

4. Disclosure of Interest

Nil

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 19 January 2021
Attachment 7.1A

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Billing

Seconded: Cr Butler

82675 **That the Minutes of the Ordinary Council Meeting held on 19 January 2021 be confirmed as a true and accurate record of proceedings.**

CARRIED 9/0

8. Announcements by the Person Presiding without Discussion

The Shire President took the opportunity speak to Council regarding her activities since the Ordinary Council Meeting on 19 January 2021.

"On the 26 January 2021, it was with pleasure, that I represented the Shire at the Merredin Australia Day celebrations.

The Australia Day breakfast was once again a successful event held by the Merredin CRC committee, with the assistance of the Merredin Mens Shed and numerous volunteers.

At this event I presented the 2021 Community Citizen Awards.

Congratulations to those who were nominated, and special acknowledgment to:

- Yvonne Gray - Merredin Citizen of the Year;
- Mal Harper - Merredin Senior Citizen of the Year; and
- A Choired Taste Merredin - Active Group Citizen of the Year.

A citizenship ceremony followed the Awards announcements, with three new Australian citizens making the pledge in front of family and friends."

Shire President activities since the Ordinary meeting January 19th, 2021 have included:

- 26 January Australia Day Breakfast, Merredin Community Resource Centre
Australia Day BBQ, Merredin Olympic Swimming Pool
Australia Day Sundowner, Piazza - Barrack Street
- 29 January Social media filming. Woolgar Avenue roundabout
CEO Meeting, Shire Administration Building
- 2 February Sports Council meeting with Councillors, Merredin Community Resource Centre
- 4 February LEMC meeting, Merredin College
- 8 February CEO Meeting, Shire Administration Building
- 9 February Council Briefing Meeting, Shire Administration Building
- 10 February Wheatbelt Development Commission Board Meeting,
Via Videoconference
- 11 February Great Eastern Country Zone Executive Meeting,
Via Videoconference

Social Media Filming - Piazza Survey, Piazza - Barrack Street

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

Nil

10. Receipt of Minutes of Committee Meetings

- 10.1 Local Emergency Management Committee Meeting held on 4 February 2021
Attachment 10.1A
- 10.2 Wheatbelt North Regional Road Group - Kellerberrin Sub-Group Meeting held on 9 February 2021
Attachment 10.2A

automatic security door to the premises and was to be reimbursed for the associated costs via a special (additional) rent provision spread out over the life of the lease agreement (to be finalised on 30 September 2021).

The existing lease incorporates an option to extend the lease for a further 4-year period (expiring 30 September 2025) and includes a market review date on 1 October 2021 as well as CPI review dates on 1 October 2022, 1 October 2023 and 1 October 2024.

The property in question is located on reserve 13941 which is vested in the Shire. In accordance with the vesting order requirements pertaining to reserve 13941 the consent of the Minister for Lands was obtained before the current lease agreement was finalised.

Mr Taylor Phillips advises that as part of a standardisation process being implemented by the Department of Finance on a state wide basis forming part of state government policy the Lessee will not be exercising the option to renew the existing lease, rather the Department of Finance is seeking confirmation from the Shire of Merredin that it would be prepared to agree to a Deed of Extension and Variation to the existing lease agreement and clarify the agreed terms prior to the March 2021 election.

The terms of the initial Renewal Proposal to form part of the Deed of Extension and Variation provided for an initial 4 year term commencing 1 October 2021 and expiring 30 September 2025, with two further options to extend the lease (each of a further 4 year period) with Market reviews on 1 October 2025 and 1 October 2029. They also provided for significant additional works to be undertaken on the premises at the expense of the Shire of Merredin relating to;

- Installation of additional handrail at stairs to the main entrance to the tenancy;
- Widening level landing of stairs at the top to a minimum of 1,2m;
- Installation of tactile indicators at bottom and top of stairs;
- Installation of stair nosing's at each tread riser of the stairs;
- Installation of compliant ramp at main entrance of the tenancy;
- Installation of adequate signage to rear entry of tenancy;
- Installation of entrance door threshold plate to ensure gap is no more than 5mm high; and
- Installation of a universal access toilet.

In addition, the initial Renewal Proposal to form part of the Deed of Extension and Variation also included a leasing incentives clause.

The proposed works have a considerable cost implication in addition to considerations relating to the State Heritage Listing nature of the building.

The Shires Executive Manager of Development Services has liaised with Mr John Gearing (previously the Shire’s Building Projects Manager), staff at the office of Mia Davis MLC and Mr Taylor Phillips in relation to the need for the proposed additional works, the associated costs and the party responsible for meeting these costs.

As a result of these discussions Mr Phillips has confirmed that the Department of Finance will no longer be requesting that the Shire of Merredin undertake the following works;

- Widening level landing of stairs at the top to a minimum of 1,2m;
- Installation of compliant ramp at main entrance of the tenancy; and
- Installation of a universal access toilet.

Subsequently, Mr Phillips has provided a revised Renewal Proposal to form part of the Deed of Extension and Variation to the existing lease for consideration by Council.

As part of these discussions the Executive Manager of Development Services also raised concerns with respect to the proposed Leasing Incentives Clause, with the outcome that Mr Taylor has agreed to a ‘Nil’ incentive provision to form part of this clause.

Mr Taylor has requested that the Deed of Extension or Variation to the existing lease agreement is supported by a Landgate valuation but has agreed in principle that the rental charges in place upon commencement of the revised lease (from 1 October 2021) utilise the current rental charges applicable to the existing lease (\$72.730 per m2 plus GST) as a starting point. This would have been approximately the applicable rental charge had the option to renew lease been exercised by the Lessee.

