



SHIRE OF MERREDIN

21 July 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 21 July 2015



1. Official Opening

The President welcomed all those in attendance and declared the meeting open at 3.02pm.

2. Public Question Time

Nil

3. Record of Attendance / Apologies and Leave of Absence

Councillors:

Cr KA Hooper	Shire President
Cr RM Crees	Deputy President
Cr BJ Anderson	
Cr JP Flockart	
Cr MD Willis	

Staff:

G Powell	CEO
R McCall	Deputy CEO
J Mitchell	EMDS (until 3.57pm)
V Green	EA to CEO
S Lowe	Media & Communications Officer

Members of the Gallery: M Marks (until 3.10pm)

Apologies: Cr CA Blakers; Cr DN Hayes-Thompson; Cr ML Young

Approved Leave of Absence: Nil

4. Disclosure of Interest

Councillor Anderson declared a Financial Interest in Agenda Item 14.6 and an Impartiality Interest in Agenda Item 15.1

5. Applications for Leave of Absence

Nil

6. Petitions and Presentations

Nil

7.	Confirmation of Minutes of the Previous Meeting
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7.1 Ordinary Council Meeting held on 16 June 2015

[Attachment 7.1A](#)

7.2 Annual Electors Meeting held on 16 June 2015

[Attachment 7.2A](#)

Officer's Recommendation / Resolution
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Moved: Cr Crees

Seconded: Cr Anderson

81589 That the Minutes of the Ordinary Council Meeting held on 16 June 2015 and the Annual Electors Meeting held on 16 June 2015 be confirmed as a true and accurate record of proceedings.

CARRIED 5/0

8.	Announcements by the Person Presiding without discussion
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Nil

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

10.	Receipt of Minutes of Committee Meetings
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10.1 WEROC Council Meeting held on 24 June 2015

[Attachment 10.1A](#)

10.2 GECZ Council Meeting held on 25 June 2015

[Attachment 10.2A](#)

Officer's Recommendation / Resolution
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Moved: Cr Willis

Seconded: Cr Anderson

81590 That the minutes of the Wheatbelt East Regional Organisation of Councils Council Meeting held on 24 June 2015 and the Great Eastern Country Zone Council Meeting held on 25 June 2015 be received.

CARRIED 5/0

12. Officer's Reports - Development Services

Items Brought Forward for the convenience of those in the Public Gallery

For the convenience of the Public Gallery, Council may resolve to bring forward any matter that is known to be of interest to the public in attendance.

Councillor's Recommendation / Resolution

Moved: Cr Flockart

Seconded: Cr Anderson

81591 That for the convenience of the Public Gallery the following items be brought forward to this point of the meeting for discussion:

1. Item 12.4 - 24 Snell Street, Merredin - Request for Home Occupation – Non-venomous Reptiles – Rehabilitation and Permanent Home Non-venomous Educational Reptiles.

CARRIED 5/0

12.4 24 Snell Street, Merredin – Request for Home Occupation – Non-venomous Reptiles – Rehabilitation and Permanent Home Non-venomous Educational Reptiles

Development Services



Reporting Officer:

John Mitchell, EMDS

Author:

As above

Legislation:

Local Planning Scheme No. 6 – Non Residential Uses from a Residence Policy

File Reference:

A2964

Disclosure of Interest:

Nil

Attachments:

[Attachment 12.4A](#) – Application & Plan

Maps / Diagrams:

Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

An application to establish a temporary care facility for non-venomous reptiles and for the permanent housing of reptiles used in educational presentations has been received.

Comment

The proposal is in two parts:

1. to take in non-venomous injured reptiles and rehabilitate those animals and release them back to the bush once they are well; and
2. to house up to 6 non venomous reptiles for educational purposes within reptile enclosures within a room within the dwelling.

The applicant has provided contact details for the owner of the dwelling. An email has been sent to confirm that the owner supports the application to establish the particular Home Occupation.

A Code of Practice for Exhibited Animals in Western Australia has been prepared by the (then) Department of Local Government & Regional Development. The document details management, control, feeding, pest and predator controls and actions to be taken in the event of the death of an animal under care and control. It is dated March 2003.

Policy Implications

The application to establish the animal rescue centre as a general home occupation has the support of the following neighbours:

22 Snell Street, Merredin	28 Snell Street, Merredin
26 Snell Street, Merredin	20 Snell Street, Merredin

Neighbours in Boyd Street, Merredin have been advised of the proposal, with a response from 14 Boyd Street received which was also supportive. Council will need to determine whether it wishes to advertise the application proposal.

Statutory Implications

The matter is presented to Council as it can also be defined pursuant to the Model Scheme Text as an Animal Establishment or a Veterinary Centre, though it is not operated by a qualified veterinarian.

It is recommended that if consent is to be granted that the application carry the following conditions:

1. the Home Occupation Licence is valid whilst the applicant retains a licence issued pursuant to the *Wildlife Conservation (Reptiles & Amphibians) Regulations 2002* for Category 4 Keepers Licence issued pursuant to Regulation 5(2);
2. that no venomous reptile may be kept on the premises without the express written permission of the Shire of Merredin;
3. that no crocodiles or marine turtles are to be kept at the premises;
4. that the premise is operated to the standards set by the *Wildlife Conservation (Reptiles & Amphibians) Regulations 2002*;

5. that no live rodents will be kept at the address;
6. all reptiles and amphibians shall be housed in appropriate terrariums within the room defined within the application; and
7. that the operation of the premise shall be in conformity with the Code of Practice for Exhibited Animals in Western Australia dated March 2003, or its later replacement.

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

Statutory fees have been paid.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That the application to establish a Home Occupation (animal rescue – non-venomous reptiles and amphibians) within the dwelling located at 24 Snell Street, Merredin be approved subject to the following conditions:

1. the Home Occupation Licence is valid whilst the applicant retains a licence issued pursuant to the *Wildlife Conservation (Reptiles & Amphibians) Regulations 2002* for Category 4 Keepers Licence issued pursuant to Regulation 5(2);
2. that no venomous reptile may be kept on the premises without the express written permission of the Shire of Merredin;
3. that no crocodiles or marine turtles are to be kept at the premises;
4. that the premise is operated to the standards set by the *Wildlife Conservation (Reptiles & Amphibians) Regulations 2002*;
5. that no live rodents will be kept at the address;

6. all reptiles and amphibians shall be housed in appropriate terrariums within the room defined within the application; and
7. that the operation of the premise shall be in conformity with the Code of Practice for Exhibited Animals in Western Australia dated March 2003, or its later replacement.

Resolution

Moved: Cr Willis

Seconded: Cr Flockart

81592 That the application to establish a Home Occupation (animal rescue – pet and wild non-venomous reptiles and amphibians) within the dwelling located at 24 Snell Street, Merredin be approved subject to the following conditions:

1. the Home Occupation Licence is valid whilst the applicant retains a licence issued pursuant to the *Wildlife Conservation (Reptiles & Amphibians) Regulations 2002* for Category 4 Keepers Licence issued pursuant to Regulation 5(2);
2. that no venomous reptile may be kept on the premises without the express written permission of the Shire of Merredin;
3. that no crocodiles or marine turtles are to be kept at the premises;
4. that the premise is operated to the standards set by the *Wildlife Conservation (Reptiles & Amphibians) Regulations 2002*;
5. that no live rodents will be kept at the address;
6. all reptiles and amphibians shall be housed in appropriate terrariums within the room defined within the application; and
7. that the operation of the premise shall be in conformity with the Code of Practice for Exhibited Animals in Western Australia dated March 2003, or its later replacement.

CARRIED 5/0

Reason

Council were advised that the words “pet” and “wild” were each defined within the *Wildlife Conservation (Reptiles & Amphibians) Regulations 2002* and therefore needed to be specified in the Resolution.

M Marks left the meeting at 3.10pm and did not return.

12.1 Lot 684 Bates Street, Merredin - Merredin Men's Shed (Inc.) - Placement of Roofed Display Area

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	As above
Legislation:	<i>Planning & Development Act 2005, Building Act 2011</i>
File Reference:	A325
Disclosure of Interest:	Nil
Attachments:	Attachment 12.1A - Correspondence & Plan
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Discussions have been held with the Merredin Men's Shed (Inc.) Committee (MMS) regarding a proposed open covered display area to house restored machinery.

Comment

The MMS seek to erect a 24m x 10m x 3m open sided shelter within Lot 684 Bates St, Merredin. The location selected is complimentary to the existing building and the roof will be of colorbond in the same colour as the existing building.

The MMS seeks Council approval, as the owner of the land, for the location and installation of the structure within the grounds set aside for the MMS.

Policy Implications

Nil

Statutory Implications

Any application will require planning consent and the issue of a Building Permit pursuant to the *Building Act 2011*.

Strategic Implications

Service Area: 3.4 Property Management

Activities: Building Construction

Link to Vision: Liveable

Link to Strategic Priorities: New works carried out in accordance with the building facilities asset management plan

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

Service Level Change: No service level change

Sustainability Implications

➤ Asset Management Plan

The MRC&LC is included in the AMP.

