

SHIRE OF MERREDIN

20 October 2015

Minutes of Ordinary Council Meeting

Held in Council Chamber

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

Table of Contents



1.	Official Opening
2.	Record of Attendance / Apologies and Leave of Absence
3.	Swearing In of Councillors Elect
4.	Election of Shire President
5.	Declaration by the Shire President
6.	Election of the Deputy Shire President
7.	Declaration by the Shire President
8.	Draw for the Position at the Council Table
9.	Public Question Time
10.	Election of Delegates and Deputy Delegates to Committees
11.	Disclosure of Interest
12.	Applications for Leave of Absence
13.	Petitions and Presentations
14.	Confirmation of Minutes of the Previous Meeting
14.1	<u>Ordinary Council Meeting held on 15 September 2015</u>
15.	Announcement by the Person Presiding without discussion
16.	Matters for which the Meeting may be closed to the public
17.	Receipt of Minutes of Committee Meetings
17.1	<u>GECZ Executive Meeting held on 6 August 2015</u>
17.2	<u>Joint WALGA Zones Meeting held on 6 August 2015</u>
17.3	<u>WEROC Council Meeting held on 19 August 2015</u>
17.4	<u>GECZ Meeting held on 31 August 2015</u>
17.5	<u>WEROC Executive Meeting held on 23 September 2015</u>
18.	Recommendations from Committee Meetings for Council consideration

19.	Officer's Reports - Development Services
19.1	<u>Merredin Regional Community & Leisure Centre – Individual Club Facilities – Merredin District Lawn Tennis Club</u>
19.2	<u>Draft State Planning Policy 2.5 Land Use Planning in Rural Areas – Public Comment</u>
19.3	<u>Lot 38, HN 4 Second Avenue, Merredin – Application to Erect an Overheight Patio</u>
20.	Officer's Reports - Engineering Services
20.1	<u>Merredin Community Water Supply</u>
21.	Officer's Reports - Corporate and Community Services
21.1	<u>List of Accounts Paid</u>
21.2	<u>Statement of Financial Activity</u>
21.3	<u>2015/16 Budget Variations</u>
21.4	<u>Integrated Planning and Reporting - Monitoring Review 2015</u>
22.	Officer's Reports - Administration
22.1	<u>Regional Christmas Trading Extension</u>
22.2	<u>Shire of Merredin Christmas/New Year Opening Hours</u>
22.3	<u>Council Meeting Dates for 2016</u>
22.4	<u>Councillors and Staff Christmas Function</u>
22.5	<u>2015 Shire of Merredin Extraordinary Election</u>
22.6	<u>Farewell/Welcome Dinner for Councillors</u>
22.7	<u>Community Forums</u>
22.8	<u>Policy Options to Increase Elected Member Training Participation – WALGA Discussion Paper</u>
22.9	<u>CEACA (Inc) – Expressions of Interest – Royalties for Regions Funding – Stage 1 – Land Assembly</u>
23.	Motions of which Previous Notice has been given
24.	Questions by Members of which Due Notice has been given
25.	Urgent Business Approved by the Person Presiding or by Decision
26.	Matters Behind Closed Doors
27.	Closure

Shire of Merredin
Ordinary Council Meeting
Tuesday 20 October 2015



****Note**** In accordance with Clause 3 of Schedule 2.3 of the *Local Government Act 1995* the Chief Executive Officer is to preside at the meeting until the office of President is filled.

1. Official Opening

The Chief Executive Officer welcomed those in attendance and declared the meeting open at 3.00pm.

2. Record of Attendance / Apologies and Leave of Absence

Councillors:

Cr CA Blakers
Cr JP Flockart
Cr MD Willis
Cr ML Young

Councillors Elect:

BJ Anderson
RM Crees
MA Crisafio
KA Hooper

Staff:

G Powell	CEO
R McCall	Deputy CEO
J Mitchell	EMDS (until 4.33pm)
V Green	EA to CEO
S Lowe	Media & Communications Officer

Members of the Public: G Banks, JP (until 3.29pm); C Gethin (until 4.24pm); C Madigan (until 4.27pm)

Apologies: Nil

Approved Leave of Absence: Nil

3.	Swearing In of Councillors Elect
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In accordance with Section 2.29 of the *Local Government Act 1995*, Mrs Gloria Banks, JP witnessed the declaration of the following re-elected and newly elected members:

Cr Brad Anderson
Cr Mark Crees
Cr Matt Crisafio
Cr Ken Hooper

4.	Election of Shire President
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The CEO invited nominations for the position of President of the Council, for the ensuing 2 years.

The following nomination was received:

Cr Ken Hooper

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

5.	Declaration by the Shire President
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Mrs Gloria Banks, JP witnessed the declaration of Councillor Hooper as President of the Council.

Councillor Hooper assumed the Chair and thanked the Councillors for their ongoing support.

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

The following nominations were received:

Cr Mark Crees
Cr Maria Young

As there was more than one nomination a secret ballot was conducted by the Chief Executive Officer.

Following the counting of votes the Chief Executive Officer declared Councillor Crees elected to the position of Deputy President of the Council.

Councillor's Recommendation / Resolution

Moved: Cr Flockart

Seconded: Cr Anderson

81638 That the ballot papers for the election of the Deputy President be destroyed.

CARRIED 8/0

7. Declaration by the Deputy Shire President

Mrs Gloria Banks, JP witnessed the declaration of Councillor Crees as Deputy President of the Council.

G Banks, JP left the meeting at 3.29pm and did not return.

8. Draw for the Position at the Council Table

Council's Standing Orders Local Law Clause 8.2 states:

"At the first meeting held after each ordinary elections day, the CEO is to allot by random draw, a position at the Council table to each councillor and the councillor is to occupy that position when present at meetings of the Council until such time as there is a call by a majority of councillors for a re-allotment of positions."

Councillor's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Anderson

81639 That the current seating arrangements at the Council table be retained.

CARRIED 8/0

9. Public Question Time

Nil

10. Election of Delegates and Deputy Delegates to Committees

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

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

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

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

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Young

81641 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995* and Section 67 of the *Bush Fires Act 1954*, Councillor Flockart be appointed as delegate to the Shire of Merredin Bush Fires Advisory Committee, with all other Councillors appointed as Deputies.

CARRIED BY ABSOLUTE MAJORITY 8/0

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

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Willis

81642 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor Blakers be appointed as delegate to the Eric Hind Scholarship Committee, with all other Councillors appointed as Deputies.

CARRIED BY ABSOLUTE MAJORITY 8/0

10.4	Shire of Merredin Local Emergency Management Committee (LEMC)	
Current Members:	Cr Hooper, Chief Executive Officer	
Deputies:	All other Councillors	
Membership:	Shire of Merredin	Shire President (Chair)
	Shire of Merredin	Chief Executive Officer
	WA Police	Officer in Charge
	WA Police	Supervisor
	Dept for Child Protection & Family Support	District Emergency Services Officer
	Department of Parks and Wildlife	Regional Wildlife Officer
	SEMC Secretariat	Community Emergency Management Officer
	Merredin Volunteer Bushfire Brigades	Chief Bushfire Control Officer
	Merredin Volunteer Fire and Rescue Service	Brigade Captain
	Merredin Volunteer Fire and Rescue Service	Brigade Lieutenant
	Mental Health Services	District Manager
	China Southern WA Flying College	General Manager
	Merredin Hospital	Nurse Manager
	Merredin Hospital	Hospital Services Manager
	Primary Health Eastern	Manager
	Disability Services Commission	Local Area Coordinator
Disability Services Commission	District Manager Midlands	
Water Corporation	Operations Manager	
Department of Agriculture & Food	Local Manager	
Western Power	Operations Manager	

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

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Flockart

81643 That, in accordance with Section 5.10s and 5.11A of the *Local Government Act 1995*, Councillor Hooper be appointed as delegate to the Shire of Merredin Local Emergency Management Committee, with all other Councillors appointed as Deputies.

CARRIED BY ABSOLUTE MAJORITY 8/0

10.5	Economic Development Working Group
Current Members:	Cr Flockart, Cr Hayes-Thompson, Cr Young
Deputies:	All other Councillors
Membership:	Shire of Merredin
Quorum:	N/A
Purpose:	To foster and promote economic development within the Shire of Merredin
Meeting Cycle:	N/A
Voting Requirements	

Simple Majority

Absolute Majority

Officer's Comment

As this Committee has not met, and there are other avenues available to Council for fostering and promoting economic development within the Shire, it is suggested that the Economic Development Working Group, as a Council Committee, be abolished.

