

SHIRE OF  
**MERREDIN**  
INNOVATING THE WHEATBELT

# MINUTES

## Ordinary Council Meeting

Held in Council Chambers  
Corner King & Barrack Street's, Merredin  
Tuesday, 22 January 2019



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<b>Common Acronyms Used in this Document</b>	
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

Shire of Merredin  
Ordinary Council Meeting  
Tuesday 22 January 2019



**1. Official Opening**

The President welcomed those in attendance and declared the meeting open at 3.06pm.

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

**Councillors:**

Cr KA Hooper	President
Cr BJ Anderson	
Cr LN Boehme	
Cr AR Butler	
Cr RM Crees	
Cr MA Crisafio	
Cr JR Flockart	
Cr PR Patroni	

**Staff**

G Powell	CEO
K Bartley	DCEO
M Wallace	MCO
J Freind	CT Manager
H Martin	CLO

**Members of the Public:** 4

**Apologies:** Nil

**Approved Leave of Absence:** Cr MD Willis (CMRef 82246)

**3. Public Question Time**

Nil

**4. Disclosure of Interest**

Councillor Anderson declared a 'Direct – Financial Interest' in Item 14.1.

Councillor Flockart declared an 'Impartiality Interest' in Item 14.4.

**5. Applications for Leave of Absence**

Nil

## 6. Petitions and Presentations

Nil

## 7. Confirmation of Minutes of the Previous Meetings

7.1 Ordinary Council Meeting held on 18 December 2018

### [Attachment 7.1A](#)

#### Voting Requirements



Simple Majority



Absolute Majority

#### Officer's Recommendation / Resolution

**Moved:** Cr Patroni

**Seconded:** Cr Crees

**82299** That the Minutes of the Ordinary Council Meeting held on 18 December 2018 be confirmed as a true and accurate record of proceedings.

**CARRIED 8/o**

## 8. Announcements by the Person Presiding without discussion

Nil

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

Nil

## 10. Receipt of Minutes of Committee Meetings

10.1 CEACA Executive Committee Meeting held on 12 December 2018

### [Attachment 10.1A](#)

#### Voting Requirements



Simple Majority



Absolute Majority

#### Officer's Recommendation / Resolution

**Moved:** Cr Crees

**Seconded:** Cr Flockart

**82300** That the Minutes of the CEACA Executive Committee Meeting held on 12 December 2018 be received.

**CARRIED 8/o**

*Item 15.2 was considered now but has been recorded in the order of the Agenda.*

## 11. Recommendations from Committee Meetings for Council consideration


Nil

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

Nil items to report

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

**13.1 Mini Sweeper - Award of eQuotes Tender - Reference Number VP127418**

<h2>Engineering Services</h2>		
<b>Responsible Officer:</b>	Mike Hudson, EMES	
<b>Authors:</b>	Mike Hudson, EMES Kellie Bartley, DCEO	
<b>Legislation:</b>	<i>Local Government Act 1995; Local Government (Functions and General) Regulations 1996</i>	
<b>File Reference:</b>	Tender Register	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	<a href="#">Attachment 13.1A</a> – Tender Evaluation (Confidential)	

**Purpose of Report**

- Executive Decision                       Legislative Requirement

**Background**

The Shire requires a new road sweeper. The current sweeper was purchased in 2002 and is long overdue for replacement as it is no longer in a serviceable condition. It was identified that a replacement sweeper should be more versatile and have the ability to sweep carparks, cycle ways, road pavements and footpaths. As such, a rigorous and detailed specification was developed to ensure the most appropriate machine for Merredin roads and other relevant infrastructure with varied conditions could be purchased.

In accordance with Policy 3.12 – Purchasing Policy and Regulation 11(2)(f) of the *Local Government (Functions and General) Regulations 1996* this purchase can be made via the WALGA Preferred Supplier Arrangements, which is exempted from the public tender process.

The procurement process has been initiated via WALGA’s eQuotes system in accordance with “Using a Tender Exempt Panel of Pre-Qualified Suppliers” guidelines within Policy 3.12 – Purchasing Policy and the *Local Government (Functions and General) Regulations 1996*.



The value of the purchase is in excess of the CEO's delegation limit (under Delegation DL4.1) and requires a resolution of Council to finalise the purchase.

A Request for Quotation (RFQ), being Reference Number VP127418 - Supply of Mini Sweeper, was issued on 6 November 2018. The RFQ utilised selection criteria under the category of 'Sweeping Equipment (Specialised Trucks and Bodies) (Type: Preferred Supplier Panel, Contract Name/Number: NPN 1.15)' and the Shire's specifications.

