



SHIRE OF MERREDIN

16 June 2015

Minutes of Ordinary Council Meeting

Held in Council Chambers
Corner King & Barrack Street's, Merredin



Common Acronyms Used in this Document

WEROC	Wheatbelt East Regional Organisation of Councils
GECZ	Great Eastern Country Zone
WALGA	Western Australian Local Government Association
CEACA	Central East Aged Care Alliance
CEO	Chief Executive Officer
DCEO	Deputy CEO
EMDS	Executive Manager of Development Services
EMES	Executive Manager of Engineering Services
EMCS	Executive Manager of Corporate Services
EA	Executive Assistant to CEO
LPS	Local Planning Scheme
LGIS	Local Government Insurance Services
AMP	Asset Management Plan
LTFP	Long Term Financial Plan
MRC&LC	Merredin Regional Community and Leisure Centre
CWVC	Central Wheatbelt Visitors Centre
UCL	Unallocated Crown Land
MoU	Memorandum of Understanding
LHAG	Local Health Advisory Group
NEWROC	North Eastern Wheatbelt Regional Organisation of Councils
LoA	Leave of Absence

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Shire of Merredin
Ordinary Council Meeting
Tuesday 16 June 2015



1. Official Opening

The President welcomed all those in attendance and declared the meeting open at 3.00pm.

2. Public Question Time

Mr Danny Smith addressed Council in relation to his business, Multi Clean Services, being able to utilise the residential tip passes of his pensioner clients to dispose of their rubbish at the Landfill Site. He was advised it depended on the type of waste, how much waste was involved and whether or not it was sorted appropriately. Mr Smith was requested to provide his contact details to Mr John Mitchell who would investigate the scenario and liaise with him to resolve the matter.

Mr Smith left the meeting at 3.05pm and did not return.

3. Record of Attendance / Apologies and Leave of Absence

Councillors:

Cr KA Hooper	Shire President
Cr RM Crees	Deputy President
Cr BJ Anderson	
Cr CA Blakers	(from 3.20pm)
Cr JP Flockart	
Cr DN Hayes-Thompson	
Cr MD Willis	
Cr ML Young	

Staff:

G Powell	CEO
R McCall	Deputy CEO
J Mitchell	EMDS (until 3.16pm)
V Green	EA to CEO
S Lowe	Media & Communications Officer

Members of the Gallery: Julie Flockart, Danny Smith

Apologies: Nil

Approved Leave of Absence: Nil

4. Disclosure of Interest

Councillor Anderson declared a Financial Interest in Agenda Item 12.1.

5. Applications for Leave of Absence

Nil

6. Petitions and Presentations

Nil

7. Confirmation of Minutes of the Previous Meeting

7.1 Ordinary Council Meeting held on 19 May 2015

[Attachment 7.1A](#)

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Willis

81572 That the Minutes of the Ordinary Council Meeting held on 19 May 2015 be confirmed as a true and accurate record of proceedings.

CARRIED 7/0

8. Announcements by the Person Presiding without discussion

Nil

9. Matters for which the Meeting may be closed to the public

Nil

10. Receipt of Minutes of Committee Meetings

10.1 Joint WALGA Zones Meeting held on 29 April 2015

[Attachment 10.1A](#)

10.2 GECZ Meeting held on 4 May 2015

[Attachment 10.2A](#)

10.3 WEROC Executive Meeting held on 27 May 2015

[Attachment 10.3A](#)

10.4 Audit Committee Meeting held on 16 June 2015

[Attachment 10.4A](#)

Officer's Recommendation / Resolution

Moved: Cr Anderson

Seconded: Cr Young

81573 That the minutes of the Joint WALGA Zones Meeting held on 29 April 2015, the GECZ Meeting held on 4 May 2015, the WEROC Executive Meeting held on 27 May 2015 and the Audit Committee Meeting held on 16 June 2015 be received.

CARRIED 7/0

11.	Recommendations from Committee Meetings for Council consideration
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11.1 Audit Committee Meeting held on 16 June 2015

Officer's Recommendation

That the Audit Committee recommend to Council that:

1. the content of the detailed annual financial statement for the year ended 30 June 2014 (as detailed in Attachment 7.1A) be received; and
2. the content of the audit report and the audit management report as submitted by the Shire's Auditor UHY Haines Norton Chartered Accountants (as detailed in Attachment 7.1A) and the authors comments as noted above be received.

Resolution

Moved: Cr Young

Seconded: Cr Anderson

81574 That:

1. the content of the detailed annual financial statement for the year ended 30 June 2014 (as detailed in Audit Committee Attachment 7.1A) be received; and
2. the content of the audit report and the audit management report as submitted by the Shire's Auditor UHY Haines Norton Chartered Accountants (as detailed in Audit Committee Attachment 7.1A) and the Officer's comments as noted be received.