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Anderson

81644 That the Economic Development Working Group Committee be abolished.

CARRIED BY ABSOLUTE MAJORITY 8/0

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

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Young

81645 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillors Hooper and Willis be appointed as delegates to the Western Australian Local Government Association Great Eastern Country Zone, with Councillor Crees appointed as Deputy.

CARRIED BY ABSOLUTE MAJORITY 8/0

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

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Flockart

Seconded: Cr Blakers

81646 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, the Shire President, Councillor Hooper, be appointed as delegate to the Wheatbelt East Regional Organisation of Councils with Councillor Crees appointed as Deputy.

CARRIED BY ABSOLUTE MAJORITY 8/0

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

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Flockart

Seconded: Cr Young

81647 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor Crees be appointed as delegate to the Wheatbelt North Regional Road Group with Councillor Willis appointed as Deputy.

CARRIED BY ABSOLUTE MAJORITY 8/0

10.9	Central Wheatbelt Visitors Centre MoU Working Group
Current Members:	Cr Young
Deputies:	N/A
Membership:	NewTravel, Roe Tourism, WEROC
Quorum:	N/A
Purpose:	To develop a methodology for assistance with regional visitor servicing and regional promotion through: a) visitor servicing undertaken by the Visitor Centre; and b) regional promotion
Meeting Cycle:	Quarterly
Voting Requirements	

Simple Majority

Absolute Majority

Officer's Comment

NewTravel and Roe Tourism have both decided to withdraw membership to the MoU. As such the MoU is currently being reviewed, along with the meeting schedule. It is proposed that in replace of quarterly meetings, quarterly reports be provided instead. Councillor attendance at meetings has been minimal. In light of these circumstances it is proposed that Councillor representation on the MoU Group be withdrawn.

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Anderson

81648 That Councillor representation on the Central Wheatbelt Visitors Centre MoU Working Group Committee be withdrawn.

CARRIED BY ABSOLUTE MAJORITY 8/0

10.10	Merredin Sports Council
Current Members:	Cr Anderson
Deputies:	Not applicable (N/A)
Membership:	N/A
Quorum:	N/A
Purpose:	N/A
Meeting Cycle:	N/A
Voting Requirements	

Simple Majority

Absolute Majority

Officer's Comment

The Merredin Sports Council (MSC) previously advised they did not require a Council representative, as most matters requiring a resolution were of an operational nature and therefore it was more appropriate that the queries be directed to the MRC&LC Manager or Shire Administration. It is therefore recommended that Councillor representation on the MSC be withdrawn.

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Willis

81649 That Councillor representation on the Merredin Sports Council be withdrawn.

CARRIED BY ABSOLUTE MAJORITY 6/2

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

Officer's Comment

The purpose of the Wheatbelt East District Operational Advisory Committee – Bush Fire Service WA is of an operational nature, with local government staff attending recent meetings and events. Councillor attendance has been minimal. It is therefore recommended that Councillor representation be withdrawn.

Officer's Recommendation

That Councillor representation on the Wheatbelt East District Operational Advisory Committee – Bush Fire Service WA be withdrawn.

Resolution

Moved: Cr Young

Seconded: Cr Crees

81650 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor Flockart be appointed as delegate to the Wheatbelt East District Operational Advisory Committee – Bush Fire Service WA.

CARRIED BY ABSOLUTE MAJORITY 8/0

Reason

Council believed it was important that Councillor representation remain.

10.12	School Bus Advisory Committee
Current Members:	Cr Willis
Deputies:	N/A
Membership:	N/A
Quorum:	N/A
Purpose:	N/A
Meeting Cycle:	N/A
Voting Requirements	

Simple Majority

Absolute Majority

Officer's Comment

Advice has been received from Merredin College and the School Bus Contractors that the School Bus Advisory Committee is no longer active, and hasn't been for some years. The ability for community members or local government to provide feedback to the Public Transport Authority on the operation of school buses no longer exists. Therefore, Councillor representation is no longer required.

Officer's Recommendation / Resolution

Moved: Cr Flockart

Seconded: Cr Young

81652 That, as the School Bus Advisory Committee no longer exists, Councillor representation be withdrawn.

CARRIED BY ABSOLUTE MAJORITY 8/0

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



Simple Majority



Absolute Majority

Officer's Comment

In accordance with AG402 as published in the Government Gazette edition 117 dated 28 July 2015, Cr John Flockart is appointed as Council's representative on the Merredin Land Conservation District Committee. Members of the Committee will hold office for a 3 year term expiring on 24 July 2018.

Therefore, Cr Flockart must retain his representation on this Committee.

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Blakers

81653 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995* and Sections 22 and 23 of the *Soil and Land Conservation Act 1945*, Councillor Flockart be appointed as delegate to the Merredin Land Conservation District Committee with Councillor Willis appointed as Deputy.

CARRIED BY ABSOLUTE MAJORITY 8/0

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

Simple Majority

Absolute Majority

Officer's Comment

The LHAG is currently on hiatus, as being able to attract community interest and members to the Group has proven difficult in the past, however it is hoped that it can be recommenced in the new year. Local health services are important to our community and therefore it is recommended that Councillor representation on the LHAG be maintained, so that in the event the LHAG recommences, a Councillor appointment is already known.

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Willis

81654 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillor Blakers be appointed as delegate to the Merredin Local Health Advisory Group Committee with Councillor Young appointed as Deputy.

CARRIED BY ABSOLUTE MAJORITY 8/0

10.15 Collgar Community Fund Grants Committee	
Current Members:	Crs Crees and Hooper
Deputies:	N/A
Membership:	4x Collgar Wind Farm representatives – Chief Executive Officer, Business Manager, Site Supervisor and Chief Financial Officer 1x Shire of Merredin Guest Representative (Chief Executive Officer)
Quorum:	N/A
Purpose:	To provide sponsorship to fund local projects that benefit the Shire of Merredin and surrounding areas with 4 focus areas of education and training, community development, health/wellbeing and environment
Meeting Cycle:	Monthly (depending on receipt of funding applications)
Voting Requirements	

Simple Majority

Absolute Majority

Officer's Comment

There have been many changes to the structure of the Collgar Community Fund Grants Committee over the years with the current structure as listed above. The Shire of Merredin is invited to the Committee as a guest with the CEO attending meetings via teleconference to provide local information on the funding applications received. While the structure of the Committee is due for review, advice from Collgar suggests it is unlikely to change and therefore it is recommended that Councillor representation is no longer required.

Officer's Recommendation / Resolution

Moved: Cr Flockart

Seconded: Cr Crees

81655 That Councillor representation on the Collgar Community Fund Grants Committee be withdrawn.

CARRIED BY ABSOLUTE MAJORITY 8/0

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

Simple Majority

Absolute Majority

Officer’s Comment

Regulation 29 of the *Planning and Development (Development Assessment Panels) Regulations 2011* states that a DAP member holds office for the term specified in the member’s instrument of appointment. Current members appointed are Councillors Crees, Hooper and Young, whose term expires on 26 April 2017.

Advice from the Department of Planning indicates that as 2x Local Members (Cr Crees and Cr Hooper) and 1 Alternate Member (Cr Young) have already been nominated and their appointment accepted by the Minister, it is not necessary for a second Alternate Member to be nominated. Therefore it is recommended that no additional nomination be made.

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Blakers

81656 That a second Alternate Member for the Shire of Merredin on the Mid-West/Wheatbelt (Central) Joint Development Assessment Panel not be appointed at this time.

CARRIED BY ABSOLUTE MAJORITY 8/0

10.17	Skeleton Weed Local Action Group (LAG)
Current Members:	Cr Flockart
Deputies:	Cr Young
Membership:	Shires of Merredin, Nungarin and Trayning
Quorum:	5 members
Purpose:	<ol style="list-style-type: none"> 1. Promote awareness of the locations of known skeleton weed infestations; 2. Discuss the management and eradication techniques described in the Skeleton Weed Best Practice Guidelines; 3. Share knowledge on the success/failure of alternative management techniques for skeleton weed; 4. Coordinate searching where appropriate; 5. Discuss issues and provide information and recommendations on future program to GIMC; 6. Provide input into management of local non-compliance issues; and 7. Formulate a local/regional strategy to deal with skeleton weed within the framework of the State-wide program
Meeting Cycle:	2-3 times per annum
Voting Requirements	

Simple Majority

Absolute Majority

Officer's Comment

This committee was formed in August 2014 at the request of the Department of Agriculture and Food as it was felt the Shires of Merredin, Nungarin and Trayning were an area of need due to reported infestations of skeleton weed.

Council resolution CMRef 81425 from August 2014 appointed Cr Flockart, with Cr Young as deputy, to the LAG for a period of 12 months.

