Fee Restructure in 2015. On appointment of Belgravia Leisure, these fees were then under the contract outlined within the tender specifications. The following Council resolutions were previously decided on this matter:

MRCLC User Fee Restructure

At its January 2015 Council resolved (CMRef 81504) for the MRC&LC User Fee Restructure:

- 1. “That Council adopts a new user fee structure as outlined above;**
- 2. That the new fee structure be implemented from the winter season 2015;**
- 3. That Council adopts the strategy to increase user fees annually by 5% to be implemented from the winter season 2015;**
- 4. That the new fee structure remains in place for a period of 5 years with annual increases of 5% applying; and**
- 5. That the new fee structure be advertised.”**

CARRIED BY ABSOLUTE MAJORITY 5/1

Belgravia Leisure Extension of Contract

At its April 2018 Council resolved behind closed doors (CMRef 82170) for the extension for the contract to Belgravia Leisure:

“That Council:

- 1. Accepts the proposal submitted by Belgravia Leisure to extend the Management Agreement for a maximum of five years for the provision of contract management of the Merredin Regional Community and Leisure Centre commencing 1 July 2018; and***
- 2. Accepts the Indoor Play Centre Business Plan and permits Belgravia Leisure to implement the project.”***

CARRIED BY ABSOLUTE MAJORITY 7/0

Comment

The purpose of this report is for Council to consider the request for the Merredin Recreation Community and Leisure Centre (MRCLC) user group fees to remain unchanged for the 2019/20 financial year.

This report recommends that the user group fees to remain the same for the 2019/20 financial year to allow Belgravia Leisure and the Merredin Sports Council to reconsider the methodology of the user group fees with a structured outcome and the user fees to be more equitable for both parties.

User Group Fees

The current user group fees have been on an annual 5% increase since August 2015. This has been a concern for sporting groups, with a decrease in numbers within each sporting group. Since these initial fees were adopted, each sporting group has had a reduced number of members and struggle to maintain the 5% increase over this period of time.

The initial guidelines are set out in the Management Plan as contained in attachment 21.3C and the schedule of fees for this period is contained in attachment 21.3D.

Belgravia Leisure

Under the Management Plan 2019/20, Belgravia Leisure is to maintain a strategic focus and priorities enhancing the collaboration between the MRCLC staff and the Merredin Sports Council with a view to both groups working together effectively for mutual benefit.

Consultation

Meetings have been held with Rohan Gunton (State Manager - Belgravia Leisure) and Tracy Berryman (Manager Belgravia Leisure) with regards to the responsibility of the user group fees and the understanding of the initial concept of these fees.

DCEO held a meeting with the Sports Council and sporting groups on the 9th July 2019, with 22 attendees given details on the concept of the user group fees.

DCEO presented to the Sports Council 3 options for discussion. Increase the user group fees 5%, 2% or CPI (1.1% March 2019). Discussions with regards to resurfacing costs were also discussed. The DCEO requested the clubs to discuss the percentage increases and the parameters to be addressed.

The original fee structure for Association/Clubs are set on an individual fee structure on a “user pays” based determined by:

1. The number of members.
2. The number of times they use the facilities.
3. The time they use the facility for.
4. Other factors such as lighting or sole use of the Centre.

Original Fee Structure

Club	Summer 2013/14 User Fee	Winter 2014 User Fee	Proposed Restructure Flat Rate
Basketball Association	\$11,833		\$12,500
Netball Association		\$7,304	\$8,000
Burracoppin Football		\$3,024	\$4,500
Nukarni Football		\$3,755	\$4,500
Merredin Junior Football		\$1,740	\$2,000
Nukarni Cricket Club	\$840		\$1,600
Merredin Junior Cricket	\$408		\$1,360
Merredin Little Athletics	\$606		\$2,500
Burracoppin Hockey		\$2,055	\$2,500
Merredin Hockey		\$2,280	\$2,500
Merredin Men's Hockey		\$930	\$2,500
Merredin Junior Hockey		\$3,210	\$2,500
Social Hockey			\$2,000
Merredin Golf		\$2,232	\$2,000
Civic Bowls	\$5,940		\$6,000
Fire Brigade	\$500		\$500
Merredin Tennis	\$3,000		\$2,500
TOTAL	\$23,127	\$26,530	\$60,460

Note: Changes were made for various sports by further resolutions after the initial decision.

