SHIRE OF MERREDIN
INNOVATING THE WHEATBELT

MINUTES

Ordinary Council Meeting

Held in Council Chambers
Corner King & Barrack Street's, Merredin
Tuesday, 22 September 2026
Commencing 5:00pm

Common Acronyms Used in this Document	
BFAC	Bush Fire Advisory Committee
CEACA	Central East Accommodation & Care Alliance Inc
CEO	Chief Executive Officer
CWVC	Central Wheatbelt Visitors Centre
DSO	Development Services Officer
EO	Executive Officer
ELT	Executive Leadership Team
EMCS	Executive Manager Corporate Services
EMIS	Executive Manager Infrastructure Services
EMS&C	Executive Manager Strategy & Community
GECZ	Great Eastern Country Zone
GO	Governance Officer
LEMC	Local Emergency Management Committee
LGIS	Local Government Insurance Services
LPS	Local Planning Scheme
MCO	Media and Communications Officer
MoU	Memorandum of Understanding
MRCLC	Merredin Regional Community and Leisure Centre
OAG	Office of the Auditor General
OCM	Ordinary Council Meeting
SCM	Special Council Meeting
SRP	Strategic Resource Plan
WAEC	Western Australian Electoral Commission
WALGA	Western Australian Local Government Association
WEROC	Wheatbelt East Regional Organisation of Councils

September Ordinary Council Meeting

1. OFFICIAL OPENING 3
2. RECORD OF ATTENDANCE / APOLOGIES AND LEAVE OF ABSENCE 3
3. PUBLIC QUESTION TIME 3
4. DISCLOSURE OF INTEREST 4
5. APPLICATIONS OF LEAVE OF ABSENCE 4
6. PETITIONS AND PRESENTATIONS 4
7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS 4
8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION 5
9. MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC 5
10. RECEIPT OF MINUTES OF MEETINGS 5
11. RECOMMENDATIONS FROM COMMITTEE MEETINGS FOR CONSIDERATION 5
12. OFFICER'S REPORTS – DEVELOPMENT SERVICES 6
12.1 Lot 25091 Totadgin Hall Road – Grain Storage and Transport Facility Development 6
12.2 Lot 155 Marley Close Nangeenan – Nangeenan Hall Development 12
13. OFFICER'S REPORTS – INFRASTRUCTURE SERVICES 20
14. OFFICER'S REPORTS – CORPORATE SERVICES 21
14.1 Statement of Financial Activity – July 2026 21
14.2 Statement of Financial Activity – August 2026 24
14.3 List of Accounts Paid – August 2026 27
15. OFFICER'S REPORTS – COMMUNITY SERVICES 30
16. OFFICER'S REPORTS – ADMINISTRATION 31
16.1 Council Meeting and Audit, Risk and Improvement Committee Meeting Dates 31
16.2 Status Report – September 2026 34
16.3 Council Plan 2025-2035 – 6 Month Report 36
16.4 Filling Vacant Councillor Position 40
16.5 Creation of Reserve – REED Childcare 43
16.6 Shire of Merredin Christmas/New Year's Opening Hours 47
16.7 Policy Review – Policy 8.6, 8.12 & 8.19 50
17. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN 54
18. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN 54
19. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION 54
20. MATTERS BEHIND CLOSED DOORS 54
21. CLOSURE 54

Shire of Merredin
Ordinary Council Meeting
5:00pm Tuesday, 22 September 2026.

1. OFFICIAL OPENING

The President acknowledged the Traditional Owners of the land on which we meet today, and paid her respects to Elders past, present and emerging. The President then welcomed those in attendance and declared the meeting open at 5:04pm.

This meeting is being recorded on a digital audio device to assist with minute taking purposes. The public is reminded that copying or distribution of any part of the recording is not permitted. The Shire reserves all rights in relation to its copyright. Audio contained in a recording must not be altered, reproduced or republished without the written permission of the Shire and in accordance with Section 8.5 of the Shire of Merredin Standing Orders Local Law 2017, no person is to use any electronic, visual or audio recording device or instrument to record the proceedings of the Council or a Committee without the written permission of the Council.

2. RECORD OF ATTENDANCE / APOLOGIES AND LEAVE OF ABSENCE

Councillors:

Cr D Crook	Shire President
Cr P Van Der Merwe	Deputy President
Cr H Billing	
Cr P Boehme	
Cr P Madigan	
Cr L O'Neill	

Staff:

C Watts	CEO
C Brindley-Mullen	SCEM
L Boehme	EMCS
M Mono	EMIS
M Hussey	EO

Members of the Public: J Townrow, M Townrow, I Williams.

Apologies: Nil

Approved Leave of Absence: Nil

3. PUBLIC QUESTION TIME

RESPONSE TO QUESTION FROM MR IAN WILLIAMS:

Question: *"A small suggestion of diverting the traffic in front of the shops so the main street into the parking area so that the walking can be done on the main street more readily. Thank you"*

Response: In response to the question at the July Ordinary Council Meeting, which was taken on notice, together with the email sent to further define the question, the Chief Executive Officer advised the following:

The Shire has previously trialled closure of Barrack Street between the T junction at Bates Street and Queen Street in 2020 as part safe social distancing measures in response to Covid-19 and the Public Piazza Pilot Project, to improve the flow of pedestrians down out main street. We received more than 600 responses to a survey about the piazza/closure of Barrack Street with the overwhelming responses being negative. Therefore, the Shire will not be considering any permanent closure in the near future.

In relation to signposting slower speed limits along Barrack Street, the Shire has installed 20kph advisory signs on either side of the T junction, from the front of Comfort Style through to IGA, with a further sign on Bates Street as you approach the intersection to provide for pedestrian safety. While there is no pedestrian crash data to indicate an issue, the Shire will continue to regularly assess the need to impose slower speeds in that area or undertake other actions to slow traffic if required.

Mrs J Townrow gave a statement regarding Item 12.2, providing information on the application, and the Council policy regarding sea containers being allowed in townsites in certain situations.

4. DISCLOSURE OF INTEREST

Cr Crook declared an Impartiality Interest in Item 16.5.

5. APPLICATIONS OF LEAVE OF ABSENCE

Nil

6. PETITIONS AND PRESENTATIONS

Nil

7. CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

7.1 Ordinary Council Meeting held on 25 August 2026

Attachment 7.1A

Voting Requirements

■ Simple Majority ☐ Absolute Majority

Resolution

Moved: **Cr Billing** **Seconded:** **Cr Madigan**

83844 **That the Minutes of the Ordinary Council Meeting held 25 August 2026 be confirmed as a true and accurate record of proceedings.**

CARRIED 6/0

For: Cr Crook, Cr Van Der Merwe, Cr Billing, Cr Boehme, Cr Madigan, Cr O'Neill

Against: Nil

8. ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

The Shire of Merredin is deeply saddened to hear about the passing of Gloria Banks on 9 September 2026. As a pioneering leader and education staff member, she leaves behind an enduring legacy in Merredin.

As a beloved employee at South Merredin Primary School, she instilled the values of kindness and respect. Her commitment to justice and civic duty also extended beyond the school office, serving as a Justice of the Peace and a member of the Children's Court of Western Australia.

Gloria's impact on local government was truly historic. Serving as a Shire Councillor from 1983 to 1997, she was a tireless advocate for the people of Merredin. In 1993, she made history by becoming the Shire of Merredin's first female Shire President, serving until 1997. In this role, she paved a path for future generations of women in local government leadership. Guided by her own enduring philosophy, to always be "firm but fair," she earned the respect of colleagues, community members, and local leaders.

Gloria was truly a living testament to devotion, generosity, and community spirit. Her monumental contributions have left a mark on Merredin, and her legacy will continue to inspire for generations to come.

VALE Gloria Banks. Forever in our hearts.

9. MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

Nil

10. RECEIPT OF MINUTES OF MEETINGS

Nil

11. RECOMMENDATIONS FROM COMMITTEE MEETINGS FOR CONSIDERATION

Nil

12. OFFICER'S REPORTS – DEVELOPMENT SERVICES

12.1 Lot 25091 Totadgin Hall Road – Grain Storage and Transport Facility Development

Development Services	
Responsible Officer:	Musa Mono, EMIS
Author:	Suzanne Doncon P&GO
Legislation:	*Planning and Development Act 2005* *Building Act 2011*
File Reference:	A7122
Disclosure of Interest:	Nil
Attachments:	Attachment 12.1A – Application for Development Approval and Supporting Documentation. Attachment 12.1B – Crossover Standards for Oversize Vehicles.

Purpose of Report

☐ Executive Decision ■ Legislative Requirement

For Council to consider a Development Application (DA) for the development of a 175m x 30m grain bunker, 36m above-ground weighbridge and ancillary facilities at Lot 25091 Totadgin Hall Road, Merredin.

Background

The Shire of Merredin (the Shire) has received a DA for the placement of a single 175m x 30m grain bunker, 36m above-ground weighbridge and ancillary facilities at Lot 25091 Totadgin Hall Road, Merredin.

This DA requests approval for the following:

- 175m x 30m grain bunker
- 36m above-ground weighbridge
- Sea container office
- Toilet and amenity facilities
- Internal roads

Due to the use of this facility being the storage and transport of grain, which is predominantly sourced from external farming businesses, this development is classified as a transport depot and therefore requires development approval from Council.

Comment

Lot 25091 is located south of the Merredin Townsite and is zoned 'General Farming' under the Shire of Merredin Local Planning Scheme No. 6, Amendment No. 8 (the Scheme). The proposed works associated with the development of the grain storage and transport facility require development approval from Council.