Advice from the Shire of Nungarin, who coordinates & provides administrative support to the LAG, indicates that the LAG is active, with a number of meetings being held so far. Additionally, Council is entitled to 2 voting members and a deputy member. The 2 voting members are ideally a Councillor and a member of the community. Council may therefore wish to nominate a community member to be a voting member to the LAG.

Officer's Recommendation / Resolution

Moved: Cr Anderson

Seconded: Cr Young

81657 That, in accordance with Sections 5.10 and 5.11A of the *Local Government Act 1995*, Councillors Flockart and Willis be appointed as delegates to the Skeleton Weed Local Action Group.

CARRIED BY ABSOLUTE MAJORITY 8/0

10.18 General Community Committees

Officer's Comment

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

Committee	Council Representative
Museum and Historical Society	Cr Young
Merritville Retirement Village	Cr Anderson
MADCAPS Child Care Centre	Cr Hayes-Thompson
Rural Water Council	Cr Crees and Cr Flockart
Doorways	Cr Hayes-Thompson
Merredin Heritage Committee	Cr Young
Merredin Residential College	Cr Crees
Ryegrass Toxicity Committee	Cr Willis

It has been advised that the Ryegrass Toxicity Committees no longer exists and therefore Council representation is not required, however the other Committees are functional and meeting hence it would be appropriate for Council to reconsider appointing a representative to those Committees.

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees **Seconded:** Cr Blakers

81658 That:

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

- 7. Councillor Blakers be appointed to the Merredin Heritage Committee;
and**
- 8. Councillor representation on the Ryegrass Toxicity Committee be
withdrawn.**

CARRIED BY ABSOLUTE MAJORITY 8/0

11. Disclosure of Interest

Councillor Hooper declared an Impartiality Interest in Agenda Item 19.1

12. Applications for Leave of Absence

Nil

13. Petitions and Presentations

Nil

14. Confirmation of Minutes of the Previous Meeting

14.1 Ordinary Council Meeting held on 15 September 2015

Attachment 14.1A

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Blakers

81659 That the Minutes of the Ordinary Council Meeting held on 15 September 2015 be confirmed as a true and accurate record of proceedings.

CARRIED 8/0

15. Announcements by the Person Presiding without discussion

Nil

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

Nil

17. Receipt of Minutes of Committee Meetings

17.1 GECZ Executive Meeting held on 6 August 2015

Attachment 17.1A

17.2 Joint WALGA Zones Meeting held on 6 August 2015

Attachment 17.2A

17.3 WEROC Council Meeting held on 19 August 2015

Attachment 17.3A

17.4 GECZ Meeting held on 31 August 2015

Attachment 17.4A

17.5 WEROC Executive Meeting held on 23 September 2015

Attachment 17.5A

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Blakers

81660 That the minutes of the Great Eastern Country Zone Executive Meeting held on 6 August 2015, the Joint WA Local Government Association Zones Meeting held on 6 August 2015, the Wheatbelt East Regional Organisation of Councils Meeting held on 19 August 2015, the Great Eastern Country Zone Meeting held on 31 August 2015 and the Wheatbelt East Regional Organisation of Councils Executive Meeting held on 23 September 2015 be received.

CARRIED 8/0

18.	Recommendations from Committee Meetings for Council consideration
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Nil

19. Officer's Reports - Development Services

Councillor Hooper declared an Impartiality Interest in Agenda Item 19.1

19.1 Merredin Regional Community & Leisure Centre – Individual Club Facilities – Merredin District Lawn Tennis Club

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	As above
Legislation:	<i>Food Act 2008, Local Government Act 1995, Liquor Licencing Act 1988</i>
File Reference:	A325
Disclosure of Interest:	Nil
Attachments:	Attachment 19.1A - Correspondence
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

An approach to the Administration by the Merredin District Lawn Tennis Club (MDLTC) to place a sink and soak well within the area containing the clubrooms and shelter for use by MDLTC members was not supported as it set a precedent, created disjointed social facilities, soiled grey water may affect the ground around the facilities (though connection back to the sewer lines is not possible) and adequate facilities were provided by staff at the MR&CLC within the bar areas. It was acknowledged that the amount of water to be used would be minimal.

Comment

Recently, additions comprising an outdoor area and BBQ were provided adjacent to the bar area at the MRC&LC. The MRC&LC Manager advises that coffee and tea facilities are provided within the Centre for use by patrons. Several sporting clubs make use of the kitchen facilities and provide tea and coffee to their members. At the end of the event the clubs put the mugs and used utensils into the dishwasher.

A similar service can be offered to the MDLTC. In discussions with MDLTC officer bearers it was advised the MDLTC members prefer to socialise at the clubrooms/shelter rather than at the MRC&LC proper.

The application is not supported by the Administration for the reasons given in Background.

Policy Implications

There are no policy implications associated with the approval or refusal of the request. It should be noted that the majority of other sporting clubs are using the facility as provided, with the exception of the Golf Club, which is located a considerable distance from the main MRC&LC buildings.

The MRC&LC contains a licenced premise. The storage or sale of alcohol outside the licenced premise on the MRC&LC grounds is an offence. There have been previous incidents involving alcohol stored in fridges and premises within the MRC&LC.

Statutory Implications

The provision of a tea and coffee facility at the tennis courts does not require a food registration as it is a complimentary drink exempted food premise. There are no implications to Council's registration.

Strategic Implications

Service Area: 3.3 Town Planning

Activities: Processing 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

The MDLTC is not seeking financial input from Council to the proposal other than consent to perform the works.

Voting Requirements



Simple Majority



Absolute Majority

Councillor's Recommendation / Resolution

Moved: Cr Flockart

Seconded: Cr Young

81661 That Council suspend standing orders at 4.02pm to enable discussion of the matter.

CARRIED 8/0

Councillor's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Blakers

81662 That Council resume standing orders at 4.13pm.

CARRIED 8/0

Officer's Recommendation

Moved: Cr Crees

Seconded: Cr Young

That the application from the Merredin District Lawn Tennis Club to establish a sink at the club building within Lot 684 Bates Street (MRC&LC grounds) be refused.

LOST 1/7

Councillor's Resolution

Moved: Cr Anderson

Seconded: Cr Young

81663 That the application from the Merredin District Lawn Tennis Club to establish a sink at the club building within Lot 684 Bates Street (MRC&LC grounds) be approved subject to approval from the Merredin Sports Council.

CARRIED 6/2

Reason

Council wished to provide a more user-friendly facility, especially for people with young families.

19.2 Draft State Planning Policy 2.5 Land Use Planning in Rural Areas – Public Comment

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	As above
Legislation:	State Planning Policy 2.5 Rural Planning Policy
File Reference:	GR/17/6
Disclosure of Interest:	Nil
Attachments:	Attachment 19.2A – Draft State Planning Policy
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The WAPC has released a draft policy for land use planning in rural areas. Submissions will be received until 19 January 2016.

Comment

State Planning Policy (SPP) 2.5 details land use planning in rural areas but not the subdivision of homestead lots. That is controlled under SPP 3.4.

Part 5.3 deals with rural living and states “*however, rural living estates must be carefully planned, as they are inefficient means of accommodating people. Once rezoned, rural living estates consume and sterilise the rural land*”. Then point (C)(ix) states the rural land must be predominantly cleared of remnant vegetation to support the development.

Points vi, vii require that subdivisions under 4Ha must be provided with a potable water supply and power from licenced providers. This is considered a backward step when other legislation is permitting alternate choices. Current subdivisions require that at least 110kl of water in tanks available with 20% retained for firefighting purposes. There are examples of the provision of reticulated water supplies and grid power that have prevented development due to extreme cost.

New legislation proposed (*Planning & Development (Bushfire Risk Management) Regulations 2014*) for bushfire compliance requires compliance with AS3959 if within 100m of bush. Why then place estates in cleared arable land when the intent of the policy is to support existing and future primary production through the protection of rural land, particularly priority agricultural land and land required for animal premise.

The policy appears to restrict development when the majority of new legislation provides for reasonable options. Within many rural areas the licenced providers are basically Western Power and Water Corporation which have strong affiliations with the State Government. An example is the industrial land between Coolgardie and Kalgoorlie where the water costs alone were \$40M for less than 40 lots making the development uneconomical.

Throughout the policy are requirements for considerations by local government including with a tree farm – bushfire risk, environmental factors traffic risks etc. These generalised statements will be difficult to manage and assess without clear guidance which the document does not offer – e.g. acceptable supply of potable water? Consideration of environmental and economic factors for tree farms, appropriate buffers for tree farms? Why is a buffer needed for a tree farm?

