

SHIRE OF MERREDIN



“Heart of the Wheatbelt”

MINUTES OF ORDINARY COUNCIL MEETING

19 March 2013

MINUTES OF THE SHIRE OF MERREDIN COUNCIL MEETING HELD
TUESDAY 19 MARCH 2013

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**Minutes for the Ordinary Meeting of the Shire of Merredin held in the Council
Chambers, Corner King and Barrack Streets, Merredin on
Tuesday 19 March 2013 commencing at 3.09pm.**

ATTENDANCE:

Councillors:	D Crook	Shire President
	M Morris	Deputy Shire President
	BJ Anderson	
	RM Crees	
	DN Hayes-Thompson	
	KA Hooper	
	T McFarlane	
	D Morris	
	W Wallace	
Apologies:	Nil	
Staff:	G Powell	Chief Executive Officer
	M Ioppolo	Executive Manager of Developmental Services
	L Wyatt	Executive Assistant to Chief Executive Officer

1.0 OFFICIAL OPENING

The Shire President declared the meeting open at 3.09pm.

2.0 PUBLIC QUESTION TIME

Nil

3.0 APOLOGIES AND LEAVE OF ABSENCE

Nil

4.0 DISCLOSURE OF INTEREST

Cr D Morris declared an Interest Affecting Impartiality in item 13.12.
Cr Crees declared a Proximity Interest in item 11.1, Financial Interest in item 13.5 and an Interest affecting Impartiality in item 13.12.
Cr Crook declared an Interest Affecting Impartiality in item 13.12.
Cr Hayes-Thompson declared a Proximity Interest in item 13.5.
Cr Anderson declared an Interest Affecting Impartiality in item 13.4
Cr McFarlane declared a Proximity Interest in item 13.5
Cr Hooper declared a Proximity Interest in item 11.1 and Interest Affecting Impartiality in items 13.10 and 13.12.

5.0 PETITIONS AND PRESENTATIONS

Nil

6.0 CONFIRMATION OF MINUTES

6.1 Ordinary Council Meeting
Attachment 6.1A

Confirmation of the minutes of the Ordinary Council Meeting held on 19 February 2013.

- 31072** Moved: Cr Hayes-Thompson Seconded: D Morris
Officer's Recommendation
That the minutes of the Ordinary Council Meeting held on 19 February 2013 be confirmed as a true and correct record of proceedings.

CARRIED 9/0

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

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

17.1 Merredin Medical Centre

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

9.1 Audit Committee Meeting held 19 February 2013
Attachment 9.1A

- 31073** Moved: Cr D Morris Seconded: Cr M Morris
Recommendation
That the Audit Committee recommend to Council that Council adopt the 2012 Compliance Audit Report.

CARRIED 9/0

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- 9.2 Minutes of the WE-ROC Council Meeting held 27 February 2013
Attachment 9.2A
- 9.3 Minutes of the Great Eastern Country Zone Meeting held 28 February 2013
Attachment 9.3A

31074 Moved: Hayes-Thompson Seconded: McFarlane
Officers Recommendation
That the minutes of the Audit Committee Meeting held 19 February 2013, WE-ROC Council Meeting held 27 February 2013 and the Great Eastern Country Zone Meeting held 28 February 2013 be received.
CARRIED 9/0

Annette Brown and Mario Ioppolo entered the meeting at 3.13pm

10.0 DEVELOPMENT SERVICES

10.1 **30 (LOT 69) MITCHELL STREET, CORNER QUEEN STREET, MERREDIN -
CONVERTING THE EXISTING RESIDENCE TO A BED AND BREAKFAST.**

Reporting Department:	Development Services
Reporting Officer:	Mario Ioppolo - Executive Manager of Development Services.
Legislation:	The Shire of Merredin Local Planning Scheme No 6; Building Act 2011; Building Regulations 2012; Building Code of Australia 2012; Food Act 2008.
File Reference:	A2583
Disclosure of Interest:	Nil
Attachments:	Copy of Plans from Applicant (Attachment 10.1A)

Background

<i>Property Location:</i>	30 (Lot 69) Mitchell Street, corner Queen Street, Merredin.
<i>Owner/s:</i>	Annette Brown.
<i>Applicant:</i>	Annette Brown.
<i>Zoning:</i>	R10/50.
<i>Lot Size:</i>	1012 square metres.

An application has been received from the Applicant to establish a Bed and Breakfast in the existing residence she has recently purchased.

She is aware that the existing building requires upgrading in accordance with the Building Code of Australia and has submitted plans to reflect the basic requirements. Please refer to attached.