It is noted that the design and the siting of the proposed sea container should be compatible with the objectives of the Shire of Merredin Local Planning Policy No. 1 Moveable Buildings and maintain the amenity of the locality. Installation of a sea container can be considered as it is located outside of townsite boundaries. Based on the site plan provided, the sea container is expected to have minimal impact on the visual aesthetics of the agriculture area.

The development proposes moving the main entry point to the site 350m south of its current location, this movement will have minimal impact as the new location has clear sightlines and no immediate intersections. Due to the RAV rating of Totadgin Hall Road, the oversized vehicles are restricted to a maximum size of 27.5m B-Double vehicles. Due to this capacity, the crossover to the site will need to meet the Infrastructure Design Manual requirements.

The location of the proposed development is not within the bushfire prone area of Lot 25091, therefore a BAL assessment is not required. The site is located on Tandegin, Ulva subsystem soil system, which results in it having a high wind and moderate water erosion risk. The management plan provided by the applicant indicates that the impacts of the proposed development on the soil will be minimal.

Consultation

Councillor/Officer Consultation

No Councillor or Officer consultation is required.

Community Consultation

As this development is a change in land use which will result in increased activity on and off site, it was requested that the applicant receive approval from the neighbouring properties. Letters of support have been received from several immediate neighbours to the site.

A letter of concern has been received by the Shire in response to the proposed development. This letter detailed the expected increase in traffic on Totadgin Hall Road and its impact on safety when turning on and off the road. In response to this letter, the Shire has visited the relevant roads and intersections and have found that the visibility at the intersection is adequate for the expected vehicle use and number of traffic movements, however the Shire will place a "Give Way" sign at the intersection as a precaution. Furthermore, it is proposed to include a condition requiring a development agreement for infrastructure contribution towards any additional road maintenance works to the Shire's road network adjacent to the subject site.

A letter of support has been received from the Local Member Lachlan Hunter.

Referral Consultation

Due to the novelty of this DA a referral was sent to the Department of Primary Industries and Regional Development (DPIRD) in relation to the impact of the change in use and the works to occur on the agricultural land. DPIRD is in support of this project and have no objections.

Policy Implications

The Shire of Merredin Local Planning Policy No. 1 Moveable Buildings is applicable.

Statutory Implications

Local Planning Scheme

Lot 25091 Totadgin Hall Road, Merredin is zoned 'General Farming' under the Scheme.

The proposed development of a grain storage and transport facility is classified as a transport depot land use. Within the General Farming zone, a Transport Depot is a 'D' class use – which means that the use is not permitted unless the local government has exercised its discretion by granting development approval.

Local Planning Policy No. 1 Moveable Buildings

Under the provisions of the Scheme, Council has adopted various Local Planning Policies. Due to the proposed use of transportable structures in this development, this development is subject to the requirements specified by Local Planning Policy No. 1 Moveable Buildings.

The proposed office/sample store is a sea container and therefore a moveable building. According to this Policy, sea containers are not permitted within the townsite areas but may be given special consideration, by Council, if outside the townsite areas of the Shire. Council may support the inclusion of the container if the container will not detract from the amenity of the locality. Due to the proposed site being off any major transport routes and being in a predominantly agricultural area, the inclusion of a sea container as an office/sample store during harvest is unlikely to impact the visual amenity of the locality due to being a minor building within the proposed grain facility. In addition, due to the position of the sea container on the property, the container will be partially screened from the road by native vegetation.

Statutory Requirements – *Building Act 2011* Considerations

Building work including the placement or erection of a building or incidental structure on land is subject to building permit requirements in compliance with the *Building Act 2011*. In this case the builder will need to obtain a building permit from the Shire for the office/sample store, weighbridge, toilet and septic system before building commences.

Statutory Requirements – Town Planning Considerations

The proponent is proposing that the roads within the immediate vicinity be used for road trains of 36.5m in length. The current maximum capacity for the Totadgin Hall Road is 27.5m Oversize B-Double, with the same capacity for the proposed secondary entrance at Collgar West Road, with the secondary entrance requiring approval from the road manager prior to use. Due to these restrictions, as set by Main Roads, while the proposed capacity for the internal roads are 36.5m road trains, without approval from Main Roads the site is restricted to 27.5m Oversize B-Double.

To accommodate this size of oversized vehicle, the proposed crossover, 350m south of the current crossover, will need to be developed to meet the requirements set by the Infrastructure Design Manual (Attachment 12.1B). The movement of the crossover to 350m south of its current location is not considered to be an issue by the Shire as the proposed location has clear sightlines and no immediate intersections, resulting in a low risk of vehicular accidents.

Lot 25091 Totadgin Hall Road is partially identified as a bushfire prone area. The proposed development does not encroach into the bushfire prone area and as such is not subject to BAL assessment requirements. Despite not being subject to BAL assessment requirements, the proponent has provided a management plan to reduce the risk of fire due to broadacre farming activity in the immediate vicinity.

The sites soil type is identified as Tandegin, Ulva subsystem which is a sand and gravel plan that is common in the Eastern Wheatbelt. Due to the high sand content of this soil type, the site is at high risk of wind erosion and moderate risk of water erosion. The proponent has provided an Erosion Management Plan which focuses predominantly on mitigating the water erosion through compaction and landscaping as required. In response to the risk of wind erosion, the proponent has proposed the maintenance of cropping and ground cover on the land surrounding the proposed site to reduce the risk. This management plan was assessed by DPIRD, the enforcement agency for soil degradation, who were not opposed to the proposed mitigation methods.

Strategic Implications

Ø Council Plan 2025-2035

Theme:	2 Economy and Growth
Service Area Objective:	2.4 Business / Economic Development
Priority Actions:	2.4.5 Advocate for the development of new business opportunities within Merredin to provide a diversity of retail and commercial offerings.

Sustainability Implications

Ø Strategic Resource Plan

There is no impact on capacity, resourcing or asset management to carry out the Officer's recommendation. Increased heavy vehicle traffic associated with the deliver and removal of grains from the site may lead to faster pavement deterioration, which will need to be monitored by Infrastructure Services, and maintained as needed.

Risk Implications

The development will increase heavy vehicle traffic on Totadgin Hall and Collgar West Roads, with potential road safety risks and a higher rate of pavement deterioration. The risk rating is considered to be Moderate (9), which is determined by a likelihood of Possible (3) and a consequence of Moderate (3). This risk will be minimised by the adoption of the Officer's Recommendation.

Financial Implications

There are no financial implications associated with this report including within the Long-term Financial Plan.

Voting Requirements

■ Simple Majority ☐ Absolute Majority

Resolution

Moved: **Cr** **Seconded:** **Cr**

That Council:

1. **GRANT Development Approval for the change in land use from agriculture-extensive to transport facility and approval for works associated with the construction of the grain storage and transport facility for a period of 5 years (i.e. to 22 September 2031), including:**
   - **175m x 30m grain bunker;**
   - **36m above-ground weighbridge;**
   - **Sea-container office;**
   - **Toilet and amenity facilities;**
   - **Internal roads;**

   on Lot 25091 Totadgin Hall Road, Merredin, as outlined in Attachment (12.1A), subject to compliance with the Infrastructure Design Manual's B Double vehicle crossing requirements shown in Attachment (12.1B);

83845

2. **ADVISE the applicant that the RAV rating for the local roads restricts the use of oversized vehicles to oversized B-Double vehicles of a length of 27.5m. If the proponent wishes to increase vehicle size, an application will need to be made to Main Roads for an increase in RAV rating;**
3. **ADVISE the applicant that if there is damage to the Shire of Merredin's road network adjacent to the property due to the increase in traffic, over the first two (2) years of operation, a Developer Agreement for infrastructure contributions shall be prepared to the satisfaction of the Shire of Merredin, with any additional maintenance costs being charged to the applicant; and**
4. **ADVISE the applicant that the granting of Development Approval does not constitute a building permit and that an application for a building permit for the proposed building work must be submitted to the Shire of Merredin and be approved before any building work can commence on site.**

For:

Against:

No Councillors moved the Officer's Recommendation.

Alternative Motion

Moved: **Cr Van Der Merwe** **Seconded:** **Cr O'Neill**

That Council:

1. **GRANT Development Approval for the change in land use from agriculture-extensive to transport facility and approval for works associated with the construction of the grain storage and transport facility, including:**
   - **175m x 30m grain bunker;**
   - **36m above-ground weighbridge;**
   - **Sea-container office;**
   - **Toilet and amenity facilities;**
   - **Internal roads;**

   on Lot 25091 Totadgin Hall Road, Merredin, as outlined in Attachment (12.1A), subject to compliance with the Infrastructure Design Manual's B Double vehicle crossing requirements shown in Attachment (12.1B);

83846

2. **ADVISE the applicant that the RAV rating for the local roads restricts the use of oversized vehicles to oversized B-Double vehicles of a length of 27.5m. If the proponent wishes to increase vehicle size, an application will need to be made to Main Roads for an increase in RAV rating;**
3. **ADVISE the applicant that if there is damage to the Shire of Merredin's road network adjacent to the property due to the increase in traffic related to the development, over the first two (2) years of operation, a Developer Agreement for infrastructure contributions shall be prepared to the satisfaction of the Shire of Merredin, with any additional maintenance costs being charged to the applicant. The Shire will undertake monitoring over the two (2) year period, with the applicant providing truck movement and weight data to assist in determining any extent of accelerated deterioration/damage; and**
4. **ADVISE the applicant that the granting of Development Approval does not constitute a building permit and that an application for a building permit for the proposed building work must be submitted to the Shire of Merredin and be approved before any building work can commence on site.**

CARRIED 6/0

For: Cr Crook, Cr Van Der Merwe, Cr Billing, Cr Boehme, Cr Madigan, Cr O'Neill

Against: Nil

Cr Van Der Merwe gave the reason for his motion that the time limits may impose undue hardship on the business with Recommendation 3 being amended to provide greater clarity.

