

SHIRE OF MERREDIN



“Heart of the Wheatbelt”

MINUTES OF ORDINARY COUNCIL MEETING

22 October 2013

MINUTES OF THE SHIRE OF MERREDIN COUNCIL MEETING
TUESDAY 22 OCTOBER 2013

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**Minutes of the Ordinary Meeting of the Shire of Merredin held in the Council
Chambers, Corner King and Barrack Streets, Merredin on
Tuesday 22 October 2013 commencing at 3.02pm.**

ATTENDANCE:

- Councillors: K Hooper
M Crees
B Anderson
D Hayes-Thompson
- Councillors Elect: John Flockart
Malcolm Willis
Maria Young
- Staff: G Powell Chief Executive Officer
E Arnold Executive Manager of Corporate and
Community Services
M Ioppolo Executive Manager of Development Services
S Lowe Media Officer
- Mrs G Banks Justice of the Peace
David Willis
Yonnie Willis
- Note: Councillor elect, Caroline Blakers was unable to attend this
meeting.
-

1.0 OFFICIAL OPENING

The Chief Executive Officer opened the meeting at 3.02pm. Mrs Gloria Banks JP, Mr & Mrs Willis, Evelyn Arnold, Mario Ioppolo and Laura Galic (Merredin Mercury) were in attendance.

2.0 SWEARING IN OF COUNCILLORS-ELECT

In accordance with Section 2.29 of the Local Government Act 1995, Mrs Gloria Banks, Justice of the Peace swore in Councillors-elect Maria Young, John Flockart and Malcolm Willis.

3.0 ELECTION OF SHIRE PRESIDENT

The Chief Executive Officer called for nominations for the position of Shire President for a two year term. A nomination was received for Councillor Ken Hooper. As there were no further nominations, Councillor Hooper was declared elected.

4.0 ELECTION OF DEPUTY SHIRE PRESIDENT

The President called for nominations for the position of Deputy Shire President. A nomination was received for Councillor Mark Crees. As there were no further nominations Councillor Crees was declared elected.

Mrs Banks swore in Councillor Hooper and Councillor Crees to their respective positions.

The President thanked Mrs Banks for her assistance and words of encouragement. Cr Anderson presented Mrs Banks with a token of appreciation.

Gloria Banks, Mario Ioppolo and Evelyn Arnold left the meeting at 3.15pm.

5.0 DRAW FOR THE POSITION AT THE COUNCIL TABLE

Council's Standing Orders Clause 8.2 indicates *"At the first meeting held after each ordinary elections day, the Chief Executive Officer 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."*

This matter was deferred until the last item of business whereupon it was delegated to the CEO to determine the seating positions of Councillors.

6.0 PUBLIC QUESTION TIME

6.1 Presentation

Mrs Donna Crook presented Council with a cheque for \$4,000 (the sum paid to Mrs Crook during her tenure as Councillor while on approved leave of absence) with the proviso that the money is put towards redevelopment of the skate facilities in Apex Park. The President thanked Mrs Crook for her gesture and accepted the cheque.

6.2 Fees and Charges – Merredin Swimming Pool
(Attachment 6.1A)

Robyn Jones and Donna Whisson from the Merredin Amateur Swimming Club enquired as to how Council had arrived at the new \$500 annual fee to the Club for the use of the pool over the 2013/2014 summer season. They proposed several alternatives, including the abolition of the fee entirely, given that all Club members (and members of their families) pay for admission to the facility; or that, if the \$500 fee is to be charged, that the pool be closed to the public sooner on training days.

The President advised that their proposal would be taken on notice and considered by Council.

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Robyn Jones, Donna Whisson, Donna Crook and Laura Galic left the meeting at 3.34pm

7.0 DELECTION OF COMMITTEE DELEGATES, CURRENT DEPUTIES AND VARIOUS DELEGATES DRAW FOR THE POSITION AT THE COUNCIL TABLE

7.1 ESTABLISHED BY THE SHIRE OF MERREDIN

Listed below are the current Committees established by the Shire of Merredin.

Under the Local Government Act 1995 Section 5.10, 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.

In respect to Deputies, Council protocol appoints the Councillors who are not members to the Committee as Deputies so they are able to attend and participate in Committee meetings to ensure quorums.