CARRIED 7/0

12. Officer's Reports - Development Services

Councillor Anderson declared a Financial Interest in this Agenda Item and left the meeting at 3.10pm.

12.1 Lot 230 Carrington Way, Merredin – Application for Over Height Outbuilding

<h2>Development Services</h2>		
Reporting Officer:	John Mitchell, EMDS	
Author:	As above	
Legislation:	Local Planning Scheme No. 6 Policy	
File Reference:	A9360	
Disclosure of Interest:	Nil	
Attachments:	Site Plan & Outbuilding Plan	
Maps / Diagrams:	Nil	

Purpose of Report



Executive Decision



Legislative Requirement

Background

An application to erect an over height outbuilding on Lot 230 Carrington Way, Merredin has been received ([Attachment 12.1A](#)).

Comment

The applicant seeks to erect a 52m² colourbond (white walled) garage in the rear south corner of the lot, 500mm from the boundary. The apex height of 4,002mm is approximately 400mm above Policy height. The apex height of the residence is 4,350mm.

The garage is gabled rooved and suits the style of the dwelling constructed.

Previous examples of other such approvals are listed below. It is noted that the Officer is still to prepare a register of such approvals. The following are provided for examples:

1. Council Avenue, Merredin - PA 07 (2014) over height outbuilding – 3,850mm;
2. Kitchener Road, Merredin - PA 06 (2012) over height garage – 4,000mm; and
3. Jubilee Street, Merredin – over height wall for garage on boundary – 4,000mm.

There are other examples of such approval.

Pursuant to the R Codes 2013, development of this nature is generally acceptable if the final heights do not exceed 4,200mm. Council has approved one garage at that height in Haines Street, Merredin.

Policy Implications

The proposal is outside the scope of the Policy but is compliant with the R Codes for final height. Pursuant to the Policy the matter is referred to Council for consideration.

Statutory Implications

The provisions of the Shire of Merredin Local Planning Scheme No. 6 are applicable. If there is a negative impact on the development, the affected party is the Shire of Merredin as the adjoining lot is public open space. There is no known detriment.

Strategic Implications

Service Area: 3.3 Town Planning

Activities: Home Occupation Licences

Link to Vision: Liveable

Link to Strategic Priorities: Town enhancement

Service Level: As determined by legislation and the Local Planning Scheme

Service Level Change: no service level change

Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

Nil

- Workforce Plan

Nil

Financial Implications

Applicable planning fees have been paid.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Willis

81575 That the application to erect a 52m² 4,002mm apex height garage on Lot 230 Carrington Way, Merredin be approved.

CARRIED 6/0

Councillor Anderson entered the meeting at 3.12pm.

12.2 Lot 62 Fitzpatrick Road, Hines Hill - Application to Convert and Change Use - Outbuilding

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	As above
Legislation:	Health Act 1911; Local Planning Scheme No. 6
File Reference:	A9300
Disclosure of Interest:	Nil
Attachments:	Site Plan and Building Plan (Attachment 12.2A)
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The owners of Lot 62 Fitzpatrick Road, Hines Hill are seeking permission to convert an outbuilding to a dwelling. Pursuant to the Health Act 1911 and the LPS No. 6 two distinct approvals are required.

Comment

The outbuilding was constructed in 2013 and is a gabled rooved centre section with skillion rooved sides. The building (MD BAC 001 (2015)) was provided retrospective building consent as an outbuilding on 14 May 2015 and has engineer support as an outbuilding.

Policy Implications

Nil

Statutory Implications

Section 144 of the Health Act 1911 requires that a person must first obtain the written consent of the local government before converting a building to a dwelling.

LPS No. 6 requires that planning consent be obtained for the change of use from an outbuilding to a dwelling.

Subject to Council agreeing to the above requirements the applicant will then apply for a building permit pursuant to the Building Act 2011.

Strategic Implications

Service Area: 3.3 Town Planning

Activities: Process Development Applications

Link to Vision: Liveable

Link to Strategic Priorities: Town enhancement

Service Level: As determined by legislation and the Local Planning Scheme

Service Level Change: no service level change

Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

Nil

- Workforce Plan

Nil

Financial Implications

Applicable planning fees have been paid.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Young

- 81576**
1. That pursuant to Section 144 of the Health Act 1911 Council provides consent to the use of the building located on Lot 62 Fitzpatrick Road, Hines Hill and known as the red Quaker style barn as a dwelling.
 2. That pursuant to the Shire of Merredin Local Planning Scheme No. 6 consent to the change of use of the red colourbond clad gabled and side skillion rooved outbuilding on Lot 62 Fitzpatrick Road, Hines Hill to a dwelling be approved.