12.2 Lot 155 Marley Close Nangeenan – Nangeenan Hall Development

Development Service	
Responsible Officer:	Musa Mono, EMIS
Author:	Xinyi Zhao, DSO
File Reference:	A6511
Disclosure of Interest:	The Author and Responsible Officer declare that they do not have any conflicts of interest in relation to this item.
Attachments:	Attachment 12.2A - Application for Development Approval and Supporting Documentation

Purpose of Report

☐ Executive Decision ■ Legislative Requirement

For Council to consider a retrospective Development Application (DA) for works associated with the Nangeenan Hall (the Hall), incorporating extensions to the northeast side of the Hall.

Background

The Nangeenan Hall was opened in 1912. Due to concerns associated with the condition of the Hall, the Shire of Merredin (the Shire) issued a Notice in March 2012 under provisions of the *Health Act 1911* requiring the provision of certain fixtures and onsite effluent disposal system.

In February 2016, this was followed by an Unfit for Human Habitation Notice issued by the Shire under provisions of the *Health Act 1911*.

Comment

The Hall is located on Lot 155 Marley Close, Nangeenan. Lot 155 Marley Close is zoned 'Townsite' under the Shire of Merredin Local Planning Scheme No.6 Amendment No.8 (the Scheme).

In May 2021 the Shire received an Application for Development Approval for staged works incorporating the partial demolition of the dilapidated and structurally unsound northern portion of the Hall (which previously housed the kitchen and ablution facilities), and the erection of a temporary wall and replacement of deteriorated roof sheeting.

The Shire issued a DA for the proposed works on 12 July 2022 and a demolition permit for the removal of the dilapidated portion of the building on 8 September 2022. The demolition works, erection of the temporary wall and replacement roof sheeting has been completed.

The Shire received an Application for Development Approval for the next stage of the works associated with repairs to the Hall. A DA was issued on 22 September 2023, however, as the applicant failed to commence the building works within the required timeframe, the approval expired on 22 September 2025.

The Shire has received a further Application for Development Approval for the next stage of the works associated with the repairs, incorporating;

- 1 x transportable ablution unit (erected without approval);
- 1 x kitchen unit;
- 2 x sea containers (erected without approval);
- Pergola area;
- Deck for proposed ablution unit and kitchen unit;
- Access for persons with disability.

The proposed works associated with the repairs require Development Approval from the Shire. The design and the siting of the proposed sea containers, ablution unit and kitchen unit should be compatible with the objectives of Shire of Merredin Local Planning Scheme Policy No.1 – Moveable Buildings (the Policy) and retain the general streetscape of the townsite area. Based on the site plan provided, the existing unauthorised structures may cause minor impact on visual aesthetics of the townsite, as they are mainly screened by the hall.

The Policy states that sea containers are not to be erected within townsite areas other than in the areas zoned as Industrial. The lot in question is zoned as Townsite: therefore, the erection of the sea containers is not compliant with the Policy.

Consultation

Councillor/Officer Consultation

No Councillor or Officer consultation is required.

Community Consultation

Advertisement for the proposed development was released for a period of 14 days which notified owners and occupiers of the properties in the vicinity of the proposal in accordance with clauses 64 (4) and (7) of the Deemed provisions.

A Public Notice has been published on Shire website, newsletter and social media for public submissions on 30 July 2026 inviting submissions to the proposal before 17 August 2026. There were no submissions received.

Policy Implications

Merredin Local Planning Scheme Policy No.1 – Moveable Buildings is applicable to this application.

Statutory Implications

Planning and Development Act 2005

The applicant has submitted the retrospective Application for Development Approval for the works.

Local Planning Scheme

Lot 155 Marley Close is zoned 'Townsite' under the Scheme with a R10 density code. The proposed works as aligns with the definition of Community Purpose, which is an "A" use in Townsite zone requiring the local government to exercise its discretion to granting development approval after giving notice.

Based on current legislative requirements, the Hall requires 1 car parking bay for every 4 persons whom the building is designed to accommodate. Based on the floor area being the limiting factor the maximum occupancy, it would be limited to 134 persons where both tables and chairs are used for social events, or 202 persons where only chairs are used. Accordingly, the Scheme would require the provision of 34 or 51 onsite carparking bays. The requirement for onsite carparking bays is aimed at minimising disruption to traffic and access and egress from adjoining properties associated with people parking on the road, road verges and adjoining properties.

It is unlikely that it will be filled to capacity on a regular basis, as current usage is mostly by small groups. Council has the discretion to vary requirements of the Scheme and it is suggested that car parking arrangements are addressed via the provision of dedicated staff car parking bays and bays for persons with a disability onsite, with the need to develop and implement a carparking management plan whenever the occupancy exceeds 50 persons. There is sufficient area around the Hall to park a number of vehicles without this impeding local traffic.

Local Planning Scheme Policy No.1 – Moveable Buildings

Due to the proposed use of transportable structures in this development, which would be relocated from another site, this development is subject to the requirements specified by Local Planning Policy No. 1. It should be noted that the placement of proposed transportable buildings is required to be consistent with the visual aesthetics of the townsite area of Nangeenan.

The placement of the ablution unit and kitchen unit meets the objectives specified by the Policy, as these are mainly screened by the Hall from the street.

The Policy states that sea containers are not to be erected within any townsite area other than in the areas zoned as Industrial. The lot in question is zoned as Townsite; thus, the erection of the sea containers is not compliant with the Policy.

Although Council has discretion to vary requirements of the Scheme and Local Planning Policies, exercising this discretion may create an undesirable precedent for future applications and the objectives of this Policy would not be achieved.

Statutory Requirements – Planning Act Considerations

Lot 155 Marley Close is partially identified as bushfire prone. The proposed works, except the sea containers, do not encroach into the bushfire prone area and as such is not subject to BAL assessment requirements.

The Hall has been identified as a Category 2 Place of Significance on the Shire of Merredin Local Heritage List. This classification requires that Development Approval is received and consideration of the potential impact, of the development, on the heritage value of the Hall.

Given that the Hall is currently subject of an 'Unfit for Human Habitation Notice' partly due to the lack of suitable permanent ablution facilities, the proposed works are essential to the viability of the Hall and its future use by the local community.

The proposed works will largely replace temporary toilet facilities albeit in a form that complies with current statutory requirements. Furthermore, the proposed works will be

located at the northeast side of the Hall, thus minimising any visual impact from the primary frontage and limiting any impact on the streetscape and heritage value of the building. The proposed pergola area on the Eastern side of the Hall will improve functionality with minimal visual impact.

Stormwater will be retained on site and prevented from discharging on to adjoining properties.

Statutory Requirements – *Building Act 2011* Considerations

The existing ablution unit and sea containers were erected without any building approvals from the Shire and are considered unauthorised works under the *Building Act 2011*. The owner will have to apply for a retrospective building approval in respect of the unauthorised work and building permits for the proposed building works on site.

The use of public building would require provision of access and services in accordance with AS 1428.1 – mobility and access standards (AS 1428.1) relating to persons with disability. The requirements of AS 1428.1 would be applied to the proposed toilet and the Hall to ensure accessibility for people with disabilities.

Statutory Requirements – Health Act considerations

The existing Unfit for Human Habitation Notice issued in 2016 relates to the lack of suitable permanent ablution facilities and an approved onsite effluent disposal system. The proposed works will address both issues and permit the Notices to be removed by the Shire.

Once the building work has been completed and the building complies with the requirements of the *Health (Public Buildings) Regulations 1992*, the owner/occupier will be able to apply for a Certificate of Approval from the Shire.

Lot 155 Marley Close, Nangeenan is not connected to mains sewer therefore a suitable onsite effluent disposal system will need to be provided to remove all wastewater from the premises. An approval to construct the onsite septic system was issued on 17 December 2025.

Depending on the facilities provided within the kitchen and the types of food being prepared, any trade waste (commercial kitchen washdown, sinks, dishwasher, glasswasher etc) will require a grease trap prior to disposal into the onsite effluent disposal system.

	Strategic Implications
Ø Council Plan 2025-2035	

Theme:	1 Community and Culture
Strategic Objective:	1.7 Maintain the health, safety and well-being of our community through application of regulatory frameworks which support legislative compliance.
Priority Actions:	1.7.1 Promote responsible strategic and statutory planning to meet current and future needs.

	Sustainability Implications

There is no impact on capacity, resourcing or asset management to carry out the Officer's recommendation.

Risk Implications

There is a compliance risk associated with this Item as potential planning, building and health non compliances need to be addressed by the property owner. The risk rating is considered to be Moderate (6), which is determined by a likelihood of Unlikely (2) and a consequence of Moderate (3). This risk will be minimised by the adoption of the Officer's Recommendation.

Financial Implications

There are no financial implications associated with this report including within the Long-Term Financial Plan.