The following suppliers were requested to provide quotations:

1. Bucher Municipal Pty Ltd;
2. Garwood International Pty Ltd;
3. TOCOJEP A Pty Ltd T/As T-Quip;
4. Rosmech Sales & Service Pty Ltd; and
5. Tennant Company.

The RFQ submission period closed on 20 November 2018 and all suppliers submitted a quotation in accordance with the RFQ.

	<b>Comment</b>
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	<p>The evaluation of submissions was conducted in accordance with Policy 3.12 – Purchasing Policy and incorporated the “value for money assessment incorporating the whole of life cost, technical requirements and service delivery”.</p>
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	<p>The evaluation of the submissions was undertaken by the EMES and Construction Supervisor.</p>
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	<p>The evaluation spreadsheet is confidential and provided as an Attachment under separate cover.</p>
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	<p>During the evaluation the following was noted:</p>
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|--|--|
|  | <ol style="list-style-type: none"><li>1. It was determined that three submissions were compliant with the specified criteria and thus suitable to operate in the conditions required by the Shire of Merredin (being Supplier's 2, 3 and 4);</li><li>2. Supplier 3's price is the cheapest of the preferred machines and under budget offering the best value for money when the principles of value for money are applied;</li><li>3. Supplier 3 was the only potential supplier to visit Merredin to discuss and assess the requirements and operating conditions for the machine;</li><li>4. Supplier 3 has full service/parts facilities located in Perth; and</li><li>5. Supplier 3 has a proven track record with service and support.</li></ol> |
|--|--|

	<p>After evaluation of the submissions in accordance with Policy, it is recommended that the supply of a mini sweeper be awarded to Supplier 3 for the cost of \$153,000 (ex GST).</p>
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This process has been undertaken in consultation with the EMES, Construction Supervisor, EMCS and CEO.

### Policy Implications

Policy 3.12 – Purchasing Policy applies. The Policy outlines how the Shire will deliver best practice in the purchasing of goods, services and works that align with the principles of transparency, probity and good governance whereby establishing efficient, effective, economical and sustainable procedures in all purchasing activities. The Policy was used to undertake the procurement process via WALGA eQuotes. The Policy also establishes the evaluation criteria for procurement.

Delegation DL4.1 – Tenders has been followed in the purchasing process and as such a Council decision is required to accept tenders above \$150,000.

### Statutory Implications

This procurement process has been completed in accordance with Section 3.75 of the *Local Government Act 1995* and Regulation 11(2)(f) of the *Local Government (Functions and General) Regulations 1996*.

### Strategic Implications

#### ➤ Strategic Community Plan

Zone: Zone 6 – Transport and Networks  
Zone Statement: Merredin provides transport networks that connect 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: 2018/19

### 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

Adoption of this item has been evaluated against the Risk Management Policy 3.24 - Risk Matrix. The perceived level of risk is considered to be low and can be managed by the routine procedures.

### Financial Implications

Funds are allocated in the 2018/19 Budget, identified in the Capital Expenditure Program. The expense for the purchase is listed at Account 1E1291200 in the amount of \$260,000.

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Crisafio

**Seconded:** Cr Boehme


**82302** That Request for Quotation Reference Number VP127418 be awarded to supplier TOCOJEP A Pty Ltd T/As T-Quip for the purchase of a Hako Citymaster160 Mini Sweeper for the sum of \$153,000 (ex GST).

**CARRIED 8/o**

**14. Officers Reports – Corporate and Community Services**

3.13pm Cr Anderson declared a 'Financial – Direct Interest' in this item and departed from the meeting.

**14.1 List of Accounts Paid**

<h2>Corporate Services</h2>		 <p>SHIRE OF <b>MERREDIN</b> INNOVATING THE WHEATBELT</p>
<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	

**Purpose of Report**

Executive Decision                       Legislative Requirement

**Background**

The attached List of Accounts Paid during the month of November 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 Flockart

**Seconded:** Cr Butler

**82303** That the schedule of accounts paid as listed covering cheques, electronic funds transfers, bank charges, directly debited payments and wages, as numbered and totalling \$3,056,846.54 from Council's Municipal Fund Bank Account and \$2,157,713,80 from Council's Trust Account, be endorsed.

**CARRIED 7/0**

3.14pm *Cr Anderson returned to the meeting.*

**14.2 Statement of Financial Activity**

**Corporate Services**



<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

**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 3% down on budget estimates and Expenditure showing a 0% variance.

