

SHIRE OF
MERREDIN
INNOVATING THE WHEATBELT

MINUTES

Ordinary Council Meeting

Held in Council Chambers
Corner King & Barrack Street's, Merredin
Tuesday 21 August 2018



Common Acronyms Used in this Document

CBP	Corporate Business Plan
CEACA	Central East Aged Care Alliance
CEO	Chief Executive Officer
CSP	Community Strategic Plan
CWVC	Central Wheatbelt Visitors Centre
DCEO	Deputy CEO
EA	Executive Assistant to CEO
EMCS	Executive Manager of Corporate Services
EMDS	Executive Manager of Development Services
EMES	Executive Manager of Engineering Services
GECZ	Great Eastern Country Zone
LGIS	Local Government Insurance Services
LPS	Local Planning Scheme
MCO	Media & Communications Officer
MoU	Memorandum of Understanding
MRCLC	Merredin Regional Community and Leisure Centre
SRP	Strategic Resource Plan
WALGA	Western Australian Local Government Association
WEROC	Wheatbelt East Regional Organisation of Councils

Table of Contents



1.	Official Opening
2.	Record of Attendance / Apologies and Leave of Absence
3.	Public Question Time
3.1	Long Tan Day 2018
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 17 July 2018
8.	Announcements by the Person Presiding without discussion
9.	Matters for which the Meeting may be closed to the public
19.1	Staff – Appointment of Executive Manager Community Services/Deputy Chief Executive Officer
19.2	Staff – Chief Executive Officer – Key Result Areas 2019
10.	Receipt of Minutes of Committee Meetings
10.1	GECZ Meeting held on 28 June 2018
10.2	WEROC Executive Meeting held on 25 July 2018
11.	Recommendations from Committee Meetings for Council consideration
	Nil
12.	Officer’s Reports – Development Services
12.1	Lot 472 (No. 8) Hobbs Road, Merredin – Application for an Over Height Shed
12.2	Lot 1337 Chandler-Merredin Road, Merredin – Application for Development Approval for Shed with Reduced Setback
13.	Officer’s Reports – Engineering Services
	Nil

14.	Officer's Reports – Corporate and Community Services
14.1	List of Accounts Paid
14.2	Statement of Financial Activity
14.3	Sale of Land for Unpaid Rates
14.4	Policy Manual Review – Policy 2.4 - Retirement/Resignation of Employees – Council Gift
14.5	Policy Manual Review – Policy 2.5 – Study Leave and Expenses - Applications
15.	Officer's Reports – Administration
15.1	NSW Drought Relief Quiz Night - Request to Waive Hire Fees
15.2	Wheatbelt Secondary Freight Route Project – Request for Funding Allocation
15.3	Lot 200 Barrack Street, Merredin – Council Buildings – Requests for Use
15.4	CEACA Inc Project – Reallocation of Independent Living Units
16.	Motions of which Previous Notice has been given
17.	Questions by Members of which Due Notice has been given
18.	Urgent Business Approved by the Person Presiding or by Decision
18.1	CEACA Inc – Development and Transfer Agreement with Wyalkatchem Senior Citizens Homes Trust (WSCHT) Inc
19.	Matters Behind Closed Doors
19.1	Staff – Appointment of Executive Manager Community Services/Deputy Chief Executive Officer
19.2	Staff – Chief Executive Officer – Key Result Areas 2019
20.	Closure

Shire of Merredin
Ordinary Council Meeting
Tuesday 21 August 2018



1. Official Opening

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

2. Record of Attendance / Apologies and Leave of Absence

Councillors:

Cr MD Willis	Deputy President
Cr BJ Anderson	
Cr AR Butler	
Cr RM Crees	
Cr JR Flockart	
Cr PR Patroni	

Staff

G Powell	CEO
C Brown	EMCS (<i>from 3.27pm until 3.47pm</i>)
P Zenni	EMDS (<i>until 3.18pm</i>)
V Green	EA to CEO
M Wallace	MCO

Members of the Public: Mr Langley Smith (*until 3.10pm*)

Apologies: Nil

Approved Leave of Absence: Cr KA Hooper (CMRef 82203); Cr LN Boehme (CMRef 82203); Cr MA Crisafio (CMRef 82155);

3. Public Question Time

3.1 Long Tan Day

Mr Langley Smith addressed Council in relation to Long Tan Day held on 18 August 2018, expressing his disappointment with the lack of attendance at the memorial from Council, and many of the other service organisations in Merredin. Mr Smith advised he would be approaching each organisation individually and hoped that the 2019 Long Tan Day would have better attendance and recognition from the community.

The Deputy President indicated that while Council traditionally had a greater involvement with the ANZAC Day commemorations, arrangements could be made for Council to have greater attendance at and involvement in Long Tan Day, should that be the preference of the organisers.

Mr Smith also thanked Council for its efforts in repairing the memorial pond and cross following recent vandalism attacks, and noted the works to the surrounding garden in preparation for the memorial event.

3.10pm – Mr L Smith left the meeting and did not return.

4. Disclosure of Interest

Councillor Patroni declared an Impartiality Interest in Item 15.3.

5. Applications for Leave of Absence

Councillor Anderson requested Leave of Absence for the September 2018 meeting.

Voting Requirements

Simple Majority Absolute Majority

Councillor's Recommendation / Resolution

Moved: Cr Patroni **Seconded:** Cr Crees

82223 That Councillor Anderson be granted Leave of Absence for the September 2018 meeting.

CARRIED 6/o

6. Petitions and Presentations

Nil

7. Confirmation of Minutes of the Previous Meetings

7.1 Ordinary Council Meeting held on 17 July 2018

Attachment 7.1A

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees **Seconded:** Cr Patroni

82224 That the Minutes of the Ordinary Council Meeting held on 17 July 2018 be confirmed as a true and accurate record of proceedings.