Proposed Fee Structure to be implemented 2019/20 season

Club	Restructured Flat Base Rate (Implemented Winter 2015)	Amount Adopted by Council January 2015	2016/17 plus 5%	2017/18 plus 5%	2018/19 plus 5%	2019/20 plus 5%
Merredin Basketball Association	\$12,500	\$ 12,500.00	\$ 13,125.00	\$ 13,781.25	\$ 14,470.31	\$ 15,193.83
Merredin Netball Association	\$8,000	\$ 7,875.00	\$ 8,268.75	\$ 8,682.19	\$ 9,116.30	\$ 9,572.11
Burracoppin Football Club	\$4,500	\$ 4,725.00	\$ 4,961.25	\$ 5,209.31	\$ 5,469.78	\$ 5,743.27
Nukarni Football Club	\$4,500	\$ 4,725.00	\$ 4,961.25	\$ 5,209.31	\$ 5,469.78	\$ 5,743.27
Merredin Junior Football	\$2,000	\$ 2,100.00	\$ 2,205.00	\$ 2,315.25	\$ 2,431.01	\$ 2,552.56
Nukarni Cricket Club	\$1,600	\$ 1,600.00	\$ 1,680.00	\$ 1,764.00	\$ 1,852.20	\$ 1,944.81
Merredin Junior Cricket	\$1,360	\$ 500.00	\$ 525.00	\$ 551.25	\$ 578.81	\$ 607.75
Merredin Little Athletics	\$2,500	\$ 2,500.00	\$ 2,625.00	\$ 990.00	\$ 1,039.50	\$ 1,091.48
**Burracoppin Ladies Hockey Club	\$2,500	\$ 2,625.00	\$ 2,756.25	\$ 2,894.06	\$ 3,038.77	\$ 3,190.70
**Merredin Womens Hockey Club	\$2,500	\$ 2,625.00	\$ 2,756.25	\$ 2,894.06	\$ 3,038.77	\$ 3,190.70
**Merredin Mens Hockey Club	\$2,500	\$ 2,625.00	\$ 2,756.25	\$ 2,894.06	\$ 3,038.77	\$ 3,190.70
Merredin Junior Hockey Association	\$2,500	\$ 2,625.00	\$ 2,756.25	\$ 2,894.06	\$ 3,038.77	\$ 3,190.70
Merredin Social Hockey	\$2,000	2,625.00	\$ -	\$ -	\$ -	\$ -
Merredin Golf Club	\$2,000	\$ 2,100.00	\$ 2,205.00	\$ 2,315.25	\$ 2,431.01	\$ 2,552.56
Civic Bowls Club	\$6,000	\$ 6,000.00	\$ 6,300.00	\$ 6,615.00	\$ 6,945.75	\$ 7,293.04
Merredin Volunteer Fire Brigade	\$500	\$ 500.00	\$ 525.00	\$ 551.25	\$ 578.81	\$ 607.75
Merredin Districts Lawn Tennis Club	\$2,500	\$ 2,500.00	\$ 2,625.00	\$ 2,756.25	\$ 2,894.06	\$ 3,038.77
TOTAL	\$59,960	\$ 58,125.00	\$ 61,031.25	\$ 62,316.56	\$ 65,432.39	\$ 68,704.01

Original Parameters

Club	Parameters
Merredin Basketball Association	1 playing day per week (Thursday commencing at 3.30pm) - Juniors and Senior Competition
Merredin Netball Association	1 playing day per week (Saturday) - Training nights for teams
Burracoppin Football Club	Includes line marking, 1 playing day, 2 training per week
Nukarni Football Club	Includes line marking, 1 playing day, 2 training per week
Merredin Junior Football	Includes line marking, 1 playing day, 1 training per week
Nukarni Cricket Club	Includes initial wicket preparation and line marking each home game Finals to be billed separately.
Merredin Junior Cricket	Includes 1 playing day, 1 training per week
Merredin Little Athletics	Includes line marking, 1 training day (Friday)
Burracoppin Ladies Hockey Club	Fixture games (Saturday) and trainings
Merredin Womens Hockey Club	Fixture games (Saturday) and trainings
Merredin Mens Hockey Club	Fixture games (Saturday) and trainings
Merredin Junior Hockey Association	1 playing night per week (Friday)
Merredin Social Hockey	1 playing night per week (Wednesday)
Merredin Golf Club	Fixture playing days
Civic Bowls Club	Fixture playing days
Merredin Volunteer Fire Brigade	Unlimited use
Merredin Districts Lawn Tennis Club	Fixture playing days

After further discussions between Council, CEO, Belgravia Leisure and the Merredin Sporting Council, it is recommended to allow time for Belgravia Leisure and the Sports Council to work on the parameters and the fee structure.