As can be seen on page 3 the Adjusted Net Current asset position is consistent with the same period last year.

Explanations at Program level, where possible, is held at Note 2, however a detailed listing can be seen in the Attachment.

**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 Crisafio

**82304** 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 December 2018 be received.

**CARRIED BY ABSOLUTE MAJORITY 8/o**

**14.3 Policy Manual Review - Policy 3.12 - Purchasing Policy**

<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 14.3A</a> – Policy 3.12 - Purchasing Policy	

**Purpose of Report**

- Executive Decision                       Legislative Requirement

**Background**

A recent review of Council’s purchasing practices has shown some inefficiencies. The proposed amendments to Policy 3.12 – Purchasing Policy will allow greater flexibility in our current practices whilst still conforming with legislation.

**Comment**

The current policy requires that any purchase should have a written or verbal quote. It is considered that this is too time consuming and a degree of flexibility is required. Therefore, the proposal is that a new threshold of \$0 to \$1,000 be inserted where no quotation is required, but may be requested should the requisitioning officer consider it pertinent.

The next amendment relates to purchases that are in contravention of the policy. On advice from Moore Stephens, it was considered that where purchases are not in accordance with the policy, these purchases be brought to Council’s attention for noting in the form of a monthly agenda item.

An example of such would be a travelling show that could be presented at Cummins Theatre, with the cost of the show being (say) \$6,000. Only one quote can be obtained as each show is unique in itself, therefore a file note would need to be completed as this does not conform to the policy which states that three quotes must be obtained.

### Policy Implications

An update of Policy 3.12 – Purchasing Policy is required.

### 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 going against a recommendation of the Auditor General if it did not consider this agenda item.

### Financial Implications

Not Applicable

### Voting Requirements



Simple Majority



Absolute Majority

### Officer's Recommendation

That Policy 3.12 – Purchasing Policy, as amended and presented in Attachment 14.3A, be adopted.

### Resolution

**Moved:** Cr Boehme

**Seconded:** Cr Flockart

**82305** That Policy 3.12 – Purchasing Policy, as amended and presented in Attachment 14.3A, be adopted subject to the Policy being edited to include the sentence “Should there be an exception to this policy, it will be referred to Council for consideration.”

**CARRIED 8/0**

### Reason

Council wished to clarify that exceptions may be made for the Policy where deemed appropriate by a Council Resolution.

Cr Flockart declared an 'Impartiality Interest' in this item.

**14.4 Policy Manual Review – Proposed Policy 3.29 - Donations and Loans – Merredin Regional Library**

<h2>Community Services</h2>		
<b>Responsible Officer:</b>	Kellie Bartley, DCEO	
<b>Author:</b>	Wendy Porter, Manager Library Services	
<b>Legislation:</b>	<i>Local Government Act 1995</i>	
<b>File Reference:</b>	Policy Manual	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	<a href="#">Attachment 14.4A</a> – Proposed Policy 3.29 - Donations and Loans – Merredin Regional Library	

**Purpose of Report**

- Executive Decision                       Legislative Requirement

**Background**

The purpose of this proposed policy is to bring the Merredin Regional Library (MRL) in line with the CWVC and Cummins Theatre in regards to accepting donations and loans for the MRL, excluding stock items. It includes items for the Local History Memorabilia Room which was funded by a Lotterywest grant.

The grant was received in 2017 to furnish the Memorabilia Room within the North Merredin Primary School precinct. This space was created specifically to assist with the display of local history items and memorabilia within the district. The room includes a reading area as well as display cabinets for historical items.

**Comment**

The objectives are to work with the local museums and show rotating displays of items available at each of the museums with the view to encourage people to visit the main collections in the local museums.

The MRL has a growing collection of local history including newspapers on microfilm, oral histories, local and sporting memorabilia, maps and other items that have not been easily accessible in the past due to the lack of display space at the previous library.

The proposed policy will create a framework for accepting donations to the MRL and especially the Local History Memorabilia Room.

The purpose is to collect, preserve, research, display and store objects of local historical significance to the Merredin region and its people.

The collection is to develop a resource of knowledge, stories and memories that inspire, educate, entertain and inform visitors and the community.

The proposed policy outlines the guidelines for donations and loans that may be accepted by the MRL taking into consideration items that may be recommended to be forwarded to the other museums in Merredin.

### Policy Implications

Having this policy provides reasonable guidelines and an approvals process for accepting items under the policy at the MRL.