Voting Requirements

■ Simple Majority ☐ Absolute Majority

Motion

Moved: **Cr Crook** **Seconded:** **Cr O'Neill**

That Council:

1. **GRANT Development Approval for works associated with repairs to the Nangeenan Hall on Lot 155 Marley Close, Nangeenan as shown in the attached plans, subject to the following conditions:**
    a. **The development and implementation of a car parking management plan to the satisfaction of the Shire of Merredin;**
    b. **All stormwater being retained onsite;**
    c. **Compliance with *Health (Miscellaneous Provisions) Act 1911* and Shire of Merredin Health Local Law;**
    d. **Compliance with *Environmental Protection Act 1986*, including *Environmental Protection (Noise) Regulations 1997*;**
    e. **Compliance with *Food Act 2008* including providing fit-out plans for the commercial kitchen, bar area and any areas where food products are stored, handled or manufactured to the Shire of Merredin as part of the application for a building permit. Food business registration must be obtained from the Shire of Merredin before any sale of food products takes place;**
    f. **Compliance with provisions of the National Constriction Code (BCA) and relevant standards including disability access requirements in accordance with AS 1428.1 prior to use; and**
    g. **All car parking and associated vehicle access areas indicated on the approved plans shall be identified and demarcated on site prior to use, with the ACROD bay and adjacent area being**

83847

level with the building entry footpath and sealed to the satisfaction of the Shire of Merredin. This bay is to be maintained to the satisfaction of the Shire of Merredin;

2. **ADVISE the applicant that the granting of development approval does not constitute a building permit and that an application for a building permit for the proposed building work must be submitted to the Shire of Merredin and be approved before any building work can commence on site;**
3. **ADVISE the applicant that the Nangeenan Hall cannot be occupied by more than 20 persons until such time as the Shire of Merredin has removed the existing unfit for human habitation notices from the premises and issued both an Occupancy Permit as well as Certificate of Approval for the building; and**
4. **ADVISE the applicant that the planning approval does not include the 2 x existing sea containers, with these to be removed from the property within 3 months of planning approval being granted.**

Cr Crook proposed an amendment to the motion.

	Amendment

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

That Council:

1. **GRANT Development Approval for works associated with repairs to the Nangeenan Hall on Lot 155 Marley Close, Nangeenan as shown in the attached plans, subject to the following conditions:**
   a. **The development and implementation of a car parking management plan to the satisfaction of the Shire of Merredin;**
   b. **All stormwater being retained onsite;**
   c. **Compliance with *Health (Miscellaneous Provisions) Act 1911* and Shire of Merredin Health Local Law;**
   d. **Compliance with *Environmental Protection Act 1986*, including *Environmental Protection (Noise) Regulations 1997*;**
   e. **Compliance with *Food Act 2008* including providing fit-out plans for the commercial kitchen, bar area and any areas where food products are stored, handled or manufactured to the Shire of Merredin as part of the application for a building permit. Food business registration must be obtained from the Shire of Merredin before any sale of food products takes place;**
   f. **Compliance with provisions of the National Construction Code (BCA) and relevant standards including disability access requirements in accordance with AS 1428.1 prior to use; and**

83848

g. **All car parking and associated vehicle access areas indicated on the approved plans shall be identified and demarcated on site prior to use, with the ACROD bay and adjacent area being level with the building entry footpath and sealed to the satisfaction of the Shire of Merredin. This bay is to be maintained to the satisfaction of the Shire of Merredin;**

2. **ADVISE the applicant that the granting of development approval does not constitute a building permit and that an application for a building permit for the proposed building work must be submitted to the Shire of Merredin and be approved before any building work can commence on site; and**

3. **ADVISE the applicant that the Nangeenan Hall cannot be occupied by more than 20 persons until such time as the Shire of Merredin has removed the existing unfit for human habitation notices from the premises and issued both an Occupancy Permit as well as Certificate of Approval for the building.**

CARRIED 6/0

For: Cr Crook, Cr Van Der Merwe, Cr Billing, Cr Boehme, Cr Madigan, Cr O'Neill

Against: Nil

The amendment, being carried, then became the substantive motion.

	Substantive Motion

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

That Council:

1. **GRANT Development Approval for works associated with repairs to the Nangeenan Hall on Lot 155 Marley Close, Nangeenan as shown in the attached plans, subject to the following conditions:**

   a. **The development and implementation of a car parking management plan to the satisfaction of the Shire of Merredin;**

   b. **All stormwater being retained onsite;**

83849

   c. **Compliance with *Health (Miscellaneous Provisions) Act 1911* and Shire of Merredin Health Local Law;**

   d. **Compliance with *Environmental Protection Act 1986*, including *Environmental Protection (Noise) Regulations 1997*;**

   e. **Compliance with *Food Act 2008* including providing fit-out plans for the commercial kitchen, bar area and any areas where food products are stored, handled or manufactured to the Shire of Merredin as part of the application for a building permit. Food business registration must be obtained from the**

Shire of Merredin before any sale of food products takes place;

f. Compliance with provisions of the National Construction Code (BCA) and relevant standards including disability access requirements in accordance with AS 1428.1 prior to use; and

g. All car parking and associated vehicle access areas indicated on the approved plans shall be identified and demarcated on site prior to use, with the ACROD bay and adjacent area being level with the building entry footpath and sealed to the satisfaction of the Shire of Merredin. This bay is to be maintained to the satisfaction of the Shire of Merredin;

2. ADVISE the applicant that the granting of development approval does not constitute a building permit and that an application for a building permit for the proposed building work must be submitted to the Shire of Merredin and be approved before any building work can commence on site; and

3. ADVISE the applicant that the Nangeenan Hall cannot be occupied by more than 20 persons until such time as the Shire of Merredin has removed the existing unfit for human habitation notices from the premises and issued both an Occupancy Permit as well as Certificate of Approval for the building.

CARRIED 6/0

For: Cr Crook, Cr Van Der Merwe, Cr Billing, Cr Boehme, Cr Madigan, Cr O'Neill

Against: Nil

13. OFFICER'S REPORTS – INFRASTRUCTURE SERVICES

Nil

14. OFFICER'S REPORTS – CORPORATE SERVICES

14.1 Statement of Financial Activity – July 2026

Corporate Services	
Responsible Officer:	Leah Boehme, EMCS
Author:	As above
Legislation:	*Local Government Act 1995* *Local Government (Financial Management) Regulations 1996*
File Reference:	Nil
Disclosure of Interest:	The Author/Responsible Officer declare that they do not have any conflicts of interest in relation to this item.
Attachments:	Attachment 14.1A – Statement of Financial Activity Attachment 14.1B – Detailed Statements Attachment 14.1C – Capital Works Progress

Purpose of Report

☐ Executive Decision ■ Legislative Requirement

For Council to receive the Statements of Financial Activity for the month of July 2026 and be advised of associated financial matters. The Investment Report was presented to the August Ordinary Council Meeting, however, due to the implementation of a new financial system, the remaining reports were delayed.

Background

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

Comment

Statement of Financial Activity

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

It should be noted that as the end of financial year processes are still to be completed, the attached financials are draft documents and may be subject to changes prior to the closure of the 2025/26 financial year books. Depreciation will also not be completed on assets until after the audited financial are received.

Consultation

Councillor/Officer Consultation

No Councillor or Officer consultation is required.

Community Consultation

No community consultation is required.

Policy Implications

There are no policy implications.

Statutory Implications

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

Strategic Implications

Ø Council Plan 2025-2035

Theme:	4 Communication and Leadership
Strategic Objective:	4.8 Financial Management
Priorities Actions:	4.8.1 Maintain strong fiscal and financial management of Council's budget

Sustainability Implications

Ø Strategic Resource Plan

There is no impact on capacity, resourcing or asset management to carry out the Officer's recommendation.

Risk Implications

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

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

Materiality reporting thresholds have been established at 10% or $10,000 whichever is greater, for operating and capital, 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.

There is a compliance risk associated with this Item as the Shire would be contravening the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* if this Item was not presented to Council. The risk rating is considered to be Low (4), which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2). This risk will be eliminated by the adoption of the Officer's Recommendation.

Financial Implications

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

Voting Requirements

■ Simple Majority ☐ Absolute Majority

Resolution

Moved: **Cr Madigan** **Seconded:** **Cr O'Neill**

83850

That Council:

1. **RECEIVE the Statements of Financial Activity for the period ending 31 July 2026 in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*.**
2. **NOTES that due to a new Enterprise Resource Planning System and the Annual Financial Audit being in progress, amendments that may need to occur will be presented in the August Statement of Financial Activity.**

CARRIED 6/0

For: Cr Crook, Cr Van Der Merwe, Cr Billing, Cr Boehme, Cr Madigan, Cr O'Neill

Against: Nil

14.2 Statement of Financial Activity – August 2026

Corporate Services	
Responsible Officer:	Leah Boehme, EMCS
Author:	As above
Legislation:	*Local Government Act 1995* *Local Government (Financial Management) Regulations 1996*
File Reference:	Nil
Disclosure of Interest:	The Author/Responsible Officer declare that they do not have any conflicts of interest in relation to this item.
Attachments:	Attachment 14.2A – Capital Works Progress Attachment 14.2B – Investment Report

Purpose of Report

☐ Executive Decision ■ Legislative Requirement

For Council to receive the Capital Works Progress Report and Investment Report for the month of August 2026 and be advised of associated financial matters.

Background

The Capital Works Progress Report and Investment Report are attached for Council's information. The Statement of Financial Activity and Detailed Statements for August will be presented to Council in October to allow greater time for works to be completed within the new financial system.