This may take a period of 6 months for consultation to take place as there has been concerns raised with the parameters, user group training days and game days and other areas associated with the Centre and the usage. It also identified the reduced number of each sport and their membership numbers.

Conclusion

Belgravia Leisure is willing to liaise with the groups to come to an agreement on the 2020/2021 user group fees.

In addition to revising the user fee structure there is a need to analyse the service level delivered at the MRCLC to identify strategies.

The proposed fees will still be required to be adopted by Council after the consultation and agreement between both parties.

It is recommended that the 2019/20 fees remain the same as the 2018/2019.

By Council adopting these fees it will allow time for Belgravia Leisure and the Sports Council to carefully consider all aspects and bring to Council prior to the 2020/21 budget and management plan process.

Policy Implications

Nil

Statutory Implications

There is no statutory provisions related to this matter. However, it does align with our Strategic Community Plan

Strategic Implications

➤ Strategic Community Plan

Zone: Zone 1 – Community & Culture

Zone Statement: Merredin is rich in cultural diversity, performing and fine arts and a variety of sports available for both residents and visitors.

Key Priority: 1.3 – Supporting sport activities and promoting healthy lifestyles.

➤ Corporate Business Plan

Key Action: 1.3.1 – Provide facilities and services for sport and recreation.

Directorate: Community 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

The risk implications to Council is of low risk however, the reputational risk to all parties involved is a medium risk. Without consultation and collaboration of all parties, the long-term risk may be reduction in service delivery and reduction in sporting numbers across each group

Financial Implications

The financial implications to Council is low however, the service delivery and outcomes for the annual user fees is with the contract Belgravia Leisure.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Boehme

Seconded: Cr Van Der Merwe

82447 That Council

1. adopts the User Group Fees as follows:

Club	2019/20
Merredin Basketball Association	\$ 14,470.31
Merredin Netball Association	\$ 9,116.30
Burracoppin Football Club	\$ 5,469.78
Nukarni Football Club	\$ 5,469.78
Merredin Junior Football	\$ 2,431.01
Nukarni Cricket Club	\$ 1,852.20
Merredin Junior Cricket	\$ 578.81
Merredin Little Athletics	\$ 1,039.50
Burracoppin Hockey Club	\$ 3,038.77
Merredin Hockey Club	\$ 6,077.54
Merredin Junior Hockey Association	\$ 3,038.77
Merredin Social Hockey	\$ 0.00
Merredin Golf Club	\$ 2,431.01
Civic Bowls Club	\$ 6,945.75
Merredin Volunteer Fire Brigade	\$ 578.81
Merredin Districts Lawn Tennis Club	\$ 2,894.06
TOTAL	\$ 65,432.39

2. allows for Belgravia Leisure and Merredin Sports Council to work towards revised user group fee structure for adoption for the 2020/21 financial year.

CARRIED 9/o

22. Officer's Reports – Administration

Councillor Billing declared a Financial Interest in Item 22.1

Councillor Billing - left the Chambers at 4:36pm

22.1 Councillors and Staff Christmas Function

<h2>Administration</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Greg Powell, CEO	
Author:	Melissa Ivanetz, EA to CEO	
Legislation:	<i>Local Government Act 1995</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Nil	

Purpose of Report



Executive Decision



Legislative Requirement

Background

Each year Council provides a Christmas function for Councillors and staff to celebrate the season and acknowledge the work achieved throughout the year.

Council policy 1.12 – Annual Christmas Function States that an agenda item be presented to council by no later than November each year requesting Council confirm the date and venue of the function

Comment

Last years the function was held at the Commercial Hotel, the year prior at the MRCLC and previously been held at Cummins Theatre and the Northside Tavern.

The matter was discussed with council at its September briefing session with the suggestion being that the function being “shared around” for the benefit of other businesses in town.

With the Merredin Palace Restaurant recently reopening and having not been utilised for such an event in prior years. Contact was made with the restaurant it can provide a modified menu of its normal menu for \$40 per head with it being on a Monday evening so that it can be a private function.