CARRIED 7/0

J Mitchell left the meeting at 3.16pm and did not return.

13. Officer's Reports - Engineering Services

13.1 Road Programs – 2015/16 and 10 Year

Engineering Services



Reporting Officer:	Kevin Paust, EMES
Author:	As above
Legislation:	Local Government Act 1995, Local Government (Financial Management) Regulations 1996, Australian Accounting Standards Board 13.
File Reference:	10/01
Disclosure of Interest:	Nil
Attachments:	2015/16 Road Program; Five Year Road Program (to be circulated before the Council meeting); Ten Year Road Program (to be circulated before the Council meeting); 2015/16 Provisional Capital Works Program Budget - Roads
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision

Legislative Requirement

Background

Council's Road Assets program (Roman II) is a data base utilised to produce a one, five and ten year works programs based on asset preservation requirements. The one year road program for 2015/16 is appended as [Attachment 13.1A](#).

To assist Council in adopting the 2015/16 road works program for budget purposes, a draft five and ten year road program (to be circulated under separate cover) is developed annually by the EMES utilising Roman II.

Included in the five and ten year road programs are the proposed:

- Road Works
- Drainage Works
- Footpath Works
- Road Maintenance budget allocations

Unfortunately, from an annual budgeting perspective, Council is unable to allocate sufficient funding to meet the asset preservation requirements as detailed in the Roman II one year program. Staff have therefore compiled the 2015/16 Provisional Capital Works Program – Roads ([Attachment 13.1B](#)) on a best fit basis given the funds currently available.

The current funds available for Council's 2015/16 works program amount to \$2,911,334. The Roman II one year program identifies an expenditure requirement of \$4,740,383 therefore a shortfall of \$1,829,049 is apparent. Council's program equates to 61.42% of identified requirement.

Funding for the 2015/16 road program comes from grant money received from the Regional Road Group (RRG) funding pool, Roads to Recovery (R2R2), Councils own resources (O/R), State Black Spot funding and the Direct Grant for roads from the State.

Roads that are funded from RRG and State Black Spot grants are on a 2/3 RRG and 1/3 Council's O/R. R2R2 and Direct Grants are on a 100% grant basis.

Comment

Road grant funds for the 2015/16 financial year are as follows:

	FEDERAL	O/R	TOTAL
Roads to Recovery	\$777,990	\$0.00	\$777,990
	STATE	O/R	TOTAL
Direct Grant	\$176,400	\$0.00	\$176,400
State Black Spot	\$227,542	\$113,771	\$341,313
	RRG	O/R	TOTAL
Chandler/Merredin Road	\$185,444	\$92,722	\$278,166
Doodlakine/Bruce Rock Road	\$270,270	\$135,135	\$405,405

The Shire of Merredin's 2015/16 budget for O/R is \$1,450,088. This is made up of a \$382,581 carry over from 2014/15 and \$1,067,507 of new construction works as per the 2015/16 Provisional Capital Works Program - Roads.

Policy Implications

Local Government Act 1995

Statutory Implications

Local Government Act 1995

Strategic Implications

Service Area: 2.3 Bitumen Road/Drainage Construction and Renewals

Activities: Road construction

Link to Vision: Liveable

Link to Strategic Priorities: Key Assets - Roads

Service Level: Roads constructed in accordance with Council policy and programmes to MRWA standards

Service Level Change: No service level change.

Sustainability Implications

- [Asset Management Plan](#)

As per section 6.2.2 Engineering/Works Services

- [Long Term Financial Plan](#)

Council's adoption of the Officer's Recommendation will impact on the Shire of Merredin's LTFP.

- [Workforce Plan](#)

An ageing workforce within the road construction crew and without younger skilled employees wanting to join local government the reliance on contractors will increase.

Financial Implications

As detailed above for the 2015/16 financial year.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Young

81577 That the **2015/16 Provisional Capital Works Program – Roads**, as presented in [Attachment 13.1B](#), be received for inclusion in Council's 2015/16 Budget and the Ten Year Road Program – Roman II, as circulated, be adopted for inclusion into the Shire of Merredin's Long Term Financial Plan.

Councillor Blakers entered the meeting at 3.20pm.

CARRIED 8/0

14. Officer's Reports – Corporate and Community Services

14.1 List of Accounts Paid

Corporate Services



Responsible Officer:	David Burt, EMCS
Author:	As above
Legislation:	Local Government Act 1995 and Local Government (Financial Management) Regulations 1996
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	List of Accounts Paid
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision Legislative Requirement

Background

The attached List of Accounts Paid ([Attachment 14.1A](#)) during the month of May under Delegated Authority is provided for Council's information.