CARRIED 6/o

8. Announcements by the Person Presiding without discussion

Nil

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

- 19.1 Staff – Appointment of Executive Manager Community Services/Deputy Chief Executive Officer
Refer to [Page 46](#) for the resolution of this Item
- 19.2 Staff – Chief Executive Officer– Key Result Areas 2019
Refer to [Page 46](#) for the resolution of this Item

10. Receipt of Minutes of Committee Meetings

- 10.1 Minutes of the GECZ Meeting held on 28 June 2018
[Attachment 10.1A](#)
- 10.2 Minutes of the WEROC Executive Meeting held on 25 July 2018
[Attachment 10.2A](#)

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Flockart **Seconded:** Cr Patroni

82225 That the Minutes of the Great Eastern Country Zone Meeting held on 28 June 2018 and the Wheatbelt East Regional Organisation of Councils Executive Meeting held on 25 July 2018 be received.

CARRIED 6/o

11. Recommendations from Committee Meetings for Council consideration

Nil

12. Officer's Reports - Development Services

12.1 Lot 472 (No. 8) Hobbs Road, Merredin – Application for an Over Height Shed

<h2>Development Services</h2>		 SHIRE OF MERREDIN INNOVATING THE WHEATBELT
Responsible Officer:	Peter Zenni, EMDS	
Author:	As above	
Legislation:	<i>Building Act 2011</i>	
File Reference:	A2101	
Disclosure of Interest:	Nil	
Attachments:	Attachment 12.1A - Plans	

Purpose of Report

Executive Decision Legislative Requirement

Background

An application for a building permit has been received for the construction of an over height shed at Lot 472 (No. 8) Hobbs Road, Merredin.

Comment

The owners of Lot 472 (No. 8) Hobbs Road, Merredin require an over height shed to store their caravan on the premises. Council has previously approved the construction of both over height and oversize sheds in residential areas within Merredin.

The proposed shed will be located at the rear of the property and there should be no significant impact on the visual amenity of the surrounding area.

The owners of the adjoining properties have confirmed in writing that they have no objection to the construction of the proposed shed at Lot 472 (No. 8) Hobbs Road, Merredin.

Policy Implications

Policy 8.22 – Outbuildings in Residential Areas permits the EMDS to approve outbuildings in residential areas so long as the development complies with Policy Table 8.22.

In this case the policy stipulates a maximum height of no more than 3.6m, with the actual height of the proposed shed being 4.628m.

As such, the EMDS does not possess the delegated authority to approve the application and therefore the matter has been referred to Council for consideration.

The policy also stipulates a maximum aggregate area of all outbuildings for the lot in question as not exceeding 125m². The actual aggregate area of all buildings once the proposed shed is constructed will exceed the policy requirements by approximately 30m².

It should be noted that the maximum aggregate areas of the policy are based on the open air provisions of the Residential Design Codes (R Codes), which require a minimum 60% of the lot to be open to the air for R10 lots. In this case, as the lot is provided with deep sewerage R30 provisions apply which reduce the open air requirements to 45% of the lot.

As such the proposed development will comply with R Codes provisions relating to open air requirements.

Statutory Implications

Compliance with the *Building Act 2011* and the Local Planning Scheme No. 6.

Strategic Implications

➤ Strategic Community Plan

Zone: Zone 4 – Communication and Leadership
Zone Statement: Merredin Council engages with its community and leads by example
Key Priority: 4.1 – Ensuring all planning, reporting and resourcing is in accordance with best practice, compliance and statutory requirements

➤ Corporate Business Plan

Key Action: 4.1.1 - Continue to update the Integrated Planning Framework, meet statutory requirements of the Local Government Act and regulations and regulatory obligations required under other regulations
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

Building Permit application fees have been paid.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Flockart

Seconded: Cr Anderson

82226 That a building permit be issued for the construction of the proposed over height shed at Lot 472 (No. 8) Hobbs Road, Merredin, as per the plans forming part of Attachment 12.1A, subject to compliance with the relevant provisions of the *Building Act 2011* and the Building Code of Australia.

CARRIED 6/o

12.2 Lot 1337 Chandler-Merredin Road, Merredin – Application for Development Approval for Shed with Reduced Setback

Development Services



Responsible Officer:	Peter Zenni, EMDS
Author:	As above
Legislation:	<i>Building Act 2011</i>
File Reference:	A3422
Disclosure of Interest:	Nil
Attachments:	Attachment 12.2A - Plans

Purpose of Report

- Executive Decision Legislative Requirement

Background

Applications for a building permit and development approval have been received for a proposed shed to be located at Lot 1337 Chandler- Merredin Road, Merredin.

Council has previously required development in the Whitfield Way subdivision to achieve setback requirements in accordance with R2 Residential Designs Codes (R Codes).

The applicant is seeking approval for the placement of a shed at the rear of the Lot with a reduced setback to that required by the R Codes.

The R2 Coding specified requires a minimum setback of 20 metres from the primary frontage and 10 metres from side and rear boundaries. In this case the proposed setback would be reduced to 2 metres from the side boundary.

The EMDS has delegated authority to issue building permits for structures that comply with the setback requirements specified by the R Codes.

In this case, the proposed development encompassing a variation to the side boundary setback requires development approval (planning) consent before the building application can be assessed for approval by the EMDS.

The R Codes allow for a variation to setback requirements subject to compliance with the Design Principles, these being:

1. to reduce the impact of building bulk on adjoining properties;

2. to provide adequate direct sun and ventilation to the building and open spaces on the site and the adjoining properties; and
3. to minimise the extent of overlooking and resultant loss of privacy on adjoining properties.

Comment

The proposed location of the shed and associated R Codes site setback variation will comply with the R Codes Design Principles.

The size of the lots in question, as well as the fact that the proposed storage shed will be located at the rear of the block, will minimise any impact on the visual amenity of the surrounding area.

The adjoining lots do not currently have any existing buildings on them that are in the immediate vicinity of the proposed storage shed. The proposed storage shed is a non-habitable structure, and as such the reduction in the side and rear setbacks will not adversely impact on the R Codes design principles in this case. The owner of the adjoining property has confirmed in writing that they have no objection to the proposed positioning of the shed.

The proposed reduced setbacks will still meet the minimum fire separation requirements specified by the Building Code of Australia. The proposed storage shed will comply with Policy 8.22 - Outbuildings in Residential Areas.

Policy Implications

The proposed development will comply with Policy 8.22 - Outbuildings in Residential Areas.

Statutory Implications

Compliance with the *Building Act 2011* and the Shire of Merredin Local Planning Scheme No. 6.