Comment

The Local Planning Scheme No 6 requirements for a *Bed and Breakfast* use in a *Residential* Zone provides for:

- ***Bed and breakfast as an 'A' use.***

Part extract of the Shire of Merredin Local Planning Scheme No 6 Clause 4.3 Table 1 - Zoning Table notes in Sub Clause 4.3.2:

The symbols used in the cross-reference in the Zoning Table have the following meanings —

'P' means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme;

'D' means that the use is not permitted unless the local government has exercised its discretion by granting planning approval;

'A' means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4;

'X' means a use that is not permitted by the Scheme.

The Town Planning Regulations:

Basically, **Clause 9.4 Advertising of applications** of the **Town Planning Regulations 1967 Appendix B Model Scheme Text** requires that;

- i. The proposed use is advertised in a newspaper circulating in the Scheme area;
- ii. Nearby owners and occupiers who, in the opinion of the local government, are likely to be affected, are advised and given 14 days to make comment;
- iii. A sign or signs are displayed on site of the proposed change in use; and
- iv. The application is available for inspection by the public at the Council's office.

Council can exercise its discretion for this proposed uses.

Statutory/Policy Implications

Nil

Financial Implications

Nil – Advertising and signage costs are borne by the Applicant.

31075 Moved: Cr M Morris

Seconded: Cr Wallace

Officer's Recommendation

That the application for the proposed Bed and Breakfast use of the existing residence be granted subject to the following:

- a. That should qualified objections be received, that the matter be returned to Council for reconsideration.***
- b. That the Applicant apply and be issued a Building Permit prior to any works commencing in accordance the Building Act 2011, Building Regulations 2012 and the Building code of Australia.***
- c. That the Applicant apply and be issued under the Food Act 2008 a Registration as a Food Business prior to commencing operations as a Bed and Breakfast.***

CARRIED 9/0

10.2 **346 (LOT 1) MERREDIN NUNGARIN ROAD, MERREDIN - NBN TOWER.**

Reporting Department:	Development Services
Reporting Officer:	Mario Ioppolo - Executive Manager of Development Services.
Legislation:	The Shire of Merredin Local Planning Scheme No 6;
File Reference:	A
Disclosure of Interest:	Nil
Attachments:	Copy of Plans from Applicant. (Attachment 10.2A) Copy of Planning Report from Applicant (Attachment 10.2B)

Background

<i>Property Location:</i>	346 (Lot 1) [west side of road] Merredin Nungarin Road, Merredin.
<i>Owner/s:</i>	Farmland Investments Pty Ltd.
<i>Applicant:</i>	Daly International.
<i>Zoning:</i>	General Farming.
<i>Lot Size:</i>	112.72 hectares west side of road and 229.97 hectares east side of road.

An application has been received from the Applicant to establish a Fixed Wireless NBN (Telecommunications) Facility comprising of a 50 metre high lattice tower with a 1.8 metre diameter parabolic dish and ancillary ground components of outdoor panel cabinets, cabling and pits which form part of the National Broadband Network of fixed wireless infrastructure. Please refer to the attached plans and planning report.

Comment

The Local Planning Scheme No 6 for a *Telecommunications* infrastructure use on a *General Farming* Zone provides for:

Telecommunications infrastructure as a **'D'** use.

Part extract of the Shire of Merredin Local Planning Scheme No 6 Clause 4.3 Table 1 - Zoning Table notes in Sub Clause 4.3.2:

The symbols used in the cross-reference in the Zoning Table have the following meanings —

'P' means that the use is permitted by the Scheme providing the use complies with the relevant development standards and the requirements of the Scheme;

'D' means that the use is not permitted unless the local government has exercised its discretion by granting planning approval;

10.3 **LOT 533 COHN STREET, CORNER O'CONNOR STREET, MERREDIN -
ELECTRICAL GENERATING WIND TURBINE**

Reporting Department:	Development Services
Reporting Officer:	Mario Ioppolo - Executive Manager of Development Services.
Legislation:	The Shire of Merredin Local Planning Scheme No 6; Councils Policy 8.1 Radio Masts/Satellite Dishes and similar structures; Building Act 2011; Building Regulations 2012 Building Code of Australia 2012;
File Reference:	A609
Disclosure of Interest:	Nil
Attachments:	Copy of Site Plan from Applicant; (Attachment 10.3A) Copy of photos 1, 2 and 3 from Applicant; (Attachment 10.3B) Copy of Acoustic Noise Test Report from Applicant; (Attachment 10.3C) Copy of Comparative examples of noise levels by Applicant; (Attachment 10.3D) Copy of Photo of head by Applicant; (Attachment 10.3E) Copy of Photo of similar unit by Applicant; (Attachment 10.3F) Copy of Photo of Vane and blades by Applicant; (Attachment 10.3G) Copy of "No objection letter" from neighbour; (Attachment 10.3H) Copy of Aerial view; (Attachment 10.3I) Copy of Photo looking north west (Attachment 10.3J)

Background

<i>Property Location:</i>	Lot 533 Cohn Street, corner O'Connor Street, Merredin.
<i>Owner/s:</i>	Steven and Dawn Sunley.
<i>Applicant:</i>	Steven Sunley.
<i>Zoning:</i>	R10/20.
<i>Lot Size:</i>	3.5157 hectares.