Comment

Nil

Policy Implications

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

Statutory Implications

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

Strategic Implications

Nil

Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

Nil

- Workforce Plan

Nil

Financial Implications

All liabilities settled have been in accordance with the Annual Budget provisions. It should be noted that outstanding April Creditors total \$154,370.40 will be paid in June 2015.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That the schedule of accounts paid as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$1,047,557.42 from Council's Municipal Fund Bank Account and \$2,000 from Council's Trust Account be received.

Resolution

Moved: Cr Willis

Seconded: Cr Young

81578 That the schedule of accounts paid as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$1,047,557.42 from Council's Municipal Fund Bank Account and \$2,000 from Council's Trust Account be received and that it be noted EFT11830/EFT11871 and EFT11865/EFT11882 are duplicates.

CARRIED 8/0

Reason

Council wished to have it noted that the specific eft payments mentioned were not 2 separate payments but the same payment listed as a duplicate of the other.

14.2 Monthly Finance Report

Corporate Services



Responsible Officer:	David Burt, EMCS
Author:	As above
Legislation:	Local Government Act 1995 and Local Government (Financial Management) Regulations 1996
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Monthly Finance Report
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision

Legislative Requirement

Background

The Monthly Finance Report is attached for Council's information ([Attachment 14.2A](#)).

Comment

Revenue and expenditure to 31 May 2015 is consistent with Council's adopted 2014/15 Budget and adopted Budget Review to 28 February 2015.

No negative impact to Council's reviewed financial position is envisaged.

Policy Implications

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

Statutory Implications

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

Strategic Implications

Service Area: 5.3 - Governance and Corporate Services
Activities: Finance and Asset Management
Link to Vision: Developing
Link to Strategic Priorities: Civic Leadership
Service Level: Financial management meets all legislated requirements
Service Level Change: No service level change

Sustainability Implications

➤ [Asset Management Plan](#)

Nil

➤ [Long Term Financial Plan](#)

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

➤ [Workforce Plan](#)

Nil

Financial Implications

As outlined in [Attachment 14.2A](#).

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Willis

81579 That the Monthly Finance Report for May 2015 be received.

**CARRIED 8/0
ABSOLUTE MAJORITY**

14.3 Community Partnerships Policy

Corporate and Community Services



Reporting Officer:	Rebecca McCall, DCEO
Author:	As above
Legislation:	Nil
File Reference:	Policy Manual
Disclosure of Interest:	Nil
Attachments:	Proposed Policy 3.26 Community Partnerships
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision

Legislative Requirement

Background

The Shire of Merredin is committed to delivering best practice community development to build capacity and nurture pride. The aim is to improve the social fabric of the community and make Merredin a more attractive place to work, live, do business and raise a family. The Shire values community partnerships for their facility to:

- strengthen the capacity and resilience of the community;
- foster community pride;
- initiate and encourage innovative ideas;
- develop projects that encourage 'whole of community' participation; and
- empower individuals and groups in the community to innovate and confidently support each other.

The Shire of Merredin acknowledges and encourages the development of the community through a variety of activities, events and projects undertaken by individual community groups and associations.

The Shire of Merredin is committed to developing and running activities, events and projects for community development, as well as creating a positive environment for community generated initiatives to emerge and thrive.

The aim of the proposed policy ([Attachment 14.3A](#)) is to clarify Council's position on community partnerships and outline how the Shire of Merredin works with the community.

Comment

Types of partnerships

The Shire of Merredin partners with community organisations in a number of ways and these can broadly be categorised as follows:

- 1. Community collaboration on Shire initiatives:** the Shire may seek collaboration, volunteers and input from the community to implement events, ideas or initiatives. The Shire welcomes and encourages community ideas and involvement, but will retain overall control over the direction and operations of the project or event.
- 2. Provision of financial support:** a monetary contribution toward a specific event or initiative. Overall control of the project resides with the applicant, but there may be conditions attached to the funding which impact the direction of the project.
- 3. Provision of in-kind support:** the provision of venues, staff assistance, promotion through the Shire's communication channels or other non-monetary resources for a specific event or initiative. Overall control of the project resides with the applicant, but there may be conditions attached to the provision of in-kind support which impact the project.

Guidelines

1. Shire initiatives

When seeking collaboration for projects run by the Shire, the following guidelines will apply:

1. General invitations for community involvement may be issued via the communications channels outlined in the Customer Service Charter.
2. The Shire may approach specific individuals or groups perceived as better suited or better aligned to the project; however, there is no obligation on Council to approach any single particular person or group for any given project.
3. The Shire will retain overall control over the direction and operations of the project or event.