Strategic Implications

➤ Strategic Community Plan

Zone: Zone 4 - Communication and Leadership
Zone Statement: Merredin Council engages with its community and leads by example
Key Priority: 4.1 - Ensuring all planning, reporting and resourcing is in accordance with best practice, compliance and statutory requirements

➤ Corporate Business Plan

Key Action: 4.1.1 - Continue to update the Integrated Planning Framework, meet statutory requirements of the Local Government Act and regulations and regulatory obligations required under other regulations

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

The relevant Building Permit application fees have been paid.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Anderson

Seconded: Cr Flockart

82227 That:

1. development approval for a shed, as proposed in Attachment 12.2A, incorporating a reduced Residential Design Codes side setback on Lot 1337 Chandler-Merredin Road, Merredin be approved; and
2. a building permit for the construction of the proposed shed at Lot 1337 Chandler-Merredin Road, Merredin with a reduced setback of 2 metres to the side boundary be issued, subject to compliance with the relevant provisions of the *Building Act 2011* and the Building Code of Australia.

CARRIED 6/o

3.18pm – Mr P Zenni, EMDS, left the meeting and did not return.

13. Officer's Reports - Engineering Services

Nil items to report.

14. Officers Reports – Corporate and Community Services

14.1 List of Accounts Paid

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

Purpose of Report

- Executive Decision
 Legislative Requirement

Background

The attached List of Accounts Paid during the month of July 2018 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**

Zone: Zone 4 – Communication and Leadership
 Zone Statement: Merredin Council engages with its community and leads by example

Key Priority: 4.1 – Ensuring all planning, reporting and resourcing is in accordance with best practice, compliance and statutory requirements

➤ Corporate Business Plan

Key Action: 4.1.1 – Continue to update the Integrated Planning Framework, meet statutory requirements of the Local Government Act and regulations and regulatory obligations required under other regulations

Directorate: Corporate 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

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 / Resolution

Moved: Cr Patroni


Seconded: Cr Crees

82228 That the schedule of accounts paid as listed covering cheques, electronic funds transfers, bank charges, directly debited payments and wages, as numbered and totalling \$1,925,654.81 from Council's Municipal Fund Bank Account and \$100 from Council's Trust Account, be received.

CARRIED 6/o

NOTE: EFT17413 12/07/2018 TELSTRA Damage to Telstra Property \$4,922.83 – Damage to Telstra cable allegedly caused by Council roadworks. Amount subject to insurance claim.

14.2 Statement of Financial Activity

<h2>Corporate Services</h2>		 <p>SHIRE OF MERREDIN <small>INNOVATING THE WHEATBELT</small></p>
Responsible Officer:	Charlie Brown, EMCS	
Author:	As above	
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>	
File Reference:	Nil	
Disclosure of Interest:	Nil	
Attachments:	Attachment 14.2A - Statement of Financial Activity	

Purpose of Report

- Executive Decision
 Legislative Requirement

Background

The Statement of Financial Activity, which includes the Detailed Schedules, Statement of Financial Position, Current Ratios and Investment Register, are attached for Council’s information.

Comment

Operating Income and Expenditure is consistent with Council’s YTD Budget. With Operating Income 1% up on budget estimates and Expenditure estimates showing a 19% variance.

Explanations at Program level, where possible, is held at Note 2.

Capital Expenditure

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

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

Zone: Zone 4 – Communication and Leadership
Zone Statement: Merredin Council engages with its community and leads by example
Key Priority: 4.1 – Ensuring all planning, reporting and resourcing is in accordance with best practice, compliance and statutory requirements

➤ Corporate Business Plan

Key Action: 4.1.1 – Continue to update the Integrated Planning Framework, meet statutory requirements of the Local Government Act and regulations and regulatory obligations required under other regulations
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

The Financial Activity Report is presented monthly, providing a retrospective picture of Shire activities. Contained within the report is information pertaining to the financial cost and delivery of strategic initiatives and key projects.

In order to mitigate the risk of budget over-runs or non-delivery of projects, the CEO has implemented internal control measures such as regular Council and management reporting and a quarterly process to monitor financial performance against budget estimates.

Materiality reporting thresholds have been established at half the adopted Council levels, which equate to \$10,000 for operating budget line items and \$10,000 for capital items, to alert management prior to there being irreversible impacts.

It should also be noted that there is an inherent level of risk of misrepresentation of the financials through either human error or potential fraud. The establishment of control measures through a series of efficient systems, policies and procedures, which fall under the responsibility of the CEO as laid out in Regulation 5 of the *Local Government (Financial Management Regulations) 1996*, seek to mitigate the possibility of this occurring. These controls are set in place to provide daily, weekly and monthly checks to ensure that the integrity of the data provided is reasonably assured.

Financial Implications

The adoption of the Monthly Financial Report is retrospective. Accordingly, the financial implications associated with adopting the Report are nil.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Butler


Seconded: Cr Anderson

82229 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 2018 be received.

3.27pm – Mr C Brown, EMCS, entered the meeting.

CARRIED BY ABSOLUTE MAJORITY 6/o

14.3 Sale of Land for Unpaid Rates

<h2>Corporate Services</h2> 	
Responsible Officer:	Charlie Brown, EMCS
Author:	As above
Legislation:	<i>Local Government Act 1995; Local Government (Financial Management) Regulations 1996</i>
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Attachment 14.3A (Confidential)

Purpose of Report

- Executive Decision
 Legislative Requirement

Background

There are currently 3 properties that have rates outstanding for three or more years and for which it has not been possible to enter into acceptable and successful arrangements for the payment of the balance owing. In each instance, a written notification has been directed to the last known postal address of the ratepayer and the property advising that it is intended to refer the matter to Council with a recommendation the property be sold in order to recover the outstanding balance.

The following is a list of the 3 properties that have rates currently in arrears by three or more years, together with a brief history of the action taken to date:

Assessment	A445	A682	A9403
Type/Zoning	Residential	Civic & Cultural	General Farming
Period Outstanding	1/7/2016 to Current	27/7/2011 to Current	26/7/2010 to Current
Amount Outstanding	\$18,129.99	\$13,754.68	\$17,256.38
Last Payment	4/4/2011	17/5/2010	Prior 26/7/2010
Recovery Action	See Attachment	See Attachment	See Attachment

A summary of the property owners' and the action taken to date is contained in a confidential attachment.