Council should review these appointments to determine if they are required or if representation is required on other Committees.

Audit Committee

Current Members: Cr McFarlane, Cr D Morris, Cr M Morris and Cr Hooper

Deputies: All other Councillors

Membership: 5 Councillors

Quorum: 3 Councillors

Purpose: To provide guidance and assistance to the Local Government as to the carrying out of its functions in relation to audits carried out under Part 7 of the Act and as to the development of a process to be used to select and appoint a person to be an auditor and may provide guidance and assistance to the Local Government as to matters to be audited, the scope of audits, its functions under Part 6 of the Act and the carrying out of its functions relating to other audits and other matters related to financial management. (Clause 16 Local Government (Audit) Regulations 1996)

Meeting cycle: At least once annually to recommend the adoption of the Annual Report

Merredin Shire Bush Fires Advisory Committee

Current Members: Cr Crees

Deputies: All other Councillors

Membership: 1 Councillor and Fire Control Officers

Quorum: At least 50% of members

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Purpose: To enable the communication and coordination of Bush Fire related matters within the Shire.
Meeting cycle: Ad hoc

Eric Hind Musical Scholarship Committee

Current Members: Cr McFarlane
Deputies: All other Councillors
Membership: 1 Councillor and 2 Community Members
Quorum: 3 members
Purpose: To award Eric Hind Music Scholarship - Council Policy 3.17.
Meeting cycle: Once annually

Merredin Local Emergency Management Committee

Current Members: Cr K Hooper, Chief Executive Officer
Deputies: All other Councillors
Membership: Shire of Merredin
Chief Executive Officer (Chairman)
WA Police - Officer In Charge Merredin
Police Station (Deputy Chair) One other representative
Merredin Hospital - 1 Representative,
Fire & Rescue Service - 1 Representative,
St. John Ambulance - 1 Representative,
SES - 2 Representatives,
Bush Fire Services - 1 Representative,
China Southern Flying School - 1 Representative,
Dept. for Child Protection - 1 Representative,
Australian Railroad Group - 1 Representative,
Eastern Wheatbelt Health - 1 Representative,
Main Roads WA - 1 Representative,
Disability Services Commission - 1 Representative,
Water Corporation - 1 Representative,
Dept. of Agriculture and Food - 1 Representative,
Mental Health Services - 1 Representative,
Department of Environment and Conservation - 1 Representative,
Synergy - 1 Representative,
Brookfields Rail - 1 Representative
Purpose: - To assist the Local Emergency Co-ordinator to develop and maintain effective emergency management arrangements for the local area.
- Assist with the preparation of local emergency management plans and submit such plans to the

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Regional Emergency Management Committee for approval.

- Review local emergency management plans on a frequent basis.
- Assist with the preparation of emergency management operating procedures for application throughout the local area.
- Prepare an annual report on the activities of the Committee for submission to the Regional Emergency Management Committee.
- Provide assistance to the Local Emergency Co-ordinator and Lead Combat Authorities during emergency management operations.
- To carry out such other emergency management functions as directed by the Regional Emergency Management Committee.

Meeting cycle: Monthly

Economic Development Working Group

Current Members: Cr McFarlane, Cr Hayes-Thompson, Cr M Morris, Cr Crook and Chief Executive Officer

Membership: Shire of Merredin

Purpose: To foster and promote economic development within the Shire of Merredin.

81236

Moved: Cr Hayes-Thompson Seconded: Cr Young

That Council adopt the following committee members and delegates in accordance with Part 5 Division 2 of the Local Government Act 1995:

Audit Committee

Members: Cr Young, Cr Crees, Cr Hooper, Cr Anderson

Deputies: All Other Councillors

Merredin Shire Bush Fires Advisory Committee

Current Members: Cr Flockart

Deputies: All Other Councillors

Eric Hind Musical Scholarship Committee

Current Members: Cr Anderson

Deputies: All Other Councillors

Merredin Local Emergency Management Committee

Current Members: Cr K Hooper, Chief Executive Officer

Deputies: All other Councillors

Economic Development Working Group

Current Members: Cr Young, Cr Flockart, Cr Hayes-Thompson

Deputies: All other Councillors

CARRIED BY ABSOLUTE MAJORITY 7/0

7.2 LOCAL GOVERNMENT AFFILIATED

Council appoints delegates to the Organisations and Committees listed below.

