



SHIRE OF  
**MERREDIN**  
INNOVATING THE WHEATBELT

# AGENDA

## Ordinary Council Meeting

To be held in Council Chambers  
Corner King & Barrack Street's, Merredin  
Tuesday 15 August 2017  
Commencing 3.00pm



# Notice of Meeting



Dear President and Councillors,

The next Ordinary Meeting of the Council of the Shire of Merredin will be held on Tuesday 15 August 2017 in the Council Chambers, Corner King & Barrack Streets, Merredin. The format of the day will be:

- |        |   |
|--------|---|
| 1.00pm | Briefing Session (Including discussion on WALGA's Discussion Paper regarding the Local Government Act Review) |
| 3.00pm | Council Meeting   |

GREG POWELL  
CHIEF EXECUTIVE OFFICER

10 August 2017

## DISCLAIMER

### **PLEASE READ THE FOLLOWING IMPORTANT DISCLAIMER BEFORE PROCEEDING:**

Statements or decisions made at this meeting should not be relied or acted on by an applicant or any other person until they have received written notification from the Shire. Notice of all approvals, including planning and building approvals, will be given to applicants in writing. The Shire of Merredin expressly disclaims liability for any loss or damages suffered by a person who relies or acts on statements or decisions made at a Council or Committee meeting before receiving written notification from the Shire.

The advice and information contained herein is given by and to Council without liability or responsibility for its accuracy. Before placing any reliance on this advice or information, a written inquiry should be made to Council giving entire reasons for seeking the advice or information and how it is proposed to be used.

It should be noted that the Attachment hyperlinks will not be functional from this document when sourced from the Shire of Merredin's website. Attachment copies can be obtained by contacting Vanessa Green on 08 9041 1611 or ea@merredin.wa.gov.au.

### 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
SRP	Strategic Resource Plan
CBP	Corporate Business Plan
CSP	Community Strategic Plan
MRCLC	Merredin Regional Community and Leisure Centre
CWVC	Central Wheatbelt Visitors Centre
MoU	Memorandum of Understanding

Shire of Merredin  
Ordinary Council Meeting  
3:00pm Tuesday 15 August 2017



**1. Official Opening**

**2. Record of Attendance / Apologies and Leave of Absence**

**Councillors:**

Cr KA Hooper	President
Cr BJ Anderson	
Cr CA Blakers	
Cr LN Boehme	
Cr MA Crisafio	
Cr JP Flockart	
Cr MD Willis	
Cr ML Young	

**Staff:**

G Powell	CEO
R McCall	Deputy CEO
P Zenni	EMDS
V Green	EA to CEO

**Members of the Public:**

**Apologies:**

**Approved Leave of Absence:** Cr RM Crees (CMRef 81993)

**3. Public Question Time**

Members of the public are invited to present questions to the President about matters affecting the Shire of Merredin and its residents.

**4. Disclosure of Interest**

**5. Applications for Leave of Absence**

**6. Petitions and Presentations**

**7. Confirmation of Minutes of the Previous Meeting**

7.1 [Ordinary Council Meeting held on 18 July 2017](#)

**8. Announcements by the Person Presiding without discussion**

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

**10. Receipt of Minutes of Committee Meetings**

10.1 [Wheatbelt North Regional Road Group Meeting held on 24 July 2017](#)

**11. Recommendations from Committee Meetings for Council consideration**

Nil

**12. Officer's Reports – Development Services**

12.1 [Review of the Emergency Services Levy – Economic Regulation Authority Draft Report \(WALGA Submission\)](#)

12.2 [Lot 1 Hughes Road, Merredin – Application for Subdivision](#)

12.3 [Lot 1449 Mitchell Street, Merredin - Old Town Hall Office – Proposed Lease Agreement](#)

**13. Officer's Reports – Engineering Services**

13.1 [Realignment of the York-Merredin Road – Totadgin Hall Road](#)

**14. Officer's Reports – Corporate and Community Services**

14.1 [List of Accounts Paid](#)

14.2 [Statement of Financial Activity](#)

**15. Officer's Reports – Administration**

15.1 [Development of a WEROC Advocacy Role](#)

15.2 [Reserve 29700 – Hunts Dam – Consideration of Petition and Proposed Uses](#)

**16. Motions of which Previous Notice has been given**

Nil

<b>17.</b>	<b>Questions by Members of which Due Notice has been given</b>
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Nil

<b>18.</b>	<b>Urgent Business Approved by the Person Presiding or by Decision</b>
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<b>19.</b>	<b>Matters Behind Closed Doors</b>
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<b>20.</b>	<b>Closure</b>
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## 7. Confirmation of Minutes of the Previous Meeting

7.1 Ordinary Council Meeting held on 18 July 2017

[Attachment 7.1A](#)

### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation

That the Minutes of the Ordinary Council Meeting held on 18 July 2017 be confirmed as a true and accurate record of proceedings.

## 10. Receipt of Minutes of Committee Meetings

10.1 Wheatbelt North Regional Road Group Meeting held 24 July 2017

[Attachment 10.1A](#)

### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation

That the Minutes of the Wheatbelt North Regional Road Group Meeting held on 24 July 2017 be received.

**12. Officer's Reports - Development Services**

**12.1 Review of the Emergency Services Levy – Economic Regulation Authority Draft Report (WALGA Submission)**

## Development Services



<b>Responsible Officer:</b>	Peter Zenni, EMDS
<b>Author:</b>	As above
<b>Legislation:</b>	<i>Fire and Emergency Services Act 1998</i>
<b>File Reference:</b>	ES/19/3
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#">Attachment 12.1A</a> - WALGA Submission Template <a href="#">Attachment 12.1B</a> - Economic Regulation Authority Draft Report
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

The Shire of Merredin has been approached by WALGA to provide feedback and support for its submission on behalf of member local governments with respect to the recently released Economic Regulation Authority (ERA) Draft Report into the review of the Emergency Services Levy (ESL).

### Comment

The ERA Draft Report is the culmination of all submissions made to the ERA in the first part of the consultation process. WALGA has developed a submission on behalf of its members.