Animal Premise – the new policy will mean that the current site for the Merredin abattoir is not suitable and will not be approved. The land use must be rural (currently zoned Rural Residential), no sensitive premise within buffer zone (there are two currently based on 500m), will require a substantial application process including traffic management, disposal of dead animals, outdoor area, hours of operation, waste disposal & odour modelling. There were occasional issues with the abattoir when it was operational, with odour mainly, however the new policy will require that the siting be outside of areas around towns whilst the policy requires the abattoir to be close to infrastructure.

The use of the terms noxious and hazardous are no longer permitted and existing Schemes should refrain from the use of such words as it implies when developed the land uses will be noxious and hazardous.

The policy as proposed prevents the creation of new or smaller lots and only the proposed policy can be used for assessment.

The latest planning regulations do not require that an ancillary building or dwelling be subject to planning controls yet the policy states that new dwelling entitlements or other sensitive land uses should not limit or prevent primary production from occurring. How is this assessed when there is no planning control?

Council may find other items worthy of noting.

Policy Implications

The policy is a State policy which when adopted will be enforced by the Development Services section.

Statutory Implications

There are no statutory implications currently. Future development applications will have additional points to address and resolve if the policy is adopted. It is likely that the cost of a development application submission will increase.

Strategic Implications

Service Area: 3.3 Town Planning

Activities: Processing 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

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Young

81664 That the Administration prepare a response to the draft State Planning Policy 2.5 Rural Planning Policy incorporating the comments within this report as advice.

C Gethin left the meeting at 4.24pm and did not return.

CARRIED 8/0

19.3 **Lot 38, HN 4 Second Avenue, Merredin – Application to Erect an Over-height Patio**

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	As above
Legislation:	R Codes 2014 & Outbuildings Policy
File Reference:	A2981
Disclosure of Interest:	Nil
Attachments:	Attachment 19.3A - Plans of Patio Development
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision Legislative Requirement

Background

An application (PA 17 (2015) to erect a 4026mm wall height patio/carport adjacent to an existing shed on Lot 38, HN 4 Second Avenue, Merredin has been received.

Comment

The Outbuildings Policy permits the Building Surveyor to approve a maximum height outbuilding of 3.0m with an apex height of 3.6m.

Policy Implications

The proposal is outside the Policy but within the requirements of the R Codes in terms of height.

Statutory Implications

The provisions of the LPS No. 6 and the R Codes apply.

The proposed use is as a patio. The overall height is in keeping with existing buildings and the structure does not tower over existing buildings.

Strategic Implications

Service Area: 3.3 Town Planning

Activities: Processing 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

Planning fees have been paid.

Voting Requirements



Simple Majority



Absolute Majority

C Madigan left the meeting at 4.27pm and did not return.

Officer's Recommendation / Resolution

Moved: Cr Anderson

Seconded: Cr Young

81665 That the application to erect a 4,026mm height patio, as per plans Wayne's Design and Drafting Job 15008 dated September 2015, on Lot 38, HN 4 Second Avenue, Merredin be approved.

CARRIED 8/0

J Mitchell left the meeting at 4.33pm and did not return.

20. Officer's Reports - Engineering Services

20.1 Merredin Community Water Supply

Engineering Services



Reporting Officer:	Kevin Paust, EMES
Author:	As above
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
File Reference:	10/01
Disclosure of Interest:	Nil
Attachments:	Attachment 20.1A – Tender Assessment
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Councils Independent Water Supply pumps and associated equipment are now out-dated or obsolete and parts have become hard to source.

The pump shed at the rear of Dam 1 is a hazard to staff due to having to step over piping and the pump motor to access the power board.

Comment

Council was successful in an application for a Community Water Supply grant from the Department of Water for \$106,920 (including GST) with Council to contribute \$32,076, being a total of \$138,996 for the upgrade of the Independent Water Supply.

The Department of Water Grant and Council's own resources is for:

1. The replacement of pumping equipment and pump station shed at the rear of Dam 1.
2. The replacement of the two delivery pumps at the outlet of Dam 1.
3. The installation of a tank at the Roy Little Park pump shed.
4. The installation of an aerating fountain in Roy Little Lake using one of the existing pumps.

River Engineering was engaged to carry out the planning, Request For Tender and the assessment of tender documents for Council.

Policy Implications

Nil

Statutory Implications

Local Government Act 1995

Strategic Implications

Service Area: 2.9 Independent Water Supply/Town Reticulation

Activities: Council has six dams within the town-site and associated reticulation systems

Link to Vision: Liveable

Link to Strategic Priorities: Key Assets – Recreational/Sporting Facilities

Service Level: Reticulated water is pumped to Parks and Gardens as required

Service Level Change: No service level change

Sustainability Implications

- [Asset Management Plan](#)

As per section 6.2.2, Table 16, Engineering/Works Services

- [Long Term Financial Plan](#)

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

- [Workforce Plan](#)

An ageing workforce within the Parks and Garden Staff and without younger skilled employees wanting to join Local Government the reliance on contractors will increase.

Financial Implications

As above for the 2015/16 Financial Year.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Blakers

81666 That River Engineering's assessment of tenders be endorsed and recommendations be adopted.

CARRIED BY ABSOLUTE MAJORITY 8/0

Councillor Young left the meeting at 4.36pm and did not return.

21. Officer's Reports – Corporate and Community Services

21.1 List of Accounts Paid

Corporate Services



Responsible Officer:	Charlie Brown, 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 21.1A - 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 August 2015 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

Service Area: Finance and Asset Management

Activities: Financial Management

Link to Vision: Developing and Liveable

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

Nil

➤ Workforce Plan

Nil

Financial Implications

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

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Willis

81667 That the schedule of accounts paid as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$683,612.08 from Council's Municipal Fund Bank Account and \$1,560.00 from Council's Trust Account be received.

CARRIED 7/0

21.2 Statement of Financial Activity

Corporate Services



Responsible Officer:	Charlie Brown, 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 21.2A – Statement of Financial Activity
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision

Legislative Requirement

Background

The Statement of Financial Activity is attached for Council's information.

Comment

Revenue and expenditure to 30 September 2015 is consistent with Council's adopted 2015/16 Budget.

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.

Budget profiling has been adjusted in some instances but has yet to be completely carried out, those accounts not adjusted still show the profiling spread across the twelve months.

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 Regulation 34(1)*.

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 21.2A**.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Flockart

81668 That, in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, the Statement of Financial Activity for the period ending 30 September 2015 be received.

CARRIED BY ABSOLUTE MAJORITY 7/0

21.3 2015/16 Budget Variations

Corporate Services



Responsible Officer:	Charlie Brown, EMCS
Author:	As above
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Nil
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision

Legislative Requirement

Background

Executive staff have been made aware of some errors and omissions in the 2015/16 Budget adoption. This agenda item is to correct those errors and omissions, and a variation required due to the need to hold an extraordinary election (refer Agenda Item 22.5).

Comment

The WA Electoral Commission has advised that to hold the extraordinary election an additional cost of \$10,500 would apply.

A review of the 2015/16 Budget has revealed some minor changes that are required and an omission from the adopted Budget that requires rectifying.

An application was to be submitted to the Department of Sport & Recreation for the resurfacing of the basketball/netball courts, however it has been decided to delay this application until 2016/17, therefore freeing up Council's commitment. As this contribution forms part of the rate setting budget, it is proposed that this amount be transferred to the Reserve fund, where Council's contribution to the cost of the project can be funded from next year with no further impact on rates.

The following table details the variations:

Account Code	Account Description	Current Budget	Adjustment	New Budget	Comments
E041040	Election Expenses	15,000	11,000	26,000	Additional Funds Required for Extra Ordinary Election
I072060	Medical Centre Income	-32,600	2,963	-29,637	Adjustment to Budget
I092410	Other Housing Rentals	-93,000	4,410	-88,590	Adjustment to Budget
I092430	Cummings Street Units Rent	-21,476	10,738	-10,738	Adjustment to Budget
I111410	Property Leases	0.00	-50,922	-50,922	Omitted from Budget
I114010	MRC&LC - Grants and Contributions	-120,000	120,000	0.00	Basketball/Netball Resurfacing
I114010	MRC&LC - Grants and Contributions		-38,000	-38,000	Contribution towards Alfresco area
E114500	Land and Buildings (Capital)	190,000	-175,000	15,000	Basketball/Netball Resurfacing
E163135	Transfer to Recreation Facilities Reserve	16,461	55,000	71,461	Basketball/Netball Resurfacing
E114501	MRC&LC Alfresco Area - L & B	0.00	38,000	38,000	Omitted from Budget
		-45,615	-21,811	-67,426	

At this stage it is proposed to leave the additional \$21,811 unallocated and deal with it in January 2016 at the time of the statutory budget review and any adjustment between the budget brought forward and the actual position.