Comment

Statement of Financial Activity

Regulation 34 of the *Local Government (Financial Management) Regulations 1996* requires the Shire to prepare a monthly statement of financial activity for consideration by Council within 2 months after the end of the month of the report.

As the Shire Administration are still awaiting a number of tasks to be completed by the product developer in relation to the new financial system, it has been decided to delay providing the August Statement of Financial Activity and Detailed Statements to Council. This will allow required processes to be completed and amendments to be undertaken to ensure the reports are as accurate as possible.

It should be noted that as the end of financial year processes are still to be completed, the attached financials are draft documents and may be subject to changes prior to the closure of the 2025/26 financial year books. Depreciation will also not be completed on assets until after the audited financial are received.

Consultation

Councillor/Officer Consultation

No Councillor or Officer consultation is required.

Community Consultation

No community consultation is required.

Policy Implications

There are no policy implications.

Statutory Implications

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

Strategic Implications

- Council Plan 2025-2035

Theme:	4 Communication and Leadership
Strategic Objective:	4.8 Financial Management
Priorities Actions:	4.8.1 Maintain strong fiscal and financial management of Council's budget

Sustainability Implications

- Strategic Resource Plan

There is no impact on capacity, resourcing or asset management to carry out the Officer's recommendation.

Risk Implications

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

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

Materiality reporting thresholds have been established at 10% or $10,000 whichever is greater, for operating and capital, 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.

There is a compliance risk associated with this Item as the Shire would be contravening the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* if this Item was not presented to Council. The risk rating is considered to be Low (4), which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2). This risk will be eliminated by the adoption of the Officer's Recommendation.

Financial Implications

The adoption of the attached documents is retrospective. Accordingly, the financial implications associated with adopting this are nil.

Voting Requirements

■ Simple Majority ☐ Absolute Majority

Resolution

Moved: **Cr Boehme** **Seconded:** **Cr Madigan**

83851 **That Council RECEIVE the Capital Works Progress Report and Investment Report for the period ending 31 August 2026.**

CARRIED 6/0

For: Cr Crook, Cr Van Der Merwe, Cr Billing, Cr Boehme, Cr Madigan, Cr O'Neill

Against: Nil

14.3 List of Accounts Paid – August 2026

Corporate Services	
Responsible Officer:	Leah Boehme, EMCS
Author:	As above
Legislation:	*Local Government Act 1995* *Local Government (Financial Management) Regulations 1996*
File Reference:	Nil
Disclosure of Interest:	The Author/Responsible Officer declare that they do not have any conflicts of interest in relation to this item.
Attachments:	Attachment 14.3A – Payments Listing August 2026 Attachment 14.3B - Payments Listing July 2026 (updated)

Purpose of Report

☐ Executive Decision ■ Legislative Requirement

For Council to receive the schedule of accounts paid for the month of August 2026.

Background

The attached list of accounts paid during the month of August 2026, under Delegated Authority, is provided for Council's information and endorsement.

Comment

An updated version of the July Payment Listing has also been included for Council, as the directly debited payments for July had not been processed in the new financial system prior to the Council meeting. This report can be found at Attachment 14.3B.

Consultation

Councillor/Officer Consultation

No Councillor or Officer consultation is required.

Community Consultation

No community consultation is required.

Policy Implications

There are no policy implications.

Statutory Implications

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

Strategic Implications

- Council Plan 2025-2035

Theme:	4 Communication and Leadership
Strategic Objective:	4.8 Financial Management
Priorities Actions:	4.8.1 Maintain strong fiscal and financial management of Council's budget

Sustainability Implications

- Strategic Resource Plan

There is no impact on capacity, resourcing or asset management to carry out the Officer's recommendation.

Risk Implications

There is a compliance risk associated with this Item as the Shire would be contravening the *Local Government Act 1995* and *Local Government (Financial Management) Regulations 1996* if this Item was not presented to Council. The risk rating is considered to be Low (4), which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2). This risk will be eliminated by the adoption of the Officer's Recommendation.

Financial Implications

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

	Voting Requirements

■ Simple Majority ☐ Absolute Majority

	Resolution

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

83852

That Council;

1. **RECEIVE the schedule of accounts paid during August 2026 as listed, covering cheques, EFT's, directly debited payments and wages, as numbered and totaling $1,606,304.93 from the Merredin Shire Council Municipal bank account and $0.00 from the Merredin Shire Council Trust bank account; and**
2. **NOTE the amended July payment listing (Attachment 14.3B) that includes directly debited payments which have now been processed within the financial system.**

CARRIED 6/0

For: Cr Crook, Cr Van Der Merwe, Cr Billing, Cr Boehme, Cr Madigan, Cr O'Neill

Against: Nil

15. OFFICER'S REPORTS – COMMUNITY SERVICES

Nil

16. OFFICER'S REPORTS – ADMINISTRATION

16.1 Council Meeting and Audit, Risk and Improvement Committee Meeting Dates

Administration	
Responsible Officer:	Craig Watts CEO
Author:	Martina Hussey, GO
Legislation:	*Local Government Act 1995* *Local Government (Financial Management) Regulations 1996*
File Reference:	Nil
Disclosure of Interest:	The Author and Responsible Officer declare that they do not have any conflicts of interest in relation to this item.
Attachments:	Attachment 16.1A – 2027 Council & Audit, Risk and Improvement Committee Meeting Dates Calendar

Purpose of Report

☐ Executive Decision ■ Legislative Requirement

For Council to consider the proposed 2027 Council Briefing Session dates, Ordinary Council Meeting and Audit, Risk and Improvement Committee (ARIC) Meeting dates as per Attachment 16.1A.

Background

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

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

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

Comment

For the past 3 years the Ordinary Council Meetings have been held on the fourth Tuesday of every month commencing at 4.00pm. Last year Council commenced the Ordinary Council Meetings at 5:00pm.

Council also currently holds two (2) Briefing sessions a month which are closed to the public. In previous years, the Confidential Briefing was held at 5.30pm on the second Tuesday of the month, with the Agenda Briefing held prior to the Council meeting on the fourth Tuesday of the month at 3.00pm. It is proposed to continue this schedule and timing for most 2027 meetings. Council meetings and briefings are proposed to be deferred where there is a conflict with public holidays or school holidays.

Where there is a conflict with public or school holidays, the Administration has allowed one week between meetings. As Australia Day falls on the fourth Tuesday in January, no Council Meeting is proposed for that month. The July, September and December Ordinary Council Meetings have been brought forward due to school holidays. It should also be noted that the December Council Meeting date may change closer to the time, depending on the Office of the Auditor General's deadlines for adoption of the Annual Report and Annual Financial Statements. Any further changes to Council Meeting dates will be advertised at that time.

The Administration have also included dates for the ARIC Meetings to ensure the Shire is compliant. They will be held before the Council Meetings in February, May, August, and November at 2:30pm. If further ARIC Meetings need to be held these will be advertised.

The Annual Electors Meeting is nominated for the second Tuesday in February; however, this will be confirmed at the December 2026 Ordinary Council Meeting.

Policy Implications

Nil

Statutory Implications

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

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

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

(a) the ordinary council meetings; and

(b) the committee meetings that are required under the Act to be open to members of the public or that are proposed to be open to the members of the public,

are to be held in the next 12 months."

Strategic Implications

Ø Council Plan 2025-2035

Theme:	4 Communication and Leadership.
Strategic Objective:	4.2 Provide accountable leadership, transparent decision making and good governance.
Priority Actions:	4.2.1 Support the Shire President and Councillors by working in partnership with the Executive to deliver leadership and

oversight of the Shire, providing advice, information and guidance to support sound, informed decision making.

Sustainability Implications

Ø Strategic Resource Plan

Nil

Risk Implications

There is a compliance risk associated with this Item as the Shire would be contravening the *Local Government Act 1995*, if this Item was not presented to Council. The risk rating is considered to be Low (4), which is determined by a likelihood of Unlikely (2) and a consequence of Minor (2). This risk will be eliminated by the adoption of the Officer's Recommendation.

Financial Implications

The cost of advertising in the local paper will form part of this Item which is currently budgeted in the 2026/27 Annual Budget under AO14001, 1109, 22015 – Advertising.

Voting Requirements

■ Simple Majority ☐ Absolute Majority

Resolution

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

83853

That Council;

1. **APPROVE the non-scheduling of the January Ordinary Council Meeting;**
2. **MEETS for Ordinary Council Meetings at 5:00pm according to the dates as shown in Attachment 16.1A;**
3. **HOLDS Confidential Briefing Sessions at 5:30pm, and Agenda Briefing Sessions commencing at 3:00pm as per the dates shown in Attachment 16.1A; and**
4. **HOLDS an Audit, Risk and Improvement Committee Meeting before the Ordinary Council Meetings in February, May, August and November at 2:30pm as per the dates shown in Attachment 16.1A.**

CARRIED 6/0

For: Cr Crook, Cr Van Der Merwe, Cr Billing, Cr Boehme, Cr Madigan, Cr O'Neill

Against: Nil

16.2 Status Report – September 2026

Administration	
Responsible Officer:	Craig Watts CEO
Author:	Martina Hussey, EO
Legislation:	*Local Government Act 1995*
File Reference:	Nil
Disclosure of Interest:	The Author and Responsible Officer declare that they do not have any conflicts of interest in relation to this item.
Attachments:	Attachment 16.2A – Status Report – September 2026

Purpose of Report

☐ Executive Decision ■ Legislative Requirement

For Council to consider the updated Status Report for September 2026.