➤ Long Term Financial Plan

Nil

➤ Workforce Plan

Nil

Financial Implications

Planning Application Fees of \$147 & Building Application Fees of \$153.65 (\$61.65 BSL) are applicable and have not been paid.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Willis

81593 That the Merredin Men's Shed (Inc.) be advised that the plan, (Wayne's Design & Drafting Plan 12019 Rev June 2015 JN 14050) as presented in [Attachment 12.1A](#), showing the location of the shelter within Lot 684 Bates Street, Merredin as being on the south side set 1m from the side boundary and 5.5m from the concrete apron is supported in principle.

CARRIED 5/0

12.2 Lot 1338 Merredin-Chandler Road, Merredin - Oversize Outbuilding

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	As above
Legislation:	Local Planning Scheme No. 6 – Outbuilding Policy; R Codes 2012
File Reference:	A3423
Disclosure of Interest:	Nil
Attachments:	Attachment 12.2A - Ranbuild Drawings MERR01-0060.01 (Sheets 1 – 5 of 5) with Site Plan
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Development Services Department was advised of the placement of two sea containers on Lot 1338 Merredin-Chandler Road, Merredin on 28 May 2015. Attending the site it was found that two sea containers had been placed behind the dwelling and were connected by a lightweight domed patio roof.

The new owner was advised to remove the structures and make application for a standard garage as defined within the Building Code of Australia, as the Shire of Merredin will not approve sea containers within the residential areas of town. This was confirmed in an email to the owner on the same day.

Comment

An application has since been received to establish a 302m² outbuilding on Lot 1338 Merredin-Chandler Road, Merredin. The application exceeds the maximum size approvable by the Building Surveyor under policy. The shed component is 145m² with the balance (157m²) allocated to a patio/carport open area.

Council's policy permits the Building Surveyor to approve up to 157m² as a single application.

The provisions of the R Codes 2012 relating to the outbuildings are exceeded.

Policy Implications

The application exceeds the policy limits however does not exceed the total area of allowable outbuildings. If the application is consented to then a condition of consent should be that any future application for an outbuilding will be limited to 73m² in area, to ensure compliance with the policy.

Statutory Implications

Lot 1338 Merredin-Chandler Road, Merredin is zoned Special Residential with a lot area of 8,450m². Pursuant to current policy the maximum allowable single outbuilding size is 157m² with a total area of outbuildings at 375m².

Plate height of the proposed structure is 3,600mm (policy allows 3,600mm) with a ridge height of 4,395mm (policy allows 4,500mm).

The total area of outbuildings, height and apex height controls are not exceeded.

Strategic Implications

Service Area: 3.3 Town Planning

Activities: Administration of Local Planning Scheme No. 6

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

Planning fees of \$147 have been paid.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Anderson

Seconded: Cr Crees

81594 That the application to erect a 302m² outbuilding, (Ranbuild Drawing Number MERR01-0060.01 (Sheets 1 to 5 of 5)) as presented in [Attachment 12.2A](#), on Lot 1338 Merredin-Chandler Road, Merredin be approved with the following advice:

1. If future applications are received for outbuildings on Lot 1338 Merredin-Chandler Road, Merredin Council will only approve up to an additional 73m² of outbuildings in accordance with policy.

CARRIED 5/0

12.3 Lot 23 McCallum Street, Muntadgin - Application to establish a Mobile Network Site 12841 - Muntadgin Exchange

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	As above
Legislation:	Local Planning Scheme No. 6
File Reference:	EST/6/1; PA 06 (2015)
Disclosure of Interest:	Nil
Attachments:	Attachment 12.3A - Correspondence, Application & Drawings W107694 S1-1 & W107694 S1 Attachment 12.3B - Mercury Advertisement 1 July 2015
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

An application (PA 06 (2015)) to establish a mobile network site on Lot 23 McCallum Street, Muntadgin (telecommunications infrastructure), has been received. The application forms have been completed and signed by the owner's representative. No additional confirmation of that person's right to sign have been confirmed.

Comment

The tower to be installed is a lattice structure to minimise bulk and is 60m in height. The provisions of *SPP5.2 Telecommunications Infrastructure* are applicable.

There is little visual amenity issues in the town of Muntadgin as most lots are vacant. There are three residential properties within 100m of the site. The site is owned by Telstra and is used as a telephone exchange.

Telecommunications Infrastructure is a "D" use within Townsite Zoning pursuant to the Shire of Merredin LPS 6.

Planning Bulletin 46 – Applications for Telecommunications Infrastructure states that the Health Department of WA (HDWA) considers there is currently no known health basis for restricting either the siting of mobile phone towers or ground level access to them. This view is currently supported by World Health Organisation (WHO).

The WAPC's Draft Policy 5.2 does not require additional setbacks for electromagnetic radiation. The advice from Telstra indicates that EMR exposure levels from the site will not exceed 0.0035% of the permissible levels.

Policy Implications

Nil

Statutory Implications

Pursuant to LPS 6 the use is a "D" use which means Council may/may not consent to the development with/without conditions.

The objectives of the Townsite Zoning are:

- 4.2.7.1 To maintain a rural town atmosphere and lifestyle choice.
- 4.2.7.2 To provide for a degree of flexibility of uses allowed within the zone whilst maintaining an appropriate level of residential amenity.
- 4.2.7.3 To allow a variety of uses necessary to service the normal functions of a rural townsite.
- 4.2.7.4 To provide for a mix of residential development and a range of commercial, light industrial and other uses considered appropriate in rural towns.

The provision of mobile net and web access to persons living in small rural and remote communities is considered a priority by the Government and community.

Telstra has advised that a media release has been prepared and issued for a newspaper circulating in the region.

The town site of Muntadgin has a diminishing population with less than 12 services for refuse. At least 3 of the services are for Rural Residential use properties on Hoopers Road. It is acknowledged however that for the larger locality improved communication is a priority.

Given the contents of Planning Bulletin 46, advice from HDWA and the WHO standards, and the need for communications within the rural areas of the Shire, consent to the application is recommended.

Other statutory documents referenced include SPP 5.2 Telecommunications Infrastructure & A Guide to Placement of Telecommunications Infrastructure (2004) issued as an adjunct to the SPP5.2.

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

Fees of \$640.00 have been received.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Anderson

81595 That the Shire of Merredin consent to PA 06 (2015) to establish a 60m tower, antenna station and perform changes to infrastructure within the exchange at Lot 23 McCallum Street, Muntadgin.

CARRIED 5/0

12.5 Local Planning Scheme No. 6 – Draft Policy Review – Outbuildings – Sizes and Heights

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	As above
Legislation:	Local Planning Scheme No. 6; <i>Planning & Development Act 2005</i>
File Reference:	LUP/6/Outbuildings
Disclosure of Interest:	Nil
Attachments:	Attachment 12.5A - Existing Outbuildings Policy
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Residential Design Codes (RDC) became uniformly adopted into all Town Planning Schemes in October 2002. The RDC incorporated “deemed to satisfy” and “performance based” standards for development in residential areas. They also enabled local authorities to develop policies to control certain developments more rigidly.

The RDC allow for the aggregate size of outbuildings in residential areas up to 60m² or 10% of the site area, whichever is the lesser. Furthermore, wall and ridge height are restricted to 2.4m and 4.2m respectively. Various other acceptable development criteria are applicable.

There appears to have been some informal “policy” in place previously whereby the aggregate size of outbuildings has been permitted to exceed the requirements of the RDC. Accordingly, at its August 2003 meeting Council adopted an outbuilding policy (CMRef 27163). The policy has been considered for review in July 2012 (CMRef 30919) but does not appear to have been acted upon. It is based on known local government policies.

Many of the Shire of Merredin town-sites lots exceed 1,000m² and it is felt that larger outbuildings can be accommodated without detriment to the amenity of the residential areas. In effect, a large shed in the rear yard of a residential property is a custom of country living.

Council has requested that the policy be reviewed to formalise the approval of “oversized” outbuildings. The Building Surveyor, acting under delegated authority, can then approve applications that comply with the current policy.

Comment

The current policy has proven workable and provides a fair approach to the selection of an appropriate sized outbuilding within the residential zone. Council will need to determine whether to include a requirement in the policy relating to the use of zinc or colorbond materials.

The wording of the current policy is reflected below:

LOCAL PLANNING SCHEME NO. 6 POLICY No. 9

Policy Subject: *Size of Outbuildings in Residential Areas 2015*

Advertising Date *(Initial)*

Advertising Date *(Adoption)*

Objectives:

- 1) *To control the size and height of outbuildings in residential areas.*
- 2) *To ensure that the construction of an outbuilding does not detract from the general aesthetics of the residential area.*

Guidelines: *Applications not meeting the above criteria and/or of a contentious nature to be referred to Council for determination.*

Where an application is to be referred to Council for consideration, comments from adjoining and/or affected owners are to be obtained and confirmed in writing.