Policy Implications

Nil

Statutory Implications

Section 6.8 of the Local Government Act 1995 states:

“6.8. Expenditure from municipal fund not included in annual budget

- (1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure —
- (a) is incurred in a financial year before the adoption of the annual budget by the local government; or
 - (b) is authorised in advance by resolution*; or
 - (c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

(1a) In subsection (1) —

additional purpose means a purpose for which no expenditure estimate is included in the local government's annual budget.

(2) Where expenditure has been incurred by a local government —

(a) pursuant to subsection (1)(a), it is to be included in the annual budget for that financial year; and

(b) pursuant to subsection (1)(c), it is to be reported to the next ordinary meeting of the council."

Strategic Implications

Service Area: 5.2 Strategic Advice, General Management & Governance

Activities: Strategic Planning and implementation of SCP, CBP and annual plans

Link to Vision: Developing

Link to Strategic Priorities: Civic Leadership

Service Level: Strategic Community Plan and Corporate Business 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

Nil at this time.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Anderson

81669 That, in accordance with Section 6.8 of the *Local Government Act 1995*, the following budget variations be authorised:

Account Code	Account Description	Current Budget	Adjustment	New Budget	Comments
E041040	Election Expenses	15,000	11,000	26,000	Additional Funds Required for Extra Ordinary Election
I072060	Medical Centre Income	-32,600	2,963	-29,637	Adjustment to Budget
I092410	Other Housing Rentals	-93,000	4,410	-88,590	Adjustment to Budget
I092430	Cummings Street Units Rent	-21,476	10,738	-10,738	Adjustment to Budget
I111410	Property Leases	0.00	-50,922	-50,922	Omitted from Budget
I114010	MRC&LC - Grants and Contributions	-120,000	120,000	0.00	Basketball/Netball Resurfacing
I114010	MRC&LC - Grants and Contributions		-38,000	-38,000	Contribution towards Alfresco area
E114500	Land and Buildings (Capital)	190,000	-175,000	15,000	Basketball/Netball Resurfacing
E163135	Transfer to Recreation Facilities Reserve	16,461	55,000	71,461	Basketball/Netball Resurfacing
E114501	MRC&LC Alfresco Area - L & B	0.00	38,000	38,000	Omitted from Budget
		-45,615	-21,811	-67,426	

CARRIED BY ABSOLUTE MAJORITY 7/0

21.4 Integrated Planning and Reporting - Monitoring Review 2015

Community Services



Reporting Officer:	Rebecca McCall, DCEO
Author:	As above
Legislation:	<i>Local Government Act 1995</i>
File Reference:	CM/13/4
Disclosure of Interest:	Nil
Attachments:	Attachment 21.4A - Integrated Planning and Reporting – Monitoring Review 2015
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

In 2012/13 the Shire of Merredin prepared its first suite of plans to meet the requirements of Western Australia's Integrated Planning and Reporting (IPR) framework:

- Strategic Community Plan (SCP)
- Long Term Financial Plan (LTFP)
- Asset Management Plan (AMP)
- Workforce Plan (WFP)
- Corporate Business Plan (CBP)

Council have the responsibility to make strategic decisions, set policy and direction and provide oversight and monitor to ensure the adopted plans are achieved on behalf of their community.

The CEO and the Administration's IPR responsibilities are to support Council through:

- the design of the planning and monitoring processes
- providing Council with the best available information to make decisions
- follow through to implement plans with the allocated resources
- track performance and report progress to Council

Council's IPR process plan outlines the strategic and monitoring framework, baseline indicators, key performance measures and planning cycle. The IPR framework forms an integral part of daily operations of the organisation to achieve a good standard of practice.

Comment

With the implementation of the suite of plans, monitoring is undertaken through the IPR Process Plan. The IPR - Monitoring Review 2015 outlines Merredin's Baseline Report to include:

- Community Well-Being Indicators
- Vision Elements
- Corporate Business Plan Indicators
- Workforce Performance Measures

Policy Implications

Nil

Statutory Implications

It is a requirement to produce a plan for the future under Section 5.56(1) of the *Local Government Act 1995*. The IPR Framework has been introduced in Western Australia as part of the State Government's Local Government Reform Program.

Strategic Implications

Service Area: 5.2 Strategic Advice, General Management and Governance

Activities: Strategic Planning and implementation of SCP, CBP and annual plans

Link to Vision: Developing

Link to Strategic Priorities: Civic Leadership

Service Levels: Strategic Community Plan and Corporate Business Plan in pace

Service Level Change: No change

Sustainability Implications

- [Asset Management Plan](#)

Nil

- [Long Term Financial Plan](#)

Nil

- [Workforce Plan](#)

Nil

Financial Implications

There are financial implications to Council in relation to this item as the adopted Plans identify outcomes. Identified outcomes from the Plans are factored into Council's long term financial planning.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Flockart

81670 That the Integrated Planning and Reporting – Monitoring Review 2015 be received.

CARRIED 7/0

22. Officer's Reports – Administration

22.1 Regional Christmas Trading Extension

Administration



Responsible Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	GR/17/61
Disclosure of Interest:	Nil
Attachments:	Attachment 22.1A - Correspondence
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Correspondence has been received from Department of Commerce extending the opportunity for the Shire of Merredin to adopt a standard package of trading hours for local businesses over the Christmas period.

Comment

As suggested in the correspondence, the trading hours of 7.00am to 9.00pm Monday to Friday, 7.00am to 6.00pm on Saturdays and 8.00am to 6.00pm on Sundays and Public Holidays (excluding Christmas Day) will be available from Saturday 5 December 2015 to Friday 1 January 2016 inclusive.

The decision to open or not during the proposed trading hours is entirely at the discretion of the individual retailer.

The Wheatbelt Business Network, of which the Shire of Merredin is a member, has been promoting its "Think Local First" campaign for the last few years and it is important that the Shire support different mechanisms for local retailers to grow and prosper.

In adopting the Officer's Recommendation it is hoped that by allowing local businesses the option to open during the above times that people will be able and therefore more inclined to shop local rather than travelling to the metropolitan area to access the extended retail trading hours offered there.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

Service Area: 4.2 Economic Development
Activities: Regional and local economic development
Link to Vision: Developing
Link to Strategic Priorities: Economic development
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 Blakers

Seconded: Cr Willis

81671 That Department of Commerce be advised the Shire of Merredin accepts the proposal to adopt a standard package of trading hours for the 2015 Christmas period being 7.00am to 9.00pm Monday to Friday, 7.00am to 6.00pm on Saturdays and 8.00am to 6.00pm on Sundays and Public Holidays (excluding Christmas Day) will be available from Saturday 5 December 2015 to Friday 1 January 2016 inclusive.

CARRIED 7/0

22.2 Shire of Merredin Christmas/New Year Opening Hours

Administration



Responsible Officer:	Greg Powell, Chief Executive Officer
Author:	Vanessa Green, Executive Assistant to CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Nil
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

For the last few years Council venues have closed during the Christmas/New Year period as it is an extremely quiet period with minimal public visitations and phone enquiries. It is common for many residents of the Shire to travel elsewhere at this time of year with many other businesses also closing.

A number of staff have substantial leave accruals and therefore it is preferential that staff are encouraged to utilise this time to spend with family and friends.

Comment

As Christmas Day falls on a Friday, the Boxing Day Public Holiday will be observed on Monday 28 December 2015, meaning Council offices will be closed on both those days. Similarly, New Year's Day (Public Holiday) will also be a Friday meaning Council offices will be closed on that day.

It is therefore requested that Shire venues remain closed from Tuesday 29 to Thursday 31 December 2015. The venues will reopen as usual on Monday 4 January 2016.

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

On-call arrangements will be put in place prior to the proposed Christmas closure to ensure emergencies can be responded to. Senior staff will be available on mobile phone and emergency contact details will also be advertised.

Policy Implications

Nil

Statutory Implications

Nil

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

Staff will be required to take time in lieu, annual leave or accrued rostered days off. These costs are contained within the 2015/16 Budget.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That Council venues close for the Christmas/New Year period from Tuesday 29 December 2015 to Thursday 31 December 2015 inclusive and that the hours of operation and emergency contacts be extensively advertised to the community.

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Blakers

81672 That Council venues close for the Christmas/New Year period from Tuesday 29 December 2015 to Thursday 31 December 2015 inclusive, with the exception of the Central Wheatbelt Visitors Centre which will operate on modified hours, and that the hours of operation and emergency contacts be extensively advertised to the community.