2. Provision of financial support

Proposals requesting the provision of financial support are to address the following guidelines:

1. Community development initiatives should link to the Corporate and Community Plans with particular regard to the following areas:
 - The Shire's vision elements, "Liveable" and "Inclusive":
 - Liveable: Merredin has the services, facilities, characteristics and heritage that continue to make Merredin a great place to live and contribute to a liveable region; and
 - Inclusive: Merredin (and the region) is an area that is welcoming of diversity.
 - Strategic Priorities

- Service Levels
 - Activities
2. The initiative needs to identify the outcomes for the betterment of the community.
 3. Successful initiatives are required to develop a detailed project plan or event management plan identifying scope, resources and financials.
 4. Successful initiatives are required to acknowledge the contribution of the Shire of Merredin and include the Shire of Merredin logo in promotional material, and to provide a funding acquittal and report back to the Shire, as well as meet any specific conditions that are additionally attached to the funding provision.

Identified initiatives may be incorporated into the Shire's annual community development operational plan.

3. Provision of in-kind support

Proposals relating to the provision of in-kind support are to address the following guidelines:

1. The initiative needs to identify the outcomes for the betterment of the community.
2. Successful initiatives may require a detailed project plan or event management plan identifying scope, resources and financials.
3. Successful initiatives are required to acknowledge the contribution of the Shire of Merredin and include the Shire of Merredin logo in promotional material, as well as meet any specific conditions that are additionally attached to the in-kind provision.

Identified initiatives may be incorporated into the Shire's annual community development operational plan.

Submissions

Community initiatives need to be presented to the Shire of Merredin in writing addressed to the Chief Executive Officer for consideration.

Policy Implications

The proposed policy, 3.26 Community Partnerships, will be included in the Shire of Merredin Policy Manual.

Statutory Implications

Nil

Strategic Implications

Service Area: 4.1 Community Development

Activities: Events, heritage, culture, youth and seniors

Link to Vision: Community Spirit, Inclusive and Liveable

Link to Strategic Priorities: Community involvement and support

Service Level: Support community groups

Service Level Change: Develop partnerships to better align resources in delivering the community's vision

Sustainability Implications

➤ Asset Management Plan

Nil

➤ Long Term Financial Plan

Nil

➤ Workforce Plan

Nil

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That Policy 3.26 Community Partnerships as presented in [Attachment 14.3A](#) be adopted.

Resolution

Moved: Cr Willis

Seconded: Cr Anderson

81580 That Policy 3.26 Community Partnerships as presented in [Attachment 14.3A](#), and as amended, be adopted.

CARRIED 8/0

Reason

Council wished to differentiate on the requirements for planning and reporting for events of a different dollar value i.e. events of \$500 compared to events of \$50,000.

15. Officer's Reports – Administration

15.1 Merredin Land Conservation District Committee – Appointment of Council Representative

Administration



Reporting Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	Soil and Land Conservation Act 1945
File Reference:	RCS/4/24
Disclosure of Interest:	Nil
Attachments:	Correspondence
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision Legislative Requirement

Background

Correspondence has been received from the Department of Agriculture & Food WA (DAFWA) requesting a Council representative on the Merredin Land Conservation District Committee (LCDC) ([Attachment 15.1A](#)).

The Merredin LCDC is a statutory committee established under Sections 22 and 23 of the Soil and Land Conservation Act 1945 (the Act) to manage activities in the Merredin Land Conservation District that was proclaimed by the Governor in 1984. Its functions include undertaking land conservation works, promoting soil conservation programs and providing advice to DAFWA on land use issues.

Since the LCDC member's term of appointment expired in October 2011 the LCDC ceased to exist and therefore had no authority to operate. There has been little, if any, activity by the Merredin LCDC since then.

In early May 2015 DAFWA took steps to have the LCDC formally wound up due to the apparent lack of interest and contacted previous members advising of its intention. On 18 May 2015, DAFWA advised that former LCDC representatives intended to re-establish the committee.

Comment

Total membership of the LCDC is 15, being made up of the following:

- 1 is the Commissioner of Soil and Land or their nominee;
- 1 is appointed by nomination of the Shire of Merredin;
- 3 are appointed to represent the Western Australian Farmers Federation Inc. (WAFF); and
- 10 are persons actively engaged in, affected by or associated with, land use in the District.