Policy: *Outbuildings that satisfy the following development criteria may be approved by the Building Surveyor without referral to the Council of the Shire of Merredin.*

Outbuildings that:

1. *Comply with the Building Code of Australia (as amended);*
2. *Are constructed of new materials. Where second hand materials are proposed, the Building Surveyor may require a certification from a practising structural Engineer as to the structural adequacy of the design and/or materials. The Building Surveyor may also require the cladding of the proposed second hand outbuilding to be painted in an approved colour or renewed.*
3. *Are not attached to a dwelling;*
4. *Are not habitable;*
5. *Are not within the primary street setback area;*
6. *Do not reduce the amount of open space required by the Residential Design Codes to less than the prescribed amount;*
7. *Are setback in accordance with the requirements of the Residential Design Codes; and*
8. *Are of size, or comprise an aggregate size of outbuildings on one lot, that does not exceed the specifications contained in the table below:*

LOT AREA (m²)	MAXIMUM SINGLE OUTBUILDING (m²)	TOTAL OUTBUILDINGS (m²)	MAXIMUM WALL HEIGHT	MAXIMUM RIDGE HEIGHT
500 – 749	46	62	2.4	3.6
750 – 999	73	97	3.0	3.6
1000 – 1249	94	125	3.0	3.6
1250 – 1699	117	156	3.0	3.9
1700 – 2049	130	202	3.0	3.9
2050 – 2999	143	262	3.3	4.2
3000 – 5000	157	375	3.6	4.5

The sizes of allowable outbuildings does not need to be changed. A review of other local governments has shown that the sizes determined are in keeping with the norm. Very few sites now display the actual policies and require the applicant to contact Council directly.

Policy Implications

The *Local Government Act 1995* requires that the policies be regularly reviewed.

Statutory Implications

The *Local Government Act 1995* requires that the policies be regularly reviewed. As the policy may conflict with the R Codes a copy of the policy must be submitted to the WAPC.

As part of the omnibus amendment four proposed, a clause will be added into the Scheme Text of LPS 6 permitting the use of the policy over the R Codes requirements.

Strategic Implications

Service Area: 3.3 Town Planning

Activities: Administration of Local Planning Scheme No. 6

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

Advertising costs of \$500 are anticipated.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Anderson

81596 That the draft Local Planning Policy 9 – Size of Outbuildings in Residential Areas 2015 be advertised for public comment for 42 days and be referred back to Council at the completion of the advertising period.

CARRIED 5/0

12.6 Dog Act 1976 – Adoption of Dog Exercise and Dog Prohibition Areas – Section 31(c)

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	As above
Legislation:	<i>Dog Act 1976; Dog Local Laws</i>
File Reference:	LE/10/4
Disclosure of Interest:	Nil
Attachments:	Nil
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The advertisement has been placed in the Wheatbelt-Merredin Mercury. No comment has been received regarding the proposed Dog Exercise and Dog Prohibition areas within the townsite of Merredin.

Comment

No comments were received.

Policy Implications

The decision of Council becomes a policy if formally adopted.

Statutory Implications

The policy is advertised for final adoption once Council agrees to the areas determined.

Council's resolution (CMRef 81544) reads:

"That:

- 1. pursuant to Section 31(2B) of the Dog Act 1976 the following areas be specified as prohibited areas for dogs:***
 - a. Apex Park Reserve 13059, Lot 1503 Barrack Street, Merredin (West & South of Lot 1430 Barrack Street, Merredin);***
 - b. Swimming Pool Grounds Reserve 23036, Throssell Street, Merredin;***

- c. Cummins Theatre Grounds, Lot 10 Barrack Street, Merredin; and*
- d. the lawned areas and gardens of the Merredin Regional Community & Leisure Centre, Lot 684 Bates Street, Merredin.*
- 2. pursuant to Section 31(3A) of the Dog Act 1976 the following areas be specified as dog exercise areas:**
 - a. Merredin Peak Reserve 2914, Lots 1451 & 1452 York Goldfields Road, Merredin.*
- 3. the above areas be advertised for public comment for a period of 28 days and be referred back to Council at the completion of the advertising period.**

Note: These resolutions are subject to any written law and any law of the Commonwealth about assistance animals as defined in the Disability Discrimination Act 1992 Section 9(2)."

Council now needs to formalise the decision or set no areas for prohibition or exercise for dogs.

Strategic Implications

Service Area: 3.5 Ranger Services
Activities: Animal control and welfare
Link to Vision: Liveable
Link to Strategic Priorities: Nil
Service Level: As determined by legislation
Service Level Change: Nil

Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

Nil

- Workforce Plan

Nil

Financial Implications

Advertising costs are applicable.

Voting Requirements



Simple Majority



Absolute Majority

Officer’s Recommendation

- 1. That Council notes no submissions were received during the public advertising period for the dog exercise and dog prohibition areas.

2. That pursuant to Section 31(2B) of the *Dog Act 1976* Council specifies the following areas as prohibited areas for dogs:
 - a. Apex Park Reserve 13059, Lot 1503 Barrack Street Merredin (West and South of Lot 1430 Barrack Street, Merredin);
 - b. Swimming Pool Grounds, Reserve 23036 Throssell Street, Merredin; and
 - c. Cummins Theatre Grounds, Lot 10 Barrack Street, Merredin.

3. That Council resolves by absolute majority to specify the following areas as dog exercise areas pursuant to Section 31(3A) of the *Dog Act 1976*:
 - a. Merredin Peak Reserve 2914, Lots 1451 & 1452 York-Goldfields Road Merredin.

(These resolutions are subject to any written law and any law of the Commonwealth about assistance animals as defined in the *Disability Discrimination Act 1992* Section 9(2)).

Resolution

Moved: Cr Willis

Seconded: Cr Crees

81597

1. That Council notes no submissions were received during the public advertising period for the dog exercise and dog prohibition areas.
2. That pursuant to Section 31(2B) of the *Dog Act 1976* Council specifies the following areas as prohibited areas for dogs:
 - a. Apex Park Reserve 13059, Lot 1503 Barrack Street Merredin (West and South of Lot 1430 Barrack Street, Merredin);
 - b. Swimming Pool Grounds, Reserve 23036 Throssell Street, Merredin;
 - c. Cummins Theatre Grounds, Lot 10 Barrack Street, Merredin; and
 - d. the lawned areas and gardens of the Merredin Regional Community & Leisure Centre, Lot 684 Bates Street, Merredin.
3. That Council resolves by absolute majority to specify the following areas as dog exercise areas pursuant to Section 31(3A) of the *Dog Act 1976*:
 - a. Merredin Peak Reserve 2914, Lots 1451 & 1452 York-Goldfields Road Merredin.

(These resolutions are subject to any written law and any law of the Commonwealth about assistance animals as defined in the *Disability Discrimination Act 1992* Section 9(2)).

**CARRIED 5/0
ABSOLUTE MAJORITY**

Reason

The MRC&LC (Point 2d) had been mistakenly excluded from the Officer's Recommendation.

12.7 **62 South Avenue, Merredin - Residential Use - Home Occupation Beauty Therapy Establishment**

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	Rebecca Bowler, Environmental Health Officer
Legislation:	Shire of Merredin Residential Uses Policy (current), Non-Residential Uses within a Residence Policy (advertised), Local Planning Scheme No. 6, <i>Town Planning Regulations 1978</i> , <i>Planning and Development Act 2005</i> , <i>Health Act 1911</i> , <i>Building Act 2011</i> .
File Reference:	A3063
Disclosure of Interest:	Nil
Attachments:	Attachment 12.7A – Application including floorplan
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

An application to establish a home based beauty therapy business at 62 South Avenue, Merredin has been received. The applicant seeks to set up (within the property's large shed) a basic beauty therapy salon, partitioned into treatment rooms for client privacy and separation of treatment instruments/equipment.

Comment

The applicant is a practising beauty therapist with over 8 years of experience. The partitioned beauty therapy room is 57.2m² in size and will meet the Department of Health requirements, including the installation of a hand washing basin with a supply of hot running water etc.

The size of the business exceeds the Residential Use policy allowance of 50m² for a home business, however due to the internal layout of shed complying with the space requirement would not allow an efficient use of the space.

The applicant intends to see only one client at a time, with client parking available on the applicant's driveway.

Policy Implications

Development services have ensured that this 'Home Business' application is compliant with the new Residential Use policy as well as the pending 'Non-Residential Uses within a Residence' policy.

Statutory Implications

The *Health Act 1911*, *Health (Skin Penetration Procedures) Regulations 1998* and the Code of Practice for Skin Penetration are the guidelines and legislation used to determine the requirements for the beauty therapy treatment room.

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

Fees and charges are subject to change under the *Planning and Development Regulations 2009*.