Background

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

Comment

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

Consultation

Councillor/Officer Consultation
The report has been circulated to ELT members for their review and comment.

Community Consultation

No Community Consultation is required.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

Ø Council Plan 2025-2035

Theme:	4 Communication and Leadership
Strategic Objective:	4.2 Provide accountable leadership, transparent decision making and good governance.
Priority Actions:	4.2.1 Support the Shire President and Councillors by working in partnership with the Executive to deliver leadership and oversight of the Shire, providing advice, information and guidance to support sound, informed decision making.

Sustainability Implications

Nil

Risk Implications

There is a reputational risk associated with this Item, as it may be perceived that the Shire is not acting upon or implementing the decisions of Council. The risk rating is considered to be Low (1), which is determined by a likelihood of Rare (1) and a consequence of Insignificant (1). This risk will be eliminated by the adoption of the Officer's Recommendation.

Financial Implications

Nil

Voting Requirements

■ Simple Majority ☐ Absolute Majority

Resolution

Moved: **Cr Van Der Merwe** **Seconded:** **Cr O'Neill**

83854 **That Council RECEIVES the Status Report on Council Resolutions for September 2026.**

CARRIED 6/0

For: Cr Crook, Cr Van Der Merwe, Cr Billing, Cr Boehme, Cr Madigan, Cr O'Neill

Against: Nil

16.3 Council Plan 2025-2035 – 6 Month Report

Administration	
Responsible Officer:	Craig Watts, CEO
Author:	As above
File Reference:	Nil
Disclosure of Interest:	The Author/Responsible Officer declares that they do not have any conflicts of interest in relation to this item.
Attachments:	Attachment 16.3A – Council Plan Progress Worksheet

Purpose of Report

☐ Executive Decision ■ Legislative Requirement

For Council to note the progress of actions and priority projects contained within the Shire of Merredin Council Plan 2025-2035 (Council Plan).

Background

The Council Plan was endorsed at the August 2025 Ordinary Council Meeting, outlining the long-term priorities, goals, and vision that guide Council's decision-making. Council has requested six (6) monthly updates to be provided to check progress of implementation.

Comment

The Council Plan sets out the vision for the next decade, defining what the Shire of Merredin (the Shire) aims to achieve and how it will deliver on these commitments to meet the evolving needs of our community over the next 10 years.

As shown in the Attachment 16.3A, the majority of priority projects are underway or are ongoing. In relation to the key advocacy priorities listed within the Plan, the following actions have been undertaken:

Priority 1 – Provision of safer crossing at Great Eastern Highway

The Shire has received correspondence from Main Roads seeking comment on provision of additional speed signage at the Eastern and Western entrances to the Merredin townsite. The Shire Administration has indicated that it would be supportive of any action which promotes road safety and provides safer passage for pedestrians.

Priority 2 – Provision of affordable housing

The Shire and Wheatbelt East Regional Organisations of Councils Inc (WEROC) were not successful in their grant application for the Regional Housing Support Fund. The Shire did

provide a letter of support for the LARK housing project in Merredin which was a successful recipient of the funding.

The Shire has investigated costs of providing civil infrastructure to land on South Avenue, to support a new grant application expected toward the end of 2026, together with other WEROC councils. This is based on an indicative design showing that between 10 and 12 small residential buildings can be developed on the property.

Priority 3 – Provision of additional childcare services

The Shire is supporting REED Childcare with their proposed expansion project, supported by federal grant funding. The Shire is seeking to transfer land for either amalgamation with the current Department of Communities reserve (on which the current childcare is situated) or to create a separate reserve for the purpose of Childcare Services at the rear of the Merredin District Olympic Swimming Pool. Letters supporting this action have been forwarded to the Department of Communities, together with Minster Swinbourn (Communities) and Minister Winton (Early Childhood). The Shire Administration is also investigating carving out a portion of Reserve 23036 for the purpose of childcare services to provide land for the expansion of the REED Childcare service, should action by the Department of Communities not support the amalgamation.

Priority 4 – Upgrades to recreation facilities

The Shire has completed installation of the indoor court flooring project, together with installation of winches for the basketball backboards, new electronic scoreboards, repainting of the internal court area and painting of the seating area.

Priority 5 – Improvement to community connectivity

Safety upgrades to Crooks Road have been completed with the opening ceremony held on 18 September 2026. New footpaths and replacement footpaths have been installed on Bates Street, Solomon Street, Cummings Street and Cummings Crescent. The Shire's Road Construction Team are completing Winter maintenance grading. A Request for Quotation for footpath works has been released.

Priority 6 – Continued support for economic development

The Shire continues to support renewable energy projects within the District, including the proposed Solar/Battery Energy Storage System on Robartson Road (DAP approval), and ancillary approvals (wind monitoring tower) to support the proposed Tandegin Wind Farm. The Shire continues to host after hours sundowners to support networking amongst the community and businesses to support economic development.

Consultation

Councillor/Officer Consultation

The report has been circulated to Executive Leadership Team members for their review and comment.

Community Consultation

No community consultation is required.

Policy Implications

There are no policy implications.

Statutory Implications

There are no statutory implications

Strategic Implications

Ø Council Plan 2025-2035

Theme:	4 Communication and Leadership.
Strategic Objective:	4.2 Provide accountable leadership, transparent decision making and good governance.
Priority Actions:	4.2.1 Support the Shire President and Councillors by working in partnership with the Executive to deliver leadership and oversight of the Shire, providing advice, information and guidance to support sound, informed decision making.

Sustainability Implications

There is no impact on capacity, resourcing or asset management to carry out the Officer's recommendation.

Risk Implications

There is a reputational risk associated with this Item as not informing the public of progress may result in negative sentiment toward the Shire. The risk rating is considered to be Moderate (6), which is determined by a likelihood of Possible (3) and a consequence of Minor (2). This risk will be eliminated by the adoption of the Officer's Recommendation.

Financial Implications

There are no financial implications associated with this report including within the Long-Term Financial Plan.

Voting Requirements

■ Simple Majority ☐ Absolute Majority

Resolution

Moved: **Cr Madigan** **Seconded:** **Cr Boehme**

83855 **That Council RECEIVES the Council Plan 2025-2035 6 month Progress Report, including the Progress Worksheet as shown in Attachment 16.3A.**

CARRIED 6/0

For: Cr Crook, Cr Van Der Merwe, Cr Billing, Cr Boehme, Cr Madigan, Cr O'Neill

Against: Nil

16.4 Filling Vacant Councillor Position

Administration	
Responsible Officer:	Craig Watts, CEO
Author:	As above
File Reference:	Nil
Disclosure of Interest:	The Author/Responsible Officer declares that they do not have any conflicts of interest in relation to this item.
Attachments:	Nil

Purpose of Report

☐ Executive Decision ■ Legislative Requirement

For Council to consider the nominations for the vacated Councillor position (position ending October 2027) and select a candidate to fill this position.

Background

The resignation of Councillor Manning left a vacancy within Council which is required to be filled. The Western Australian Electoral Commission (WAEC) was engaged to undertake extraordinary elections in June and September 2026, however no eligible candidates nominated on both occasions. Provisions within the *Local Government Act 1995* enable Council to select a person to fill the vacancy, however there is no specified process to undertake this. The Shire of Merredin (the Shire) Administration has sought Expressions of Interest, open over a two (2) week period to seek nominations.

Comment

The Shire sought expressions of interest from the community to fill the vacancy, with candidates required to meet the following criteria:

- Over 18 years of age;
- An Australian citizen (or a British subject prior to 26 January 1984); and
- An elector for the district and has lived in the district for over one month (elector includes residents and owner/occupiers who are registered on the electoral roll)

The Shire Administration has received nominations from the following candidates (listed in order of receipt):

1. Alan Nyhuis
2. Tracey Macfarlane

3. Roy Butler
4. Morgan Gibbs
5. Grant Stainer
6. Shirley Macdonald
7. Brad Atkinson
8. Michelle (Meg) Gethin

Nominations, together with any other supporting information provided by the nominees has been forwarded to Councillors previously.

Consultation

Councillor/Officer Consultation

The proposal to fill the vacancy via an EOI process has been discussed with Councillors at the Confidential Briefings held in August 2026.

Community Consultation

The Shire contacted the Department of Local Government, Industrial Relations and Safety (LGIRS) to seek advice on how to proceed with filling the vacancy, and whether or not the Shire could hold the seat open if there was no interest in filling the vacancy.

The expression of interest to fill the vacancy was advertised via social media and the Shire's newsletter for a period of 2 weeks, closing 5.00pm Friday 11 September 2026.

Policy Implications

There are no policy implications.

Statutory Implications

Section 4.57(3) of the *Local Government Act 1995* provides that, where there are insufficient candidates to fill a vacancy at an extraordinary election, Council may appoint a person who is eligible to be a candidate to fill the vacancy by absolute majority

Strategic Implications

Ø Council Plan 2025-2035

Theme:	4 Communication and Leadership.
Strategic Objective:	4.2 Provide accountable leadership, transparent decision making and good governance.
Priority Actions:	4.2.1 Support the Shire President and Councillors by working in partnership with the Executive to deliver leadership and oversight of the Shire, providing advice, information and guidance to support sound, informed decision making.

Sustainability Implications

There is no impact on capacity, resourcing or asset management to carry out the Officer's recommendation.