Preliminary analysis undertaken by WALGA shows that the ERA has acknowledged a number of important issues raised in WALGA's submission including:

1. the need for greater transparency and accountability on how money is spent on emergency services;

2. recognition that the agency that advises the Minister for Emergency Services on ESL revenue and rates should not benefit from the ESL;
3. a recommendation that the oversight function of the ESL should be removed from the Department of Fire and Emergency Services and given to the Office of Emergency Management, to provide a level of transparency and introduce accountability to those agencies responsible for delivering emergency services to communities throughout Western Australia;
4. the main purpose of the ESL being to enable all emergency service workers to be ready to respond to emergencies across the state, including the ESL funding preparedness activities that have community wide benefits or which involve coordination of prevention across tenure;
5. a recommendation that local governments be compensated for the cost of collecting ESL revenue (including the costs of recovering unpaid debts and any ESL revenue that cannot be recovered); and
6. the review by the ERA to what extent the ESL should be available to fund a Rural Fire Service, and what effect that would have on how much people pay for emergency services.

The ERA is again opening a consultation period for submissions and WALGA has prepared a Draft Submission on behalf of member local governments.

#### Policy Implications

Nil

#### Statutory Implications

Compliance with the *Fire and Emergency Services Act 1998*.

#### Strategic Implications

##### ➤ Strategic Community Plan

Vision Element: Nil

Strategic Goal: Nil

Key Priority: Nil

##### ➤ Corporate Business Plan

Strategy: Nil

Action #: Nil

Action: Nil

Directorate: Nil

Timeline: Nil

#### Sustainability Implications

##### ➤ Strategic Resource Plan

Nil

➤ **Workforce Plan**

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

**Risk Implications**

Nil

**Financial Implications**

Changes to the manner or the basis upon which the ESL is collected and how the relevant funds are utilised will have an impact on the ratepayers of the Shire of Merredin.

**Voting Requirements**



Simple Majority



Absolute Majority

**Officer's Recommendation**

**That:**

- 1. WALGA be advised that the Shire of Merredin supports in full WALGA's recommendations and comments forming part of WALGA's Draft Submission report, as presented in Attachment 12.1A; and**
- 2. The need for greater transparency and accountability on how money is spent on emergency services be reinforced.**

**12.2 Lot 1 Hughes Road, Merredin – Application for Subdivision**

## Development Services



<b>Responsible Officer:</b>	Peter Zenni, EMDS
<b>Author:</b>	As above
<b>Legislation:</b>	<i>Planning and Development Act 2005; Local Planning Scheme No. 6</i>
<b>File Reference:</b>	A7015
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#">Attachment 12.2A</a> - Application
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

A request for comment has been received from the Western Australian Planning Commission (WAPC) with respect to a proposed subdivision of Lot 1 Hughes Road, Merredin.

### Comment

The land in question is zoned 'Rural Residential'. Council previously provided WAPC with its comments in support of the proposed subdivision at its July 2007 meeting (CMRef 29034) and most recently in November 2011 where Council resolved (CMRef 30772):

***“That the Shire of Merredin advise the Western Australian Planning Commission that application 145126, Lot 1 Hughes Road, Merredin is supported for the following reasons and conditions suggested if the application is approved:-***

- 1. Lot 1 is an individual block situated on the eastern side of Naremben Road, development is restricted to four lots, R2 zoning and is 50% developed with dwellings. An Outline Development Plan is not considered necessary;***
- 2. Further development of the land and the placement of the additional two dwellings (Lots A & B) will require the developer to negotiate and provide funds for the proper construction of Hughes Road with the Shire of Merredin and Main Roads WA.”***

The proposed subdivision is undergoing the WAPC approval process (including comments being sought from the relevant local authority) as the registered proprietors were remiss in not applying for the new certificates of title for the lots created prior to the expiration of Landgate's timeframe requirements.

### Policy Implications

The Local Planning Scheme No. 6 requires the preparation of an Outline Development Plan where required by the local government or WAPC.

As the proposed subdivision has previously been approved by the WAPC and supported by Council without the need for an Outline Development Plan, and is limited to the creation of only four lots in a small location that are separated from the remaining areas of Rural Residential and Special Residential by the Merredin – Naremben Road, the preparation of an Outline Development Plan is not considered necessary.

### Statutory Implications

Compliance with the *Planning and Development Act 2005* and Local Planning Scheme No. 6.

### Strategic Implications

#### ➤ Strategic Community Plan

Vision Element: Developing  
Strategic Goal: The population and strategic base is expanding sustainably  
Key Priority: Economic Development

#### ➤ Corporate Business Plan

Strategy: SP.D1.3 - Promote new commercial and industrial development through appropriate zoning of land, provision of suitable infrastructure and efficient and effective business approval processes  
Action #: 1  
Action: Regular review of the Merredin Local Planning Scheme No. 6  
Directorate: Development Services  
Timeline: Ongoing

### Sustainability Implications

#### ➤ Strategic Resource Plan

Nil

#### ➤ Workforce Plan

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

Strategy: Nil  
Implications: Nil

#### Risk Implications

Nil

#### Financial Implications

Nil

#### Voting Requirements



Simple Majority



Absolute Majority

#### Officer's Recommendation

**That the Western Australian Planning Commission be advised that application 155494, to subdivide Lot 1 Hughes Road, Merredin is supported for the following reasons and conditions suggested if the application is approved:**

- 1. Lot 1 Hughes Road, Merredin is an individual block situated on the eastern side of Narembeen Road, development is restricted to four lots, R2 zoning and is 50% developed with dwellings. An Outline Development Plan is not considered necessary; and**
- 2. further development of the land and the placement of the additional two dwellings (Lots A and B) will require the developer to negotiate and provide funds for the proper construction of Hughes Road with the Shire of Merredin and Main Roads WA.**

**12.3 Lot 1449 Mitchell Street, Merredin – Old Town Hall Office – Proposed Lease Agreement**

## Development Services



<b>Responsible Officer:</b>	Peter Zenni, EMDS
<b>Author:</b>	As above
<b>Legislation:</b>	<i>Local Government Act 1995</i>
<b>File Reference:</b>	L4
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#">Attachment 12.3A</a> – Draft Lease Agreement
<b>Maps / Diagrams:</b>	Nil

### Purpose of Report



Executive Decision



Legislative Requirement

### Background

The Department of Finance (Government Office Accommodation) is seeking Council's permission for a new lease agreement between the Shire of Merredin and the Minister for Works for the property located at Lot 1449 on Deposited Plan 193636, Mitchell Street Merredin, known as the Old Town Hall Office and currently housing the electoral office of Mia Davies MP.