It is proposed to sell the land to recover the outstanding rates and charges in excess of 3 years, in accordance with Section 6.64(1)(b) of the *Local Government Act 1995*.

Comment

Council has a number of options which are detailed below.

Option 1

Exercise the provisions of Section 6.64 of the *Local Government Act 1995*:

Given the high level of debt, and the amount of time that has been afforded to enable the ratepayers to either clear or reduce the debt, it is appropriate to apply the relevant sections of the *Local Government Act 1995* empowering the sale of land provisions in relation to unpaid rates and charges.

Option 2

Exercise the provisions of Section 6.74 of the *Local Government Act 1995*:

Apply to the Minister to have the land re-vested in the Crown in the right of the State.

Option 3

Exercise the provisions of Section 6.75 of the *Local Government Act 1995*:

Make application for the land to be vested in the local government.

It is suggested that Council apply the provisions of Section 6.64 of the *Local Government Act 1995* and sell the land in respect of the unpaid rates and charges, which are in arrears for a period in excess of three years.

Policy Implications

Nil

Statutory Implications

Section 6.64 of the *Local Government Act 1995* states:

“Actions to be taken

- (1) *If any rates or service charges which are due to a local government in respect of any rateable land have been unpaid for at least 3 years the local government may, in accordance with the appropriate provisions of this Subdivision take possession of the land and hold the land as against a person having an estate or interest in the land and —*
 - (a) *from time to time lease the land; or*
 - (b) *sell the land; or*
 - (c) *cause the land to be transferred to the Crown; or*
 - (d) *cause the land to be transferred to itself.*

- (2) *On taking possession of any land under this section, the local government is to give to the owner of the land such notification as is prescribed and then to affix on a conspicuous part of the land a notice, in the form or substantially in the form prescribed.*
- (3) *Where payment of rates or service charges imposed in respect of any land is in arrears the local government has an interest in the land in respect of which it may lodge a caveat to preclude dealings in respect of the land, and may withdraw caveats so lodged by it.”*

Strategic Implications

➤ Strategic Community Plan

Zone:	Zone 4 – Communication and Leadership
Zone Statement:	Merredin Council engages with its community and leads by example
Key Priority:	4.1 – Ensuring all planning, reporting and resourcing is in accordance with best practice, compliance and statutory requirements

➤ Corporate Business Plan

Key Action:	4.1.1 – Continue to update the Integrated Planning Framework, meet statutory requirements of the Local Government Act and regulations and regulatory obligations required under other regulations
Directorate:	Corporate 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

If Council resolve not to pursue action, outstanding rates along with legal costs will continue to increase in value.

If Council resolve to follow the recommended action, it may result in recovery of rates and charges and possibly an increase in rates collected on other outstanding amounts.

Financial Implications

The outstanding rates amount would decrease due to the funds being received.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That, pursuant to Section 6.64(1)(b) of the *Local Government Act 1995*, Council proceed to sell the properties listed hereunder which have rates in arrears for 3 or more years, and recover from the proceeds of sale the outstanding balance which totals \$49,141.05:

Assessment	A445	A682	A9403
Type/Zoning	Residential	Civic & Cultural	General Farming
Period Outstanding	1/7/2016 to Current	27/7/2011 to Current	26/7/2010 to Current
Amount Outstanding	\$18,129.99	\$13,754.68	\$17,256.38
Last Payment	4/4/2011	17/5/2010	Prior 26/7/2010

Resolution

Moved: Cr Flockart

Seconded: Cr Patroni

82230 That Item 14.3 – Sale of Land for Unpaid Rates lay on the table until the September 2018 meeting.

CARRIED 5/1

3.47pm – Mr C Brown, EMCS, left the meeting and did not return.

14.4 Policy Manual Review – Policy 2.4 - Retirement/Resignation of Employees – Council Gift

Corporate Services



Responsible Officer:	Charlie Brown, EMCS
Author:	As above
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Policy Manual
Disclosure of Interest:	Nil
Attachments:	Attachment 14.4A - Policy 2.4

Purpose of Report

Executive Decision Legislative Requirement

Background

Policy 2.4 - Retirement/Resignation of Employees – Council Gift provides the framework for the retirement and resignation of employees and the parameters for the provision of a Council gift.

Comment

The Policy is a way an employee may receive recognition by way of a gratuity payment if that employee has given loyal and dedicated service to the Shire of Merredin.

The Policy has been reviewed and no changes to the Policy have been proposed.

Policy Implications

Nil, as no amendments are proposed to the Policy.

Statutory Implications

Local Government Act 1995

Strategic Implications

➤ Strategic Community Plan

Zone: Zone 1 Zone 1 - Communication & Leadership
Zone Statement: Merredin Council engages with its community and leads by example

Key Priority: 4.1 - Ensuring all planning, reporting and resourcing is in accordance with best practice, compliance and statutory requirements.

➤ **Corporate Business Plan**

Key Action: 4.1.1 - Continue to update the Integrated Planning Framework, meet statutory requirements of the Local Government Act and Regulations and regulatory obligations required under other legislation.

Directorate: Corporate Service

Timeline: 2018/19, 2020/21

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

If policies are not reviewed as required, outdated policies will exist.

Financial Implications

There will be a minor impost on Council as a result of this policy.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution


Moved: Cr Patroni

Seconded: Cr Crees

82231 That the revised Policy 2.4 - Retirement/Resignations of Employees – Council Gift, as presented in Attachment 14.4A, be adopted.

CARRIED 4/2

14.5 Policy Manual Review – Policy 2.5 – Study Leave and Expenses - Applications

<h2 style="margin: 0;">Corporate Services</h2> 	
Responsible Officer:	Charlie Brown, EMCS
Author:	As above
Legislation:	<i>Local Government Act 1995</i>
File Reference:	Policy Manual
Disclosure of Interest:	Nil
Attachments:	Attachment 14.5A - Policy 2.5

Purpose of Report

Executive Decision Legislative Requirement

Background

Policy 2.5 - Study Leave and Expenses – Applications provides a framework for study leave and expenses applications.