The Merredin Club, through Mrs Hayley Billings provided a quote of \$35 per head with a traditional Christmas menu. The only date available on a Saturday night is 7 December 2019

Policy Implications

Policy 1.12 Annual Christmas Function states:

“That council provide a joint Christmas Function for Councillors, employees and the partners/spouses. The Chief Executive Officer is to place an item on the Council agenda no later than November of each year requesting Council to confirm a date and location for the function.”

It should be noted that in previous year children were not able to attend the event, it is anticipated that this will be the same.

Statutory Implications

Council’s Code of Conduct applies

Strategic Implications

➤ Strategic Community Plan

Zone: Nil

Zone Statement: Nil

Key Priority: 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

An allocation is included in the 2019/20 Budget for the function.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Butler

Seconded: Cr Van Der Merwe

82448 That the Shire of Merredin 2019 Christmas function for Councillors, staff and their partners be held at Merredin Palace Restaurant on 9 December 2019.

CARRIED 8/o

Councillor Billing – re-entered the Chambers at 4:39pm

22.2 20 Priestley Street, Merredin – Sale by Private Treaty

<h2>Administration</h2>		
Responsible Officer:	Greg Powell, CEO	
Author:	Greg Powell, CEO	
Legislation:	<i>Local Government Act 1995</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	<p><u>Attachment 22.2A</u> – (Confidential) LMW (WA) Property Valuation</p> <p><u>Attachment 22.2B</u> – (Confidential) Building and Timber Pest inspection</p> <p><u>Attachment 22.2C</u> – (Confidential) Urban & Rural Valuation Report</p>	

Purpose of Report

- Executive Decision
 Legislative Requirement

Background

An enquiry was received by the tenant of the property, Dr Jonathan Ruiz as to whether Council would be prepared to sell the house property at 20 Priestley Street, Merredin. Given Council’s informal advice that it would favourably consider the sale subject to statutory requirements being satisfied.

Comment

A qualified Valuer, Ron Sawyer of Property and Rural Valuations, was retained to undertake a sworn valuation of the property. A Report is attached. A copy was provided to Dr Ruiz who considered the valuation was high. It was agreed that he should commission his own valuation which he did together with a Property Condition Report. Both documents are attached. There is a variation of \$40,000 between the two valuations.

Dr Ruiz was asked to consider making an offer on the property which he did at the lower amount.

Comment was sought from Council’s Building Property Manager, John Gearing, a registered builder, who considered the lower valuation was fair given the current condition of the property, the issues outlined in the Property Condition Report

and the cost to rectify those matters. His recommendation is that Council should accept Dr Ruiz' offer.

Should the recommendation be adopted the sale by private treaty is required to be advertised inviting public submissions. Should there be any submissions the matter will be referred back to Council for further consideration.

Policy Implications

Nil

Statutory Implications

Council will need to comply with S3.58 of the Local Government Act 1995 which requires public advertising of a proposal to dispose of property

Strategic Implications

➤ Strategic Community Plan

Zone: Nil

Zone Statement: Nil

Key Priority: Nil

➤ Corporate Business Plan

Key Action: Nil

Directorate: Nil

Timeline: Nil

Sustainability Implications

➤ Strategic Resource Plan

See Financial Implications below

➤ Workforce Plan

Directorate: Nil

Activity: Nil

Current Staff: Nil

Focus Area: Nil

Strategy Code: Nil

Strategy: Nil

Implications: Nil

Risk Implications

There are no risks foreseen with this transaction.

Financial Implications

Should the sale proceed to settlement it will result in unbudgeted revenue which should then be transferred to Reserves. There will be an ongoing reduction in maintenance expenditure.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution


Moved: Cr Patroni

Seconded: Cr Willis

82449 That the offer of \$285,000 to purchase 20 Priestley Street, Merredin from Dr Jonathan Ruiz be accepted conditional upon completion of statutory obligations required by S3.58 of the Local Government Act 1995.

CARRIED 9/0

22.3 WEROC Constitution - Adoption

<h2>Administration</h2>		
Responsible Officer:	Greg Powell, CEO	
Author:	Greg Powell, CEO	
Legislation:	<i>Local Government Act 1995</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 22.3 A – Draft WEROC Constitution Attachment 22.3B – WEROC MoU	

Purpose of Report

Executive Decision Legislative Requirement

Background

A draft constitution was prepared and forwarded to Member Councils on Wednesday 31 July 2019 with a request that the draft be considered by Members Councils at their August meetings.