### Comment

The property located at Lot 1449 on Deposited Plan 193636 Mitchell Street, Merredin known as the Old Town Hall Office has been leased from the Shire for many years with the current lease to the Minister for Works expiring on 30 September 2017.

The proposed lease is for a 4 year period commencing 1 October 2017 and expiring 30 September 2021 with an option to renew for a period of a further 4 years expiring 30 September 2025.

The proposed lease reflects the terms and conditions of the current lease with the added provision for the fitting of an automatic security door to the premises. According to the terms of the proposed lease agreement the Shire of Merredin would pay for the initial installation of the automatic security door to the premises and be reimbursed for the associated costs via a special (additional) rent provision spread out over the life of the lease agreement.

The property in question is located on Reserve 13941 which is vested in the Shire. In accordance with the vesting order requirements the consent of the Minister for Lands is required before the lease agreement can be finalised.

In accordance with Regulation 30 of the *Local Government (Functions and General) Regulations 1996*, as the property in question will be leased to a Government agency (Minister for Works), the provisions of Section 3.58 of the *Local Government Act 1995* relating to the disposal of property and required public advertising do not apply.

#### Policy Implications

Nil

#### Statutory Implications

Compliance with the *Local Government Act 1995* and *Local Government (Functions and General) Regulations 1996*.

#### Strategic Implications

##### ➤ Strategic Community Plan

Vision Element: Nil

Strategic Goal: Nil

Key Priority: Nil

##### ➤ Corporate Business Plan

Strategy: Nil

Action #: Nil

Action: Nil

Directorate: Nil

Timeline: Nil

#### Sustainability Implications

##### ➤ Strategic Resource Plan

Nil

##### ➤ Workforce Plan

Directorate: Nil

Activity: Nil

Current Staff: Nil

Focus Area: Nil

Strategy Code: Nil

Strategy: Nil

Implications: Nil

#### Risk Implications

Nil

### Financial Implications

By entering into the proposed lease agreement the Shire of Merredin will receive an income from the lease payments and ensure that the premises is tenanted and looked after on an ongoing basis.

### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation

**That, subject to obtaining the consent of the Minister for Lands:**

- 1. Council agree to enter into a new lease agreement with the Minister for Works for the property located at Lot 1449 on Deposited Plan 193636 Mitchell Street, Merredin, known as the Old Town Hall Office as per the draft lease agreement as presented in Attachment 12.3A; and**
- 2. authorise the Shire President and Chief Executive Officer to execute the lease agreement by signing on behalf of Council and affixing the common seal to the lease agreement.**

**13. Officer's Reports - Engineering Services**

**13.1 Realignment of the York-Merredin Road – Totadgin Hall Road**

<h2 style="margin: 0;">Engineering Services</h2> 	
<b>Responsible Officer:</b>	Mike Hudson, EMES
<b>Author:</b>	As above
<b>Legislation:</b>	<i>Local Government Act 1995</i>
<b>File Reference:</b>	R11
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#"><b>Attachment 13.1A</b></a> – Project Funding Summary
<b>Maps / Diagrams:</b>	Nil

**Purpose of Report**



Executive Decision



Legislative Requirement

**Background**

The York-Merredin Road (commonly known as Bruce Rock Road) is a main road, speed zoned at 110 km/hr and is under the control of Main Roads WA (MRWA).

The Totadgin Hall Road has a derestricted speed zoning and is under the control of the Shire of Merredin.

This project was formally recognised by MRWA and eligible for Black Spot Funding in April 2008. An independent safety audit of the intersection was conducted and concluded as the primary recommendation that a redesign of the Totadgin Hall Road intersection be undertaken to accommodate a standard T junction. The redesign of the intersection was required to reduce the acute angle of approach with the York-Merredin Road and reduce the possibility of a severe crash. The initial Blackspot application “Problem Diagnosis” identified the current configuration of the intersection could lead to either a high speed head-on collision or side and rear impact crashes.

Roadwest Engineering Group WA were contracted to redesign the intersection, produce a Bill of Quantities and project estimates. The project comprised the realignment and reconstruction of approximately 390m of the York-Merredin Road and zoom of the Totadgin Hall Road and associated land acquisition and service relocations.

Black Spot funding is limited in its availability and made available to local governments with a mandatory contribution of 2:1 State and Local Government. The evaluating authority for Black Spot funding for local roads is the Regional Road Group and MRWA (joint assessment). The Black Spot program is a fully allocated program without allowance for cost or scope variations. Any cost variation must therefore be contained within the overall program budget. Project estimates must therefore be accurate to ensure delivery of the overall program without any project deferrals. The Black Spot funding is currently \$15m annually which includes the local government's contribution, with 50% of the funding available to rural roads.

Currently the Shire has received Black Spot funding in the amount of \$314,011 with the Shire contribution being \$157,005, totalling \$471,016. The project costings calculated by the consultant in August 2011 were \$778,275 incl GST. Records show the Shire at the time valued the works at \$314,339 (excluding the water pipe relocation).

The project was put out to tender via eQuotes in March 2017 and returned a tendered offer to perform the works at \$1,120,970, creating a substantial funding shortfall.

Service relocations and land resumption has significantly delayed the project and with no indexation of the funding, the delays have contributed significantly to the current funding dilemma.

#### Comment

Alternatives were investigated as a means to complete the project within the current budget. The following alternatives were presented to MRWA for its consideration:

1. Leave the current alignment of the York-Merredin Road as is and construct the T junction.
  - This was rejected because the current radius of the York-Merredin Road is not to MRWA specification.
2. Reduce the speed limit prior to the sweeping bend south of the proposed intersection and construct the T junction. Reducing the speed limit should allow the existing alignment of the York-Merredin Road to remain.
  - This was rejected because an isolated speed reduction as required is not MRWA Policy.
3. Whether MRWA have the capacity to construct the intersection and realign the York-Merredin Road under its existing contractor framework.
  - This is not possible because the cost of works to be done by one of MRWA's contractors would probably be more than the tendered price.