The proposed Deed of Extension and Variation will extend the term of the amended lease past the expiry term of the existing lease, normally this would require compliance with requirements of Section 3.58 of the Local Government Act 1995 relating to the disposal of property. As the property in question will be leased to a Government Agency, public advertising provisions do not apply in this case.

However, in accordance with the vesting order requirements pertaining to reserve 13941, the consent of the Minister for Lands will need to be obtained before the proposed Deed of Variation and Extension can be executed by the Shire of Merredin.

Policy Implications

Policy 8.20 – Rental charges for agreements to occupy Council non – residential property

Statutory Implications

Compliance with the *Local Government Act 1995*.

Strategic Implications

➤ Strategic Community Plan

Zone:	Economy and Growth
Zone Statement:	Merredin Seeks new opportunities for growth and strives to develop rich and multifaceted economy.
Key Priority:	2.3 Supporting initiatives from local businesses for growth

➤ Corporate Business Plan

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

Sustainability Implications

➤ Strategic Resource Plan

Nil

➤ Workforce Plan

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

Risk Implications

Nil

Financial Implications

By agreeing to the proposed Deed of Extension and Variation the Shire of Merredin will receive an income from the lease payments and ensure that the premises are tenanted and looked after on an ongoing basis.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Boehme

Seconded: Cr Van Der Merwe

82677

That Council;

1. **Advises Mr Taylor Phillips (Colliers International), that subject to receiving consent from the Minister for Lands, the Shire of Merredin is prepared to enter into a Deed of Extension and Variation to the existing lease agreement for the property located at Lot 1449 on Deposited Plan 193636, Mitchell Street Merredin, known as the Old Town Hall Office as per the revised Renewal Proposal forming part of Attachment 12.1A, and incorporating the following provisions;**
 - **Initial annual rental charge upon commencement of revised lease (from 1 October 2021) of \$72.730 per m2 plus GST;**
 - **Annual CPI increases (from 1 October 2022);**
 - **A 'Nil' Lease Incentive Clause;**
 - **Landgate Valuation, and**
2. **Authorises the Shire President and Chief Executive Officer to execute the said Deed of Extension and variation to the existing lease agreement for the property located at Lot 1449 on Deposited Plan 193636, Mitchell Street Merredin, known as the Old Town Hall Office on behalf of Council and attach the Shire seal to the said Deed of Extension and variation.**

CARRIED 9/0

Lot 1 Totadgin Hall Road Merredin – Application for Development Approval, 12.2 Placement On Site of Dome Shelter Incorporating Sea Containers For Storage Purposes

Development Services



Responsible Officer:	Peter Zenni, EMDS
Author:	Peter Zenni, EMDS
Legislation:	Shire of Merredin Local Planning Scheme No 6.
File Reference:	A7112
Disclosure of Interest:	Nil
Attachments:	Attachment 12.2A – Application for development approval and associated documentation

Purpose of Report

Executive Decision

Legislative Requirement

Background

The Shire of Merredin has received an application for development approval for the placement of a dome shelter incorporating 3 sea containers to be used for farm related storage purposes on site at Lot 1 Totadgin Hall Road, Merredin.

Comment

The dome shelter incorporating the sea containers will be located on Lot 1 Totadgin Hall Road Merredin, which is zoned 'general farming' in accordance with the Shire of Merredin Local Planning Scheme No. 6 (LPS).

The dome shelter incorporating the sea containers will be used for the secure storage of farm equipment and will replace a farm storage shed that was destroyed during a strong wind event.

The Shire of Merredin has a local planning policy in place which controls movable buildings (including sea containers) and which requires that an application for development (planning) approval be lodged with Council.

Whilst sea containers under Council's policy on movable buildings are not permitted in residential areas, they can be permitted by Council in other (non-residential) zoned areas.

Council Local Planning Policy No.1 – Moveable Buildings, states as follows;

“The Council may give special consideration for the use of ‘containers’ outside the townsite areas of the Shire. In these circumstances the Council will need to be satisfied that there is no viable alternative to the use of these structures, and that the location of these ‘containers’ will not detract from the amenity of the locality.”

In this case the lot is zoned ‘general farming’, the size and location of the lot will minimise any impact on the visual amenity of the surrounding area.

The objectives of the Council Local Planning Policy No.1 – Moveable Buildings, are as follows;

- a) To maintain high amenity standards of buildings, especially within the residential areas in the Townsites of the Shire.
- b) To ensure that the visual aesthetics of residential areas are not compromised by the introduction of moveable buildings that are generally out of character with the predominant housing style in the locality.
- c) To ensure that moveable buildings, established within the Shire, do not use materials considered by Council to be unacceptable (eg. Asbestos).
- d) To avoid the erection and use of extensive areas of moveable structures for accommodating temporary workforces, or other businesses or company activities, in inappropriate areas.
- e) To prevent the introduction of housing, or other structures, that are designed to be used on a temporary or short stay basis and that may detract from the standards already established in the residential areas of the Townsites.
- f) To protect the visual amenity of the urban environment by not permitting the establishment, storage or use of ‘containers’ within the non-residential areas of the townsite.

The proposed development does not contravene any of the objectives of the Shire policy on moveable buildings.

The Shire of Merredin Council has previously granted development approval for the placement of sea containers in general farming zoned areas for storage purposes.