- Workforce Plan

Nil

Financial Implications

Fees and charges are applicable in accordance with the *Planning and Development Regulations 2009*.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Anderson

Seconded: Cr Flockart

81598 That the application to establish a home based beauty therapy business at 62 South Avenue, Merredin be approved subject to the following conditions:

1. only 1 client is to attend the premises at any one time;
2. the business will operate from 1 room of the premises only, being a converted garage in accordance with legislative requirements, and will not occupy an area greater than 58m²;

- 3. the hours of operation are to be between 8.00am and 5.00pm;**
- 4. signage will be limited to 1 sign not exceeding 0.5m² in area (i.e. 80cm x 60cm); and**
- 5. no skin penetration procedures are permitted to take place at this establishment (i.e. piercings or tattoos).**

CARRIED 5/0

J Mitchell left the meeting at 3.57pm 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:	<i>Local Government Act 1995, Local Government (Financial Management) Regulations 1996, Australian Accounting Standards Board 13.</i>
File Reference:	10/01
Disclosure of Interest:	Nil
Attachments:	Attachment 13.1A - 10 year Road Program Attachment 13.1B – Ministerial Media Statement
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

At its June 2015 meeting Council resolved (CMRef 81577):

“That the 2015/16 Provisional Capital Works Program – Roads, as presented, be received for inclusion in Councils 2015/16 and ten year road program – ROMAN II, as circulated, be adopted for inclusion into the Shire of Merredin’s Long Term Financial Plan.”

Further to the above resolution, the CEO was advised on 23 June 2015 of additional Roads to Recovery (R2R) funding now available for the 2015/16 and 2016/17 financial years.

This item is to advise Council of the additional R2R funding, to recommend changes to the 2015/16 and 2016/17 works program and advice Council of the subsequent changes to the 10 year Road Program.

Comment

The media statement from Hon. Minister Warren Truss outlines an agreement reached to reintroduce the annual Consumer Price Indexing of the national fuel excise. This indexing raises a significant amount of funding to be invested into the local roads infrastructure.

The immediate effect to the Shire of Merredin that this announcement has made was increases to the 2015/16 R2R funding from \$777,990 to \$1,111,630 and an increase to the 2016/17 R2R funding from \$388,995 to \$1,284,265.

Officers have revised the 10 year Road Program, as attached, to suit the additional funding. However additional roads needed to be added to the R2R program to allocate the additional funding. These roads are in the current 10 year Road Program, but have been brought forward and allocated to the R2R program. The additional roads are:

- Burracoppin North West Road
- Dunlop Road
- Hart Road
- Hendrick Road
- Muntadgin Road
- Nokaning West Road

These roads will need to be added to the R2R website to be accepted by the program.

Policy Implications

Nil

Statutory Implications

Local Government Act 1995; Roads to Recovery Act 2000

Strategic Implications

Service Area: 2.3 Bitumen Road/Drainage Construction and Renewals.

Activities: Construction of bitumen roads within the Shire

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(s) will impact on the 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 mentioned above, the 2015/16 R2R will increase from \$777,990 to \$1,111,630, and the 2016/17 R2R funding will increase from \$388,995 to \$1,284,265. This increase has mostly been allocated to bitumen or asphalt resealing. This is due to the 2015/16 wages already being allocated and balanced for this financial year. The 2016/17 additional funding has also mostly been allocated to reseals and gravel resheeting.

The *Roads to Recovery Act 2000* requires Council to maintain its own level of expenditure and not replace expenditure with R2R funding. There are no changes to this requirement, and Council should continue with normal expenditure obligations.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Anderson

Seconded: Cr Willis

81599 That the revised 10 year Road Program, including the amended program for 2015/16, be endorsed and included in the Shire of Merredin's Long Term Financial Plan and 2015/16 Budget.

CARRIED 5/0

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:	<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
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The attached List of Accounts Paid 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 late payments are still being processed as at 30 June 2015. A listing of these late 2015/16 payments will be presented to Council's August 2015 meeting.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Flockart

81600 That the schedule of accounts paid as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$1,308,013.36 from Council's Municipal Fund Bank Account and \$765 from Council's Trust Account be received.

CARRIED 5/0

14.2 Monthly Finance Report

Corporate Services



Responsible Officer:	David Burt, EMCS
Author:	As above
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 14.2A - Monthly Finance Report
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The Monthly Finance Report is attached for Council's information.

Comment

Revenue and expenditure to 30 June 2015 is consistent with Council's adopted 2014/15 Budget and adopted Budget Review to 28 February 2015.

The report as presented is provisional at this stage as end of financial year adjustments will be necessary pending completion of the 2015/16 Financial Report.

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 Flockart

Seconded: Cr Willis

81601 That the Monthly Finance Report for June 2015 be received.

**CARRIED 5/0
ABSOLUTE MAJORITY**

14.3 2015/16 Differential Rates - Adoption

Corporate Services



Responsible Officer:	David Burt, EMCS
Author:	Vanessa Green, EA to CEO
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
File Reference:	RV/07/01
Disclosure of Interest:	Nil
Attachments:	Attachment 14.3A - Email
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

On 3 June 2015 Council advertised the intention to differentially rate some properties classified as Unimproved Value. The proposal is set out below:

Unimproved Value	Minimum Rate	Rate in \$
UV1 – Rural	\$1,003	0.018343
UV2 – Urban Rural	\$1,003	0.024456
UV3 – Mining	\$160	0.036684
UV4 - Special Zone Wind Farm	\$1,337	0.036684
UV5 – Special Use Airstrip	\$1,337	0.036684
UV6 – Merredin Power	\$10,03	0.036684

Comment

A community consultation period was advertised. This closed on 30 June 2015. Council received no written submissions objecting to the model, although an email objecting to the rate increases over a number of years was received.

During finalisation of the draft budget and subsequent rate modelling some amendments were found to be necessary to achieve an overall 5% increase in rate revenue.

In adopting the following model ministerial approval is not required because the differentially rated properties are rated no more than double the non-differentially rated properties once the annual increase has been applied.

Policy Implications

Nil

Statutory Implications

Section 6.33 of the *Local Government Act 1995* allows for local governments to differentially rate properties.

Strategic Implications

Service Area: 5.3 Finance and Asset Management

Activities: Financial Management

Link to Vision: Developing Liveable

Link to Strategic Priorities: Civic Leadership & Key Assets

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

This model is in accordance with Council's adopted LTFP.

- Workforce Plan

Nil

Financial Implications

Adopting the differential model as detailed below will result in rates revenue in accordance with the draft 2015/16 Budget.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Anderson

81602 That the differential rates model as detailed below be adopted for the 2015/16 financial year:

Unimproved Value	Minimum Rate	Rate in \$
UV1 – Rural	\$980	0.019243
UV2 – Urban Rural	\$980	0.025620
UV3 – Mining	\$156	0.03843
UV4 - Special Zone Wind Farm	\$1,306	0.03843
UV5 – Special Use Airstrip	\$1,306	0.03843
UV6 – Merredin Power	\$980	0.03843

**CARRIED 5/0
ABSOLUTE MAJORITY**

Councillor's Recommendation / Resolution

Moved: Cr Flockart

Seconded: Cr Crees

81603 That Council adjourn the meeting at 4.18pm.

CARRIED 5/0

Councillor's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Flockart

81604 That Council recommence the meeting at 4.32pm.

CARRIED 5/0

14.4 2015/16 Budget - Adoption

Corporate Services



Reporting Officer:	David Burt, EMCS
Author:	Vanessa Green, EA to CEO
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
File Reference:	RV/07/01
Disclosure of Interest:	Financial Interest as salary and conditions of officers is incorporated within the municipal budget
Attachments:	Attachment 14.4A – Draft 2015/16 Budget
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The draft 2015/16 Budget has been compiled on the principles contained in the Strategic Plans and in accordance with the presentation made to Councillors at the briefing session held on 30 June 2015.

The draft 2015/16 Budget has been prepared to include information required by the *Local Government Act 1995, Local Government (Financial Management) Regulations 1996* and Australian Accounting Standards.

The draft 2015/16 Budget continues to deliver on other strategies adopted by Council and maintains a high level of service across all programs while ensuring an increased focus on roads and associated infrastructure as well as on renewing all assets at sustainable levels.

Comment

The main features of the draft 2015/16 Budget include:

1. The budget has been prepared with a 5% rate increase being 2.5% lower than the LTFP. This increase applies to all general and differential general rate categories utilising the revised Gross Rental Valuations (GRV) and Unimproved Valuations (UV) provided by Landgate and applicable from 1 July 2015.

The revised valuations provide for an overall 14.55% increase in the GRV valuation base and a 6.02% decrease in the valuations for UV rated properties. The 2014/15 rates in \$ have been factored back/forward accordingly to mitigate the overall effect on the total rates levied with respect to such valuation movements, prior to the application of the 5% rate increase for 2015/16. Notwithstanding, individual property rates, both UV and GRV, may vary outside these parameters where significant movements in valuations have occurred. All valuations are provided by Landgate, and by State legislation, must be utilised by Council for the calculation of rates.