Following discussions with the WEROC CEO during the 2019 WALGA Convention it was determined that further work on the constitution was required, specifically to include wording from the Warren Blackwood Alliance of Councils (WBAC) Constitution. Work on redrafting the constitution was not completed sufficiently for consideration at the August WEROC Council Meeting

A draft based on the WEROC CEOs requirements form an attachment to the meeting agenda as does a copy of WEROC’s current MoU.

Comment

In working through the draft constitution, it should be recognised that the objectives, purpose and functions/powers of WBAC constitution and repurposed into the attached draft of the WEROC Constitution are quite different to those articulated in the current WROC MoU.

In preparing the draft the Executive Officer has also included wording that takes into account WEROC’s decision with respect to membership of WEROC once incorporated.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

➤ Strategic Community Plan

Zone: Communication and Leadership

Zone Statement: Merredin Council engages with its community and leads by example

Key Priority: 4.1 – Ensuring all planning, reporting and resourcing is in accordance with best practice, compliance and statutory requirements

➤ Corporate Business Plan

Key Action: 4.1.1 Maximise advocacy benefits with memberships of Great Eastern Country Zone, Wheatbelt East Regional Organisation of Councils, West Australian Local Government Association and CEACA

Directorate: Office of the CEO

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

Officer's Recommendation / Resolution


Moved: Cr Boehme

Seconded: Cr McKenzie

82450 That Council advise the WEROC Council that it considers the draft Constitution as attached, sufficient for the needs of WEROC given its amalgamation Wheatbelt Communities (Inc) and its ongoing requirements.

CARRIED 9/0

22.4 Annual Report 2018/2019 – Adoption & Annual Electors Meeting

<h2>Administration</h2>		
Responsible Officer:	Greg Powell, CEO	
Author:	Greg Powell, CEO	
Legislation:	<i>Local Government Act 1995</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 22.4 A – Annual Report 2018/19	

Purpose of Report

- Executive Decision
 Legislative Requirement

Background

The annual financial statements for the year ended 30 June 2019 have been completed, as has the annual audit of the financial statements by the Auditor General. The 2018/19 Annual Report is attached

Comment

Local governments are required to adopt the annual report prior to 31 December each year and conduct an annual electors meeting (AEM) not more than 56 days after adopting the report.

Considering the above legislative timeline, if the 2018/19 Annual Report is adopted at Council’s October 2019 meeting, the AEM must be held on or prior to Tuesday 17 December 2019.

Council can therefore resolve to hold the AEM after either the November or December Council Meeting.

Pursuant to Section 7.9 of the *Local Government Act 1995* (the ‘Act’), an Auditor is required to examine the accounts and annual financial report submitted by a local government for audit.

The Auditor is also required, by 31 December following the financial year to which the accounts and report relate, to prepare a report thereon and forward a copy of that report to:

1. The Mayor or President;
2. The Chief Executive Officer; and the Minister for Local Government.

3. Furthermore, in accordance with Regulation 10(4) of the *Local Government (Audit) Regulations 1996*, where it is considered appropriate to do so, the Auditor may prepare a Management Report to accompany the Auditor's Report, which is also to be forwarded to the persons specified in Section 7.9 of the Act. The Management Report provides an overview of the audit process and outcomes, whilst also identifying any matters that, whilst generally not material in relation to the overall audit of the financial report, are nonetheless considered relevant to the day to day operations of Council.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

➤ Strategic Community Plan

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

➤ Corporate Business Plan

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

Sustainability Implications

➤ Strategic Resource Plan

Nil

➤ Workforce Plan

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

Risk Implications

Council would be contravening the *Local Government Act 1995* and the *Local Government (Audit) Regulations 1996* if this item was not considered by Council.

Financial Implications

Nil

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Butler

82451 That Council:

1. **Adopt the 2018/19 Annual Report as attached, and receive the Auditor's Report and Management Report from the Auditor General for the 2018/19 financial year; and**
2. **Holds its Annual General Meeting of Electors on 17 December 2019 commencing at 6.00pm in the Council Chambers.**

CARRIED BY ABSOLUTE MAJORITY 9/0

23. Motions of which Previous Notice has been given

Nil

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

Nil

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

Nil

26. Matters Behind Closed Doors

Nil

27. Closure

There being no further business the President thanked all those in attendance and declared the meeting closed at 4:47pm.

This page has intentionally
been left blank