The nominees suggested for the “land user” category are:

Mr Grant Bennett
Mr Roy Butler
Mr Joseph Crook
Mr Paddy Crook
Mr Doug Geier
Mr Greg Giles
Mr Mal Harper
Mr Paul Madaffari
Mr Dave Morley
Mr Matthew Smith
Mr Barry Whitehead
Mrs Carol Whitehead
Mr Graeme Whitehead

Of those names listed above, should they be members of the WAFF, they can also be included in the “land user” category.

Council will need to appoint a representative to the LCDC. Council’s previous representative (between 2008 and 2011) was (then Councillor) John Simmonds.

Should no Councillor be appointed, Mr Harper has indicated he would be willing to be Council’s representative. However, LCDC members cannot be both a Council representative and a land user representative, meaning another land user representative would need to be nominated.

The membership will be in place from 2015 to 2018.

Policy Implications

Nil

Statutory Implications

The Soil and Land Conservation Act 1945 is applicable.

Strategic Implications

Service Area: 2.7 Natural Resource Management

Activities: Address environmental issues in the Shire of Merredin and in collaboration with other Shires.

Link to Vision: Naturally Resourceful

Link to Strategic Priorities: Natural Resource Management

Service Level: Nil

Service Level Change: Nil

Sustainability Implications

➤ Asset Management Plan

Nil

➤ Long Term Financial Plan

Nil

➤ Workforce Plan

Nil

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Anderson

81581 That Councillor Flockart be appointed as the Council representative on the Merredin Land Conservation District Committee with the Department of Agriculture and Food WA being advised accordingly.

CARRIED 8/0

15.2 Staff Policy - Defence Reserves – Supportive Employer Program

Administration



Reporting Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	Defence Reserve Service (Protection) Act 2001
File Reference:	Policy Manual; P/13/4
Disclosure of Interest:	Nil
Attachments:	Correspondence; Proposed Policy; Employer Support Handbook
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Correspondence has been received from WALGA asking local governments to publicly pledge their support for Defence Reservists ([Attachment 15.2A](#)) by recognising the personal sacrifice and commitment involved in the Reservists' challenging and critical role. Councils are also being requested to consider registering as a Supportive Employer of Reservists.

There are around 45,000 Australian Reservists both in service and on stand-by, making up 45% of the total Defence Force. Australia's Reservists are all kinds of people from all walks of life whether they are nurses, doctors, firefighters, ambulance officers, IT professionals, public servants, farmers, plumbers or electricians.

Reservists are currently serving in Afghanistan, the Solomon Islands and East Timor, provided assistance during the 2009 Black Friday bushfires in Victoria, the 2011 flooding in Queensland and Victoria and provided security personnel for events such as the 2000 Olympics, the 2007 APEC forum and the 2011 CHOAG meeting.

Comment

Although no Reservists are currently employed, the Shire of Merredin already supports Defence Reservists as Council has a Defence Reservist Leave Policy (2.19) which has been in place since 2008.

However, it is proposed this be replaced with wording from a model policy developed by Defence Reserves Support South Australia and the South Australian Local Government Association, as it is suggested this provides a “best practice” example. A copy of the proposed policy is included in [Attachment 15.2B](#).

In relation to registering as a Supportive Employer of Reservists, it is suggested the benefits to the Shire of Merredin may be:

1. the opportunity for an employee to add value and their Reservists skills to the workplace;
2. a free listing as a Supportive Employer both online and in various Defence Reserves Support publications; and
3. if eligible, financial support when an employed Reservist is called for service or training.

It is widely recognised that the skills and expertise Reservists gain as part of their training and duties assist in their roles with their civilian employers, as well as playing a crucial role in the security and protection of our nation. These skills include:

1. core skills - leadership, teamwork, problem solving and communication;
2. practical and military skills - useful for resourcefulness, precision, perseverance and the ability to improvise in difficult circumstances;
3. personal skills - loyalty, reliability, integrity, determination and confidence; and
4. nationally recognised qualifications such as heavy vehicle licences.

Depending on the individual, Reservists may also have specialist skills such as:

1. advanced communications using computer, radio and satellite technology;
2. language skills for intelligence and administrative operations;
3. handling explosives, dangerous chemicals or waste;
4. driving and operating construction plant and heavy goods vehicles; and
5. first aid and occupational health and safety.

The process to register as a Supportive Employer of Reservists is a simple matter of completing and submitting an online form indicating agreement with the Supportive Employer Statement. A copy of the Statement is included in [Attachment 15.2C](#).

Policy Implications

If the Officer’s Recommendation is adopted Policy 2.19 will be amended as shown in [Attachment 15.2B](#).