CARRIED 7/0

22.3 Council Meeting Dates for 2016

Administration



Responsible Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Nil
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

In accordance with Regulation 12(1) of the *Local Government (Administration) Regulations 1996*, at least once each year a local government is to give local public notice of the dates, times and place at which the Ordinary Meetings of Council are to be held in the next 12 months.

As such, the Shire of Merredin is required to advertise the meeting dates for the Ordinary Meetings of Council for 2016.

Comment

In previous years the Ordinary Meetings of Council have been held on the third Tuesday of every month commencing at 3.00pm. Council may wish to revise the day on which the Meetings are held and/or their commencement time, however the Officer's Recommendation makes the assumption that Council does not wish to make any changes.

Policy Implications

Policy 1.11 Council Meetings applies.

Statutory Implications

Regulation 12(1) of the *Local Government (Administration) Regulations 1996* applies.

Strategic Implications

Service Area: 5.5 Administration
Activities: Prepare meeting agendas and complete minutes
Link to Vision: Developing
Link to Strategic Priorities: Civic leadership
Service Level: Nil
Service Level Change: No service level change

Sustainability Implications

➤ Asset Management Plan

Nil

➤ Long Term Financial Plan

Nil

➤ Workforce Plan

Nil

Financial Implications

Funds are included in the 2015/16 Budget at *E041110* to cover any costs associated with conducting Council meetings.

Funds are included in the 2015/16 Budget at *E042250* to advertise and promote the dates of Council meetings.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Willis

81673 That the 2016 Ordinary Meetings of Council be held in the Council Chambers of the Shire Administration Centre on the following dates commencing at 3.00pm:

Tuesday 19 January 2016

Tuesday 19 July 2016

Tuesday 16 February 2016

Tuesday 16 August 2016

Tuesday 15 March 2016

Tuesday 20 September 2016

Tuesday 19 April 2016

Tuesday 18 October 2016

Tuesday 17 May 2016

Tuesday 15 November 2016

Tuesday 21 June 2016

Tuesday 20 December 2016

and that the above dates be extensively advertised and promoted to the local community.

CARRIED 7/0

22.4 Councillors and Staff Christmas Function

Administration



Responsible Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Nil
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

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

Council Policy 1.12 - Annual Christmas Function states that an agenda item be presented to Council by no later than November each year requesting Council confirm the date and venue of the function.

Comment

The last 2 Christmas functions were held at the Northside Tavern in the form of a set menu buffet. The venue choice allows all staff to participate in the festivities without the need for them to work in the set-up of the event/venue, during the evening or in the clean-up of the event/venue, as would be required if the function was held at a Shire venue.

Therefore, in an effort to reduce the burden on staff it is proposed that the 2015 Christmas function again be held at the Northside Tavern. Additionally, due to the anticipated number of attendees (i.e. 60-100 persons) other venue options within Merredin are somewhat limited. It is suggested the function be in the form of a set menu buffet on Friday 18 December 2015. The Tavern has confirmed this date is available and to avoid a possible clash in bookings a temporary reservation has been made.

Policy Implications

Policy 1.12 Annual Christmas Function states:

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

Statutory Implications

Council’s Code of Conduct applies.

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

An allocation is included in the 2015/16 Budget at E041110.

Voting Requirements



Simple Majority



Absolute Majority

Officer’s Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Crees

81674 That the Shire of Merredin 2015 annual Christmas function be held at the Northside Tavern in the form of a set “Christmas style” buffet menu on Friday 18 December 2015 for Councillors, staff and their partners.

CARRIED 7/0

22.5 2015 Shire of Merredin Extraordinary Election

Administration



Responsible Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	GR/17/51 & G/7/16
Disclosure of Interest:	Nil
Attachments:	Attachment 22.5A – Correspondence & Election Timetable
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Due to 1 of the 5 available Council positions not being filled during the nomination period of the 2015 local government ordinary elections, an extraordinary election for the Shire of Merredin is required to fill the final Council position.

The Western Australian Electoral Commission (WAEC) was approached to provide a quotation to conduct the election, as the WAEC have conducted the ordinary elections for the Shire of Merredin for many years with no known issues arising.

Comment

As seen in the Election Timetable, a January 2016 election is the earliest possible date that an election can be held. The timeline will put the election day 2 business days prior to the January Council meeting. Should only 1 nomination be received the process can be resolved by 9 December 2015, allowing the new Councillor to be sworn in at the December 2015 meeting.

The benefits of having the WAEC conduct the extraordinary election as a postal election include:

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

It is therefore proposed that the WAEC conduct the 2015 Extraordinary Election via postal vote.

Policy Implications

Nil

Statutory Implications

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

Strategic Implications

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

The WAEC have provided a written quotation of \$10,500 to conduct the extraordinary election. This amount is an estimate only and may increase or decrease, depending on the circumstances of nominations and the subsequent electoral process required.

\$15,000 is included in the 2015/16 Budget at Account E041040 for election expenses however this was to fund the 2015 ordinary election. While it's likely that the amount charged by the WAEC will be less than the original \$14,500 quoted, (due to the fact a postal vote was not required), essentially funds to conduct an extraordinary election have not been included in the 2015/16 Budget. At the time of the agenda being distributed an invoice from the WAEC for the ordinary election had not been received.

Any overspend will be fully detailed as part of the Budget Review process.

It should be noted that the quote provided by the WAEC does not include non-statutory advertising (i.e. advertising in the Merredin Mercury). These additional costs will be borne by the Shire.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Blakers

81675 That:

1. in accordance with Section 4.20(4) of the *Local Government Act 1995* the Electoral Commissioner is to be responsible for the conduct of the extraordinary election; and
2. in accordance with Section 4.61(2) of the *Local Government Act 1995* the method of conducting the extraordinary election will be as a postal election.

CARRIED BY ABSOLUTE MAJORITY 7/0

22.6 Welcome/Farewell Dinner for Councillors

Administration



Responsible Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Policy 1.4; Policy 1.13
Disclosure of Interest:	Nil
Attachments:	Nil
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

In accordance with Council Policy, following the local government elections Council holds a formal dinner to welcome newly elected Councillors and farewell retiring Councillors. The purpose of this agenda item is for Council to set a date and format for the dinner.

Comment

As not all positions on Council were filled, the previous agenda item dealt with the need for an extraordinary election to occur. In determining the date for the function Council need to consider the timing of the extraordinary election, harvest, the Christmas/New Year period and school holidays. It may therefore be preferable for Council to hold the function in late January or during February 2016.

In terms of format, Council have a number of options. In 2013 the function was held at Café 56 with a buffet style roast with vegetables/salads. Previous functions were held in the function/lounge room at the Shire Administration. Council may again wish to “book out” one of the restaurant venues in town, alternatively it may be possible to arrange for a community or sporting group to cater the function at the Tivoli Room or the function/lounge room at the Shire Administration.

If all invitees were able to attend, numbers would be between 25-30.

Given the number of variables applicable to this year’s function, no arrangements have yet been made.

Policy Implications

Council Policy 1.13 Council Bi-Annual Dinner Function states:

“That Council hold a formal dinner function every two years following the local government election:

- 1. to formally recognise the contributions of all Councillors to the Shire of Merredin;*
- 2. to farewell and acknowledge retiring Councillors; and*
- 3. to welcome newly elected Councillors.*

Where possible, the function held to recognise retiring Councillors (whether they voluntarily retire or retire through not being re-elected), shall be held in conjunction with a function to welcome newly elected Councillors.

The Invitation List is to include:

- 1. Retiring Councillors and partner/guest;*
- 2. Newly Elected Councillors and partner/guest;*
- 3. Chief Executive Officer and partner/guest; and*
- 4. Executive Managers and partner/guest.*

Once Council has set the date for the dinner function, the Chief Executive Officer is to arrange catering, bookings and final arrangements.”

Council Policy 1.4 Retirement of Councillors – Gift and Function states:

“Upon retirement of a Councillor, an official presentation and function shall be held to recognise the Councillor’s service to the Council.

A gift shall be presented to the Councillor, as follows:

- 1. suitably inscribed with the Council crest (or another presentation of similar value) and a presentation plaque.*
- 2. In the event a Councillor has also served as a Shire President, an additional presentation as considered appropriate by Council.*

Where possible, the function held to recognise retiring Councillors (whether they voluntarily retire or retire through not being re-elected), shall be held in conjunction with a function to welcome newly elected Councillors following the bi-annual local government elections – refer to Policy 1.14.”