2. Fees and charges have also been increased by 3% and are itemised in the draft 2015/16 Budget.
3. Household & commercial waste charges have been modified to reflect the new contract tender prices plus 2.5% to 3% where applicable.
4. The recurrent operating budget includes an overall increase in the estimated expenditure of 5% (although individual line items may vary from this based on specific factors affecting each of these) and continues the focus on improved service delivery to the community. There is no increase in staff numbers planned.
5. A capital works programme totalling \$5.34m for investment in infrastructure, land and buildings, plant and equipment is planned. Expenditure on road infrastructure is the major component of this (\$3.3m) in line with Council's strategy to increase the investment in road and associated assets. An amount of \$0.9m is provided for land and buildings of which \$350,000 is for major renovations to the North Merredin Primary School which will commence soon.
6. No additional loan borrowings are proposed.
7. An estimated surplus of \$2.4m is anticipated to be brought forward from 30 June 2015. However this is unaudited and may change. Any change will be addressed as part of a future budget review.
8. Principal additional grant funding for the year is estimated from:
 - a. Royalties for Regions funding \$198,856
 - b. Black Spot Funding \$227,542
 - c. Roads to Recovery \$1,111,630
 - d. Regional Roads Funding \$455,714

Policy Implications

The draft 2015/16 Budget is based on the principles contained in the Strategic Plans.

Statutory Implications

Section 6.2 of the *Local Government Act 1995* requires that not later than 31 August in each financial year each local government is to prepare and adopt a budget for its municipal fund for the financial year ending on the next following 30 June.

Division 5 and 6 of Part 6 of the *Local Government Act 1995* refer to the setting of budgets and raising of rates and charges. The *Local Government (Financial Management) Regulations 1996* details the form and content of the budget. The draft 2015/16 Budget as presented is considered to meet statutory requirements.

Strategic Implications

Service Area: 5.3 Finance and Asset Management

Activities: Financial Management

Link to Vision: Developing Liveable

Link to Strategic Priorities: Civic Leadership & Key Assets

Service Level: Financial management meets all legislated requirements

Service Level Change: No service level change

Sustainability Implications

➤ Asset Management Plan

Asset renewals and maintenance have been included in the draft 2015/16 Budget in accordance with the AMP.

➤ Long Term Financial Plan

The draft 2015/16 Budget has been prepared in recognition of the LTFP.

➤ Workforce Plan

Workforce Plan implications have been addressed in the draft 2015/16 Budget.

Financial Implications

Specific financial implications are as outlined in the Comment section of this report and as itemised in the draft 2015/16 Budget attached for adoption.

The draft 2015/16 Budget has been developed based on sound financial management and accountability principles and is considered to deliver a sustainable economic benefit for Council and the community.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation (Part A - Municipal Fund Budget for 2015/16)

That pursuant to the provisions of Section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, Council adopt the municipal fund budget as contained in [Attachment 14.4A](#) for the Shire of Merredin for the 2015/16 financial year which includes the following:

1. Rate Setting Statement on page 1 showing an amount required to be raised from rates of \$3,719,165;
2. Notes to and Forming Part of the Budget on pages 2 to 30;
3. Budget Program Schedules as detailed in pages 31 to 81, with the inclusion of the amended Road Programme in accordance with Agenda Item 13.1; and
4. Transfers to / from Reserve Accounts as detailed in pages 21 to 22.

Resolution

Moved: Cr Flockart **Seconded:** Cr Willis

81605 That pursuant to the provisions of Section 6.2 of the *Local Government Act 1995* and Part 3 of the *Local Government (Financial Management) Regulations 1996*, Council adopt the municipal fund budget as contained in [Attachment 14.4A](#) for the Shire of Merredin for the 2015/16 financial year which includes the following:

1. Rate Setting Statement on page 1 showing an amount required to be raised from rates of \$3,719,165;
2. Notes to and Forming Part of the Budget on pages 2 to 30;
3. Budget Program Schedules as detailed in pages 31 to 81, with the inclusion of the amended Road Programme in accordance with Agenda Item 13.1 and with the deletion of Environmental Projects valued at \$5,000 listed under Account E105075; and
4. Transfers to / from Reserve Accounts as detailed in pages 21 to 22.

**CARRIED 5/0
ABSOLUTE MAJORITY**

Reason

Further investigation into the suggested Environmental Projects was required.

Officer's Recommendation / Resolution (Part B – General & Minimum Rates, Instalment Payment Arrangements)

Moved: Cr Crees **Seconded:** Cr Anderson

81606 1. That for the purpose of yielding the deficiency disclosed by the Municipal Fund Budget adopted as Part A above, Council pursuant to Sections 6.32, 6.33, 6.34 and 6.35 of the *Local Government Act 1995* impose the following differential general rates and minimum payments on Gross Rental and Unimproved Values:

General Rates

Gross Rental Value	Rate in \$
GRV	\$0.95865

General Differential Rates

Unimproved Value	Rate in \$
UV1 – Rural	\$0.019243
UV2 – Urban Rural	\$0.025620
UV3 – Mining	\$0.03843
UV4 - Special Zone Wind Farm	\$0.03843
UV5 – Special Use Airstrip	\$0.03843
UV6 – Merredin Power	\$0.03843

Minimum General Rate

Gross Rental Value	Minimum Rate
GRV	\$790

General Differential Rates

Unimproved Value	Minimum Rate
UV1 – Rural	\$980
UV2 – Urban Rural	\$980
UV3 – Mining	\$156
UV4 - Special Zone Wind Farm	\$1,306
UV5 – Special Use Airstrip	\$1,306
UV6 – Merredin Power	\$980

- That pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 64(2) of the *Local Government (Financial Management) Regulations 1996*, Council nominates the following due dates for the payment in full by instalments:

Full payment and 1 st instalment due date	4 September 2015
2 nd quarterly instalment due date	6 November 2015
3 rd quarterly instalment due date	8 January 2016
4 th quarterly instalment due date	11 March 2016

- That pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 67 of the *Local Government (Financial Management) Regulations 1996* Council adopts an instalment administration charge where the owner has elected to pay rates (and service charges) through an instalment option of \$12 for each instalment after the initial instalment is paid.
- That pursuant to Section 6.45 of the *Local Government Act 1995* and Regulation 68 of the *Local Government (Financial Management) Regulations 1996* Council adopts an interest rate of 5.5% where the owner has elected to pay rates (and service charges) through an instalment option.
- That pursuant to Section 6.51(1) and subject to Section 6.51(4) of the *Local Government Act 1995* and Regulation 70 of the *Local Government (Financial Management) Regulations 1996* Council adopts an interest rate of 11% for rates (and service charges) and costs of proceedings to recover such charges that remain unpaid after becoming due and payable.

CARRIED 5/0
 ABSOLUTE MAJORITY

Officer's Recommendation (Part C – General Fees and Charges for 2015/16)

That pursuant to Section 6.16 of the *Local Government Act 1995* Council adopts the Schedule of Fees and Charges included at pages 83 to 92 inclusive of the draft 2015/16 Budget presented as [Attachment 14.4A](#).

Resolution

Moved: Cr Willis

Seconded: Cr Anderson

81607 That pursuant to Section 6.16 of the *Local Government Act 1995* Council adopts the Schedule of Fees and Charges included at pages 83 to 92 inclusive, as amended, of the draft 2015/16 Budget presented as [Attachment 14.4A](#).

CARRIED 5/0
ABSOLUTE MAJORITY

Reason

Since the agenda was distributed a number of errors were discovered on Page 84 of the Schedule of Fees and Charges meaning most of the fees listed on the page were incorrect. The correct Fees and Charges were provided to Council at the meeting.

Officer's Recommendation (Part D – Other Statutory Fees for 2015/16)

1. That pursuant to Section 6.16 of the *Local Government Act 1995* Council adopts the Fees and Charges for the Shire of Merredin included at page 28 of the draft 2015/16 Budget presented as [Attachment 14.4A](#).
2. That pursuant to Section 67 of the *Waste Avoidance and Resources Recovery Act 2007* Council adopts the fees and charges for the Shire of Merredin for the removal and/or deposit of domestic and commercial waste included at page 28 of the draft 2015/16 Budget presented as [Attachment 14.4A](#).

Resolution

Moved: Cr Crees

Seconded: Cr Willis

- 81608**
1. That pursuant to Section 6.16 of the *Local Government Act 1995* Council adopts the Fees and Charges for the Shire of Merredin included in the draft 2015/16 Budget presented as [Attachment 14.4A](#).
 2. That pursuant to Section 67 of the *Waste Avoidance and Resources Recovery Act 2007* Council adopts the fees and charges for the Shire of Merredin for the removal and/or deposit of domestic and commercial waste included in the draft 2015/16 Budget presented as [Attachment 14.4A](#).

CARRIED 5/0
ABSOLUTE MAJORITY

Reason

The Fees and Charges detailed in the Recommendation were not listed on Page 28.