Statutory Implications

The Defence Reserve Service (Protection) Act 2001 (the Act) makes it an offence for an employer to discriminate against, disadvantage, hinder or dismiss an employee or prospective employee for rendering Defence service. The Act also requires employers to release employees who are Defence Reservists to undertake Defence service. The Act not only makes it mandatory for employers to release their Reservists for service, but also for the training necessary to prepare them for that service.

Strategic Implications

Service Area: 5.4 Human Resources
Activities: Human Resource Services
Link to Vision: Developing; Liveable
Link to Strategic Priorities: Civic leadership
Service Level: Workforce Plan in place
Service Level Change: No service level change

Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

Nil

- Workforce Plan

Nil

Financial Implications

Annual leave entitlements are included as operating costs within the budget.

Should additional costs be incurred as a result of the policy these may be eligible for reimbursement funding through the Employer Support Payment Scheme as detailed on Page 11 of the Employer Handbook ([Attachment 15.2D](#)).

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Anderson

81583

That:

1. Policy 2.19 Australian Defence Force Reserve Service Leave as presented in [Attachment 15.2B](#) be adopted and included in the Policy Manual; and
2. the Shire of Merredin become a Supportive Employer of Reservists by signing the Statement as presented in [Attachment 15.2C](#).

CARRIED 8/0

15.3 Council - Elected Member Vacancy

Administration



Reporting Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	Local Government Act 1995
File Reference:	G/6/5
Disclosure of Interest:	Nil
Attachments:	Nil
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

At its August 2014 meeting Council granted 6 months Leave of Absence (LoA) commencing from the September 2014 meeting to Councillor Thomas (CMRef 81410). That LoA expired following the February 2015 meeting. Councillor Thomas did not attend, nor provide apologies for the next 3 consecutive Council meetings (i.e. March, April and May 2015).

As a result, and as required under Section 2.27 of the Local Government Act 1995 (the Act), the CEO provided notice to Councillor Thomas that he believed Councillor Thomas was disqualified from Council. Councillor Thomas replied to that notice advising he was now living overseas and therefore not likely to return to Australia, and so accepted his disqualification from Council.

Subsequently, in accordance with Section 4.17(3) of the Act, the CEO wrote to the WA Electoral Commission (WAEC) requesting that the vacancy created by Councillor Thomas be allowed to remain unfilled until the local government elections scheduled for October 2015.

Comment

The WAEC have responded advising that the vacancy can remain unfilled subject to an Absolute Majority resolution to the same effect by Council, as the Shire of Merredin does not contain wards and 80% of the number of offices of members of Council are still filled (Section 4.17(4A)).

Policy Implications

Nil

Statutory Implications

Sections 2.25, 2.27, 2.32 and 4.17 of the Local Government Act 1995 are applicable and have been followed.

Strategic Implications

Service Area: Nil

Activities: Nil

Link to Vision: Nil

Link to Strategic Priorities: Nil

Service Level: Nil

Service Level Change: Nil

Sustainability Implications

➤ Asset Management Plan

Nil

➤ Long Term Financial Plan

Nil

➤ Workforce Plan

Nil

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Anderson

81584 That the vacancy created by the disqualification of Councillor Trent Thomas be allowed to remain unfilled until the local government elections scheduled for October 2015.

**CARRIED 8/0
ABSOLUTE MAJORITY**

15.4 Merredin Community Resource Centre – Request to Waive Fee

Administration



Reporting Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	Local Government Act 1995
File Reference:	RCS/4/21
Disclosure of Interest:	Nil
Attachments:	Correspondence
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Correspondence has been received from the Merredin Community Resource Centre (MCRC) requesting that the fee for power from Shire property supplied on their market days be waived ([Attachment 15.4A](#)).

At its May 2012 meeting Council approved a request from the MCRC to waive the individual stall holders fee (at the time \$15 per stall) and to instead charge the fee once per market day to the MCRC, regardless of the number of stalls attending the market day (CMRef 30864) i.e. the MCRC was charged \$15 per market day.

While Council's May 2012 resolution was only applicable to the 2012/13 financial year the practice of charging the individual stall holders fee to the MCRC per market day has continued, meaning the MCRC are currently charged \$17 per market day regardless of the number of stalls attending.

The new location of the markets is the CWVC lawn and the western adjacent car park up to the entry across from Target Country.

The power supply fee applicable (for the 2014/15 financial year) is \$35 per day. That amount entitles access to 2 power outlets located on the external wall of the CWVC.

The MCRC have indicated the power is required for an urn (to supply tea/coffee etc) and, should they attend, the bouncy castle. This may change to include additional users in the future depending on the types of stalls or other entertainment provided.