Current members are listed.

Council should review these appointments to determine if they are required or if representation is required on other Committees.

Western Australian Local Government Association Great Eastern Country Zone

Cr K Hooper, Cr Crees

Deputies: Cr Wallace

Wheatbelt East Regional Organisation of Councils

Cr K Hooper, Cr Crees

Deputies: Cr McFarlane and Cr Hayes-Thompson

Regional Road Group

Cr Crees

Deputy: Cr Anderson

Central Wheatbelt Visitor Centre

Cr M Morris

Merredin Sports Council

Cr McFarlane

District Bush Fire Operations Advisory Committee

Cr Crees, Chief Bush Fire Control Officer and Executive Manager of Development Services

Merredin Land Conservation District Committee

Cr Crook

District Zone Control Authority/Regional Advisory Committee

Cr Crees

School Bus Advisory Committee

Cr Wallace

Merredin Hospital Local Health Advisory Group

Cr Crook

Development Assessment Panel

Cr Hooper, Cr Crees

Deputies: Cr Cook Cr McFarlane

Collgar Community Trust
Cr Wallace and Cr M Morris

81237 **Moved: Cr Crees** **Seconded: Cr Anderson**
***That Council adopt the following committee members and delegates
in accordance with Part 5 Division 2 of the Local Government Act
1995:***

**Western Australian Local Government Association Great Eastern
Country Zone**

Cr Hooper and Cr Crees
Deputies: Cr Hayes-Thompson

Wheatbelt East Regional Organisation of Councils

Cr Hooper
Deputy: Cr Crees

Regional Road Group

Cr Crees
Deputy: Cr Willis

Central Wheatbelt Visitor Centre

Cr Young

Merredin Sports Council

Cr Anderson

District Bush Fire Operations Advisory Committee

Cr Crees

Merredin Land Conservation District Committee

No appointment made at this time.

Declared Species Group

Cr Crees

School Bus Advisory Committee

Cr Willis

Merredin Hospital Local Health Advisory Group

Cr Blakers was nominates subject to her acceptance.
Deputy: Cr Hayes-Thompson

Development Assessment Panel

Cr Hooper
Deputies: Cr Young, Cr Hayes-Thompson (nominated prior)

Collgar Community Trust
Cr Hooper, Cr Crees

CARRIED BY ABSOLUTE MAJORITY 7/0

7.2 **GENERAL COMMUNITY**

Council appoints delegates to the Organisations and Committees listed below. Current members are listed.

Council should review these appointments to determine if they are required.

Merredin Museum and Historical Society
Cr D Morris

Merredin Residential College
Cr Crees

Merritville Retirement Village
Cr Anderson

MADCAPS Child Care Centre
Cr Hayes-Thompson

Doorways Inc
Cr Hayes-Thompson

Wheatbelt Sports Council
Cr McFarlane and Cr Crook

Rural Water Council
Cr Wallace and Cr Crees

Ryegrass Toxicity Committee
Cr Anderson

Merredin Heritage Committee
Cr Crook Cr Morris

81238

Moved: Cr Anderson Seconded: Cr Willis

That Council adopt the following committee members and delegates in accordance with Part 5 Division 2 of the Local Government Act 1995:

Merredin Museum and Historical Society
Cr Young

Merredin Residential College
Cr Crees

Merritville Retirement Village

Cr Anderson

MADCAPS Child Care Centre

Cr Hayes-Thompson

Doorways Inc

Cr Hayes-Thompson

Wheatbelt Sports Council

Council was advised that the Wheatbelt Sports Council is no longer in operation, so no delegates were appointed.

Rural Water Council

Cr Crees and Cr Flockart

Ryegrass Toxicity Committee

Cr Willis

Merredin Heritage Committee

Cr Young

CARRIED BY ABSOLUTE MAJORITY 7/0

8.0 PETITIONS AND PRESENTATIONS

9.0 CONFIRMATION OF MINUTES

9.1 Ordinary Council Meeting held 17 September 2013
([Attachment 9.1A](#))

9.2 Special Council Meeting held 1 October 2013.
([Attachment 9.2A](#))

Confirmation of the minutes of the Ordinary Council Meeting held on 17 September 2013 and the Special Council Meeting held 1 October 2013.