Policy Implications

Compliance with Shire of Merredin local planning policy on movable buildings.

Statutory Implications

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

Strategic Implications

➤ Strategic Community Plan

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

➤ Corporate Business Plan

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

Sustainability Implications

➤ Strategic Resource Plan

Nil

➤ Workforce Plan

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

Risk Implications

Nil

Financial Implications

The relevant development application fees have been paid.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Flockart

Seconded: Cr Boehme

82678 That Council;

1. Grant development (planning) approval for the placement of a dome shelter incorporating 3 sea containers for farm related storage purposes on Lot 1 Totadgin Hall Road Merredin, as per plans forming part of Attachment 12.2A; and
2. Advises the applicant, that;
 - The proposed development will be classified as a Class 10a structure (non-habitable building) under the National Construction Code (BCA). The construction of Class 10a structures outside of town site boundaries within the Shire of Merredin does not require a building permit. However, it is the responsibility of the applicant to ensure that the proposed structure complies with all structural requirements specified by the relevant Australian Standards.
 - The proposed dome shelter incorporating sea containers may only be used for farm related storage purposes and must not be used for habitation at any time.

CARRIED 9/0

13. Officers' Reports - Engineering Services

13.1 Award of Tender T2021202 – 2021 Footpath Program

<h1>Engineering Services</h1> 	
Responsible Officer:	Calvin Shotter, EMES
Author:	Calvin Shotter, EMES
Legislation:	<i>Local Government Act 1995</i> <i>Local Government (Functions and General) Regulations 1996</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 13.1A – Confidential - Evaluation Matrix

Purpose of Report



Executive Decision



Legislative Requirement

Background

This item seeks Council approval to engage a supplier determined as best value for money through a Public Tender process to deliver the 2020-21 Footpath Program. The Local Government (Functions and General) Regulations 1996 requires the local government to call tenders for goods and services where the value exceeds \$250,000. The Regulations also provide penalties for breaking the tender down to avoid a public tender process. The Chief Executive Officer has delegated authority to call tenders on behalf of Council.

Comment

The request for Tender was advertised in the West Australian on 9th January 2021. At the close of the tender submission period, two tenders were received of which both were determined as conforming. The tender documentation included the following evaluation criteria:

Criteria	Weighting
Price	20%
Relevant Experience	20%
Capability	20%
OSH	20%
Warranty	20%

The subsequent evaluation of the conforming tenders was conducted in accordance with the purchasing policy and incorporated the “value for money assessment accounting for the whole of life cost, technical requirements and service delivery”. The evaluation of the submissions was undertaken by Calvin Shotter (EMES) and Jamie Holmes (Asset Management Officer) The evaluation matrix is enclosed in the confidential attachments. During the evaluation, the following was noted:

- Following consultation within in the industry, the conforming suppliers were determined as capable of delivering a satisfactory result.
- The price received from Supplier 2 is within the estimated value for the works.
- Supplier 2 has previously undertaken footpath works within the Shire of Merredin.
- Supplier 2 has previously demonstrated the ability to provide a quality product.
- Supplier 2 received the highest score in the tender evaluation

Council has excess footpath funds in the budget this year due to securing the Local Roads and Infrastructure Program grant. This has moved the South Avenue footpaths budget of \$93,480 into the South Avenue upgrades. As part of the funding agreement council needs to still spend allocated budget on footpaths. It is proposed to use these funds to do a section of Coronation Street between Bates Street and Mary Street.

It is recommended that Supplier 2 “Gearing Constructions Contractors” is awarded the tender.

Policy Implications

Council Policy 3.12 – Purchasing Policy. This Policy outlines how the Shire of Merredin will deliver best practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance whereby establishing efficient, effective, economical and sustainable procedures in all purchasing activities. The provisions of the tender policy have been adhered to. As the proposed contract for the provision of the 2019 Footpath Program exceeds \$200,000 the matter is being referred to Council for its deliberation. The Delegation - DL4.1 has been followed in the purchasing process and as such requires a Council decision to accept a tender above \$ 200 000.

Statutory Implications

This procurement process has been completed in accordance with section 3.75 of the *Local Government Act 1995* and the Regulation 11 (2)(f) of the *Local Government (Functions and General) Regulations 1996*.

Strategic Implications

➤ Strategic Community Plan

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

➤ Corporate Business Plan

Key Action:	6.1.2 – Advocate for improved road infrastructure networks across the region.
Directorate:	Engineering Services
Timeline:	2020/2021

Sustainability Implications

➤ Strategic Resource Plan

Nil


➤ Workforce Plan

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

Risk Implications

Adoption of this item has been evaluated against the Shire of Merredin's Risk Management Policy 3.24 - Risk Matrix. The perceived level of risk is considered to be low risk and can be managed by the routine procedures.

13.2 Award of Tender T2021201 – 2021 Provision of Wet mixing & Stabilising

<h1>Engineering Services</h1> 	
Responsible Officer:	Calvin Shotter, EMES
Author:	Calvin Shotter, EMES
Legislation:	<i>Local Government Act 1995</i> <i>Local Government (Functions and General) Regulations 1996</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 13.2A – Confidential - Evaluation Matrix, Appendix 1 – Wet mixing & Stabilising Details

Purpose of Report

Executive Decision

Legislative Requirement

Background

This item seeks Council approval to engage a supplier determined as best value for money through a Public Tender process to deliver the Wet mixing & Stabilising of the Merredin-Narembeen Rd for 2020/21 Secondary Freight Network Program. The Local Government (Functions and General) Regulations 1996 requires the local government to call tenders for goods and services where the value exceeds \$250,000. The Regulations also provide penalties for breaking the tender down to avoid a public tender process. The Chief Executive Officer has delegated authority to call tenders on behalf of Council.