Risk Implications

There is a compliance risk associated with this Item as there is an expectation that the Shire will exhaust all efforts to fill the vacancy, with the provisions enabling the vacancy to be carried not taking effect until 12 months prior to the next ordinary election in October 2027. The risk rating is considered to be Moderate (9), which is determined by a likelihood of Possible (3) and a consequence of Moderate (3). This risk will be eliminated by the adoption of the Officer's Recommendation.

Financial Implications

There are no financial implications associated with this report including within the Long-Term Financial Plan.

Voting Requirements

☐ Simple Majority ■ Absolute Majority

Resolution

Moved: **Cr Van Der Merwe** **Seconded:** **Cr O'Neill**

83856 **That Council APPOINTS Brad Atkinson to fill the vacant Councillor position, with their term ending at the October 2027 ordinary election.**

CARRIED 6/0

For: Cr Crook, Cr Van Der Merwe, Cr Billing, Cr Boehme, Cr Madigan, Cr O'Neill

Against: Nil

16.5 Creation of Reserve – REED Childcare

Cr Crook declared an Impartiality Interest in this Item and left the Chambers at 5:26pm.

Administration	
Responsible Officer:	Craig Watts, CEO
Author:	As above
File Reference:	Nil
Disclosure of Interest:	The Author/Responsible Officer declare that they do not have any conflicts of interest in relation to this item.
Attachments:	Nil

Purpose of Report

■ Executive Decision ☐ Legislative Requirement

For Council to consider excising a portion of Reserve 23036 to support a future extension of the childcare service provided on the adjacent reserve.

Background

REED Childcare (REED) have previously presented to Council on their service, together with their plans to expand the service. Lack of childcare spaces is a community concern, limiting economic growth, provision of services and limiting employment opportunities as parents cannot source appropriate care. The Shire of Merredin (the Shire) is supportive of efforts to increase childcare services within the District and has previously resolved to support a portion of Reserve 23036 for amalgamation into Reserve 39947 (under the management of the Department of Communities) to provide for a future extension of the Childcare Service (Resolution 83822 OCM 28 July 2026).

The Shire Administration commenced the progression of the amalgamation process, including drafting correspondence to the Department of Communities (the Department) to seek their support for the transfer of lands to Reserve 39947. Shire officers have met with Department representatives who advised that they are “reluctant” to take on the land, effectively stifling the process. The Department raised the potential of sale of the property either to the Shire or another party as part of the disposal of Reserve 39947. The Shire Administration has since written to Minister Swinbourn and Minister Winton seeking support for the land amalgamation, together with advising the Wheatbelt Development Commission (WDC) of the issue.

Comment

REED and the Shire Administration have held several meetings in relation to progressing land tenure to support REED's federal grant application. In addition to the land parcel, a requirement of the federal funding is to either own the land freehold or be in a long-term lease for a minimum of 30 years. The Shire has also been liaising further with the Department of Planning, Lands and Heritage (DPLH) officers to seek an alternative option to support provision of land for the construction of the addition to REED. While the July 2026 resolution of council confirms the intent to transfer the land, the resolution is too prescriptive and limits action to transfer of land to the Department only.

Based on the discussions with both REED and DPLH, an alternate option to support the construction would be to carve out a portion of Reserve 23036 to create a new Shire managed reserve for the purpose of Childcare Services. This could then be leased directly to REED for the purpose of expanding their childcare service within Merredin and comply with the conditions of the federal grant funding. The Shire Administration has submitted a Crown Land Enquiry to DPLH to seek feedback on this proposal.

As noted in the previous Agenda report, the backwash discharge for the Merredin District Olympic Swimming Pool runs through Reserve 23036. The location of the discharge pipe has been determined, with any reserve boundaries being made to retain the pipe within the Shire managed reserve. A diagram of the proposed area has been provided at the July 2026 Ordinary Council Meeting.

Council should also note that it will be provided further reports from the Administration, including Development Approvals, for the expansion of the childcare service.

Consultation

Councillor/Officer Consultation

Council has previously been briefed by REED in mid 2025, where they expressed their intention to expand the childcare service in Merredin.

Community Consultation

The Shire Administration has liaised with both REED and DPLH. DPLH has requested that any Council resolution be broad to encompass:

1) Increase of the current Department of Communities Reserve via amalgamation of land from the Shire's Reserve 23036;
2) Support for the granting of a Section 75 conditional freehold title over the expanded site; and
3) Excision of part of Reserve 23036 to create a new Shire reserve for the purpose of Childcare services.

No community consultation is required. The application to transfer the land or disposal of the land via conditional freehold title will be subject to a referral process by DPLH.

Policy Implications

There are no policy implications.

Statutory Implications

The carving out and development of a new reserve is subject to the provisions of the *Land Administration Act 1997*, with this process managed by DPLH. Similarly, transfer of freehold ownership of the Reserve from the "Crown" to another party is also provide for within the *Land Administration Act 1997*.

Councillors should also note that if a new Shire reserve is developed, any leasing arrangements are considered a "land disposal" and are subject to the provisions of Section 3.58 of the *Local Government Act 1995*. The Shire is unable to simply enter into a lease with REED.

Strategic Implications

Theme:	4 Communication and Leadership
Strategic Objective:	4.1 Advocate to the State/Federal Governments and private enterprise to invest funding, resources and infrastructure in Merredin to benefit the broader community
Priority Actions:	4.1.1 Continue to seek governmental (and other) funding and support through advocating the priority interests of the community to support the growth of the Town, with priorities including childcare, housing, attracting and retaining staff, diversification of business and industry.

Sustainability Implications

There is no impact on capacity, resourcing or asset management to carry out the Officer's recommendation.

Risk Implications

There is a reputational risk associated with this Item as failure to support the expansion of the childcare services is contrary to the community expectations as described in the Council Plan and will impact on economic development and business support within the Shire. The risk rating is considered to be High (12), which is determined by a likelihood of Likely (4) and a consequence of Moderate (3). This risk will be eliminated by the adoption of the Officer's Recommendation.

Financial Implications

There are potential financial implications associated with this decision, including paying for surveyor costs, governmental charges and drafting of the lease. These costs are estimated at approximately $15,000.

Voting Requirements

■ Simple Majority ☐ Absolute Majority

	Resolution

Moved: **Cr Boehme** **Seconded:** **Cr O'Neill**

That Council:

1. **REAFFIRM its support for the transfer of land as per Resolution 83822, being a portion of Shire Reserve 23036 for amalgamation into Department of Communities Reserve 39947 to support a future extension of the childcare service, provided that access to the Merredin District Olympic Swimming Pool is maintained, and all services (including backwash) are located outside of the subject area;**
2. **SUPPORT the granting of a Section 75 freehold to REED Childcare over the expanded Department of Communities Reserve 39947;**
3. **SUPPORT the development of a new Shire land reserve, being a portion of Reserve 23036 for the purpose of Childcare Services, including seeking authorisation to enable a 30 year lease to be entered into, if the effect of Recommendations 1 and 2 cannot be achieved;**
4. **AUTHORISE and ENDORSE the Chief Executive Officer to undertake such action as required to support the transfer and amalgamation of land (as per Recommendation 1) or the development of the new Shire reserve (as per Recommendation 3), including but not limited to signing of forms, correspondence, provision of statutory declarations, and any other such works necessary or required by the Department of Planning, Lands and Heritage;**
5. **AUTHORISE the use of the Shire of Merredin Common Seal, if necessary, on any documentation required to support the transfer and amalgamation of land (as per Recommendation 1) or the development of the new reserve (as per Recommendation 3), for the purpose of Childcare service, together with any lease documentation to support the provision of Childcare services on the reserve;**
6. **AUTHORISE the Chief Executive Officer to undertake a tender process with the intention to enter into a 30 year lease agreement as per Section 3.58 of the *Local Government Act 1995*, to support the development of additional childcare services within the Shire of Merredin on the new Shire reserve once created, where applicable and if required; and**
7. **DIRECTS the Chief Executive Officer to provide quarterly briefings on the progress of the reserve transfer or reserve development to Council.**

83857

CARRIED 5/0

For: Cr Van Der Merwe, Cr Billing, Cr Boehme, Cr Madigan, Cr O'Neill

Against: Nil

Cr Crook returned to the Chambers at 5:29pm.

16.6 Shire of Merredin Christmas/New Year's Opening Hours

Administration	
Responsible Officer:	Craig Watts, CEO
Author:	Meg Wyatt, EO
File Reference:	Nil
Disclosure of Interest:	The Author and Responsible Officer declare that they do not have any conflicts of interest in relation to this item.
Attachments:	Attachment 16.6A - Proposed Shire Facility Christmas Hours 2026

Purpose of Report

■ Executive Decision ☐ Legislative Requirement

For Council to consider the proposed Shire of Merredin (the Shire) 2026 Christmas/New Years holiday opening hours.

Background

For a number of years, the majority of the Shire venues have closed during the Christmas/New Year period as it is usually an extremely quiet time with minimal public visitations and phone enquires.

It is also common for many residents of the Shire to travel elsewhere at this time of year, with many other businesses in town also closing.

Comment

The Christmas Day public holiday will be observed on Friday, 25 December 2026 with the Boxing Day public holiday being observed on Monday, 28 December 2026, meaning Shire offices and facilities will be closed on both of these days.

Similarly, the New Year's Day public holiday will be observed on Friday, 1 January 2027 meaning Shire offices and most facilities will also be closed on that day.

Council is advised that the Administration intends for Shire venues to close from Midday, Thursday, 24 December 2026 to Friday, 1 January 2027 inclusive. The Administration will reopen as usual on Monday, 4 January 2027. There will be some exceptions to this, such as the Landfill, Visitor Centre and Swimming Pool, as shown in Attachment 16.6A.