81239 **Moved: Cr Anderson** **Seconded: Cr Hayes-Thompson**
Officer's Recommendation
That the minutes of the Ordinary Council Meeting held on 17 September 2013 and Special Council Meeting held 1 October 2013 be confirmed as a true and correct record of proceedings.

CARRIED 7/0

10.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

11.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC

20.1 Staff Appointment Deputy Chief Executive Officer

12.0 RECEIVAL OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL

12.1 WE-ROC Executive Meeting held 24 September 2013
[Attachment 12.1A](#)

12.2 Sports Council Meeting held 17 September 2013
[Attachment 12.2A](#)

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- 12.3 Wheatbelt Health MOU Meeting held 1 October 2013
[Attachment 12.3A](#)

81240 **Moved: Cr Young Seconded: Cr Crees**
That the minutes of the WE-ROC Executive meeting held 24
September 2013, Sports Council Meeting held 17 September and
Wheatbelt Health MOU Meeting held 1 October 2013 be received.
CARRIED 7/0

13.0 DEVELOPMENT SERVICES

Councillor Flockart and Councillor Hayes-Thompson declared a Financial Interest in this item and left the meeting at 4.03pm

13.1 WASTE MANAGEMENT- CURRENT PHASE OUT AND FINAL CESSATION OF 1100L BIN SERVICE AFTER 30 JUNE 2013.

Reporting Department:	Development Services
Reporting Officer:	Environmental Health Officer (Rebecca Bowler)
Legislation:	<i>Local Government Act 1995</i>
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Nil

Background

Avon Waste (the Shire of Merredin's waste management contractor) has discussed with staff, (waste management services) options to streamline and make more financially viable.

It is proposed that all 1,100L mobile bins will be replaced with a variety of sizes to suit the business by the end of the 2013/14 financial year. For example where two 1,100L (0.87m³) bins (current cost \$22.11 a lift) are provided, a 1.5m³ or 3.0m³ bin front load would be provided in its place. The cost for each lift is \$18.55 for 1.5m³; \$37.02 for 3.0m³ and \$55.48 for 4.5m³ bins.

A buy back and free removal of old 1100L bins is also offered to businesses, to be arranged directly with Avon Waste on an individual basis (the condition and age of the bin will assist in determining the 'buyback' amount offered). New bulk bin placement is arranged through Avon Waste for the duration of its contract to June 2014.

There are 66 commercial premises on Councils records that have a 1,100l service. In all, 142 services are provided each week. An additional 13 commercial premises had more than 4 standard household bins (240L) collected twice per week.

The replacement and the phase out of 1100L bins has already commenced with a reduction in the number of 1100L bin services, from 142 to 109 services per week and an increase in the number of new bulk bin pick ups per week, 1.5m³= 14 times per week, 3.0m³= 9 per week and 4.5m³= 2 per week (as at 30/09/2013).

Note: 1.5m³= ~6x 240L wheelie bins, 3.0m³= ~12x 240L wheelie bins and 4.5m³= ~19x 240L wheelie bins

Comment

Staff are always looking for ways to improve and make more efficient the provision of waste management services to commercial businesses.

Avon Waste will no longer service 1100L bins after 30 June 2014. An explanatory letter will be sent to all commercial properties indicating the changes and encouraging the switch over to the new m³ bin system as soon as possible.

Avon Waste will continue their personal visits to businesses, explaining the new bulk bins and recommending the replacement of existing 240L bins.

Statutory/Policy Implications

Local Government Act 1995- removal of Council's 1100L service per annum charge in the 2014/15 budget.

Financial Implications

Nil.

Businesses wishing to switch now, from the 1100L to the new m³ bins will be charged at the newly adopted service fees and charges (pro rata):

\$965.00 per annum for 1.5m³; \$1,925 per annum for 3.0m³ and \$2,885.00 per annum for the 4.5m³

In the review of the fees and charges at the end of this financial year it is proposed that the 1100L annual service fee will be removed completely, leaving only the annual service charges for the new bins

81241 Moved: Cr Crees Seconded: Cr Young

Officer's Recommendation

That Council no longer offer the 1100L bin as an option for the rest of the 2013/14 financial year and advise property owners of the relevant changes to commercial waste removal.