Comment

The request for Tender was advertised in the West Australian on 9th January 2021. At the close of the tender submission period, four tenders were received of which all four were determined as conforming.

The tender documentation included the following evaluation criteria:

14. Officers' Reports – Corporate and Community Services

14.1 List of Accounts Paid

<h2>Corporate Services</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Geoff Garside, EMCS	
Author:	Geoff Garside, EMCS	
Legislation:	<i>Local Government Act 1995, Local Government (Financial Management) Regulations 1996</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 14.1A - List of Accounts Paid	

Purpose of Report

Executive Decision

Legislative Requirement

Background

The attached list of Accounts Paid during the Month of January 2021 under delegated Authority is provided for Council's information.

Comment

Nil

Policy Implications

Nil

Statutory Implications

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

Strategic Implications

➤ Strategic Community Plan

Zone:

Zone Statement:

Key Priority: Governance

➤ Corporate Business Plan

Key Action: Deliver long term financial planning for asset replacement and new capital projects

Directorate: 2

Timeline: Continue to provide prudent financial controls and compliance systems

Sustainability Implications

➤ Strategic Resource Plan

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

➤ Workforce Plan

Directorate: Nil

Activity: Nil

Current Staff: Nil

Focus Area: Nil

Strategy Code: Nil

Strategy: Nil

Implications: Nil

Risk Implications

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

Financial Implications

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

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Patroni


Seconded: Cr Boehme

82681

That the schedule of accounts paid during January 2021 as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$592,118.89 from Council's Municipal Fund Bank Account and \$884.78, from Council's Trust Account be endorsed by Council.

CARRIED 9/0

14.2 Statement of Financial Activity

<h1>Corporate Services</h1> 	
Responsible Officer:	Geoff Garside, EMCS
Author:	Geoff Garside, EMCS
Legislation:	Local Government Act 1995, Local Government (Financial Management) Regulations 1996
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 14.2A – Statement of Financial Activity Attachment 14.2B – Detailed Statements Attachment 14.2C – Investment Statement Attachment 14.2D – Capital Works Progress Attachment 14.2E – Variances by Sub Program

Purpose of Report

Executive Decision

Legislative Requirement

Background

The Statement of Financial Activity, which includes the Detailed Schedules, Statement of Financial Activity, Current Ratios, Capital Expenditure Report, and Investment Register, are attached for Council's information.

Comment

Capital Expenditure

A detailed look at capital expenditure can be found in note 8, as well as attachment 14.2 (D) showing levels of expenditure.

Attachment 14.2 (E) reports variances by Sub Program, making it easier to drill down on variances to a greater degree.

Budget Amendments

The following budget amendments are recommended:

GL/Job	Description	Current Budget	Variation Amount	Revised Budget	Reason
NEW	Grant Income - ESL SES	\$0	(\$26,315)	(\$26,315)	LGGS grant for SES Generator
NEW	Capital Expenditure - SES Generator	\$0	\$26,315	\$26,315	Supply and installation of generator for Merredin SES - funded by grant

DFES has indicated support for the supply and installation of a generator at the Merredin SES premises on Benson Street. The capital grant income and capital expenditure relating to the supply and installation of the generator have not been included in the current budget. Authorisation of the capital expenditure is required to proceed.

Policy Implications

Nil

Statutory Implications

Monthly financial reporting - as outlined in section 6.4 of the *Local Government Act 1995* and regulation 34 in *Local Government (Financial Management) Regulations 1996*.

Authorisation of expenditure - the *Local Government Act 1995* Part 6 Division 4 s 6.8 (1) requires the local government not to incur expenditure from its Municipal Fund for an additional purpose except where the expenditure:

(b) Is authorised in advance by resolution*

“Additional purpose” means a purpose for which no expenditure estimate is included in the local government’s annual budget.

*requires an absolute majority of Council.

Strategic Implications

➤ Strategic Community Plan

Zone: Nil

Zone Statement: Nil

Key Priority: Governance

➤ Corporate Business Plan

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

Sustainability Implications

➤ Strategic Resource Plan

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

➤ Workforce Plan

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

Risk Implications

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

To mitigate the risk of budget over-runs or non-delivery of projects, the Chief Executive Officer has implemented internal control measures such as regular Council and management reporting and a quarterly process to monitor financial performance against budget estimates. Materiality reporting thresholds have been established at half the adopted Council levels, which equate to \$10,000 for operating budget line items and \$10,000 for capital items, to alert management prior to there being irreversible impacts.

It should also be noted that there is an inherent level of risk of misrepresentation of the financials through either human error or potential fraud. The establishment of control measures through a series of efficient systems, policies and procedures, which fall under the responsibility of the CEO as laid out in the Local Government (Financial Management Regulations) 1996 regulation 5, seek to mitigate the possibility of this occurring. These controls are set in place to provide daily, weekly,

and monthly checks to ensure that the integrity of the data provided is reasonably assured.