Statutory Implications

Nil

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

Costs associated with the dinner and gift are included in the 2015/16 Budget at account E041110 Refreshments and Receptions.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Blakers

Seconded: Cr Crees

81676 That the bi-annual welcome/farewell dinner for Councillors be held on Tuesday 9 February 2016 in the Council Function Room in the form of a catered function.

CARRIED 7/0

22.7 Community Forums

Administration



Responsible Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	CR/17/26
Disclosure of Interest:	Nil
Attachments:	Attachment 22.7A – Forum Notes
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Council again conducted community forums in Burracoppin, Hines Hill and Muntadgin during 2015. The notes from each forum are provided for Council's information.

Comment

The forums were designed to provide the community with another avenue for communicating with Council, however attendance numbers of both Councillors and members of the public vary from year to year for each forum.

Determining the most suitable day and time for hosting the forums around work, school, seasonal and other commitments which would suit the most people has been difficult with common comments being received that the timing of the forums isn't convenient, or that people weren't aware the forums were being held.

Issues relating to roadworks and rates are the most common topics covered. From the Administration's point of view it would be preferable if issues relating to those 2 matters were raised with staff at the time of the issue becoming apparent. This enables a prompt response and resolution to the matter, as opposed to having the ratepayer being frustrated by the issue until such time of the next forum.

Additionally, if the issue relates to an specific individual and/or property a public forum may not be the most appropriate setting to have the matter discussed in any detail. This then prolongs the length of time that the issue remains unresolved as separate conversations are required at a later time.

As there are a number of ways in which members of the community can communicate with Council it is proposed that the forums be put on hold for a period of time. Should there be sufficient interest from the community to recommence the forums the decision to postpone them can be revisited.

An alternative to the forum for Muntadgin (due to the distance residents would be required to travel to visit Merredin) could be that a Council meeting be held in the town, providing an opportunity to meet with Councillors and staff either during the meeting or afterwards.

Policy Implications

Nil

Statutory Implications

Nil

Strategic Implications

Service Area: 4.1 Community Development

Activities: Events

Link to Vision: Community Spirit; Inclusive; Liveable

Link to Strategic Priorities: Community involvement/support

Service Level: Nil

Service Level Change: Nil

Sustainability Implications

➤ Asset Management Plan

Nil

➤ Long Term Financial Plan

Nil

➤ Workforce Plan

Nil

Financial Implications

Funds were included in the 2015/16 Budget for hosting the forums.

Although the cost (not including staff time) of conducting the forums is relatively small (approx. \$1,000 per annum) the amount can be spent elsewhere for, potentially, a greater impact.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That:

1. Council receive the notes from the Burracoppin, Hines Hill and Muntadgin community forums; and
2. until such time as there is further interest from the community, Council postpones holding community forums in Burracoppin, Hines Hill and Muntadgin.

Resolution

Moved: Cr Crees

Seconded: Cr Willis

81677 That:

1. Council receive the notes from the Burracoppin, Hines Hill and Muntadgin community forums; and
2. feedback be sought from the communities on the value of the forums and should there be a lack of interest Council will consider postponing holding community forums in Burracoppin, Hines Hill and Muntadgin.

CARRIED 5/2

22.8 Policy Options to Increase Elected Member Training Participation – WALGA Discussion Paper

Administration



Responsible Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	<i>Local Government Act 1995</i>
File Reference:	GR/17/11
Disclosure of Interest:	Nil
Attachments:	Attachment 23.8A – Discussion Paper
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

As a result of calls for increased participation in Elected Member training in WA, WALGA is undertaking a consultation process across the local government sector to explore policy options to increase Elected Member participation in training relevant to their role as representatives of the community.

Local government plays a pivotal role within the community and it can be challenging when weighing up the community needs while also adhering to legislative and regulatory requirements. It is important that Elected Members and Council fully appreciate the significance of their role and are competent in overseeing what are often complex public organisations.

The Minister for Local Government, the Department of Local Government and Communities (DLGC) and other stakeholders have recommended that Elected Member training should be made mandatory or incentivised through the Elected Member remuneration framework.

As a comparison Australia-wide, Elected Member training is compulsory in South Australia with newly elected members required to undertake training within their first 12 months. The New South Wales Local Government Independent Review Panel has recommended the introduction of mandatory training for Elected Members be linked to the remuneration system. Indeed, in all Australian jurisdictions, a common feature of nearly every inquiry into governance failures at an individual Council, or a more general review of local government capacity and capability, is a recommendation for an increase in Elected Member participation in training.

A Discussion Paper has been prepared and WALGA is seeking feedback from Councils, prior to 30 October 2015, which will enable consideration of the matter at the November 2015 round of Zone meetings and subsequent State Council meeting scheduled for December 2015.

Comment

Policy development aimed to increase participation in Elected Member training is considered a desirable policy goal for Elected Members, Council and the local government sector as a whole. Training and professional development can be valuable in assisting Elected Members navigate their way through the increasingly complex and demanding role. For an Elected Member to be able to make a meaningful contribution to their Council, training on the key responsibilities of the position can be extremely beneficial.

Councils also benefit from Elected Member training. As the strategic decision making body of the Local Government, it is crucial that Councils understand their responsibilities and possess the appropriate skills and understanding to make informed strategic decisions on behalf of their communities.

The Discussion Paper explores 6 policy options, being:

1. Enhance the desirability of training offerings;
2. Delivery of best practice Council induction programs,
3. Require Councils to adopt a training policy;
4. Require candidates to attend training prior to nominating for election;
5. Incentivise training through the remuneration framework; and
6. Mandate training for newly Elected Members.

The Discussion Paper makes a point that training should be made as accessible as possible. This is particularly important in WA as many local governments are in rural or remote areas with varying degrees of internet and phone coverage. Travelling to Perth for, in some cases, days at a time to attend training is not always possible and can be seen as a hindrance and/or barrier to attending training. The costs to the local government in accommodation, travel etc and the Elected Member (i.e. time away from home or their occupations) can be considerable and can make attending training in person difficult.

In providing its feedback to WALGA Council should consider the following questions:

1. Best Practice Induction Programs – does Council support Local Governments adopting and delivering a structured and thorough Council induction program? If so, should legislation be changed for this to be a requirement, or should it remain voluntary?
2. Training and Development Policy – does Council support legislative amendments to require all Councils to review and adopt an Elected Member Training and Development Policy following every biennial election?
3. Candidate Requirements – does Council support legislative amendment to require candidates to attend an information session or complete an equivalent online information session prior to nominating for election?

4. Incentivised Training – does Council support legislative amendments to enable Elected Members to be paid additional allowances commensurate with the level of training undertaken? If so, how should the fees and allowances framework be structured? i.e. should Elected Members be paid a specified annual amount, a percentage bonus or using some other method?
5. Mandatory Training – does Council support legislative amendment to require Elected Members to be required to undertake foundation training (such as the Elected Member Skill Set or equivalent)?
 - a. Should mandatory training be applied to all Elected Members or only to newly elected Elected Members?
 - b. For newly elected Elected Members, what is the appropriate timeframe within which training should be completed?
 - c. What is the appropriate penalty for non-completion of the required training?

Table 8 on pages 29/30 of the Discussion Paper summarises the advantages and disadvantages of the 6 policy options, which are discussed in more detail below:

Enhance desirability of training offerings

This policy option attempts to increase Elected Member training participation by ensuring training is offered in desirable locations and formats. A benefit of pursuing this option is that it would not require significant policy or legislative change or a change to the Elected Member remuneration framework.

WALGA, in conjunction with the DLGC, recently undertook Elected Member training in regional areas, subsidised by funding through Royalties for Regions. 308 Elected Members across the 8 WALGA Zones attended the training and feedback from the participants indicates they found the training to be extremely valuable to their personal learning objectives.

Disadvantages to this approach is that some Elected Members may not seek further training or skill development and the funding from Royalties for Regions may not be consistently forthcoming.

Delivery of best practice Council induction programs

Council currently has a Councillor Induction Policy (Policy 1.10) which details the documents to be provided to a newly elected Councillor upon the commencement of their term. It is also normal practice for Executive Staff to run through these documents, various protocols and processes with the newly elected Councillor(s). However, it could be said that the process is far from “best practice” with many larger local governments providing newly Elected Members with a formalised induction process over a number of days, and in some cases, over a period of weeks.

The adoption and delivery of a best practice induction program could either be voluntary or through legislative change requiring local governments to provide an induction program to a particular standard.

The benefit of this policy option is that it would be easy to implement and may not require significant legislative or policy change. An induction program would likely already exist in most local governments as the first point of learning for an Elected Member.

A disadvantage to this approach is that this is not a replacement for formal Elected Member training. Additionally, given the variance in local governments around the State mandating the format and information to be provided to newly Elected Members may make portions of the induction irrelevant in some smaller local governments.