CARRIED 5/0

Cr Hayes-Thompson and Cr Flockart returned to the meeting at 4.07pm

Cr Young left the meeting at 4.07pm

14.0 ENGINEERING SERVICES

Councillor Flockart declared an interest affecting impartiality due to his positions relating to bush fire management.

14.1 STANDPIPES

Reporting Department: Engineering Services
Reporting Officer: Kevin Paust
Legislation: Local Government Act 1995
File Reference: R10/01
Disclosure of Interest: Nil
Attachments: Palmer Plumbing PTY LTD
[\(Attachment 14.1A\)](#)

Background

Correspondence from the Water Corporation has been received regarding standpipes within the Shire that require the fitment of RPZ units or Tundishes (anti-back flow devices). The Water Corporation is willing to supply the devices which are valued between \$800 to \$1,000 each, but Council will be responsible for the cost of fitting them.

The Water Corporation has also shown that we have four standpipes within the Shire that have had no or very low usage over the past six years, Council should consider rationalising these services.

Comment

The four standpipes identified by the Water Corporation are situated on the following roads, Southcott Road, Hines Hill Road, Collgar West Road and Goldfields Road (Old York Road).

Palmer Plumbing has supplied a quote to fit the devices to the nineteen standpipes at the following rates:

2 x 20mm at \$375.00 each
5 x 40mm at \$480.00 each
11 x 50mm at \$525.00 each
GST exclusive a total of \$8,925.00
(\$9,818.00 GST inclusive)

If council rationalise the number of standpipes to fifteen the cost reduces to \$6,960.00 GST exclusive (\$7,656.00 GST inclusive) for the installation. Maintenance and water consumption costs will also be reduced.

Statutory/Policy Implications

Nil

Financial Implications

Council will need to budget for an initial \$7,656.00 in the 2014/15 financial year, as well as any potential maintenance and renewal costs. Maintenance and renewal costs have not yet been estimated. All associated costs have not been included in the Long Term Financial Plan. Councils current Asset Management Plan will also need to be reviewed, as standpipes have not been included in the maintenance and renewals costs estimated throughout.

Cr Young returned to the meeting at 4.11pm

Cr Anderson left the meeting at 4.19pm

Cr Anderson returned to the meeting at 4.21pm

Officer's Recommendation

That Council rationalise the number of standpipes, take up the offer from the Water Corporation for the supply of the back flow devices and the installation costs of \$7656 be included in the 2014/15 budget.

81242 Moved: Cr Anderson Seconded: Cr Young
Resolution

That the matter lay on the table until the November meeting of Council.

CARRIED 7/0

15.0 FINANCE

15.1 LIST OF ACCOUNTS PAID

Reporting Department:	Finance & Administration
Reporting Officer:	Rose Jones – Accountant
Legislation:	Local Government Act 1995 & Financial Management Regulations
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	List of Accounts Paid

Background

The attached List of Account Paid ([Attachment 15.1A](#)) during the month under Delegated Authority is provided for Council's information.

Statutory/Policy Implications

Local Government Act 1995 and Financial Management Regulations.

Financial Implications

All liabilities settled have been in accordance with the Annual Budget provisions. It should be noted that outstanding creditors total \$127,649.

81243 Moved: Cr Young Seconded: Cr Crees

Officer's Recommendation

That Council receive the schedule of accounts as listed, covering cheques, EFT's, bank charges, Directly Debited payments and wages, as numbered and totalling \$ 677,956.62 from Council's Municipal Fund Bank Account and cheques totaling \$7,662.31 from Council's Trust Account.

CARRIED 7/0

15.2 **MONTHLY FINANCE REPORT**

Reporting Department:	Finance and Administration
Reporting Officer:	Evelyn Arnold
Legislation:	Local Government Act 1995
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Monthly Finance Report

Background

The Monthly Finance Report is attached for Council's information.
([Attachment 15.2A](#))

Statutory/Policy Implications

Local Government Act 1995 and Financial Management Regulations.

Financial Implications

As outlined in [Attachment 15.2A](#).