Financial Implications

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

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Butler

Seconded: Cr Billing

82682

That Council:

1. **Receive the financial reports for January 2021; and**
2. **Approve the following budget amendments:**
 - a. **Increase new income account for Grant Income – ESL SES from \$0 by (\$26,315) to (\$26,315); and**
 - b. **Increase new capital expenditure account for SES Generator from \$0 by \$26,315 to \$26,315.**

CARRIED 9/0

14.3 CBD Revitalisation – Building Better Regions Fund

<h2>Corporate Services</h2> 	
Responsible Officer:	Andrina Prnich, Deputy CEO
Author:	Andrina Prnich, Deputy CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 14.3A – Merredin Town Centre Concept Plan Review

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Council has been working on plans for the revitalisation of the Central Business District (CBD) since at least 2008. The community was first engaged in designing the future of the CBD in early 2009 and after extensive input, the first concept plan was well accepted. The 2012-2023 Strategic Community Plan identified the CBD revitalisation as a very high priority. It was acknowledged that the project was beyond the community's means without substantial external funding. In 2017, the Shire of Merredin's revitalisation project was part of a proposal for the State to invest in the CBDs of four Wheatbelt Centres (Northam, Jurien Bay, Merredin and Narrogin). Funding for the program did not eventuate, and the Merredin CBD has seen less ambitious improvements as budgets allowed. The project has again come into prominence with the draft SCP 2020-2030, alongside economic development funding opportunities related to COVID-19 recovery. The Shire now wishes to vigorously pursue funding for a comprehensive CBD revitalisation project (and prioritise its own resources).

In September 2020 the Federal Government announced a Round 5 opportunity for the Building Better Regions Fund (BBRF). Round 5 officially opened for applications on 12 January 2021 and closes on 5 March 2021. The funding supports investment

ready projects that provide economic and social benefits for regional and remote areas.

Comment

Following a number of recent stakeholder and community meetings the community is still very supportive of progressing the CBD Revitalisation Project. The scope of the Project will see upgraded streetscapes applying urban design principles that support community connectivity, tourism and economic opportunities. The Shire has capacity to progress with the first stage of identified development which is a close fit with the outcomes sought through the current round of BBRF funding.

A review of the CBD Masterplan was undertaken in December 2020 and presented to Council at its December briefing session. UDLA were the landscape architects commissioned to carry out this work and to also offer further resolution to the proposed first stage of works. The key changes to the plan can be summarised as follows:

- An all-ages playground within the proposed town square at the intersection of Bates and Barrack Streets.
- Addition of a landmark feature shading structure.
- Addition of a raised platform, flush with the footpath kerb levels at the intersection of Bates Street and Barrack Street, with the potential for future closure as needed for event purposes (subject to further resolution at detailed design and following the extensive feedback currently being sought by Council in relation to the pilot public piazza project).
- Addition of manicured native landscaping to showcase the surrounding flora.
- A possible war memorial link acknowledging the key civic status that the town square holds and marking the starting point of the towns annual ANZAC Day march.
- A strengthened pedestrian connection from the Railway Station to the retail precinct on Barrack Street.
- Relocation of the Central Wheatbelt Visitor Centre (NOTE: the costing associated with Stage One, Town Square, does not include considerations for the demolition or relocation of the Visitor Centre. Any financial implications associated with Stage One have not been modelled to include this scenario, to date). It is anticipated that a separate Council decision will be required to formally agree to any associated planning, feasibility and design work associated with the relocation. For planning purposes, an assumption will be made that this decision is to be resolved at a later date and any plans for implementation will work around the parameters of the existing building.

- Minor changes and rationalisation of the staging plan.
- Review of Pioneer Park and footpaths between the Military Museum and the Railway Museum to create a strong vista from the highway to the intersection of Bates and Barrack Streets.
- Addition of a wayfinding artwork trail to draw visitors towards the town square and retail precinct.
- Addition of approximately 15 new parking bays to the south side of the railway line, accessible from Great Eastern Highway.

Following some feedback, a number of modifications were made to the plan and returned to Council briefing in January 2021 (Attached). At this workshop, Council provided some additional feedback which has been noted and will be incorporated in the next phase of design.

The latest changes were specific to the playground indicated in the concept masterplan, Stage One Town Square. Where the Shire's consultant, UDLA, recommended that the centrally located playground would be designed to cater to all ages, Council requested this playground be designed to cater predominantly to an early year's demographic. Staff have noted these changes for resolution in the detailed design phase. Council also clearly identified that the Apex Park revitalisation should proceed as a facility that would predominantly cater to youth, with some facilities to cater to younger years. Council also gave clear direction on its desire to progress plans for Apex Park simultaneously with the plans for Stage One, Town Square. As such, the recommendation within this report will acknowledge this direction and outlines the changes identified by Council in relation to facilities planning and staging of the CBD revitalisation project

Policy Implications

The CBD Revitalisation Project will be required to meet relevant Shire of Merredin Policies relating to community consultation, streetscapes and procurement.

Statutory Implications

Local Government Act 1995

Strategic Implications

➤ Strategic Community Plan

Zone: Economy and Growth

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

- Key Priority:
- Developing and maintaining local government infrastructure that increases the potential for business development and investment.
 - Facilitating and strengthening the development of local and regional tourism.
- Zone: Places and Spaces
- Zone Statement: Merredin is an attractive regional town that creates opportunities for residents and visitors to enjoy its many attractions.
- Key Priority:
- Designing and maintaining attractive parks, open spaces, the town centre and streetscapes that creates opportunities for people to come together, socialise and enjoy a range of activities.
 - Providing facilities that meet our community's needs.