Officer's Recommendation / Resolution (Part E – Elected Members Fees and Allowances for 2015/16)

Moved: Cr Flockart

Seconded: Cr Anderson

- 81609** 1. That pursuant to Section 5.99 of the *Local Government Act 1995* and Regulation 34 of the *Local Government (Administration) Regulations 1996* Council adopts the following annual fees for payment of elected members in lieu of individual meeting attendance fees:

Shire President	\$7,895
Deputy Shire President	\$7,895
Councillors	\$7,895

2. That pursuant to Section 5.98A of the *Local Government Act 1995* and Regulations 33 and 33A of the *Local Government (Administration) Regulations 1996* Council adopts the following annual local government allowance to be paid in addition of the annual meeting allowance:

Shire President	\$13,158
Deputy Shire President	\$3,290

**CARRIED 5/0
ABSOLUTE MAJORITY**

Officer's Recommendation / Resolution (Part F – Material Variance Reporting for 2015/16)

Moved: Cr Willis

Seconded: Cr Flockart

- 81610** That in accordance with Regulation 34(5) of the *Local Government (Financial Management) Regulations 1996* and AASB 1031 Materiality the level to be used in statements of financial activity in 2015/16 for reporting material variance shall be 10% or \$10,000, whichever is greater.

**CARRIED 5/0
ABSOLUTE MAJORITY**

14.5 Transfer of Surplus 2014/15 Funds to Reserve

Corporate Services



Responsible Officer:	David Burt, EMCS
Author:	As above
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management Regulations) 1996</i>
File Reference:	Budget
Disclosure of Interest:	Nil
Attachments:	Attachment 14.5A - Reserve Fund Analysis
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision

Legislative Requirement

Background

Council's 2014/15 operations have resulted in an unallocated Municipal Fund surplus of \$894,452. In the main, the surplus eventuated due to a reduced expenditure requirement with respect to budgeted material costs and the unexpected payment of grant funds (R4R CLGF) pertaining to the 2012/13 synthetic hockey surface at the MRC&LC.

Comment

Staff are of the opinion that it would be prudent to isolate the unallocated 2014/15 surplus funds and place same in Council's Reserves for future capital works.

It is considered that Council's Plant Replacement, Building and Land & Development Reserves would be the most appropriate Reserves for this purpose with the following allocations, totalling \$894,452, recommended:

Plant Replacement Reserve	\$200,000
Building Reserve	\$350,000
Land & Development Reserve	\$344,452

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 finances over an extended period of time.

➤ [Workforce Plan](#)

Nil

Financial Implications

Increase in Council's cash backed Reserves for future capital works.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Willis

81611 That identified 2014/15 unallocated surplus funds be placed into the following Council Reserve Funds:

Plant Replacement Reserve	\$200,000
Building Reserve	\$350,000
Land & Development Reserve	\$344,452

**CARRIED 5/0
ABSOLUTE MAJORITY**

Councillor Anderson declared a Financial Interest in this Agenda Item and left the meeting at 4.53pm.

14.6 Toodyay Dance School

Community Services



Reporting Officer:	Rebecca McCall, DCEO
Author:	As above
Legislation:	<i>Local Government Act 1995</i>
File Reference:	CT/4
Disclosure of Interest:	Nil
Attachments:	Nil
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

In recent years dance classes for young people within the Shire of Merredin has not been available. However, at the commencement of school year in 2015 the Toodyay Dance School commenced dance instruction at Cummins Theatre. Currently classes are held weekly during school term over a 5 hour period. The classes have proved to be popular so class sizes are quite big. As class sizes extend the dance school is considering programming a second day of lessons in 2016 to ensure the sessions offered remain at a high standard.

The Cummins Theatre supports the dance initiative and has worked closely with the dance school to accommodate the needs of the school and the students. The dance school in return have been model hirers and have participated in curtain warmers for theatre events.

Due to the regular bookings from the dance school using the theatre space, they have requested a discount to the hourly rate fixed for the next 18 months. Despite the fact that the dance school is a commercial enterprise, they run tight margins to be able to provide a quality and reliable service.

Should the dance school be offered a discount, it would place it in a position to be able to offer a promising student a full 12 month scholarship to attend dance classes in Merredin and weekend classes in Toodyay. The dance school currently offers scholarships to students attending classes in Beverley, Quairading and Kellerberrin and would like to be in the position to offer a number of scholarships to Merredin students.

The value of scholarships are as follows:

- Junior Full Scholarship \$4,600 per year
- Senior Full Scholarship \$6,200 per year
- Junior Classical Scholarship \$2,300 per year
- Senior Classical Scholarship \$3,100 per year

The head of the dance school, Ms Lani McGeady, has plans to offer up to six scholarships in 2016 to Merredin students. This is dependent on the level, commitment and potential the teachers see from the students over the following months. The exact number of scholarships will be determined by the school's outgoings and overall financial position.

If the Shire of Merredin were to guarantee the school could be charged community rates for the next 18 months (commencing July 2015 and finishing December 2016) the dance school, in turn would proudly provide naming rights to one of the scholarships (for example, the Shire of Merredin Dance Scholarship or The Alice Cummins Dance Scholarship). This dance scholarship would be a scholarship valued at between \$4,600 and \$6,200 per year.

The opportunity for naming rights for a second scholarship would be available upon the waiving of the theatre hire fees for the purpose of the end of year concert, valued at approximately \$1,000. This scholarship would be a classical dance scholarship worth between \$2,300 and \$3,100 per year.

Comment

The Theatre Manager supports this initiative not only because it supports bringing business into Merredin, but it also provides the youth of Merredin with educational opportunities that were not available until recently.

The fees and charges for 2016 include:

- Theatre (per hour) Community (hall only, no stage lights/sound or house setup) \$30
- Theatre (per hour) Commercial (hall only, no stage lights/sound or house setup) \$40
- Theatre (more than 4 hours) Community (whole venue with stage lights/sound) \$500
- Theatre (more than 4 hours) Commercial (whole venue with stage lights/sound) \$1,000
- Technical Assistance (3 hours minimum – mandatory) \$150 + travel

Hire Item	Full Rate	Proposed Rate	Gap
Theatre (per hour) Commercial (hall only, no stage lights, sound or house setup)	\$40	\$30	\$10
Theatre (more than 4 hours) Commercial (whole venue with stage lights/sound)	\$1,000	\$0	\$1,000
Technical Assistance (3 hours minimum – mandatory)	\$150 + travel	\$150 + travel	\$0

Hire fees for weekly classes

Full Rate (\$40/hour)	Income for Theatre
1 class per week (2015) - \$200/hire x 10 weeks/term x 2 terms	\$4,000
2 classes per week (2016) - \$400/hire x 10 weeks/term x 4 terms	\$16,000
TOTAL	\$20,000

Proposed Rate (\$30/hour)	Income for Theatre
1 class per week (2015) \$150/hire x 10 weeks/term x 2 terms	\$3,000
2 classes per week (2016) - \$300/hire x 10 weeks/term x 4 terms	\$12,000
TOTAL	\$15,000

Hire fees annual concerts (2015 and 2016)

Full Rate (\$1,000)	Income for Theatre
Theatre (more than 4 hours) Commercial	\$2,000
Technical Assistance (3 hours minimum – mandatory)	\$300 + travel
TOTAL	\$300 + travel

Proposed Rate (\$0)	Income for Theatre
Theatre (more than 4 hours) Commercial	\$0
Technical Assistance (3 hours minimum – mandatory)	\$300 + travel
TOTAL	\$300 + travel

Value of proposed discount - \$7,000

Scholarship	Junior	Senior	Potential Value
Full	\$4,600	\$6,200	\$10,800
Classical	\$2,300	\$3,100	\$5,400

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

Service Area: 4.1 Community Development

Activities: Youth

Link to Vision: Community Spirit, Inclusive and Liveable

Link to Strategic Priorities: Youth (emerging focus)

Service Level: Work with key stakeholders on an inclusive basis to engage local youth

Service Level Change: Youth – enhanced focus

Sustainability Implications

➤ [Asset Management Plan](#)

Nil

➤ [Long Term Financial Plan](#)

Nil

➤ [Workforce Plan](#)

Nil

Financial Implications

The financial implications regarding this item includes a discount on hire fees valued at \$7,000:

2015/16 = \$4,000

2016/17 = \$3,000

The potential income from hire fees totals \$15,000:

2015/16 = \$9,000

2016/17 = \$6,000

Voting Requirements

Simple Majority

Absolute Majority

Councillor Willis left the meeting at 5.03pm and entered the meeting at 5.04pm.

Officer's Recommendation

That the Toodyay Dance School be supported with the following conditions and outlined fees and charges:

1. The provision of discounted hire fees for Cummins Theatre. The set charges are outlined in the below tables:

Hire fees for weekly classes

Rate (\$30/hour)	Hire Charge
1 class per week (2015) \$150/hire x 10 weeks/term x 2 terms	\$3,000
2 classes per week (2016) - \$300/hire x 10 weeks/term x 4 terms	\$12,000
TOTAL	\$15,000

Hire fees annual concerts (2015 and 2016)

Rate	Hire Charge
Theatre (more than 4 hours) Commercial	\$0
Technical Assistance (3 hours minimum – mandatory)	\$300 + travel
TOTAL	\$300 + travel

2. The Toodyay Dance School provide two scholarships to students residing within the Shire of Merredin. The proposed names of the scholarships are as follows:

Scholarship	Value Junior	Value Senior	Combined Value
The Shire of Merredin Dance Scholarship	\$4,600	\$6,200	\$10,800
The Alice Cummins Classical Dance Scholarship	\$2,300	\$3,100	\$5,400

Resolution

Moved: Cr Flockart

Seconded: Cr Crees

81612 That Agenda Item 14.6 Toodyay Dance School lay on the table until Council's August 2015 meeting to enable staff to obtain information regarding:

1. the number of students attending classes;
2. the value in student's fees of the scholarship cost; and
3. a breakdown of costs incurred by the Toodyay Dance School in conducting dance classes at Cummins Theatre (which would be treated as Commercial in Confidence).