81244 Moved: Cr Young Seconded: Cr Anderson

Officer's Recommendation

That Council receive the Monthly Finance Report for September 2013.

CARRIED 7/0

15.3 PURCHASE OF RESERVE 46698, CARIDI CLOSE MERREDIN

Reporting Department:	Administration
Reporting Officer:	Evelyn Arnold – Executive Manager of Corporate and Community Services
Legislation:	Local Government Act 1995, Government Land Policy Manual
File Reference:	Reserve 46698
Disclosure of Interest:	Nil
Attachments:	Nil

Background

In March 2012 the Shire of Merredin contacted the Department of Lands regarding the purchase of Reserve 46698, Lot 1498 Caridi Close Merredin. A letter was received on the 3rd of September 2013 detailing the conditions cost of proceeding with this purchase.

Comment

The conditions of the purchase of this reserve are:

1. Purchase price of \$2,750.00
2. Should the lot be sold, the surplus monies from the sale be placed into a restricted fund for the purpose of improving other recreation facilities within the Shire of Merredin with a minimum balance of \$44,000.

The intention is for this lot to be put up for sale once the purchase is complete subject to market conditions and provision of utilities. The Department of Lands has confirmed that the establishment of a reserve fund with purpose outlined in the recommendation will satisfy its requirements.

Statutory/Policy Implications

Local Government Act 1995 and the Government Land Policy Manual (s.20A/152)

Financial Implications

Unbudgeted expenditure of \$2,750.00 plus the unbudgeted transfer of the surplus sale proceeds to a Reserve 49968 Recreation Reserve. Utilities costs are estimated at \$10,000.

81245 Moved: Cr Young Seconded: Cr Willis

Officer's Recommendation

That Council approve;

- 1. The expenditure of \$2,750 for the purchase of Reserve 46698, Lot 1498 Caridi Close, Merredin.***
- 2. The establishment of a reserve fund for the future development of recreation facilities. Not anticipated to be utilised in a set time frame.***

CARRIED BY ABSOLUTE MAJORITY 6/1

15.4 **REVIEW OF THE INVESTMENT POLICY**

Reporting Department:	Administration
Reporting Officer:	Evelyn Arnold – Executive Manager of Corporate and Community Services
Legislation:	Local Government Act 1995
File Reference:	Council Policy Manual 3.5
Disclosure of Interest:	Nil
Attachments:	Reviewed Investment Policy

Background

Historical investment losses within the Local Government sector prompted a review of the Financial Management Regulations which outline how, when and where Local Governments can invest surplus funds. Whilst the current investment policy for the Shire of Merredin is comprehensive a review was required to ensure it complies with the regulatory changes.

Comment

A new draft policy is at [Attachment 15.4A](#). This policy differs from the existing one in the following ways;

1. It references the relevant sections do the Local Government Financial Management Regulations.
2. It lists the authorised deposit taking institutions and,
3. It details the prohibited types of investments as defined in section 19 (c) of the Financial Management Regulations.

Statutory/Policy Implications

Local Government Act 1995 and the Local Government Regulations 1996 (amended 2007).

Financial Implications

Nil.

81246 Moved: Cr Crees Seconded: Cr Anderson

Officer's Recommendation

That Council adopts investment policy 3.5.

CARRIED 7/0

- 15.5 **PROPOSED EXTENSION TO SKATING FACILITY – APEX PARK**
Reporting Department: Corporate and Community Services
Reporting Officer: Evelyn Arnold
Author: Marilyn Sayers
Legislation: Local Government Act 1995
File Reference:
Disclosure of Interest: Nil
Attachments: Apex Park Extension Concept Plan
[Attachment 15.5A](#)
-

Background

For some time now the community have been asking for an extension to the skating facility in Apex Park. In August consultation with 16 local skate park users was completed by Skate Sculpture, a Perth based company which specialises in planning and constructing skate parks. The proposed budget is suggested as \$60,000.

Comment

Skate Sculpture have produced a report detailing the results of the consultation workshop and a concept plan that indicates the total area that could be extended with skating objects that could be included with an indicative cost of \$120,000 - \$150,000. Also indicated what \$60,000 will provide. Please refer to the attached; the green coloured section.