Comment

The Policy is a way an employee may receive reimbursement and leave to further their studies in order to achieve greater efficiency of Council’s operations.
 The Policy has been reviewed and no changes to the Policy have been proposed.

Policy Implications

Nil, as no amendments are proposed to the Policy.

Statutory Implications

Local Government Act 1995

Strategic Implications

➤ **Strategic Community Plan**

Zone: Zone 1 - Communication & Leadership
 Zone Statement: Merredin Council engages with its community and leads by example
 Key Priority: 4.1 - Ensuring all planning, reporting and resourcing is in accordance with best practice, compliance and statutory requirements.

➤ **Corporate Business Plan**

Key Action: 4.1.1 - Continue to update the Integrated Planning Framework, meet statutory requirements of the Local Government Act and Regulations and regulatory obligations required under other legislation.

Directorate: Corporate Service

Timeline: 2018/19, 2020/21

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

If policies are not reviewed as required, outdated policies will exist.

Financial Implications

There will be a minor impost on Council as a result of this policy.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

Moved: Cr Crees

Seconded: Cr Patroni

That the revised Policy 2.5 - Study Leave and Expenses – Applications, as presented in Attachment 14.5A, be adopted.

Amendment

Moved: Cr Flockart

Seconded: Cr Anderson

82232 That Point 2 be removed from the Policy.

CARRIED 5/1

Resolution

- 82233** That the revised Policy 2.5 - Study Leave and Expenses – Applications, as presented in Attachment 14.5A (and amended with the removal of Point 2), be adopted.

The Amendment became the Motion and was Put

CARRIED 6/o

15. Officer's Reports – Administration

15.1 NSW Drought Relief Quiz Night - Request to Waive Hire Fees

Administration



Reporting Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	Local Government Act 1995
File Reference:	CR/24/1
Disclosure of Interest:	Nil
Attachments:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

A request has been received to waive the venue hire fees for Cummins Theatre for a quiz night to be held on 31 August 2018 for the purpose of raising funds for NSW drought relief.

An excerpt from the request is detailed below:

"...opened a discussion on Facebook, Merredin not buy and sell, to get ideas from the community to see what we could do to help and many suggestions were made but the biggest, quickest thing we could do was to hold a quiz night and allow the whole community to support the effort by contributing in some way or by attending. The date selected is 31/08/18.

As we are trying to make the effort to send as much money as possible please consider waiving the normal fee for Theatre hire

The Rep club have indicated a willingness to run the bar and assist with set up and pack up and other things as they usually do. Also the rep club are happy to contribute a percentage of earnings from the night towards the cause, this will benefit us greatly.

We are hoping to get a lot of support and will make sure the supporters are acknowledged on the night, verbally informing people and also adding questions in relating to the business. I'm sure we can come up with a Merredin shire related question to add to the list.

At this stage we have not confirmed how we will be delivering the raised money to the drought area, we have looked at options and are attempting to find a way so the greatest amount of our money actually gets to the people who need it without too much being taken up by admin charges. The hay runners are one option we are considering, also Comm bank and Landmark have been suggested as possible ways to go.

This is completely a one off community initiated idea and is being put together quickly, we expect the support to be significant and this will show that even though the money will leave our community the benefit to the recipients will be massive. Merredin is primarily a farming community and it's possible we too could one day be needing the help of others far away in a time of need."

Comment

As mentioned above, a community member opened a Facebook discussion seeking suggestions from the community on how Merredin could assist the drought affected NSW farmers. In reviewing the discussion thread a number of suggestions were made including sausage sizzles, bake-offs, car boot sales, barn dances, silent auctions and the quiz night etc. While it may be possible for the organising committee/community to organise each of those events individually it appears that a number could be included into the one event being a quiz night.

The quiz night option has the likelihood of attracting the most number of people with the possibility that a number of other suggested activities from the FB thread could be incorporated into the evening (i.e. silent auction, meat raffle, bar sales, other raffles, collection tins etc).

Further activities and fundraising opportunities are also expected. As part of the thread it was advised Commonwealth Bank had donated \$2million and is providing support to affected customers with Merredin branch taking donations and a fundraiser to occur soon.

A request was made to the Theatre Manager for use of the venue, with a quote provided for the hire of \$528. The Theatre is available on 31 August and so a booking has been made.

Although the proposal does not meet the Policy criteria, and the request for a waiver/donation has been made outside the normal community funding submission process, with the relatively minor loss of income and fact that the Repertory Club and organising committee have committed to setting up, running and cleaning up after the event, the Officer's Recommendation aligns with the support indicated by Council at its briefing session.

It is noted that the Shire would like to extend its best wishes to the organising committee for the initiative and every success for a worthwhile cause.

Policy Implications

Policy 5.9 – Cummins Theatre – Waived or Discounted Hire Fees is applicable and states:

“Policy:

The CEO has the authority to consider discounted or waived hire fee(s) up to an amount of \$1,500 for Events that satisfy each of the below criteria or is deemed suitable by the CEO:

- 1. The booking is made by a not-for-profit organisation **and** the Event is not-for-profit.*
- 2. The Event targets all members of the community (private functions will NOT be considered unless deemed suitable by the CEO).*
- 3. Positive and lasting outcomes from the Event for the community can be demonstrated.*
- 4. The Event is widely marketed and can be seen to promote Merredin as a vibrant and sustainable community.*
- 5. The Event does not compromise any existing paid bookings at Cummins Theatre.*
- 6. The Event acknowledges the sponsorship of the Shire of Merredin.*
- 7. The Event organiser has not received more than one donation from Cummins Theatre within the financial year.*
- 8. An itemised quote for hire signed and dated no later than 30 days prior to the application being made must be provided along with the application for waived or discounted hire fees.*
- 9. Recipients of donations provided through monies raised by an Event must benefit the Shire of Merredin and its residents.*
- 10. Recipients of donations provided through monies raised by an Event must be a not-for-profit organisation.*

Purpose:

Encourage and support increased community use of the Cummins Theatre.

Scope:

This policy applies to all applications for waived or discounted hire fees for the Cummins Theatre

Guidelines:

Events and donations will be considered on individual merit. Receipt of a donation of hire fees does not guarantee further donations in the future.”