➤ Corporate Business Plan

Key Action: Implement the CBD redevelopment project: Stages 2 and 3 (improve the functionality and amenity of Barrack and Bates Streets)

Directorate: Nil

Timeline: Ongoing

Key Action: Showcase Merredin with improved visibility and promotion through initiatives

Directorate: Nil

Timeline: Ongoing

Key Action: Develop Streetscapes initiatives to encourage local pride and sense of ownership

Directorate: Nil

Timeline: Ongoing

Key Action: Continue to identify opportunities to consolidate and rationalise Shire owned facilities

Directorate: Nil

Timeline: Ongoing

Sustainability Implications

➤ Strategic Resource Plan

Nil

➤ Workforce Plan

Directorate: Nil

Activity: Nil

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

Risk Implications

There are a number of risks that have been identified in relation to the CBD Revitalisation Project. A Risk Assessment is under development and to be included in the CBD Revitalisation Project's Business Case. A primary risk identified is that the application for external funding is unsuccessful. Without external funding, this Project will not have capacity to progress as planned.

Financial Implications

The CBD Revitalisation Project is currently estimated at \$9,676,774 (ex gst) as per an Opinion of Probable Costs provided by UDLA. Stage One of these works is estimated at \$4,278,618. The amount of funding sought under BBRF is determined by the level of remoteness of the project location. This Project's location is classified as 'Outer Regional' and therefore a \$1 for \$1 matching contribution is required. It is suggested that Council direct the Chief Executive Officer to apply to the BBRF Round 5 for 50% of the funding towards the CBD Revitalisation Project Stage One. The remaining 50% will be met by the Shire of Merredin cash funds 2021/2022. Community and commercial cash contributions will be actively sought and underwritten by the Shire of Merredin. In the event of a successful BBRF grant application, the Shire's contribution will be reduced accordingly.

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation / Resolution

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

82683 **That Council;**

1. **Endorse the Merredin Town Centre Concept Plan Review which includes an additional Chapter 7 identifying updates to the master plan subject to the following changes:**
 - a. **Detailed design addressing the Town Square playground as a space which predominantly caters to an early years demographic;**

15. Officer's Reports - Administration

15.1 Merredin Regional Community and Leisure Centre User Group Fees and Contributions

<h1>Administration</h1> 	
Responsible Officer:	Mark Dacombe, T/CEO
Author:	Mark Dacombe, T/CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 15.1A - Merredin Regional Community and Leisure Centre Working Party Terms of Reference Attachment 15.1B - Email Merredin Sports Council 9 February 2021 Attachment 15.1C - "Model Three – Proposed Set Fee"

Purpose of Report



Executive Decision



Legislative Requirement

Background

The matter of the setting of fees for the Merredin Regional Community and Leisure Centre (MRCLC) Sports User Groups has been a concern for an extended period. In recent times the matter has been reported to the Council in October 2019, October 2020, November 2020 and December 2020.

In October 2020 the Council created a Working Party to address all of the outstanding issues relating to the management of the MRCLC and advise the Council on appropriate solutions. The Working Party membership includes representatives of the Shire, the Merredin Sports Council and Belgravia Leisure. The Terms of Reference for the Working Party are attached.

The Working Party has been requested by the Council to report to the February meeting of Council.

Comment

Discussions in the Working Party forum have centred around the fee structure and quantum, and the development of Memoranda of Understanding between the parties to establish clear expectations and common understanding of the management arrangements.

The Merredin Sports Council has produced a user charge proposal. It was agreed that they should have the opportunity to present the proposal to the Council. The Merredin Sports Council invited Councillors and the CEO to a presentation held at the Community Resource Centre on Tuesday, 2 February 2021. All Councillors attended. The CEO was unavailable.

On 9 February 2021 the Merredin Sports Council wrote to the “Working Group” by email:

"Please see attached Draft documents developed by the Merredin Sports Council without having the knowledge of what is in the Contract between the Shire and Belgravia.

- *Draft MOU (Shire and individual sports) with Appendix 1 Terms of Use Guidelines (which are relevant to all sports).*
- *Appendix 2 - List of Individual Sports Requests (for negotiation between Shire and each sport)*
- *Model 3 (Proposed fee)*
- *Draft MOU (Shire and Merredin Sports Council)*

Merredin Sports Council, with the support from the sports make the following recommendation:

That the Working Group recommend to Council that the proposed fee structure in Model 3 be endorsed for 2020/21, 2021/22 and 2022/23 financial years in conjunction with a MOU with each sport, based on the Draft MOU and Appendix 1 and 2 as presented in Attachment Model 3 (Proposed fee) and as listed below.

Total Proposed fee with MOU for 20/21, 21/22 & 22/23	
Netball	\$ 7,500
Basketball	\$10,000
Nukarni Football Club	\$ 4,000
Burracoppin Football Club	\$ 4,000
Golf	\$ 1,500
Merredin District Tennis Club	\$ 1,800
Merredin Hockey	\$ 2,700
Burracoppin Hockey	\$ 2,700
Civic Bowls	\$ 1,500
Nukarni Cricket	\$ 1,000
Junior Cricket	\$ 600
Junior Football	\$ 1,500
Little Athletics	\$ 1,000
Junior Hockey	Don't exist
Merredin Men's Hockey	Don't exist
Fire Brigade	\$ 500
Social Hockey	Don't exist

The Sports Council has also drafted a MOU for the Shire and Merredin Sports Council to define and clarify the roles and responsibilities of both parties and make the following recommendation:

That the Working Group recommend to Council that an MOU be developed between the Shire and Merredin Sports Council based on the Draft MOU presented to define and clarify the roles and responsibilities of both parties.