Further, MRWA has stated that the Black Spot funding was approved by the Minister on the basis of the original submitted design.

The Shire of Merredin has submitted a funding application for the 2018/19 Black Spot funding and it is the opinion of a MRWA assessor that the chances of getting the extra funding in the amount required is very small. The funding required to complete the project is twice the total allocation for the Wheatbelt North Regional Road Group.

There are no recorded crashes at the intersection between the period 1 January 2012 and 31 December 2016 (MRWA Crash Analysis Reporting System) and the intersection is not listed on the pre-approved Black Spot locations in Merredin.

### Policy Implications

Nil

### Statutory Implications

Nil

### Strategic Implications

#### ➤ Strategic Community Plan

Vision Element: Liveable

Strategic Goal: Merredin has the services, facilities, characteristics and heritage that continue to make Merredin a great place to live and contribute to a liveable region

Key Priority: Key Assets

#### ➤ Corporate Business Plan

Strategy: SP.L2.1 – Maintain an efficient, safe and quality transport network

Action #: 1

Action: Implementation of the 10 year Construction Program

Directorate: Engineering Services

Timeline: Ongoing

### Sustainability Implications

#### ➤ Strategic Resource Plan

Nil

#### ➤ Workforce Plan

Directorate: Nil

Activity: Nil

Current Staff: Nil

Focus Area: Nil

Strategy Code: Nil

Strategy: Nil

Implications: Nil

### **Risk Implications**

There still remains the risk of a serious crash caused by driver inattention or negligence.

### **Financial Implications**

To proceed with the project in the current format the Shire will have to meet the shortfall in funding currently estimated at \$753,314.

As can be seen from the attachment, Council's obligation to the project so far is \$157,005 with \$11,437 spent to date. Should the application for 2018/19 funding be approved (doubtful) an additional matching contribution of \$251,104 will be required.

### **Voting Requirements**



Simple Majority



Absolute Majority

### **Officer's Recommendation**

**That:**

- 1. the project to realign York-Merredin Road and Totadgin Hall Road not proceed further, and the State Black Spot Funding be returned; and**
- 2. a road safety consultant be engaged to analyse and improve the functionality of the intersection through improved signage and lining with the costs budgeted in the 2018/19 financial year.**

**14. Officer's Reports – Corporate and Community Services**

**14.1 List of Accounts Paid**

<h2>Corporate Services</h2>		
<b>Responsible Officer:</b>	Charlie Brown, EMCS	
<b>Author:</b>	As above	
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
<b>File Reference:</b>	Nil	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	<a href="#">Attachment 14.1A</a> - List of Accounts Paid	
<b>Maps / Diagrams:</b>	Nil	

**Purpose of Report**



Executive Decision



Legislative Requirement

**Background**

The attached List of Accounts Paid during the month of July 2017 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

### ➤ Strategic Community Plan

Vision Element: Developing  
Strategic Goal: The population and economic base is expanding sustainably  
Key Priority: Governance

### ➤ Corporate Business Plan

Strategy: SP.D4.3 – Practice prudent management of financial resources  
Action #: 1  
Action: Deliver long term financial planning for asset replacement and new capital projects  
Action #: 2  
Action: Continue to provide prudent financial controls and compliance systems  
Directorate: Corporate Services

## Sustainability Implications

### ➤ Strategic Resource Plan

Nil

### ➤ Workforce Plan

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

## Risk Implications

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

## Financial Implications

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

## Voting Requirements

Simple Majority

Absolute Majority

## Officer's Recommendation

**That the schedule of accounts paid as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$860,818.90 from Council's Municipal Fund Bank Account and \$879.42 from Council's Trust Account be endorsed.**

**14.2 Statement of Financial Activity**

<h2>Corporate Services</h2>		 SHIRE OF <b>MERREDIN</b> INNOVATING THE WHEATBELT
<b>Responsible Officer:</b>	Charlie Brown, EMCS	
<b>Author:</b>	As above	
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
<b>File Reference:</b>	Nil	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	<a href="#">Attachment 14.2A</a> - Statement of Financial Activity, Detailed Schedules and Investment Report	
<b>Maps / Diagrams:</b>	Nil	

**Purpose of Report**



Executive Decision



Legislative Requirement

**Background**

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

**Comment**

Operating Income and Expenditure is mainly consistent with Council's YTD Budget, however at this stage of the financial year it difficult to make any comment.

**Capital Expenditure**

A detailed look at capital expenditure can be found in Note 13.

**Others**

Councillors may note the discrepancy with the Trust Bank, Note 4 against the Trust Summary on Note 12.

These both currently show a \$618,818.69 variance and this mostly relates to invoices raised on behalf of CEACA for site works on Stage I and Stage II. Once the invoices are paid this variance will not be reported.

**Policy Implications**

Nil

### Statutory Implications

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

### Strategic Implications

#### ➤ Strategic Community Plan

Vision Element: Developing  
Strategic Goal: The population and economics base is expanding sustainably  
Key Priority: Governance

#### ➤ Corporate Business Plan

Strategy: SP.D4.3 – Practice prudent management of financial resources  
Action #: 2  
Action: Continue to provide prudent financial controls and compliance systems  
Directorate: Corporate Services  
Timeline: Ongoing

### Sustainability Implications

#### ➤ Strategic Resource Plan

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

#### ➤ Workforce Plan

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

### Risk Implications

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

### Financial Implications

As outlined in Attachment 14.2A.

### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation

**That in accordance with Regulation 34 of the *Local Government (Financial Management) Regulations 1996*, the Statement of Financial Activity and the Investment Report for the period ending 31 July 2017 be received.**

**15. Officer's Reports – Administration**

**15.1 Development of a WEROC Advocacy Role**

**Administration**



<b>Responsible Officer:</b>	Greg Powell, CEO
<b>Author:</b>	Vanessa Green, EA to CEO
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	GR/9/7
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#">Attachment 15.1A</a> – Extract WEROC Council Minutes <a href="#">Attachment 15.1B</a> – Table of Contents GECZ & WEROC Meetings
<b>Maps / Diagrams:</b>	Nil

**Purpose of Report**



Executive Decision



Legislative Requirement

**Background**

At the WEROC Executive Committee Meeting held on Wednesday 24 May 2017 during discussion on the review of the WEROC MoU the Executive also discussed the development of an enhanced advocacy role for WEROC.