Technically the proposed event does not meet the Policy criteria in a number of areas, however in discussing the proposal with Council at its evening briefing session on Tuesday 7 August, Council indicated general support for the proposal due to the extenuating circumstances being experienced by the recipients of the raised funds.

Statutory Implications

Section 6.12 of the *Local Government Act 1995* states:

“6.12. Power to defer, grant discounts, waive or write off debts

(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; or
- 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.”

Strategic Implications

➤ Strategic Community Plan

Zone: 1 – Community and Culture
Zone Statement: Merredin is rich in cultural diversity, performing and fine arts and a variety of sports available for both residents and visitors
Key Priority: 1.6 – Supporting and strengthening community groups, organisations and volunteers

➤ Corporate Business Plan

Key Action: 1.6.2 – Support community groups that recognise and celebrate positive community achievements
Directorate: Community 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

Low to nil. Should either the organising committee or the Repertory Club not fulfil its obligations in being responsible for the set-up and clean-up of the Theatre, these activities will need to be undertaken by staff or contractors, which will have cost implications.

Financial Implications

As the event was unknown at the time of adopting the 2018/19 Budget the amount of income that could be received for the hire of the Theatre for that specific event has not been included, in this case \$528.

Similarly, a request for the waiving of hire fees was not made at the time of calling for submissions to the 2018/19 community funding round (which would be the normal practice to receive such a waiver from Council), hence no amount was included in the 2018/19 Budget for donation/waiving of the hire fees for the event.

As no input would be required from staff to run and clean up after the event there would be no other cost to Council.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Flockart

Seconded: Cr Anderson

82234

That the venue hire fees of \$528 for Cummins Theatre be waived for the NSW Drought Relief Quiz Night to be held on 31 August 2018, subject to the Merredin Repertory Club and quiz night organising committee being responsible for the set-up of the event, clean-up of the event and any costs to repair any damage to the Theatre or equipment which may be incurred during the event.

CARRIED BY ABSOLUTE MAJORITY 6/o

15.2 Wheatbelt Secondary Freight Route Project – Request for Funding Allocation

Administration



Reporting Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	<i>Local Government Act 1995; Main Roads Act 1930</i>
File Reference:	TT/17/3
Disclosure of Interest:	Nil
Attachments:	Attachment 15.2A – Briefing Document

Purpose of Report



Executive Decision



Legislative Requirement

Background

Correspondence has been received advising that at the most recent meeting of the Wheatbelt North Regional Road Group (WBN RRG) delegates requested that all member Councils reaffirm their commitment to the Wheatbelt Secondary Freight Route (WSRF) project, and commit \$6,000 as a co-contribution required for a funding application to the Building Better Regions Fund (BBRF). Should the application be successful, the detailed planning and design works would be undertaken to enable the WBN RRG to have a Level 4 Infrastructure Australia Submission prepared.

Included with the correspondence is a briefing document which provides further background information on the project, and this is included as an Attachment.

Work on the WSRF project commenced in mid-2016 with the project stemming from considerable work done by both the Wheatbelt South & WBN RRGs in looking at their road networks in an attempt to improve connectivity through the RRG funding and road projects. The mapping process started in 2014, once the RRGs together with Main Roads WA (MRWA) identified that improving the connectivity was a major project which would bring significant economic benefit to the Wheatbelt Region.

A working group was formed and with the assistance of RDA Wheatbelt the RRG obtained initial funding to progress this as a regional road project.

The last 2½ years have seen considerable work undertaken by all 42 RRG member Councils and the working group to get the project to a point where constructive and positive meetings with the Federal and State Governments, Infrastructure Australia, Freight and Logistics Council WA, CBH and other key stakeholders are occurring.

Comment

While the initial request advised the \$6,000 was to be funded from 2018/19 Budgets advice has since been received stating the co-contribution can be extended over the life of the project, meaning Councils who have already adopted their 2018/19 Budgets can make the allocation in the 2019/20 financial year without affecting the project.

Conversely, Council may wish to allocate the co-contribution in the 2018/19 year, and should it wish to do so, it would be recommended this occur at the time of the mid-year budget review when a clearer picture of Council's current expenditure levels against budget forecasts is known. For this reason, the Officer's Recommendation suggests the allocation be made in the 2019/20 Budget.

As the above background suggests, all member Councils of the WBN RRG have had input into and consultation about the project over a period of years, with most Council's likely to fully support the suggested recommendation.

The WSFR working group had met with MRWA sometime ago putting forward the idea that any Council contributions to assist with the BBRF application could come directly from project funding allocations. While no definitive answer has been provided to date, the suggestion was this would not be possible. At that time the WSFR working group had thought that co-contributions may need to be in the order of \$15,000 to \$20,000 per member Council. As the amount is now \$6,000, the group felt requesting this amount from members at this time was the more appropriate course of action to avoid further delays.

The WSFR working group are also researching other funding options, with possible Federal funding from the Major Project Business Case Fund, however there is no current advice on whether a co-contribution would be required for that round. Enquiries are continuing on whether the WSFR project would be eligible for this funding, so while there is uncertainty around that option the group will be continue progressing the BBRF application as its priority. For this reason the Officer's Recommendation has been varied slightly from the recommendation suggested by the WSFR working group which would allow the CEO to prepare and sign various letters of support for the project to various funding rounds as they may be identified by the WSFR working group.

For the Shire of Merredin specifically, the project involves a section of Merredin-Naremben Road and the Bruce Rock-Doodlakine Road, totalling approximately 45km of road.

Council's representative on the WBN RRG may wish to make further comment.

Policy Implications

Nil

Statutory Implications

The *Main Roads Act 1930* will be applicable to any works and funding involved in the project should the application be successful.

Strategic Implications

➤ Strategic Community Plan

Zone: Zone 6 – Transport and Networks
Zone Statement: Merredin provides transport networks that connects it locally, nationally and internationally
Key Priority: 6.1 – Developing and maintaining a road hierarchy and providing an appropriate level of service for the road network

➤ Corporate Business Plan

Key Action: 6.1.2 – Advocate for improved road infrastructure networks across the region
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 could be reputation implications to Council should it decide not to contribute to the project.