As per the terms of reference for the Working Group, the Merredin Sports Council are requesting a meeting on Thursday 11 February 4.30pm at the Shire (48 hours notice) to finalise these recommendations for the 16 February 2021 Council meeting."

The Sports Council also submitted a table comparing the proposed fee structure with the fees adopted by Council in October 2020, and also the fees paid in 2019 based on information from the sports clubs. No information was submitted explaining the rationale underlying the proposal.

The draft MOUs are not attached to this report as they now need to be reviewed by Shire staff and, in the case of the MOUs with the Clubs, representatives of Belgravia Leisure. For this reason, the MRCLC Working Party has not yet met as requested within the Sports Council's email sent 9 February 2021.

The work that the Merredin Sports Council has put into the draft MOUs is acknowledged and it is anticipated that a meeting of the MRCLC Working Party will be able to be held without too much delay, in order to finalise the documents for recommendation to the Council.

The fees proposal has been brought to the Council ahead of finalising the MOUs because of the desire of all parties to bring certainty to the matter, in particular for the current year.

Should the fees proposal be adopted for the current year, at this meeting, the current levels of service provided to the clubs will remain in place pending any changes agreed by the parties through the review of the MOUs.

Policy Implications

The creation of Memorandum of Understanding that reflect the reviewed requirements of all parties may necessitate some amendments to Council policies. If that is the case the changes will be brought to Council at the same time as the MOUs.

Statutory Implications

The recommendations are consistent with Council's legal obligations under the *Local Government Act 1995*.

Strategic Implications

➤ Strategic Community Plan

Priorities and Strategies for Change

Whilst not yet formally adopted the Council's draft strategic priorities include "Development of sport and recreation – infrastructure and participation". This specifically envisages the Shire working with Department of Local Government, Sport and Cultural Industries, State sport organisations and local clubs to increase participation at player and Committee level.

➤ Corporate Business Plan

Key Action: N/A
Directorate: Chief Executive Officer
Timeline: Nil

Sustainability Implications

➤ Strategic Resource Plan

Nil

➤ Workforce Plan

Directorate: Nil
Activity: Nil
Current Staff: Nil
Focus Area: Nil

Strategy Code: Nil
Strategy: Nil
Implications: Nil

Risk Implications

If the fees are approved as requested for the next three years, it will bring certainty for all parties and remove the source of on-going dissatisfaction with the fee structure.

Financial Implications

Adopting the fee structure as proposed by the Sports Council will increase the cost to the Council of running the MRCLC by approximately \$19,000-\$26,000 as a result of contractual obligations. This will be able to be accommodated within the 2020/21 budget and in the Long-Term Financial Plan for the subsequent two years.

Given the short lead time for preparation of this item a proposed budget adjustment will be circulated prior to the Council meeting.

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation / Resolution

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

82684

That the Council;

- 1. Receive this report.**
- 2. Rescind Item 1 of resolution 82622 (20 October 2020) "That the Council approved the 20/21 fee structure without any increase over the 2019/20 fees".**
- 3. Rescind Item 3 of resolution 82636 (17 November 2020) "Approves the consequential adjustment to the winter sports fees to 2020/21".**
- 4. Adopt the proposed fee structure set out in the table below and that this be fixed for the 2020/21, 2021/22 and 2022/23 financial years:**

Netball	\$ 7,500
Basketball	\$10,000
Nukarni Football Club	\$ 4,000
Burracoppin Football Club	\$ 4,000
Golf	\$ 1,500

Merredin District Tennis Club	\$ 1,800
Merredin Hockey	\$ 2,700
Burracoppin Hockey	\$ 2,700
Civic Bowls	\$ 1,500
Nukarni Cricket	\$ 1,000
Junior Cricket	\$ 600
Junior Football	\$ 1,500
Little Athletics	\$ 1,000
Fire Brigade	\$ 500
Total	\$40,300

5. **Agree in principle that the fees be associated with a MOU with each sport, to be developed based on the draft documents submitted with the Merredin Sports Council proposal dated 9 February 2021.**
6. **Note that until the new Memoranda of Understanding are in place current levels of service to the users of the Merredin Regional Recreation and Leisure Centre will be maintained.**
7. **Advertise by public notice the proposed new fee structure in accordance with the provisions of the Local Government Act 1995.**


CARRIED 5/4

The following Councillors requested their votes be recorded:

Councillors For: Cr Willis, Cr Van Der Merwe, Cr Flockart, Cr McKenzie, Cr Manning

Councillors Against: Cr Billing, Cr Boehme, Cr Butler

15.2 Major Strategic Review 2020/21 – Strategic Community Plan

<h1>Administration</h1> 	
Responsible Officer:	Mark Dacombe, T/CEO
Author:	Mark Dacombe, T/CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 15.2A – Draft Strategic Community Plan

Purpose of Report

Executive Decision

Legislative Requirement

Background

The Council last undertook a major strategic review in 2018 and was about to embark on a mini strategic review in 2020 when the COVID-19 pandemic struck. The focus of the Shire turned to the actions necessary to support the community through the initial stages of the pandemic in particular the lock-down period.

As the State emerged from the lock-down the range of federal and state government initiatives to support and stimulate the economy started to become known the Council decided to re-engage with the community and undertake an “out-of-cycle” major review to ensure that the direction being set post pandemic reflected community views in the changed circumstances.