Statutory/Policy Implications

Nil

Financial Implications

\$6,000 has been approved in the current financial year for the refurbishment of the existing area in preparation for a skating/film event facilitated by Community Arts Network WA (CANWA) in March 2014. This work would be completed if an extension was constructed.

81247 Moved: Cr Hayes-Thompson Seconded: Cr Young
Officer's Recommendation

That Council endorse in principle, the extension of the skating facility and staff undertakes the sourcing of the funding to undertake the project to a value of \$60,000.

CARRIED 7/0

16.0 ADMINISTRATATION

16.1 COUNCIL MEETING DATES - 2014

Reporting Department:	Administration
Reporting Officer:	CEO
Author:	Lorraine Wyatt
Legislation:	Local Government Act 1995
File Reference:	
Disclosure of Interest:	Nil
Attachment:	Nil

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 2014.

Comment

It is proposed, as in previous years, that the Ordinary Meetings of Council are to be held in the Shire of Merredin Council Chambers on Tuesdays commencing at 3.00pm. The time of commencement can be revised as it may no longer suit the "incoming" Council.

The following 12 meeting dates are proposed for Ordinary Meetings of Council for 2014, to be held on the third Tuesday of every month, commencing at 3:00pm:

21 January 2014
18 February 2014
18 March 2014
15 April 2014
20 May 2014
17 June 2014
15 July 2014
19 August 2014
16 September 2014
21 October 2014
18 November 2014
17 December 2014

Statutory/Policy Implications

Nil

Financial Implications

Nil

81248 Moved: Cr Crees Seconded: Cr Willis

Officer's Recommendation

That the following Ordinary Council Meeting dates for 2014 be adopted with meetings to be held on the third Tuesday of each month, commencing at 3.00pm at the Shire of Merredin Council Chambers;

21 January 2014

18 February 2014

18 March 2014

15 April 2014

20 May 2014

17 June 2014

15 July 2014

19 August 2014

16 September 2014

21 October 2014

18 November 2014

17 December 2014

CARRIED 7/0

16.2 **DELEGATIONS REGISTER - REVIEW**

Reporting Department:	Administration
Reporting Officer:	CEO
Legislation:	Local Government Act 1995
File Reference:	P 02/01
Disclosure of Interest:	Nil
Attachment:	Delegations Register

Background

The purpose of the Delegations Register is to delegate some of the functions of Council to the Chief Executive Officer so they can be administered without reference to Council. This enables many routine matters and decisions to be dealt with promptly and efficiently.

Council adopted the current register at the 19 June 2012 CMRef: 30911. The register is at [Attachment 16.2A](#).

Comment

The current register differs from that adopted in June 2012 in that it delegation number 4.10 Write Off Debts, has been deleted. Council cannot delegate authority to the CEO any power requiring absolute majority as follows

Delegation of some powers and duties to CEO

5.42. (1) A local government may delegate to the CEO the exercise of any of its powers or the discharge of any of its duties under this Act other than those referred to in section 5.43 and this power of delegation.*

** Absolute majority required.*

(2) A delegation under this section is to be in writing and may be general or as otherwise provided in the instrument of delegation.

Limits on delegations to CEO's

5.43. A local government cannot delegate to a CEO any of the following powers or duties —

- (a) any power or duty that requires a decision of an absolute majority or a 75% majority of the local government;*
- (b) accepting a tender which exceeds a amount determined by the local government for the purpose of this paragraph;*
- (c) appointing an auditor;*
- (d) acquiring or disposing of any property valued at an amount exceeding an amount determined by the local government for the purpose of this paragraph;*

Power to defer, grant discounts, waive or write off debts

6.12. (1) Subject to subsection (2) and any other written law, a local government may

(a) when adopting the annual budget, grant a discount or other incentive for the early payment of any amount of money;*

(b) waive or grant concessions in relation to any amount of money; or*

(c) write off any amount of money, which is owed to the local government.*

** Absolute majority required.*

(2) Subsection (1) (a) and (b) do not apply to an amount of money owing in respect of rates and service charges.

(3) The grant of a concession under subsection (1) (b) may be subject to any conditions determined by the local government.

(4) Regulations may prescribe circumstances in which a local government is not to exercise a power under subsection (1) or regulate the exercise of that power.

A review of the balance of delegations indicates they are relevant and current and should be endorsed.