If the application is successful and Council has not contributed there will be implications on the loss of resources able to be allocated to the roads applicable.

Financial Implications

An allocation of unbudgeted expenditure of \$6,000 should the grant application be successful.

As the amount is unbudgeted (i.e. not already included in the 2018/19 Budget) the Officer's Recommendation suggests that the final decision on whether to include the allocation towards the project be made at the time of the mid-year Budget Review.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Flockart

82235

That:

- 1. the Secondary Freight Routes Project Development Report be noted;**
- 2. the strategic intent of the Secondary Freight Routes project be supported;**
- 3. the Chief Executive Officer prepare and sign a letter(s) of support in favour of funding application(s) to develop the Secondary Freight Route project; and**
- 4. an in principle allocation of \$6,000 be included in the 2019/20 Budget as a co-contribution to the Secondary Freight Route project, subject to a successful application to the Building Better Regions Program.**

CARRIED BY ABSOLUTE MAJORITY 6/o

Councillor Patroni declared an Impartiality Interest in this Item 15.3.

15.3 Lot 200 Barrack Street, Merredin – Council Buildings – Requests for Use

Administration



Reporting Officer:

Greg Powell, CEO

Author:

Vanessa Green, EA to CEO

Legislation:

Local Government Act 1995

File Reference:

A225

Disclosure of Interest:

Nil

Attachments:

[Attachment 15.3A](#) – Correspondence

Purpose of Report

Executive Decision

Legislative Requirement

Background

Located on Lot 200 Barrack Street, Merredin is the Women's Rest Centre (WRC) building and the old Council Chambers.

Prior to May 2014 the Merredin Community Resource Centre (MCRC) occupied the WRC and spent an amount comparable to the applicable rent on the property after it relocated to the WRC from the MRCLC in January 2011 with a lease on a no rental arrangement under the proviso that \$60,000 be spent by the MCRC on refurbishing the building during that period as determined by CMRef 30538 at Council's January 2010 meeting.

The MCRC currently lease a majority portion of the old Council Chambers following Council's May 2014 meeting where it resolved (CMRef 81352):

“That, subject to the requirements of the Local Government Act 1995, the Merredin Community Resource Centre be permitted to occupy the premises known as the old Council Chambers, Lot 200 Barrack Street, Merredin subject to the following:

- 1. execution of a commercial lease for a term of five years with an option of a further five year term;***
- 2. no rental applicable for the first term but a minimum of \$60,000 being expended on refurbishment of the building over the term or a sum that ensures refurbishment to the satisfaction of Council and that a rental on a sliding scale***

apply to the second term of five years to ensure 100% of a commercial rent is paid in the final year; and

- 3. confirmation of the expenditure of \$60,000 on the Women's Rest Centre evidenced by way of invoices.***

At its June 2016 meeting Council resolved to lease the WRC to the MCRC (CMRef 81799):

“That:

- 1. in accordance with Section 3.58 of the Local Government Act 1995 the proposal to lease the Women's Rest Centre under a commercial lease to the Merredin Community Resource Centre on a no rental arrangement until February 2020 with the Merredin Community Resource Centre being responsible for all outgoings and day to day maintenance costs be advertised for public comment; and***
- 2. if no negative comment is received, the execution of a commercial lease on the Women's Rest Centre, located on Lot 200 Barrack Street, Merredin to the Merredin Community Resource Centre be approved subject to the following:***
 - 1. execution of a commercial lease until February 2020 under the same terms as the Merredin Community Resource Centre's lease of the old Council Chambers;***
 - 2. the Women's Rest Centre is taken on an “as is” basis with no further improvements or modifications to be undertaken during the lease period at Council's expense;***
 - 3. no rental applicable for the term but all outgoings and day to day maintenance expenses for the Women's Rest Centre to be the responsibility of the Merredin Community Resource Centre (Note: any use of the building beyond the initial term will be subject to amendment of the lease of the old Council Chambers with payment of a commercial lease on a sliding scale over a further term of five years); and***
 - 4. confirmation of the expenditure on the old Council Chambers evidenced by way of invoices.”***

The Wheatbelt Development Commission (WDC) occupied the remaining portion of the old Council Chambers under a commercial lease which expired in June 2018. The lease was not renewed and the WDC have since vacated that area of the old Council Chambers, hence it is currently unoccupied.

The MCRC have requested a lease over the remaining portion of the Old Council Chambers previously occupied by the WDC on a rent free arrangement.

Comment

As can be seen from the above resolutions Council is not currently receiving any income from the MCRC leasing the WRC and the Old Council Chambers, with rent applicable only to the second term of the lease, should the lease extension option be exercised by both parties. The current lease expires on 29 February 2020.

In its request to Council the MCRC cite the State Government's planned funding cuts across the CRC Network, which would have resulted in a loss of 50% of the MCRCs funding as a reason for the requirement of the additional space (to generate extra income) on a rent free basis (due to its decrease in funding).

This point is now moot as the State Government has reversed its decision (media release dated 10 August 2018) and will continue to fund the CRC Network on the previous basis.

The correspondence notes the MCRCs appreciation for the previous support of Council, by way of the above resolutions resulting in a rent free lease arrangement for the initial 5-year term, and the regular provision of additional funding through Council's annual community funding submissions program. This program has provided the MCRC with \$9,350 over the last 4 financial years towards regular events such as the Australia Day breakfast, volunteer events, Senior's Week luncheon and other ad-hoc activities.

While there is obviously a loss in potential revenue from such a rent-free lease arrangement, Council has not been responsible for any ongoing/day to day costs (except for any capital items, the regulatory requirements around fire extinguishers and RCD's and the costs of maintaining the lawns and gardens) for the buildings. Additionally, the arrangement results in a Council building being utilised for the purpose of the providing services to the community. Another consideration is that while the building is being used it could be expected that its condition would deteriorate less than if it were vacant.

However, recent leases Council has entered into with other community groups such as the Merredin Military Museum, Merredin Fine Arts Society, Merredin Railway Museum and Historical Society, and the Merredin Army Cadets have all been charged a rent amount equating to \$10 per week (\$520 per annum) simply to cover the administrative requirements and regulatory costs around fire extinguishers and RCD's for the leases. It could be argued that these community groups would have and receive much less funding than the MCRC does, and have far less potential to earn themselves an income. Having said that, they would also likely have far less overhead and operational costs compared to the MCRC.