The Executive were of the view that, as a smaller grouping of local governments, WEROC needed to develop a higher profile with respect to advocacy. It was the general view that the advocacy role being undertaken by the WALGA GECZ did not appear to be a sufficiently effective mechanism for many of the issues impacting on WEROC's Member Councils and local governments generally across the Wheatbelt.

The WEROC Executive also raised the question on the effectiveness of the GECZ and whether the resources involved in Member Councils attending GECZ meetings could be better directed into the functions of WEROC.

The GECZ comprises the Shires of Bruce Rock, Cunderdin, Kellerberrin, Kondinin, Koorda, Merredin, Mt Marshall, Mukinbudin, Narembeen, Nungarin, Tammin, Trayning, Westonia, Wyalkatchem and Yilgarn. WEROC comprises the Shires of Bruce Rock, Kellerberrin, Merredin, Westonia and Yilgarn.

In relation to delegates, Council has the option on who it appoints as delegates to the GECZ whereas the WEROC delegates are determined by WEROC's Constitution which states the Shire President and CEO of each Member Council are appointed delegates, with individual Councils retaining the right to appoint a deputy.

Further details of this item are included in the extract of the WEROC Minutes which are attached. Following discussion at the WEROC meeting, the WEROC Council made the following resolution:

*"That WEROC Council:*

- 1. consider developing an advocacy role separate and distinct from that currently provided by WALGA to progress issues affecting the WEROC Member Councils;*
- 2. write to each WEROC Member Council seeking their opinion as to whether it would be happy, whilst still remaining a member of WALGA, to withdraw from attending meetings of the Great Eastern Council Zone and allow the WEROC Council to review the WALGA State Council Agenda on behalf of WEROC Member Councils;*
- 3. continue to meet as at present, however the WEROC Executive meet on an as needs basis; and*
- 4. consider whether it wishes to increase its membership."*

Council is asked to provide a decision on points 2 and 4 of the WEROC resolution.

#### **Comment**

In considering the amount of time spent at meetings, there are generally 5 GECZ meetings and 5 GECZ Executive meetings held each calendar year. Similarly, there are generally 5 WEROC Council meetings and 6 WEROC Executive meetings held each calendar year. The GECZ and WEROC Executive meetings differ in that Elected Members make up the GECZ Executive whereas CEOs make up the WEROC Executive. Meetings generally commence around 9-9.30am and finish early/mid-afternoon. When attending a meeting, it is only the pre-appointed delegates (or their designated deputy) who have voting rights.

While the GECZ is a recognised group through WALGA, WEROC is a voluntary regional organisation of councils (ROC), as opposed to the regulated ROCs under Part 3 Division 4 of the *Local Government Act 1995*. Additionally, the GECZ has a larger catchment area than WEROC. As such, one could question the impact any advocacy work undertaken by WEROC could have, particularly at a State and even more so at a Federal level. Having said that though, without the work and activity undertaken by both WEROC and NEWROC, which for the most part are involved in CEACA Inc, the CEACA project would not have progressed to the point that it has.

The GECZ and WEROC minutes are distributed to Council as an attachment to the Council agenda (usually at Item 10). To allow Councillors to see the different issues dealt with, Attachment 15.1B includes the Table of Contents from previous GECZ and WEROC meetings.

Council will need to consider whether it believes the issues defined as “*separate and distinct*” to those dealt with by the GECZ can be effectively dealt with by WEROC.

Council’s GECZ and WEROC delegates may also wish to provide comment at the meeting.

### Policy Implications

Nil

### Statutory Implications

Nil

### Strategic Implications

#### ➤ Strategic Community Plan

Vision Element: Developing  
Strategic Goal: The population and economic base is expanding sustainably  
Key Priority: Civic Leadership, Advocacy and Regional Collaboration

#### ➤ Corporate Business Plan

Strategy: SP.D3.1 – Collaborate with neighbouring Shires (and beyond) for the benefit of the region as a whole  
Action #: 1  
Action: Continue to progress regional collaboration by participating in Wheatbelt East Regional Organisation of Councils strategies and similar regional partnerships  
Directorate: Office of the CEO  
Timeline: Ongoing

### Sustainability Implications

#### ➤ Strategic Resource Plan

Nil

#### ➤ Workforce Plan

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

### Risk Implications

Nil

### Financial Implications

Council pays an annual membership subscription to both GECZ and WEROC. These membership costs are primarily to cover the cost of executive support and administration, with a portion of the WEROC subscription set aside for project work.

The cost of GECZ membership for 2017/18 is \$4,675. The cost of membership to WEROC in 2017/18 is \$13,200 which includes \$2,200 for the consultancy & project reserve. The GECZ subscription has remained the same, as it was also \$4,675 in 2016/17. The WEROC subscription is reduced from 2016/17 when it was \$20,350 which included \$3,300 for the consultancy and project reserve.

While any specific financial implications cannot be known at this time, by continuing membership to either or both GECZ and WEROC, Council will need to continue allocating the necessary membership fees in its subsequent budgets.

A cost saving may be derived in staff time by the CEO not attending GECZ meetings, however it could be argued that any savings may be absorbed by the same level and/or any additional time required as a result of WEROC's increased advocacy activities. As Councillors are paid an annual allowance regardless of the amount of time they spend on Council activities or meetings, there would be no financial saving to Council should the delegates decide not to attend GECZ meetings.

Additionally, if WEROC were to obtain a wider membership base there could be the potential for savings if membership fees were reduced as a result of having more members. However, it's also possible there would be no reduction in the membership fee, to off-set the additional costs associated with the additional proposed activities and advocacy WEROC could undertake.

### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation

**That:**

- 1. Council continues its current level of participation as a member of both GECZ and WEROC; and**
- 2. WEROC be advised that the Shire of Merredin is happy to support WEROC reviewing and broadening its purpose, activities and membership base, however Council retains the right to determine its level of participation in the GECZ.**

**15.2 Reserve 29700 – Hunts Dam – Consideration of Petition and Proposed Uses**

Administration	
<b>Responsible Officer:</b>	Greg Powell, CEO
<b>Author:</b>	Vanessa Green, EA to CEO
<b>Legislation:</b>	<i>Local Government Act 1995</i>
<b>File Reference:</b>	R29700
<b>Disclosure of Interest:</b>	Nil
<b>Attachments:</b>	<a href="#"><u>Attachment 15.2A</u></a> – Petition <a href="#"><u>Attachment 15.2B</u></a> – 2005 Report <a href="#"><u>Attachment 15.2C</u></a> – Survey Results (numbers) <a href="#"><u>Attachment 15.2D</u></a> – Access Route
<b>Maps / Diagrams:</b>	Nil



**Purpose of Report**



Executive Decision



Legislative Requirement

**Background**

Reserve 29700, commonly known as Hunts Dam, has been vested under Management Order (MO) in the Shire of Merredin by the Department of Lands since at least 1969 with a land use of Public Recreation. The Reserve covers an area of 25.9148Ha to the North East of the Merredin townsite.

At its July 2017 meeting a petition was presented to Council “to open or improve the access road into Hunts Dam so as to provide the Merredin community with access to this significant recreational and tourist area”. A copy of the petition, with addresses redacted for privacy, is attached.

Council’s Standing Orders Local Law Clause 3.4 specifies the necessities for a petition, which is shown below:

**“3.4 Petitions**

- (1) A petition, in order to be effective, is to–
  - a. be addressed to the President;
  - b. be made by electors of the district;
  - c. state the request on each page of the petition;

- d. *contain the names, addresses and signatures of the electors making the request, and the date each elector signed;*
- e. *contain a summary of the reasons for the request;*
- f. *state the name of the person upon whom, and an address at which, notice to the petitioners can be given;*
- g. *be in the form prescribed by the Act and Local Government (Constitution) Regulations 1998 if it is–*
  - i. *a proposal to change the method of filling the office of President; or*
  - ii. *a submission about changes to wards, the name of a district or ward, or the number of Councillors for a district or ward.*

*(2) Following the presentation of a petition a member may move that the Council receive the petition, and refer it to an appropriate Committee for consideration.”*

Technically the petition does not comply with the above requirements in that it has been signed by a number of people who are not electors of the district, it does not state the request on each page of the petition, and the date which each elector signed the petition is not included. However, in the interest of public consultation, good will and transparency, the petition has been assessed as if it were an effective petition.

As further background, at its February 2016 meeting Council considered a request from a member of the public to purchase the Reserve. That request was declined and Council resolved to seek a change in purpose of the Reserve from Public Recreation to Conservation (CMRef 81730) as it was considered the Reserve was more appropriate as a nature habitat as opposed to a recreational area. The Administration subsequently wrote to the Department of Lands requesting the purpose of the Reserve be amended.

In considering this item, the (now) Department of Planning, Lands and Heritage (the Department) was contacted in relation to that correspondence, however for whatever reason, the Department has never acted upon the correspondence and it is not held in their current electronic records. Therefore, the purpose of the Reserve remains as Public Recreation.

As a result of contacting the Department, and separate to Council’s February 2016 resolution and the petition, it was advised that an approach has been made direct to the Department from Njaki Njaki Aboriginal Culture Tours (NNACT) seeking tenure of the Reserve *“to create economic opportunities in providing eco-style accommodation, and to provide a base for their tours with facilities to enhance and immerse others in Aboriginal culture”*.

As the petition and NNACT’s approach to the Department relate to the same Reserve and are therefore intrinsically linked, they are both considered as part of this item.

## Comment

While there appears to be a public opinion the Reserve has been formally closed off to public access by Council, this is in fact not the case. There are no bollards, gates or other man-made obstructions restricting access to the Reserve. While over time the access tracks have grown over with vegetation thus limiting vehicular access, there is a parking area off Merredin-Chandler Road which allows parking for a few cars, including caravans, and people can walk to all areas of the Reserve from there. Indeed, some of the comments received through Facebook and the survey query the need for improved access, with people suggesting they like the Reserve as it is currently and use the Reserve for picnics, walking their dogs or just enjoying the natural bush and wildlife, and would prefer that it stay that way.

With reference to the petition, in considering the number of electors who signed it, it includes 109 signatures (of the 163 names), which equates to 5% of electors in the Merredin district. Therefore, to ascertain if there is wider community interest on whether access to the Reserve should be improved a survey was developed and distributed via the Shire's website, social media channels, email notification to subscribers of various newsletters and distribution lists, and otherwise through Councillor's and staff's networks. 88 responses were received and the results of the survey are available via the following 3 web links:

<https://www.surveymonkey.com/results/SM-ZX6JMLP6/>

<https://www.surveymonkey.com/results/SM-RTBKXLP6/>

<https://www.surveymonkey.com/results/SM-FDDRXP6/>

A breakdown of the survey results numbers and main questions is attached.

Analysis of the survey indicates that most respondents who completed the survey live in Merredin and support vehicular access to the Reserve being improved. The majority visit the Reserve monthly, with the next most popular visits being annually. The majority of respondents indicated they would visit the Reserve more if access were improved. The majority of respondents would like to see additional facilities installed at the Reserve and believe that grant funding should be utilised to partially fund any improvements (with the balance coming from Council's own resources).

In improving vehicular access to the Reserve a number of factors should be considered. These include:

1. the cost of ongoing road maintenance and the provision of any facilities;
2. the cost of regularly monitoring the Reserve to ensure litter, vandalism etc is kept at a minimum (and rectifying any such incidents);
3. where funds for those costs can or should be obtained from;
4. the approvals and permits required for clearing the existing native vegetation;
5. the amount of use the Reserve receives, and what other similar areas are otherwise available within the Shire for the same purpose; and

6. whether any additional benefits can be realised by the wider community with increased access to the Reserve.

The Shire's Natural Resource Management Officer has advised that in order to provide clear vehicular access permits to clear the vegetation would be required from the Department of Water and Environmental Regulation. The timeframe to obtain these permits, depending on the type of vegetation to be cleared, is 6-12 months. Should any threatened or declared species be located within the proposed clearing area the permit processing time would increase, and depending on the species, it's possible that a permit request could be declined.