### Statutory Implications

Section 2.7(2)(b) of the *Local Government Act 1995* prescribes that a primary function of the Council is determining the Local Government's Policies.

Section 2.7(2)(b) of the *Local Government Act 1995* requires that Council determines obligations in the areas of policy development for the Shire.

#### **"2.7 Role of Council**

- (1) *The council —*
  - a) *governs the local government's affairs; and*
  - b) *is responsible for the performance of the local government's functions.*
- (2) *Without limiting subsection (1), the council is to —*
  - a) *oversee the allocation of the local government's finances and resources; and*
  - b) *determine the local government's policies."*

Section 5.41(c) of the *Local Government Act 1995* prescribes that a function of the CEO is to cause Council's decisions to be implemented and this includes giving effect to Council Policies.

### Strategic Implications

#### ➤ Strategic Community Plan

Zone: Zone 1 – Community & 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: 1.2 – Protecting and promoting the diverse culture and heritage of the Merredin region.

#### ➤ Corporate Business Plan

Key Action: 1.2.1 – Support the preservation and promotion of heritage buildings and significant sites to include artefacts and memorabilia  
Directorate: Community Services  
Timeline: 2018/19

## 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

The proposed policy ensures that donations and loans to the MRL are correctly received and recorded in relevant registers.

## Financial Implications

Nil

## Voting Requirements



Simple Majority



Absolute Majority

## Officer's Recommendation

**Moved:** Cr Patroni

**Seconded:** Cr Butler

That Policy 3.29 - Donations and Loans – Merredin Regional Library, as presented in Attachment 14.4A, be adopted.

## Resolution

**Moved:** Cr Anderson

**Seconded:** Cr Flockart

**82306** That Item 14.4 - Policy 3.29 - Donations and Loans – Merredin Regional Library lay on the table until the February 2019 Ordinary Council Meeting.

**CARRIED 8/o**

**14.5 Policy Manual Review – Policy 3.10 - Eric Hind Scholarship**

<h2>Community Services</h2>		 SHIRE OF <b>MERREDIN</b> INNOVATING THE WHEATBELT
<b>Responsible Officer:</b>	Kellie Bartley, DCEO	
<b>Author:</b>	Adim Hajat, Community Liaison Officer	
<b>Legislation:</b>	<i>Local Government Act 1995</i>	
<b>File Reference:</b>	Policy Manual	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	<a href="#">Attachment 14.5A</a> – Policy 3.10 - Eric Hind Scholarship	

**Purpose of Report**



Executive Decision



Legislative Requirement

**Background**

Council last reviewed this policy in May 2018 (CMRef 82181). Policy 3.10 - Eric Hind Scholarship provides the framework for the scholarship which supports young talented musicians within the district.

Regular review of the Policy Manual is required to ensure its continued relevance and applicability. The review uses a range of methods to establish whether a policy works in practice and to determine the merit or value of any improvements which could be made.

Applications for the scholarship were recently advertised with no interest being shown.

**Comment**

Policy 3.10 – Eric Hind Scholarship is awarded annually in accordance with the guidelines set out in the policy to recognise and acknowledge Mr Eric Hind’s contributions to the Shire of Merredin as a Councillor and his accomplishments as a violinist by offering an annual music scholarship to young talented music students within the Merredin Shire.

Community consultation was undertaken between the Community Liaison Officer and the local schools to gauge interest in the scholarship. This consultation and the fact there was no interest shown in applying indicates the scholarship selection criteria requires amendment.



From the consultation undertaken it was identified that the age group range should be lowered. It is proposed to amend the current Selection Criteria point 3 “*Applicant must be at least 11 years of age and under 20 years of age*”. It provides an opportunity to lower the age bracket to 7 years of age as it will then include students currently studying music in primary school and aligns with the current school curriculum.

### Policy Implications

An update of Policy 3.10 – Eric Hind Scholarship is required.

### Statutory Implications

Section 2.7(2)(b) of the *Local Government Act 1995* prescribes that a primary function of the Council is determining the Local Government’s Policies.

Section 2.7(2)(b) of the *Local Government Act 1995* requires that Council determines obligations in the areas of policy development for the Shire.

#### “2.7 Role of Council

(1) *The council —*

- a) *governs the local government’s affairs; and*
- b) *is responsible for the performance of the local government’s functions.*

(2) *Without limiting subsection (1), the council is to —*

- a) *oversee the allocation of the local government’s finances and resources; and*
- b) *determine the local government’s policies.”*

Section 5.41(c) of the *Local Government Act 1995* prescribes that a function of the CEO is to cause Council’s decisions to be implemented and this includes giving effect to Council Policies.