Without rescinding the above two resolutions it is not possible for Council to allocate a rental amount to the current leases. However, it may be fair to suggest that the MCRC pay the same rate as the other community groups (\$520 per annum) to ensure a cost recovery on the administration of the proposed new lease and for regulatory costs involved with the fire extinguishers and RCD's to the premises as a whole. Staff have been undertaking these regulatory requirements hence the shift in cost recovery to the lessees. Should the MCRC wish to take on these responsibilities themselves, as an inclusion to the lease documents, it may be possible for the cost to be waived.

The proposal to lease the portion of the Old Council Chambers previously occupied by the WDC would be undertaken as a new lease with the same expiry date as the leases of the WRC and remaining portion of the Old Council Chambers (being 29 February 2020), and under the same terms as those other 2 leases with the exception of the applicable rent of \$520 per annum.

Policy Implications

Nil

Statutory Implications

As a disposal of property, the provisions of Section 3.58 of the *Local Government Act 1995* must be complied with meaning any proposal to lease would need to be advertised for public comment prior to finalising a lease agreement.

Strategic Implications

➤ Strategic Community Plan

Zone: 1 – Community and Culture

Zone Statement: Merredin is rich in cultural diversity, performing and fine arts and a variety of sports available for both residents and visitors

Key Priority: 1.6 – Supporting and strengthening community groups, organisations and volunteers

➤ Corporate Business Plan

Key Action: 1.6.2 – Support community groups that recognise and celebrate positive community achievements

Directorate: Community 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

Should Council resolve in favour of the Officer's Recommendation to include a rental amount similar to the other community leases, the receipt of \$520 per annum in unbudgeted income would be expected.

If Council decides against the Officer's Recommendation and provides the remaining portion of the Old Council Chambers to the MCRC rent free there will be no receipt of income and the continuing cost, albeit relatively minor, of maintaining the fire equipment, RCDs, lawns and gardens.

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Butler

Seconded: Cr Anderson

82236

That:

1. in accordance with Section 3.58 of the *Local Government Act 1995* the proposal to lease the remaining portion of the old Council Chambers, previously occupied by the Wheatbelt Development Commission, under a commercial lease to the Merredin Community Resource Centre on a rental of \$520 per annum until February 2020 with the Merredin Community Resource Centre being responsible for all outgoings and day to day maintenance costs be advertised for public comment; and
2. if no negative comment is received, the Chief Executive Officer be authorised to execute a commercial lease on the remaining portion of the old Council Chambers previously occupied by the Wheatbelt Development Commission, located on Lot 200 Barrack Street, Merredin to the Merredin Community Resource Centre subject to the following:
 1. execution of a commercial lease until February 2020 under the same terms as the Merredin Community Resource Centre's current lease of the old Council Chambers (with the exclusion of the rental fee);
 2. the remaining portion of the old Council Chambers is taken on an "as is" basis with no further improvements or modifications to be undertaken during the lease period at Council's expense; and
 3. a rental fee of \$520 per annum to be applicable with all outgoings and day to day maintenance expenses for the remaining portion of the old Council Chambers to be the responsibility of the Merredin Community Resource Centre (Note: any use of the building beyond the initial term will be subject to amendment of the lease of the old Council Chambers with payment of a commercial lease on a sliding scale over a further term of five years in line with CMRef 81352 and CMRef 81799).

CARRIED 6/o

15.4 CEACA Inc Project – Reallocation of Independent Living Units

This Item 15.4 was withdrawn.

16. Motions of which Previous Notice has been given

Nil

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

Nil

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

- 18.1 CEACA Inc – Development and Transfer Agreement with Wyalkatchem Senior Citizens Homes Trust (WSCHT) Inc

Meeting Comment

The CEO advised Council that the reason for the withdrawal of Item 15.4 - CEACA Inc Project – Reallocation of Independent Living Units, was because agreement had been reached between CEACA and the WSCHT for the transfer of ownership of the subdivided lots containing the CEACA Inc housing in Wyalkatchem to CEACA.

The Agreement needs to be signed under Common Seal and it is proposed this occur during the Dowerin Field Days.

Resolution

Moved: Cr Patroni **Seconded:** Cr Crees

- 82237 That Council agree to consider Late Item 18.1 – Central East Aged Care Alliance Inc – Development and Transfer Agreement with Wyalkatchem Senior Citizens Homes Trust Inc.**

CARRIED 6/o

Resolution

Moved: Cr Crees **Seconded:** Cr Flockart

- 82238 That approval be granted to the Shire President or Deputy Shire President and the Chief Executive Officer to sign the Development and Transfer Agreement between the Central East Aged Care Alliance Inc, the Wyalkatchem Senior Citizens Homes Trust Inc and the Shire of Merredin.**

CARRIED 6/o

19. Matters Behind Closed Doors

In accordance with Section 5.23(a) of the *Local Government Act 1995* Council went Behind Closed Doors to discuss matters affecting employees.

Resolution

Moved: Cr Flockart **Seconded:** Cr Anderson

82239 That Council move Behind Closed Doors at 4.23pm.

CARRIED 6/o

Resolution

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

82240 That Council return from Behind Closed Doors at 4.30pm.

CARRIED 6/o

19.1 Staff – Appointment of Executive Manager Community Services / Deputy CEO

Voting Requirements

Simple Majority Absolute Majority

Resolution

Moved: Cr Patroni **Seconded:** Cr Crees

82241 That the appointment of Mrs Kellie Bartley be confirmed as the Executive Manager Community Services / Deputy Chief Executive Officer.

CARRIED 6/o

19.2 Staff – Chief Executive Officer – Key Result Areas 2019

Voting Requirements

Simple Majority Absolute Majority

Resolution

Moved: Cr Flockart **Seconded:** Cr Crees

82242 That the Chief Executive Officer's Key Result Areas and Actions for 2018/19, as developed at the workshop undertaken on 17 July 2018 and presented in Attachment 19.2A, be endorsed.

CARRIED 6/o

20. Closure

There being no further business the Deputy President thanked those in attendance and declared the meeting closed at 4.32pm.