The opening times for all venues and facilities over the Christmas/New Year period will be extensively advertised and circulated in advance.

As per previous years, on-call arrangements will be put in place prior to the proposed Christmas closure to ensure emergencies can be responded to. Senior staff will be available on mobile phones and emergency contact details will also be distributed where required.

Consultation

Councillor/Officer Consultation
Consultation with facility managers has taken place to confirm likely patronage and staffing requirements for this period.

Community Consultation
Subject to Council's adoption of the Officer's recommendation, the 2026 Shire Christmas opening hours will be advertised via the Shire's webpage and social media.

Policy Implications

There are no policy implications.

Statutory Implications

There are no statutory implications.

Strategic Implications

Ø Council Plan 2025-2035

Theme:	4 Communication and Leadership
Strategic Objective:	4.2 Provide accountable leadership, transparent decision making and good governance.
Priority Actions:	4.2.1 Support the Shire President and Councillors by working in partnership with the Executive to deliver leadership and oversight of the Shire, providing advice, information and guidance to support sound, informed decision making.

Sustainability Implications

There is no impact on capacity, resourcing or asset management to carry out the Officer's recommendation.

Risk Implications

There is a reputational risk associated with this Item as closure of various Shire facilities swill reduce services to the community. The risk rating is considered to be Low (3), which is determined by a likelihood of possible (3) and a consequence of Insignificant (1). This risk will be minimised by the adoption of the Officer's Recommendation.

Financial Implications

Staff will be required to take time off in lieu, annual leave or accrued rostered days off during the period. These costs are contained within the 2026/27 Annual Budget.

	Voting Requirements

■ Simple Majority ☐ Absolute Majority

	Resolution

Moved: **Cr O'Neill** **Seconded:** **Cr Madigan**

83858

That Council;

1. **NOTES the closure of the Shire Administration Office from Midday Thursday, 24 December 2026 to the morning of Monday, 4 January 2027, with closures at other facilities as provided in Attachment 16.6A; and**
2. **NOTES information relating to closures will be advertised to community in early December, including hours of operation and emergency contact information.**

CARRIED 6/0

For: Cr Crook, Cr Van Der Merwe, Cr Billing, Cr Boehme, Cr Madigan, Cr O'Neill

Against: Nil

16.7 Policy Review – Policy 8.6, 8.12 & 8.19

Administration	
Responsible Officer:	Craig Watts, CEO
Author:	Suzanne Doncon, P&GO
Legislation:	*Building Act 2011* [WA] *Child Care Services Act 2007* [WA] *Child Care Services (Child Care) Regulations 2006* [WA] *Education and Care Services National Law Application Act 2026* [WA] *Environmental Protection (Noise) Regulations 1997* [WA] *Food Act 2008* [WA] *Health Act 1911* [WA] *Planning and Development Act 2005* [WA] *Planning and Development (Local Planning Schemes) Regulations 2015* [WA]
File Reference:	Nil
Disclosure of Interest:	The Author/Responsible Officer declare that they do not have any conflicts of interest in relation to this item.
Attachments:	Attachment 16.7A – Policy 8.6 – Shade type structures between dwellings and boundary fence – Track Changes Attachment 16.7B – Policy 8.6 – Shade type structures between dwellings and boundary fence – Final Attachment 16.7C – Policy 8.12 – Residential Use – Track Changes Attachment 16.7D – Policy 8.12 – Home Based Business and Uses – Final Attachment 16.7E – Policy 8.19 – Family Care Facilities – Track Changes Attachment 16.7F – Policy 8.19 – Family Care Facilities – Final

Purpose of Report

■ Executive Decision ☐ Legislative Requirement

For Council to consider the proposed changes to the Shire of Merredin (Shire) Council Policies shown in Attachment 16.7A to 16.7F.

Background

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

The policies submitted for Council consideration in this report are:

- Policy 8.6 Shade type structures between dwelling and boundary fences;
- Policy 8.12 Residential Use; and
- Policy 8.19 Family Care Facilities.

Comment

The Shire maintains two (2) policy manuals with these being the Staff Policy Manual and Council Policy Manual. The Staff Policy Manual is managed with the Administration and amended by the Executive Leadership Team (ELT) as necessary to remain current and address emerging issues. The Council Policy Manual details the approach to issues of a broader nature which impact on the community, with the initial policy and any amendments to that policy requiring the endorsement of Council. The following are proposed additions, amendments and removals to Council Policies, therefore requires the endorsement of Council to enable their applications.

Share type structures between dwellings and boundary fences

This Policy for share type structures provides guidance in the process and requirements for developing shade structures between the dwelling and boundary fence. The proposed amendments change the purpose of this Policy from encouraging the enhancement of amenity by building a structure to a policy providing the requirements for development approval. Moderate editing and minor formatting are proposed to improve clarity, including the change in staff titles to match current positions and removing duplicity.

Residential Use (Title changed to Home Based Businesses and Uses)

This Policy for residential uses provides clarity on the requirements for the development of commercial uses within a residential property. The title is intended to be changed to Home Based Business and Uses to provide better clarity of intent. The proposed amendments include significant changes within the classification section with the inclusion of the general requirements for home based business uses, reducing the types of uses to either home based business, or home office. Definitions for both are provided together with explanations of characteristics. Sale of goods from residential properties is no longer permitted. Minor editing is proposed to improve clarity, including the change in staff titles to match current positions and removing duplicity. The proposed amendments edit the assessment criteria to include the requirement that the use must be ancillary to the primary residential use, titles for the different sections (to improve navigation), the inclusion of weekend hours and the removal of the interference section (to reduce duplicity). More information about advertising

requirements is proposed within the application section with the simplification of the schedule of fees section to improve clarity. Relevant legislation is also proposed to ensure compliance.

Family Care Facilities

This Policy for family care facilities has undergone a complete rewrite to expand the policy from an exemption to requiring Council approval, to cover where the development is permitted and the requirements for development approval. The proposed amendments will remove the existing policy statement section and replace it with two (2) new sections. The first of these sections covers the circumstances of development assessment; this section provides where family day care services require approval, are prohibited or are permitted. This section also specifies which Council staff are responsible for the assessments. The second section covers the planning requirements for development approval; this includes design requirements for the property and house, the number and location of parking, and restrictions of hours to reduce noise impacts in the residential area. The proposed amendment also includes the addition of a scope, definitions and the relevant legislation which this Policy is to be in compliance with.

	Policy Implications

Policies 8.6 Share type structures between dwellings and boundary fences, and 8.12 Residential Use are proposed to be amended to provide greater legibility and to directly connect to related legislation.

Policy 8.19 Family Care Facilities is proposed to be amended to provides greater clarity into the requirements of family care facilities in relation to their locations, the design and the restrictions to the facilities use. The proposed changes also bring Policy 8.19 into compliance with the new and updated legislation.

	Statutory Implications

As these are Council policies, the policies will provide guidance to the Shire Administration and carry no legislative enforcement powers. Amendments to Policy 8.12 Residential Use comply with the provisions of the *Building Act 2011, Food Act 2008. Health Act 1911*, the *Planning and Development Act 2005* and the *Planning and Development (Local Planning Schemes) Regulations 2015.*

Amendments to Policy 8.19 Family Care Facilities comply with the provisions of the *Child Care Services Act 2007*, the *Child Care Services (Child Care) Regulations 2006, Education and Care Services National Law Application Act 2026* and the *Environmental Protection (Noise) Regulations 1997*.

	Strategic Implications
Ø Council Plan 2025-2035	

Theme:	4 Communication and Leadership
Strategic Objectives:	4.2 Provide accountable leadership, transparent decision making and good governance.

Priority Actions:	4.2.1 Support the Shire President and Councillors by working in partnership with the Executive to deliver leadership and oversight of the Shire, providing advice, information, and guidance to support sound, informed decision making.

Sustainability Implications

There is no impact on capacity, resourcing or asset management to carry out the Officer's recommendation.

Risk Implications

There is a reputational risk associated with this Item as a lack of clear direction in the form of policies will lead to inconsistent decision making and advice to the public. The risk rating for these Policies is considered to be Moderate (6), which is determined by a likelihood of Possible (3) and a consequence of Minor (2). This risk will be eliminated by the adoption of the Officer's Recommendation.

Financial Implications

There are no financial implications associated with this report including within the Long-Term Financial Plan. All costs associated with the implementation of this policy are provided within the current budget.

Voting Requirements

■ Simple Majority ☐ Absolute Majority

Resolution

Moved: **Cr Boehme** **Seconded:** **Cr Madigan**

83859

That Council:

1. **ADOPTS the amendments to Policy 8.6 Shade Type Structures Between Dwellings and Boundary Fences as shown in Attachment 15.1B;**
2. **ADOPTS the amendments to Policy 8.12 Home Based Business and Uses as shown in Attachment 15.1D; and**
3. **ADOPTS the amendments to Policy 8.19 Family Care Facilities as shown in Attachment 15.1F.**

CARRIED 6/0

For: Cr Crook, Cr Van Der Merwe, Cr Billing, Cr Boehme, Cr Madigan, Cr O'Neill

Against: Nil

17. MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

18. QUESTIONS BY MEMBERS OF WHICH DUE NOTICE HAS BEEN GIVEN

Nil

19. URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

20. MATTERS BEHIND CLOSED DOORS

Nil

21. CLOSURE

There being no further business, the President thanked those in attendance and declared the meeting closed at 5:31pm.

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