The Reserve is not on Council's current maintenance program and hasn't been for some time. No funds are allocated in the 2017/18 Budget for any works at the Reserve, and it has not previously been included in the Shire's current IPR Plans or arisen as a significant community interest during the 2016 IPR consult series.

The CWVC currently directs visitors to Merredin Peak (which is also the Shire's RV Friendly 24hr stopover site) and Totadgin Rock, which are both part of the Golden Pipeline Trail, and Council's recognised natural bush/rock/dam sites. Both have existing facilities which, depending on the site, includes walk trails, signage, picnic tables/seating and BBQs. Tamma Parkland is the other advertised natural bush site with walk trails and picnic tables, located in the southern area of town.

However, should Council wish to develop Hunts Dam for tourism purposes itself, modern European history links it with Totadgin Rock as a site explored and developed by Charles Hunt. It could therefore provide an interesting link in the explorer's trail through the Merredin area.

A report produced in 2005 by the then CWVC Manager relates to a proposed project at the Reserve and is included as an attachment. The report suggests the Reserve be utilised for walk trails and picnic areas. Some of the work identified in the report occurred, such as the development of the parking bay. But as the report suggests that a community organisation adopt the project to progress it further, apply for grant applications etc in conjunction with the Shire, it is believed the project never progressed beyond that point.

In relation to NNACT's approach to the Department, the site holds historical and cultural significance to the Njaki Njaki people as a communal walkway, meeting place and water supply. NNACT representatives indicate that as such it is the only site of its type which could be considered for their venture, and that no other site in the Merredin area would hold the same significance.

The Department has advised that as NNACT's proposal is considered an economic activity the 'transfer' of the MO would not be considered but the cancellation of the Reserve and a direct lease from the State would i.e. Council resolves to relinquish the MO and thus the land transfers back to the State, which would then lease direct to NNACT. The other option is if Council wished to retain the MO, it could lease the Reserve to NNACT either with or without additional conditions. This would require the Reserve Purpose being changed to include 'tourism' and the current MO being amended to include the 'power to lease'. The Department has advised the timeframe for such land transactions is 4-6 months.

In considering NNACT's request, the Department is required to consult and seek submissions from various stakeholders and agencies, of which the Shire of Merredin is one. The Department has therefore suggested that as this item is being considered now (as opposed to later in the Department's consultation process), it provides Council an opportunity to advise the Department of its position on the matter.

To conduct a venture of this sort, NNACT would need to comply with the relevant Building Codes, Caravan and Camping Ground legislation as well as bushfire/emergency management and sanitary/public health related statutes. Business plans and feasibility studies would also be required in order to obtain grant or other funding to assist with the venture. While NNACT is aware of this, these plans are yet to be finalised. This is primarily because without first obtaining tenure of the site, or at least advice on the possibility of obtaining tenure to the site, there is little point paying for and producing the plans.

Should such a tourism proposal be realised there could likely be a positive impact for the local community as a result of increased employment opportunities and upskilling during both the construction phase and ongoing operation of the venture. It would also result in the expansion of an already existing local small business. Additionally, as tours and experiences of this type are not common in the Central Wheatbelt area, there is the possibility to attract a wider range of visitors to the region generally, thus increasing economic benefit to other businesses in Merredin and those of surrounding towns.

Council has a number of options:

1. it can retain the MO of the Reserve, either leaving the purpose as Public Recreation or again requesting that it be amended to Conservation, and leave the Reserve in its current state;
2. it can retain the Reserve for the purpose of Public Recreation and improve road access to the Reserve;
3. it can retain the Reserve for the purpose of Public Recreation, improve road access to the Reserve and provide additional facilities such as rubbish bins, picnic tables/seating, interpretive and/or trail signage, bbqs etc;
4. it can relinquish the MO of the Reserve to the State thus allowing a direct lease between the State and NNACT; or
5. it can retain the MO of the Reserve, request Tourism be added as a purpose and the Power to Lease be included in the MO then lease the Reserve to NNACT.

In considering the above options the following should be noted:

#### **Option 1**

This option would result in no additional costs to Council, the public would retain the right to access the Reserve, however NNACT's tourism proposal could not be realised.

### **Option 2**

This option would result in additional costs to Council to open up vehicular access as well as annual maintenance costs associated with maintaining vehicular access. The public would retain the right to access the Reserve, however NNACT's tourism proposal could not be realised.

### **Option 3**

This option would result in additional costs to Council in order to open up vehicular access as well as costs associated with maintaining vehicular access. There are also costs associated with installing the facilities and ongoing maintenance of the facilities (refer to Financial Implications). An alternative may be that a community group, such as the Men's Shed, were able to make and donate the seating/shade shelters, rubbish bins, trail posts etc and that grant funding be used to purchase interpretive signage, thus reducing the initial cost to Council (and ultimately the ratepayer), although Council would still be responsible for the annual maintenance of those facilities. The public would retain the right to access the Reserve, however NNACT's tourism proposal could not be realised.

### **Option 4**

This option would result in no additional costs to Council. NNACT's tourism proposal could be realised however the public would no longer have the right to access the Reserve. The ongoing management and responsibility for the Reserve would lie with the State, or NNACT, depending on the lease content.

### **Option 5**

NNACT's tourism proposal could be realised however the public would no longer have the right to access the Reserve. As holder of the MO Council would still ultimately be responsible for the Reserve. Therefore to reduce any costs or liability to Council, it would be suggested that a lease include clauses to pass those responsibilities to NNACT. For example, should NNACT's tourism venture fail, Council should not be obliged to expend further funds in either removing any infrastructure or maintaining any infrastructure. Additionally, the responsibility for maintenance and upkeep of the Reserve, managing risk and potential liabilities etc would be transferred to NNACT.