CARRIED 4/0

Councillor Anderson entered the meeting at 5.19pm.

14.7 MRC&LC Business Plan Review

Community Services



Reporting Officer:	Rebecca McCall, DCEO
Author:	As above
Legislation:	<i>Local Government Act 1995</i>
File Reference:	MC/13
Disclosure of Interest:	Nil
Attachments:	Attachment 14.7A - MRC&LC Business Plan
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

A four year business plan was prepared for the MRC&LC in July 2007. The business plan is now obsolete and overdue for review.

Comment

A comprehensive review of the structure and management model of the MRC&LC is almost complete. As part of the review a new business and operational plan has been prepared. The new business and operational plan outlines:

- Organisational structure
- Internal strategies, policies and procedures
- Opportunities for future growth
- Revised strategies, objectives and forecasted project plans
- Key result areas
- Policies and procedures

Policy Implications

Shire of Merredin Policy Manual – MRC&LC 6.1 to 6.19

Statutory Implications

Local Government Act 1995

Strategic Implications

Service Area: 1.2 Community Facilities – MRC&LC

Activities: Services provided at the MRC&LC

Link to Vision: Liveable, Community Spirit

Link to Strategic Priorities: Events & Activities & Key Assets – recreational/sporting facilities

Link to Strategic Priorities: Community Spirit - events and activities

Service Level: Open 7 days per week

Service Level Change: No service level change

Sustainability Implications

➤ Asset Management Plan

Asset management implications associated in this item are identified in the AMP.

➤ Long Term Financial Plan

Long term financial implications associated in this item are identified in the LTFFP.

➤ Workforce Plan

There are no implications associated in this item. However, upon the completion of the structure and management review there may be implications identified with a possible reduction of administration staff.

Financial Implications

Financial implications associated in this item are identified in the 2015/16 budget outlining income and expenditure for annual operations.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Willis

81613 That the reviewed Merredin Regional Community and Leisure Centre Business and Operational Plan 2015, as presented in [Attachment 14.7A](#) be adopted.

**CARRIED 5/0
ABSOLUTE MAJORITY**

14.8 MRC&LC Sporting Infrastructure Renewal

Community Services



Reporting Officer:	Rebecca McCall, DCEO
Author:	As above
Legislation:	Nil
File Reference:	Policy Manual
Disclosure of Interest:	Nil
Attachments:	Attachment 14.8A - Policy 6.19
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The MRCL&C precinct will require future facility development or renewal. To manage infrastructure improvement and upgrades the Shire of Merredin, in conjunction with the Merredin Sports Council (MSC) and Sporting Associations and/or Clubs need to:

- identify and analyse the present and future needs of sport and recreation facilities;
- identify and plan ahead for funding applications and infrastructure developments and renewals;
- integrate sport and recreation facility planning into local government planning; and
- determine the financial contribution for facility development and/or renewal.

To assist determine the future needs of sport and recreational facilities the Shire of Merredin has in place a series of planning documents being the:

- Asset Management Plan (AMP)
- Corporate Business Plan (CBP)
- Community Strategic Plan (CSP)
- Long Term Financial Plan (LTFP)
- MRC&LC Management Plan

In conjunction, some sporting clubs participating at the MRC&LC precinct have submitted a ten year strategic plan identifying any capital requirements.

Comment

There is a need to determine a set of guidelines to outline how future development and renewals of sporting infrastructure is managed. These procedures identify the parameters for the proposed Policy 6.19. The guidelines are as follows:

1. All Sporting Associations and Clubs submit a ten year strategic plan to Council identifying capital projects and timelines.
2. Identified capital projects be considered by Council and, where approved, be included in the overarching WEROC Sport and Recreation Facilities Plan and Shire of Merredin LTFP and AMP.
3. Associated Sporting Associations and/or Clubs be required to contribute financially towards identified projects on the basis of a one third (1/3) contribution of the total development costs or such other contribution arrangement that may be agreed by the Shire of Merredin.
4. The Shire of Merredin is responsible for contributing financially towards the identified projects up to two thirds (2/3) of the total development costs subject to the project being included in the relevant annual Budget.
5. Contribution by the Shire of Merredin will be subject to confirmed grant funding for a pre-determined level of total project costs.
6. The Shire of Merredin in conjunction with the associated Sporting Association and/or Club will seek external funding to assist with the cost of the project.
7. The Shire of Merredin will project manage all identified infrastructure projects undertaken within the MRC&LC precinct.
8. Infrastructure projects not identified in the Sporting Association and/or Club strategic plan and the Shire of Merredin's LTFP and AMP will not be financially supported by the Shire of Merredin.

The draft policy has been provided to the MSC and distributed to the Sporting Associations and/or Clubs for comment with a closing date of 26 June 2015. The MSC advised that the policy was a fair expectation from the sporting bodies.

Policy Implications

The proposed policy, 6.19: Sporting Infrastructure Renewal at the MRC&LC will be included in the Shire of Merredin Policy Manual.

Statutory Implications

Nil

Strategic Implications

Service Area: 1.2 MRC&LC

Activities: Variety of sporting and recreational activities and associated infrastructure

Link to Vision: Community Spirit and Liveable

Link to Strategic Priorities: Key assets – recreational/sporting facilities

Service Level: Open 7 days per week

Service Level Change: No service level change

Sustainability Implications

➤ Asset Management Plan

The AMP identifies the sporting infrastructure renewal projects outlining the projected cost and the year works are due to be undertaken.

➤ Long Term Financial Plan

The LTFP reflects the required expenditure required for recognised sporting infrastructure renewals over the next 10 years.

➤ Workforce Plan

Nil

Financial Implications

There are financial implications regarding this item. Associated costs for sporting infrastructure renewal is defined in the LTFP.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Crees

81614 That Policy 6.19 Sporting Infrastructure Renewal at the Merredin Regional Community and Leisure Centre, as presented in [Attachment 14.8A](#), be adopted.

CARRIED 5/0

14.9 MRC&LC User Fee Structure Review

Community Services



Reporting Officer:	Rebecca McCall, DCEO
Author:	As above
Legislation:	<i>Local Government Act 1995</i>
File Reference:	MR/4
Disclosure of Interest:	Nil
Attachments:	Attachment 14.9A - Correspondence
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

In January 2015 Council was presented with a new flat base fee structure for annual users fees utilising the facilities at the MRC&LC. The flat base rate presented to Council was as follows:

Club	Endorsed Restructure Flat Base Rate
Basketball Association	\$12,500
Netball Association	\$8,000
Burracoppin Football	\$4,500
Nukarni Football	\$4,500
Merredin Junior Football	\$2,000
Nukarni Cricket Club	\$1,600
Merredin Junior Cricket	\$1,360
Merredin Little Athletics	\$2,500
Burracoppin Hockey	\$2,500
Merredin Hockey	\$2,500
Merredin Men's Hockey	\$2,500
Merredin Junior Hockey	\$2,500
Social Hockey	\$2,000
Merredin Golf	\$2,000
Civic Bowls	\$6,000
Fire Brigade	\$500
Merredin Tennis	\$2,500
TOTAL	\$59,960

At its January 2015 meeting Council resolved (CMRef 81504):

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

The new flat base fee structure detailed above was based on memberships from 2013/14.

Comment

Since the adoption of the new flat base fee structure both the Merredin Junior Cricket Club (MJCC) and Merredin Netball Association (MNA) have approached the Shire of Merredin to review their respective fees.

The MNA has identified that the new fee structure is not affordable due to a decline in membership. The MJCC has highlighted the parameters set around the new flat base fee structure are not correct.

Club	Summer 2013/14 User Fee	Winter 2014 User Fee	Endorsed Restructure Flat Base Rate
Merredin Netball Association		\$7,304	\$8,000
Merredin Junior Cricket Club	\$408		\$1,360

The MJCC has clarified that they do not require the services for line marking. The service of line marking valued at \$608 was calculated into the MJCC’s flat base fee structure to total \$1,360. In addition, junior membership has declined. It is recommended that Council considers adjusting the flat base fee structure to \$500.

MNA have experienced a decline in senior membership since the adoption of the new flat base fee. Although MNA has managed to field the same number of playing teams, these teams are filled with junior members who play in both the junior and senior competition.