Require Councils to adopt a training policy

An option for WA could be for the Local Government Act 1995 to be amended to require Councils to adopt a training policy that would specify that Elected Members should aim to complete training upon their election and during their first and subsequent terms. It could also be made a requirement that the training and development policy be reviewed and updated following every biennial election.

The benefit of this approach would ensure that Elected Members have access to suitable training and skill development and would ensure that each Council continuously reviews the training and development needs of its Elected Members.

However, if this was to be implemented in isolation, the policy may not achieve the desired outcome and further Government legislative or policy intervention may be required. Additionally, it would add a compliance requirement to all local governments if a training and development policy was to be implemented.

Require candidates to attend training prior to nominating for election

Another policy option is for candidates to be required to attend an introductory training session or an information session prior to their nomination for Council being accepted.

This policy would ensure that candidates have an awareness of the roles and responsibilities of an Elected Member prior to their nomination for election to Council. This would provide a greater understanding of the Local Government legislative framework.

If legislation were to be changed to require potential candidates to attend a training or information session, or complete an online module, it may be considered more appropriate for the material to be provided by the Department of Local Government and Communities.

An advantage of this policy option is that it may dissuade some “single issue” candidates from nominating once they have an understanding of the local government legislative framework, particularly in relation to conflicts of interest. It would also enable the candidates to obtain an idea of their obligations and role.

Disadvantages to this option are that such an approach may create a barrier to nominating for some candidates. Additionally, ensuring access for all candidates to the training or information session could be a practical challenge given the lack of access to online resources in some communities within the State.

Incentivise training through the remuneration framework

Elected Members are remunerated in one of two ways:

1. a meeting attendance fee for each Council, Committee or prescribed meeting attended; or
2. an annual allowance in lieu of meeting fees (as is the case in Merredin).

There are a number of options that could be applied to the Elected Member remuneration framework to incentivise greater participation in training, some of which may require legislative change.

The first option is for the Elected Members to be paid an annual “training allowance” if they have met specified training standards.

The second option is for Elected Members to receive a percentage bonus of their meeting fee or annual allowance for completing specified training. This would be tiered with Elected Members who have completed the Elected Member Skill Set or equivalent eligible for a percentage bonus and Elected Members who have completed advanced training, such as the Diploma of Local Government (Elected Members) or the Company Directors Course, eligible for a greater bonus.

By providing a monetary incentive, it is expected that increase in training participation will be successful compared to some of the other options. In addition, by linking training participation with the Elected Member remuneration framework would explicitly recognise the additional capacity and capability that Elected Members who have undertaken training will bring to their role as Elected Members.

The disadvantages to this approach include the complexity that would be added to the remuneration framework and the additional compliance requirements to local governments to ensure that each Elected Member is remunerated appropriately. Additionally, consideration should be given to smaller local governments’ ability to pay increased remuneration.

Mandate training for newly elected Elected Members

The Discussion Paper suggests that only foundation training would be suitable for a mandatory training regime at this stage as advanced training is considered to be too onerous for all local governments.

Further considerations under this policy option include whether mandatory training would be provided to all Elected Members or only those newly elected, the timeframe to complete the training and the consequences for non-completion.

While mandatory foundation training would increase training participation and provide newly Elected Members with a reasonable level of knowledge soon after commencing their role it may not be possible for all local governments to resource the provision of training and to ensure compliance. Additionally, mandating training could be seen as a barrier preventing some candidates from nominating for election. For a local government where attracting candidates is already difficult, this could be particularly challenging.

It is also argued that since other levels of government are not subject to a mandatory training regime, training for local government Elected Members should not be mandatory.

In the longer term, given the fact that the Minister for Local Government, the Department of Local Government and Communities (DLGC) and other stakeholders have publically recommended that Elected Member training should be incentivised through the Elected Member remuneration framework or made mandatory, and that this is indeed the case in other States of Australia, it may be a case of not “if” but “when” for Western Australian local governments. Should that be so, it could be expected that the State Government provides the additional funding to enable the mandates to be implemented.

Policy Implications

Nil at this time. At this stage WALGA is only seeking feedback from local governments.

Statutory Implications

There are potential legislative implications should Elected Member training become mandatory. However, whether (or perhaps when) that will occur cannot be known at this time.

Therefore, until such time as any legislative changes are proposed or released, other than an additional compliance matter for local governments to deal with, the full implications of any legislative changes to Elected Member training cannot be known.

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**

If Elected Member training becomes mandatory it could be expected that Council’s training expenses will need to increase. The level of such an increase is unknown at this time.

➤ **Workforce Plan**

Nil

Financial Implications

Nil at this time however as suggested above, if Elected Member training becomes mandatory it could be expected that Council’s training expenses will need to increase.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Anderson

Seconded: Cr Crees

81678 That:

1. Council advise WALGA that Council supports the following options to increase Elected Member training participation, with the expectation that the State Government will subsidise training expenses for rural and remote local governments:
 - a. Enhance the desirability of training offerings;
 - b. Delivery of best practice Council induction programs,
 - c. Require candidates to attend an information session prior to nominating for election; and
 - d. Mandate training for newly Elected Members.
2. particular consideration should be given to the following scenarios:
 - a. training, relevant to the size of the local government, should be made available both online, via webinar and in person, and where in person, at regional/rural locations on a regular basis with subsidised funding from the State Government;
 - b. best practice inductions programs should be developed by the Department of Local Government and Communities in consultation with WALGA and include a template for the training policy;
 - c. pre-nomination information sessions should be developed by the Department of Local Government and Communities in consultation with the WA Electoral Commission and WALGA, be conducted via webinar and/or online lasting no more than 1 hour, and be held at various times in the lead up to the close of nominations, as well as being made available online for viewing outside the election timeframe; and
 - d. mandated training should be applicable only for newly Elected Members and be undertaken within the first 12 months of their term, in the form of WALGA's Elected Member Skill Set, with consideration given to the comments within point 2a above, and with remuneration as an annual allowance in line with the current Salaries and Allowances Tribunal categories (4 bands) of local government.

CARRIED 7/0

22.9 CEACA (Inc) – Expressions of Interest – Royalties for Regions Funding – Stage 1 – Land Assembly

Administration



Reporting Officer:	Greg Powell, CEO
Author:	As above
Legislation:	<i>Local Government Act 1995 and Local Government (Functions and General) Regulations 1996</i>
File Reference:	GR/09/13
Disclosure of Interest:	Nil
Attachments:	Attachment 22.9A - Access Housing Assessment Report (Confidential)
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision



Legislative Requirement

Background

The Shire of Merredin auspiced a successful application for Royalties for Regions funding on behalf of CEACA (Inc). This was agreed as CEACA was not incorporated at the time the funding applications closed. This means that all parties are bound by the provisions of the *Local Government Act 1995* in dealings with the grant.

Comment

In order to commence the project, expressions of interest were recently advertised for technical expertise in the land assembly project. A copy of the Assessment Report prepared by Access Housing on Council's behalf of the expressions received will be circulated under separate cover as it should be treated as confidential.

The Assessment Report outlines the process undertaken and makes recommendations on actions to be taken. The recommendations are supported with the amendment that the Shire of Merredin is responsible for delivery of the project although CEACA (Inc) will be advised of the process and the outcomes.

Policy Implications

Nil

Statutory Implications

The *Local Government (Functions and General) Regulations 1996* were recently amended to lift the tender threshold from \$100,000 to \$150,000 however as the expressions of interest were expressed as a schedule of rates rather than a lump sum contract it is not known at this point what the total outlay will be. It is therefore prudent to proceed on the basis of a restricted tender.

Strategic Implications

Service Area: 4.1 Community Development

Activities: Aged Care and Accommodation

Link to Vision: Community Spirit; Inclusive; Liveable

Link to Strategic Priorities: Regional Collaboration; Key assets – land and buildings

Service Level: Aged Care – currently developing an “Aged Care Strategy” with 10 Councils

Service Level Change: Aged Care – new independent living units to be constructed across the region with State and Commonwealth funding

Sustainability Implications

➤ Asset Management Plan

Any assets created from expenditure of the grant will eventually be vested with CEACA (Inc) and will not be an impost on Council’s resources.

➤ 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

81679 That tenders be called from those companies shortlisted in the Access Housing Expression of Interest Assessment Report.

CARRIED BY ABSOLUTE MAJORITY 7/0

23.	Motions of which Previous Notice has been given
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Nil

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

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

26.	Matters Behind Closed Doors
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Nil

27.	Closure
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There being no further business the President thanked those in attendance and declared the meeting closed at 5.31pm.