NNACT has indicated its preference for Option 4, for the following reasons:

1. *“to have control and autonomy to make decisions and get on with things direct with the State, (a layer of bureaucracy is removed);*
2. *ownership of infrastructure is known;*
3. *liabilities and management is known;*
4. *opportunity to have an asset that will allow for economic, cultural and social development for the town and region;*
5. *opportunity for this asset to promote the town and region outside of agriculture;*

6. *creates a level of sustainability for a structured model with multiple benefits (cultural, economic and social);*
7. *our proposal aligns with State and regional plans, blueprints and investment strategies for tourism, regional development and Aboriginal affairs;*
8. *our proposal aligns with the Shire's Corporate Business Plan (Reviewed in Feb 2017) Key Priority Economic Development SP.D1.5; and*
9. *our relationship with key stakeholders including: Wheatbelt Development Commission, Western Australian Indigenous Tourism Operators Council, Australia's Golden Outback, Department of Biodiversity, Conservation and Attractions, Tourism WA and others have provided support for the proposal."*

In determining the Officer's Recommendation the following has been taken into consideration:

1. that little has occurred at the Reserve for over a decade with little/no query or concern from the public;
2. the Reserve is not included in Council's IPR suite (nor has it been previously) hence the Reserve wasn't highlighted as a priority by the community through the recent IPR consultation series, nor has it arisen previously;
3. there is no allocation in the 2017/18 Budget for any works at the Reserve therefore any works would need to be fully grant funded or other pre-identified activities/priorities would need to be postponed to enable any proposed works in the Reserve to occur;
4. at 109 signatures the petition represents only 5% of Merredin electors, with the number of the survey respondents (88) being less again (it should be noted that the survey was completely anonymously so, in making the latter statement, it is presumed those who completed the survey favourably were indeed electors of the district, and that some respondents were not in favour of the proposal for increased access or the provision of facilities);
5. the development and expansion of a local small business and unique tourism venture for the benefit of the town and wider region;
6. the NNACT proposal aligns with Council's IPR suite and objectives;
7. the potential for increased employment for the town and wider region should the NNACT proposal prove successful;
8. the potential for increased economic benefit for the town and wider region as a result of increased tourism should the NNACT proposal prove successful;
9. there is no other site within Merredin which holds the same cultural and historical significance to the Njaki Njaki people and could therefore be utilised for the NNACT proposal;
10. that Merredin has other similar sites available for public access (Merredin Peak, Totadgin Rock and Tamma Parkland) with already existing facilities, which are managed by Council;

11. there is no guarantee of long term increased patronage for the Reserve, or proof that visitor numbers would increase with improved access to the Reserve, and if the Reserve is accessed mostly by residents of Merredin there is little or no increase in economic benefit to the town or wider region;
12. the other similar sites in neighbouring Shires available for public access (thus potentially increasing the economic benefit to those towns should visitors stay and spend money while there);
13. the reduction in risk management and liability to Council by no longer holding the MO to the Reserve; and
14. the cost saving to Council (and therefore ultimately ratepayers as a whole) in not having to improve access and/or provide facilities to the Reserve.

#### Policy Implications

Nil

#### Statutory Implications

Nil

#### Strategic Implications

##### ➤ Strategic Community Plan

Vision Element: Developing

Strategic Goal: The population and economic base is expanding sustainably

Key Priority: Economic Development

##### ➤ Corporate Business Plan

Strategy: SP.D1.5 – Facilitate further development of local and regional tourism

Action #: 1

Action: Implementation of identified strategies in the CWVC Business Plan

Directorate: Community Development

Timeline: Ongoing

#### Sustainability Implications

##### ➤ Strategic Resource Plan

Nil

##### ➤ Workforce Plan

Directorate: Nil

Activity: Nil

Current Staff: Nil

Focus Area: Nil

Strategy Code: Nil

Strategy: Nil

Implications: Nil

## Risk Implications

Council's insurers have advised that whether access to the Reserve is improved or not, there is the same potential for a public liability case to be made against Council. Should Council wish to retain the MO of the Reserve and not improve access it is suggested that signage to that effect be installed at the entrance to the tracks (i.e. "vehicular access restricted to 4WD", or "pedestrian access only") to reduce Council's risk.

Other risks to Council around this item are varied, depending on the options:

### Option 1

Minimal risks to Council, except for unfavourable public opinion from the portion of the population disagreeing with the outcome.

### Option 2

As above. Additionally, if access to the Reserve is improved and more visitors access the site there is potential for increased requests for facilities to be provided in the future, increasing costs and management resources for Council.

### Option 3

Risks relate to the ongoing cost of maintaining the Reserve and any facilities, particularly around rubbish collection, vandalism and bushfire management. Potential for unfavourable public opinion from the portion of the population disagreeing with the outcome. While the survey respondents suggested they would visit the site more with improved access, there is no guarantee that in improving access and/or providing facilities this would occur on an ongoing basis.

### Option 4

There would be no risk to Council as it would no longer be responsible for the Reserve, except for unfavourable public opinion from the portion of the population disagreeing with the outcome.

### Option 5

Potential risk to Council should the NNACT proposal either not progress or fail. Potential for unfavourable public opinion from the portion of the population disagreeing with the outcome.

## Financial Implications

The EMES has calculated initial costs to reinstate road access (clear, gravel and roll) at \$10,034. The proposed road access route is attached. Annual costs to maintain access are estimated at between \$1,300-\$1,500.

Should Council consider the installation of additional facilities (not provided/donated by a community group) quoted costs are detailed below:

Item	Cost per item	Description/type/style of item
Picnic tables, seating, shade shelters	\$5,409 + GST each	Exteria Aluminium Shelter – skillion with table and seating
BBQs	\$5,584 + GST each	Omni Single with bench
Walk trail posts, signage	\$92 + GST each	Exteria - Blackwood Eco Wood Plastic Composite 98% recycled bollard square or pyramid top
Rubbish bins	\$278 + GST each	Exteria – Commander Bin post gal. steel, single mount to suit a standard wheelie bin

As any costs associated with wear and tear, damage and vandalism etc of any facilities installed at the Reserve are difficult to ascertain as it depends on the extent and the frequency, they have not been included here, but are a factor should Council wish to retain the MO of the Reserve.

Should Council decide to relinquish the Reserve back to the State there would be no ongoing costs.

#### Voting Requirements

Simple Majority

Absolute Majority

#### Officer's Recommendation

That:

1. the Department of Planning, Lands and Heritage be advised Council supports, in principle, the cancellation of the Management Order for Reserve 29700, enabling Njaki Njaki Aboriginal Cultural Tours to lease the land direct from the State for the conduct of its tourism venture; and
2. Mr Peter Gerrand be advised of the outcome of the assessment of the petition to open or improve the access road into Hunts Dam.

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