The MCRC have suggested that, at the previous location, between 11-20 stalls attended any given market day. On the one occasion that the markets have been held in the new location 17 stalls attended. The MCRC charge each stall holder \$15, with Public Liability cover included, except for the stallholder's products.

Comment

As the power outlets are located on the external wall of the CWVC no staff time is required for stall holders to access the power. However, as mentioned in the May 2012 report to Council, the amount charged to the MCRC (currently \$17 per market day) does not cover the cost of staff time in processing the stall holders permit, nor other associated costs involved in liaising with the MCRC or individual stall holders regarding the markets.

As a comparison, advice was sought from other Councils on whether a charge is applied for the supply of power from Shire venues for their markets.

Corrigin have advised that their markets have only just commenced and are run under the banner of the Apex Club. The markets are held on a park which does not have a power supply however the Shire indicated should power be required it would likely be charged on a cost recovery basis, except where required by a community group in which case the fees are waived.

Similarly, Bruce Rock indicated that for the small number of markets held in the town each year (and the smaller number of stall holders requiring power) that stall holders are not charged a power supply fee. The main occasion where power is required is for the Vietnam Veterans weekend which is a Shire initiative hence they are responsible for the power charges in any case.

Nungarin are probably the most well-known markets within the immediate area and advice from their organising committee (which is separate to the Shire of Nungarin) indicates that power is provided free of charge, from the Shire, via 8 power points along the street. Stall holders are charged \$10 per stall per market day.

The Officer's Recommendation below suggests the request to waive the power supply fee be declined. This takes into account the following reasoning:

1. it could be argued that the Shire of Merredin already subsidises the cost of running the markets by only charging the individual stall holders fee once to the MCRC per market day, as opposed to charging for each stall holder who attends the markets. For example, the MCRC are currently charged \$17 per day but if 11 stalls attended they should be charged \$187 per day. It is not, however, suggested that this practice change as the reduction of the stall holders fee is a show of support for the markets and will hopefully allow them to continue and prosper;
2. while the definition of "charitable organisation" in the Activities in Thoroughfares & Public Places & Trading Local Law could possibly be stretched to include the MCRC, the individual stall holders are not charitable organisations and are there to (hopefully) make a profit for themselves by charging for their goods and/or services, therefore, on their behalf, the MCRC are not exempt from paying the stall holders fees;

3. the cost of electricity is increasing each year and while some Shire venues have solar panels fitted to offset those costs, the CWVC does not have panels installed. As a result the Shire are responsible for paying the full rate for all electricity used at the building, regardless of who it is used by or for what purpose;
4. there is no precedence for the power supply fee to be waived. All other visiting services to Merredin who require power i.e. the Osteoporosis van, BreastScreen van etc, are charged the applicable rate. Alternatively, stall/permit holders provide their own power either from their vehicle or via a portable generator;
5. another alternative to using an urn could be to have a stove top kettle, available from most camping stores, which can be put on a BBQ plate or over a gas flame; and
6. it would be possible for the MCRC to invest in a portable generator, perhaps either through funding from a grant or donation from a local business. Once acquired the generator would allow the MCRC to provide power to any activity it chooses to conduct at any location within the townsite or region, thus expanding its opportunities beyond the confines of the market day's new location.

Policy Implications

Nil

Statutory Implications

Council's Activities in Thoroughfares and Public Places and Trading Local Law is applicable.

Strategic Implications

Service Area: 4.1 Community Development

Activities: Events

Link to Vision: Community Spirit, Inclusive, Liveable

Link to Strategic Priorities: Events and activities

Service Level: Heritage and culture – support community groups

Service Level Change: Develop partnerships to better align resources in delivering the community's vision

Sustainability Implications

- [Asset Management Plan](#)

Nil

- [Long Term Financial Plan](#)

If Council continues to waive fees and charges a reduction in forecasted revenue can be expected.

- [Workforce Plan](#)

Nil

Financial Implications

Council's 2014/15 Fees and Charges list access to power on Shire property per day at \$35.

While Council is yet to adopt its Fees and Charges for the 2015/16 financial year, whatever amount is adopted, the waiving of the fee will result in Council not receiving that income for the period during which the fee is waived.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Willis

81586 That the request from the Merredin Community Resource Centre to waive the fee for access to power on Shire property for their Market Days be declined for the reasons presented above and that the power supply fee charged be in accordance with Council's Schedule of Fees and Charges in any particular year.

CARRIED 5/3

Councillors Anderson and Blakers voted against the Motion and wished to have their votes recorded.

16.	Motions of which Previous Notice has been given
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Nil

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

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

19.	Matters Behind Closed Doors
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Nil

20.	Closure
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There being no further business the President thanked all those in attendance and declared the meeting closed at 4.00pm.