The MNA has do not feel confident that senior memberships will return to the original numbers in future years and is concerned that the base flat fee is not achievable through the normal fundraising channels. Membership for 2015 has raised \$7,000 and the MNA is working towards raising the gap through other avenues. In addition the MNA is raising funds to be allocated to the resurfacing of the outdoor basketball and netball facilities.

Due to the decrease of senior members it is recommended that Council reduce the flat base fee structure from \$8,000 to \$7,500 to reflect the likely membership base for the next five years effective from Winter 2015.

Policy Implications

Nil

Statutory Implications

Local Government Act 1995

Strategic Implications

Service Area: 1.2 MRC&LC

Activities: Services provided at the MRC&LC

Link to Vision: Community Spirit; Liveable

Link to Strategic Priorities: Key assets – recreational/sporting facilities; Community Spirit - events and activities

Service Level: Open 7 days per week

Service Level Change: No service level change

Sustainability Implications

➤ Asset Management Plan

Nil

➤ Long Term Financial Plan

The possible implications will be a slight reduction in MRC&LC user fees.

➤ Workforce Plan

Nil

Financial Implications

The financial implications include:

2014/15 Budget – decreased user fee income of \$500 (*balance of MNA fees Winter 2015*)

2015/16 Budget – decreased user fee income of \$1,360 (*MJCC \$860 for Summer 2015/16 and MNA for Winter 2016*)

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Flockart

Seconded: Cr Willis

81615 That the adopted base fee structure for the Merredin Junior Cricket Club and Merredin Netball Association be amended as detailed below:

Club	Adopted Flat Base Fee Structure	Amended Base Fee Structure	Effective
Merredin Junior Cricket Club	\$1,360	\$500	Summer 2015/16
Merredin Netball Association	\$8,000	\$7,500	Winter 2015

**CARRIED 5/0
ABSOLUTE MAJORITY**

15. Officer's Reports – Administration

Councillor Anderson declared an Impartiality Interest in this Agenda Item 15.1.

15.1 St Mary's School – Request to Reduce Hire Fees at MRC&LC

Administration



Reporting Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
File Reference:	RCS/13/1; ICR2015255
Disclosure of Interest:	Nil
Attachments:	Attachment 15.1A – Correspondence
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision

Legislative Requirement

Background

Correspondence has been received from St Mary's School in relation to the MRC&LC oval hire fees quoted for their annual school faction carnival to be held in September 2015.

Comment

It should be noted that the 2015/16 Schedule of Fees and Charges (F&C), which has a slight increase from the 2014/15 F&C quoted to St Mary's, is to be adopted at this Council meeting.

The correspondence states that the oval will be required for a period of 7 hours being from 7am to 2pm. As such the fees quoted by MRC&LC staff are as per Council's 2014/15 F&C for that time period i.e. up to 8 hours, as opposed to up to 4 hours. Additionally, St Mary's have been quoted the cheaper, community rate (\$624) as opposed to the more expensive, commercial rate (\$750).

The correspondence suggests that as a result of the recent Federal and State Government budget cuts St Mary's cannot afford to cover the costs of hiring the MRC&LC oval.

Needless to say, Council has also experienced similar budget cuts with, as an example, a loss of \$635,000 over 3 years from the Federal Assistance Grants, which equates to approximately two thirds of the net cost of running the MRC&LC for just 1 year.

It would appear that in previous years St Mary's have been charged the community rate for up to 4 hours for oval hire, instead of the up to 8 hours rate, hence their comment in paragraph 2. MRC&LC staff have indicated that this is because "it's the way it's always been", however for the September 2015 Carnival they have been quoted the correct price for what their use of the oval entails.

Council have a number of options:

1. decline to reduce the hire fee; or
2. reduce the fee to be the community rate for up to 4 hours hire; or
3. waive the fee altogether.

In declining to reduce the hire fee Council will be conforming with its Service Level Change statement from the CBP (see Strategic Implications below) and will be sending a clear message to the community that ratepayers will no longer be subsidising other organisations.

By reducing the fee to the lower hourly rate Council will be in line with historical arrangements, although no formal agreement of such arrangements exists. Given St Mary's implication that if the rate is not reduced the carnival will not be able to go ahead Council may consider this a win/win situation, at least in the short term.

While waiving the fee altogether will guarantee the carnival will go ahead, Council will be in contradiction to its stated Service Level arrangements and the costs of running the MRC&LC will be borne more by the ratepayers rather than those specific groups utilising the facility.

MRC&LC staff advise they do not have a high level of involvement in the event and that St Mary's staff and/or parents are responsible for carrying out the activities of the day including set up and clean up. The oval hire fee allows users access to the oval and change rooms, should access to any other portion of the MRC&LC be required (i.e. main stadium, function room(s), indoor playground or kitchen) this is charged in addition to the oval hire fee.

As a comparison the Shires of Bruce Rock and Kellerberrin charge \$132/day and \$110/day respectively for the use of their oval, regardless of the length of time the use is required for. The Shire of Yilgarn do not charge community groups or their schools for the use of their oval. Given that information it could be argued that a fee of \$643/day for access to an oval only is at the high end of the scale.

The Officer's Recommendation takes into consideration the lack of MRC&LC staff involvement in the organisation and running of the event, the lack of preparation required of the oval and an assumption that whilst Council will be keen to align itself with its stated strategic direction it would also wish for community sports and spirit to continue and prosper.

Policy Implications

Council Policy 6.16 Donation of Hire Fees is applicable.

Statutory Implications

The CEO has delegated authority to make donations as outlined in the above policy (Council Delegation 4.11 Donations to Community Groups), however he may choose not to exercise that delegation.

Strategic Implications

Service Area: 1.2 MRC&LC

Activities: A range of services are provided from the MRC&LC

Link to Vision: Liveable; Community Spirit

Link to Strategic Priorities: Key assets: recreational/sporting facilities. Community Spirit: events and activities

Service Level: Open 7 days a week for up to 18 hours a day as applicable

Service Level Change: No service level change but note that over the next 4 years the cost for users will increase as the Shire works towards increasing the ration of user contribution to rates contribution

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 will be adopting its Fees and Charges for the 2015/16 financial year at this meeting however whatever amount is adopted, the waiving of the fee, or a portion 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

That the oval hire fee at the Merredin Regional Community and Leisure Centre for the St Mary's school faction carnival on Friday 18 September 2015 be charged at the community rate for up to 4 hours as detailed in the 2015/16 Schedule of Fees & Charges on the following conditions:

1. The rate charged for the use of the oval for any other St Mary's school event in the 2015/16 financial year will be under the same arrangements (i.e. at the community 4 hour rate with the following conditions);

2. The rate charged for the use of the oval (excluding the other areas of the Merredin Regional Community and Leisure Centre) from the 2016/17 financial year will be in accordance with the community rate for up to 8 hours (should that be the time period the oval is required for) as per the applicable Schedule of Fees & Charges for that year, thus allowing St Mary's adequate time to make the necessary budget provisions;
3. St Mary's staff and parents are responsible for all set-up and clean-up requirements for the event. Should Merredin Regional Community and Leisure Centre staff assistance be required for any part of the carnival(s)/event(s) this will be charged in accordance with the applicable Schedule of Fees & Charges in any year; and
4. The use does not include the main stadium, function rooms, kitchen or indoor playground of the Merredin Regional Community and Leisure Centre and that, should these areas be required for any event, they are to be charged in accordance with the community rate of the applicable Schedule of Fees and Charges in any year.

Resolution

Moved: Cr Crees

Seconded: Cr Willis

81616

That the oval hire fee at the Merredin Regional Community and Leisure Centre for the St Mary's school faction carnival on Friday 18 September 2015 be charged at the community rate for up to 4 hours as detailed in the 2015/16 Schedule of Fees & Charges on the following conditions:

1. **The rate charged for the use of the oval for any other St Mary's school event in the 2015/16 financial year will be under the same arrangements (i.e. at the community 4 hour rate with the following conditions);**
2. **The rate charged for the use of the oval (excluding the other areas of the Merredin Regional Community and Leisure Centre) from the 2016/17 financial year will be in accordance with the community rate for up to 8 hours (should that be the time period the oval is required for) as per the applicable Schedule of Fees & Charges for that year, thus allowing St Mary's adequate time to make the necessary budget provisions;**
3. **St Mary's staff and parents are responsible for all set-up and clean-up requirements for the event. Should Merredin Regional Community and Leisure Centre staff assistance be required for any part of the carnival(s)/event(s) this will be charged in accordance with the applicable Schedule of Fees & Charges in any year;**
4. **The use does not include the main stadium, function rooms, kitchen or indoor playground of the Merredin Regional Community and Leisure Centre and that, should these areas be required for any event, they are to be charged in accordance with the community rate of the applicable Schedule of Fees and Charges in any year; and**
5. **Line-marking, if required, is charged in accordance with the applicable Schedule of Fees & Charges in any year.**

**CARRIED 5/0
ABSOLUTE MAJORITY**

Reason

Council wished to specify that charges for line-marking would be applicable.

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 those in attendance and declared the meeting closed at 5.42pm.