Statutory/Policy Implications

The Local Government Act 1995 Section 5.42 indicates that Council can delegate some of its powers or the discharge of any of its duties to the Chief Executive Officer. A register of Delegations of Authority is required to meet Section 5.46 of the Local Government Act 1995 by being adopted annually.

An absolute majority of Council is required to adopt the Delegations Register.

Financial Implications

Nil

81249 Moved: Cr Crees

Seconded: Cr Hayes-Thompson

Officer's Recommendation

That Council adopt the current Delegations Register as presented in Attachment 16.2A.

CARRIED BY ABSOLUTE MAJORITY 7/0

16.3 **NORTH MERREDIN PRIMARY SCHOOL SITE**

Reporting Department:	Administration
Reporting Officer:	Greg Powell
Author:	Lorraine Wyatt
Legislation:	Local Government Act 1995
File Reference:	Reserve 13876
Disclosure of Interest:	Nil
Attachments:	Correspondence

Background

In May 2012, the Hon Minister for Lands was requested to consider the acquisition of the above site. The response received gave first option to Council to acquire both NMPS and SMPS at the (then) current market value, subject to referrals and investigations such as heritage matters.

Neither site has significant heritage implications however, subsequent valuations received were significant and Council withdrew its interest in SMPS at this point.

The Shire President, Deputy Shire President and CEO met with the Minister to again express interest in the North Merredin site.

Comment

At the August 2012 council meeting it was suggested that a counter argument to purchase be presented to the Hon Minister that any development of the site in lieu of its sale would outweigh the benefit achieved by the State from its sale in terms of regional and economic development and that third party interest be sought for development of the site. The resolution reached is as follows:

30958 Moved: Cr M Morris Seconded: Cr McFarlane

Officer's Recommendation

- 1. That the Hon Minister be thanked for his consideration of Council's request.*
- 2. That the Hon Minister be advised that it is Council's preference to obtain freehold title to the site of the former North Merredin Primary School site.*
- 3. That the Hon Minister be requested to consider waiving the market valuation in lieu of development of the site in partnership as the longer term social and economic returns from development of the site will outweigh the significance of the market valuation.*
- 4. That Council works with third parties on a plan for the development of the site for consideration by the Hon Minister.*

CARRIED 9/0

Further correspondence has been received and can be found at [Attachment 16.3A](#). The Minister is now offering Council a Management Order of Reserve 13876 but it is not without its financial implications.

A cursory inspection of the property has indicated a minimum of \$500,000 would be required to bring the facility to a suitable standard. Community feedback is currently being sought on, a) the use of the building and b) the source of funding required to not only bring the building to an acceptable standard, but to enable the ongoing maintenance.

Further, the Management Order, as prepared, would restrict the use to which the land and buildings could be put.

A further impost is the requirement to liaise with the Department of Education on the cost of the buildings. Although in real terms the cost is negotiable, the Department may take the view that the buildings hold a significant value. No discussions have taken place to date.

Statutory/Policy Implications

Should Council proceed with the Management Order of the site a business plan will be required in accordance with the Act.

Financial Implications

Council will need to budget for potential maintenance and renewal costs which are as yet uncoded. Asset Management Plans and Long Term Financial Plans will need to be reviewed.

81250 Moved: Cr Hayes-Thompson Seconded: Cr Crees

Officer's Recommendation

That Staff continue to investigate community reaction and open discussions with the Department of Education and submit a further report to Council, once this has been completed.

CARRIED 7/0

17.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

18.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

19.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

20.0 MATTERS BEHIND CLOSED DOORS

20.1 Staff Appointment Deputy Chief Executive Officer

Moved: Cr Hayes-Thompson Seconded: Cr Young
That Council proceed behind closed doors.

CARRIED 7/0

Moved: Cr Crees Seconded: Cr Hayes-Thompson
That Council continues in open session.

CARRIED 7/0

81251 Moved: Cr Hayes-Thompson Seconded: Cr Anderson
Officer's Recommendation
That the recommended applicant, Mrs Rebecca McCall be confirmed
as the Deputy Chief Executive Officer.

CARRIED 7/0

21.0 CLOSURE

Councillor Hooper declared the meeting closed at 5.19pm