### Strategic Implications

#### ➤ Strategic Community Plan

Zone: 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: 1.6.1 - Support community groups to deliver activities and services to the Community effectively and sustainably  
Directorate: Community Services  
Timeline: 2018/19

## 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

The risk to the organisation is low impact.

## Financial Implications

There is a budgeted amount of \$1,000 for this Scholarship that has previously been approved in the adoption of the 2018/19 Budget.

## Voting Requirements



Simple Majority



Absolute Majority

## Officer's Recommendation

That:

1. Policy 3.10 - Eric Hind Scholarship, as amended and presented in Attachment 14.5A, be adopted; and
2. the Chief Executive Officer be requested to advertise for applications for the Eric Hind Scholarship in accordance with the amended Selection Criteria.

## Resolution

**Moved:** Cr Flockart

**Seconded:** Cr Boehme

**82307** That Item 14.5 – Policy Manual Review – Policy 3.10 – Eric Hind Scholarship lay on the table until the February 2019 Ordinary Council Meeting.

**CARRIED 5/3**

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

**15.1 Submission to the Review of the *Local Government Act 1995***

<h2>Administration</h2>		
<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>	Nil	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	<a href="#"><b>Attachment 15.1A</b></a> – Questionnaire Response <a href="#"><b>Attachment 15.1B</b></a> – Discussion Papers	

**Purpose of Report**

- Executive Decision
  Legislative Requirement

**Background**

In 2017 the McGowan Government announced a review of the *Local Government Act 1995*. This is the first significant reform of local government conducted in more than two decades. The objective is for Western Australia to have a new, modern Act that empowers local governments to better deliver for the community.

Local governments and the community were invited to have their say on the priority reforms earlier this year and the drafting of a Bill which includes universal training for candidates and Councillors, Councillor code of conduct, improvements to CEO recruitment and performance review, and a simplified gift framework is now underway.

The next stage will result in a new Local Government Act and focuses on delivering for the community based on the themes Agile, Smart and Inclusive. It considers nine key topic areas as outlined below and local governments and community members are currently invited to have a say on some or all of the reform areas.

### **Agile**

Agile includes topics that focus specifically on how local governments can best use their resources to adapt to changing conditions. It is important that they can strike a balance between community expectations, the practical limitations of revenue and expenditure and external pressures.

Agile themes include:

1. Beneficial enterprises;
2. Financial management; and
3. Rates.

### **Smart**

Smart includes topics that focus specifically on enabling local governments to better meet the needs and expectations of their communities through being transparent and accountable.

Smart themes include:

1. Administrative efficiencies;
2. Local laws;
3. Council meetings; and
4. Interventions.

### **Inclusive**

Inclusive focuses specifically on local governments representing and involving their communities in decision-making. As the tier of government closest to the community, there is an expectation that local governments represent the whole community, recognise diversity within their district and are responsive to community needs.

Inclusive themes include:

1. Community engagement;
2. IPR;
3. Complaints management; and
4. Elections.

#### **Comment**

The Department of Local Government, Sport and Cultural Industries (DLGSCI) and WALGA jointly coordinated 19 forums across the state, with a forum in Merredin being conducted on 24 October 2018.

The priority themes discussed at that forum were:

1. Financial management;
2. Administrative efficiencies/local laws;
3. Community engagement/IPR;

4. Local government elections; and
5. Rating.

The DLGSCI developed detailed Discussion Papers for each of the 11 themes. These are attached for Council's information.

WALGA is conducting a state-wide forum on the future of local government to be held on 30 January 2019. The forum will include a review of the information received from various local governments to date, in addition to guest speakers.

The matter of making a submission to the Review has been discussed informally with Council at its briefing sessions previously, as well as formally through both GECZ and WEROC.

WALGA recently released an Infopage seeking Council endorsed feedback on the Review by 1 February 2019 to enable agenda items to be presented to the Zone meetings leading up to the March 2019 State Council meeting.

Staff have reviewed the questionnaires and a proposed submission is attached for Council's perusal. The questionnaire responses take into consideration previous comments made by Councillors at the forums and the other meetings detailed above.

Councillors will note there are some questions in the questionnaire which have not been answered (refer to the yellow highlighted items). Council may wish to make specific comment on these questions.

#### **Policy Implications**

Nil at this time.

It is possible there may be future implications to Policy, depending on the outcomes of the Review and content of the new Act.