Comment

Extensive community engagement was undertaken with a total of 407 inputs to the community engagement process. This represents 12.1% of the total population.

Community Concerns

The key community concerns that emerged through the process were:

- Choice of retail and hospitality in a healthy and attractive CBD

- Grow and build local industry, support local businesses
- Tourism
- Events
- Strong and vibrant regional hub
- Community engagement and morale
- Services for young people
- Population
- Health Services

Priorities

In response to these concerns the Council has developed the following priorities that are reflected in the Strategic Community Plan:

Community and Culture

- Development of cultural life: infrastructure and spaces; activation, and celebration of Njaki Njaki culture
- Development of sport and recreation: infrastructure and participation
- Community safety

Economy and Growth

- Clearly articulate Merredin's identity and value proposition
- Tourism product development, including cultural tourism
- Strengthening the economy through local business development
- Building on Merredin's strengths to expand the economy

Environment and Sustainability

- Address climate change
- Ensure continuous potable and non-potable water supply
- Developing a more efficient and sustainable waste management service
- The shire leading by example

Communication and Leadership

- Effective mechanisms for community representation in key decision-making
- The Shire has a strong working relationship with Njaki Njaki Traditional Owners and other Aboriginal community members
- Maximising the value of Shire assets

Places and Spaces

- Revitalise the Merredin CBD
- Improve public open space

Transport and Networks

- Improving local roads
- Improving stormwater management

These priorities are the key drivers of the Strategic Community Plan.

It is proposed that the draft strategic Community Plan now be adopted for public comment before.

Policy Implications

Nil

Statutory Implications

Local Government Act 1995

5.56. Planning for the future

- (1) A local government is to plan for the future of the district.
- (2) A local government is to ensure that plans made under subsection (1) are in accordance with any regulations made about planning for the future of the district.

Local Government (Administration) Regulations 1996

19 C. Strategic community plans, requirements for (Act s. 5.56)

- (9) A local government is to ensure that the electors and ratepayers of its district are consulted during the development of a strategic community plan and when preparing modifications of a strategic community plan.
- (10) A strategic community plan for a district is to contain a description of the involvement of the electors and ratepayers of the district in the development of the plan or the preparation of modifications of the plan.

Risk Implications

The Strategic Community Plan contains a section setting out the strategic risks to the plan and the risk controls that apply.

Financial Implications

The financial implications of the Strategic Community Plan will be addressed in the Long-Term Financial Plan.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Billing

Seconded: Cr McKenzie


82685

That Council;

- 1. Adopts the draft Strategic Community Plan;**
- 2. Endorses the priorities contained in the draft Strategic Community Plan;**
- 3. Requests the Chief Executive Officer to advertise the draft Strategic Community Plan for public comment.**
- 4. Authorise the CEO to complete any minor editing of the document in consultation with the Shire President and any changes made be advised to Council.**

CARRIED 9/0

15.3 Local Government Election 2021

<h1>Administration</h1>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Mark Dacombe, T/CEO	
Author:	Mark Dacombe, T/CEO	
Legislation:	<i>Local Government Act 1995</i>	
File Reference:	G/7/10	
Disclosure of Interest:	Nil	
Attachments:	Attachment 15.3A - Correspondence	

Purpose of Report

Executive Decision

Legislative Requirement

Background

Correspondence has been received from the WA Electoral Commission (WAEC) outlining the process to be taken should Council resolve for the WAEC to conduct the 2021 Local Government Ordinary Election via postal vote.

The next election is scheduled for 16 October 2021. There will be four Councillor positions becoming vacant, being Councillors Butler, Flockart, Patroni, and Willis.

Comment

For many years the WAEC has conducted the local government elections for the Shire of Merredin as a postal election with a good response from voters being achieved. The advantages of using the WAEC to conduct the election include:

1. a postal ballot has a higher elector turnout;
2. it is seen to be independent from Council; and
3. it relieves Administration staff of the workload associated with the election process.

It is therefore proposed that the WAEC again conduct the 2021 Local Government Ordinary Election via postal vote.

Policy Implications

Nil

Statutory Implications

Sections 4.20(4) and 4.61(2) of the *Local Government Act 1995* apply in appointing the WAEC to conduct the election on behalf of the Shire of Merredin.

Strategic Implications

➤ Strategic Community Plan

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

➤ Corporate Business Plan

Key Action:	Nil
Directorate:	Nil
Timeline:	Nil

Sustainability Implications

➤ Strategic Resource Plan

Nil

➤ Workforce Plan

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

Risk Implications

Nil

Financial Implications

The estimated cost for the WAEC to conduct the 2021 election via postal ballot is \$20,000 including GST.

An allocation will need to be made in the 2021/22 Budget for the WAEC's costs, as well as additional advertising expenditure should Council wish to advertise locally in addition to the legislated State-wide advertising included as part of the WAEC quotation.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Patroni

Seconded: Cr Boehme

82686

That;

- 1. in accordance with Section 4.20(4) of the Local Government Act 1995 the Electoral Commissioner be responsible for the conduct of the 2021 ordinary election together with any other elections or polls which may be required; and**
- 2. in accordance with Section 4.61(2) of the Local Government Act 1995 that the method of conducting the 2021 election be as a postal election.**

CARRIED 9/0

16. Motions of which Previous Notice has been given

Nil

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

Nil

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

Nil

19. Matters Behind Closed Doors

Nil

20. Closure

There being no further business, the President thanked those in attendance and declared the meeting closed at 5.01pm.