#### **Statutory Implications**

Nil at this time.

Once the new Act is proclaimed Council will be required to comply with its contents, whatever they may be.

#### **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**

Nil

**Financial Implications**

Nil

**Voting Requirements**

Simple Majority

Absolute Majority

**Officer's Recommendation**

That the questionnaire responses to the Local Government Act Review, as presented in Attachment 15.1A, be submitted to the Department of Local Government, Sports and Cultural Industries and the Western Australian Local Government Association.

**Resolution**

**Moved:** Cr Crisafio

**Seconded:** Cr Butler

**82308** That the questionnaire responses to the Local Government Act Review, as presented in Attachment 15.1A, be submitted to the Department of Local Government, Sports and Cultural Industries and the Western Australian Local Government Association subject to the following comments being added:

- 1. Religious organisations should be rateable;**
- 2. Absolute Majority be required for any Council voting on financial matters; and**
- 3. All Councils be consulted and their input utilised (where appropriate) when developing the templates for state wide regulations to replace local laws.**

**TIED 4/4**

*The Presiding Member exercised his right to cast a second vote and the motion was:*

**CARRIED 5/4**

*This item was considered after Item 10.1 but has been recorded in the order of the Agenda.*

**15.2 Merredin Military Museum – Request for Permission to Paint External Wall**

<h2>Administration</h2>		
<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>	Nil	
<b>Disclosure of Interest:</b>	Nil	
<b>Attachments:</b>	<a href="#">Attachment 15.2A</a> – Correspondence and Design	

**Purpose of Report**

- Executive Decision
  Legislative Requirement

**Background**

Correspondence has been received from the Merredin Military Museum (MMM) seeking permission from Council to paint a mural on the western external wall of the Museum, as it is a Council-owned building. A copy of the correspondence is attached, along with the chosen design and a photo of the western wall (facing Pioneer Park) upon which the proposed mural would be painted.

**Comment**

The left hand side of the wall is approximately 18m wide x 2.5m high, and the right hand side is approximately 4m wide x 3.7m high. It is proposed the mural would cover this area.

The mural design has been unanimously approved by the MMM Committee and is in keeping with the building’s use as a military museum and appropriately acknowledges the service of military personnel.

The artist has advised the paint used will either be Dulux Weathershield, the same paint used for the silos, or Wattyl Solagard. Both are exterior paints designed to withstand the Australian weather. The mural has been designed using a limited palette of 5 base colours - white, black, green, yellow and red. All colour shades in the design are mixed using those 5 base colours.



In terms of timeframe, the mural would be painted on a volunteer basis over a series of weekends. The intent is to start as soon as possible, while the weather is hot and dry, with works to be complete by the end of March.

### Policy Implications

Nil

### Statutory Implications

Nil

### Strategic Implications

#### ➤ Strategic Community Plan

Zone: 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: 1.1 – Supporting and facilitating engagement in the arts in all their forms  
Key Priority: 1.2 – Protecting and promoting the diverse culture and heritage of the Merredin region

#### ➤ Corporate Business Plan

Key Action: 1.1.1 – Support community organisations to provide art and cultural activities  
Directorate: Community Services  
Timeline: Ongoing  
Key Action: 1.2.1 – Support the preservation and promotion of heritage buildings and significant sites to include artefacts and memorabilia  
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 to Council specifically, however art appreciation is generally subjective in nature hence as with the silos, there may be some community members who dislike the chosen design.

From an Administration perspective it is felt the design appropriately portrays and respects the military services and personnel, and would be a fitting mural for the Museum.

### Financial Implications

Nil as the MMM are not seeking financial support from Council to paint the mural. In relation to the ongoing maintenance and visual amenity of the mural it is recommended that this be the responsibility of the MMM, with conditions as such included in the Officer's Recommendation.

### Voting Requirements

Simple Majority

Absolute Majority

### Officer's Recommendation / Resolution

**Moved:** Cr Flockart

**Seconded:** Cr Crisafio

**82301** That the Merredin Military Museum be granted permission to paint the western external wall of the Museum building in accordance with the design as presented in Attachment 15.2A on the condition that the Merredin Military Museum be responsible for maintaining the visual amenity of the mural or removing the mural should it become deteriorated beyond repair.

**CARRIED 8/o**

*3.10pm – the Members of the Gallery departed from the meeting.*

**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**

Nil

**19. Matters Behind Closed Doors**

Nil

**20. Closure**

There being no further business the President thanked those in attendance and declared the meeting closed at 3.48pm.