An application has been received from the Applicant to erect a 3 kilowatt wind turbine. The 3 blades have a 4.0 metres diameter and the 4 guyed pole is 9.0 metres high.

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The manufacture's specification states that it has a noise level of 45 decibels at 50 metres at a wind speed of 8 metres per second (about 28.8 km/h) and when the wind speed is more than 30 metres per second (about 108 km/h), the blades windward side will fold to 90° with the tail vane which will make the blades lose their motive power and the automatic mechanical braking function takes effect.

The tail vane under normal operation automatically aligns into the windward direction to enhance the output power and at the same time can take into account adjustments for strong breeze protection.

The only adjacent residence is to the north, some distance away and has provided a letter of no objection, letter attached. Please also refer to aerial view attached.

To the east across Cohn Street is Tamma Parkland and to the south is the road reserve for O'Connor Street.

The wind turbine is proposed to be located 20.00 metres from Cohn Street and 8.00 metres from O'Connor Street.

Comment

The Local Planning Scheme No 6 is silent on wind turbines in residential locations, but other sections of the Scheme such as streetscape would apply. Councils Policy 8.1 Radio Masts/Satellite Dishes and similar structures was prepared with the smaller residential lots in mind so that any adverse impact would be minimised and therefore only provides for a maximum of a 6.0 metre mast. Applications outside the policy require Council consideration.

There are Western Power's high tension single power line to the north of the road reserve and the higher tension power lines on the south side of O'Connor Street and that the proposed wind turbine pole is slightly higher than the adjacent power pole to which any excess power generation will be returned to the grid, would seem to have minimal impact on the streetscape.

Although an acoustic test report has been supplied, it only has noise levels up to 13 metres per second (about 46.8 km/h). The unit shuts down at 30 metres per second (about 108 km/h) so there is no data for noise levels in between.

The Bureau of Meteorology wind statistics indicate that Merredin's average yearly wind speed is 12.8 km/h (about 3.56 m/s).

From these values, it seems that only on occasions would the turbine's speed be higher and it is unlikely that during those wind gusts that people would hear much over the actual wind noise.

Statutory/Policy Implications

Nil

Financial Implications

Nil

31078 Moved: Cr D Morris

Seconded: C M Morris

Officer's Recommendation

That the application for the proposed 3 kilowatt wind turbine of 3 blades at 4.0 metres diameter on a 4 guyed 9.0 metres high pole at Lot 533 Cohn Street Merredin as per the site plan be granted subject to the following:

- a. That should substantiated noise complaints be received by the Shire of Merredin within 12 months of the structure been completed, that the Applicant will be required to reduce the noise from the wind turbine down to a satisfactory level; or***
- b. If a satisfactory reduction in noise levels cannot be achieved, the wind turbine be removed.***

CARRIED 9/0

10.4 **IMPLICATIONS OF THE CAT ACT 2011 ON THE RANGER SERVICE.**

Reporting Department:	Development Services
Reporting Officer:	Mario Ioppolo - Executive Manager of Development Services.
Legislation:	New Cat Act 2012 additional to all existing legislation of the Ranger Service:
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Copy of minutes from Central Wheatbelt Ranger Service (CWRS) Extraordinary Meeting held on Friday 15 February 2013. (Attachment 10.4A)

Background

The Ranger Service is shared by 8 municipalities; the Shires of Merredin, Bruce Rock, Corrigin, Koorda, Mukinbudin, Nungarin, Trayning, and Westonia, referred to as the Central Wheatbelt Ranger Service (CWRS)

The Shire of Merredin contributes 60% whilst the other municipalities combined, contribute 40% to the operational costs of the CWRS scheme.

The CWRS is a multi-faceted service which carries out the following duties under an array of legislation:

Key Responsibilities:

- Animal control
- Litter control;
- Parking control;
- Bushfire prevention;
- Abandoned vehicles;
- Reporting of graffiti vandalism to CWRS Region properties;
- Reporting of damaged road signs;
- Camping control;
- Assist with the co-ordination of volunteer bush fire bridges
- Compliance work as required.

Compliance enforcement of the following acts and local laws:

- Local Government Act 1995;
- Local Law Enforcement Act 1995;
- Dog Act 1976;
- Litter Control Act 1979;
- Off-Road Vehicles Act 1978;
- Bush Fire Act 1954;
- Caravan Parks and Camping Ground Act 1995.
- Caravan Parks and Camping Ground Regulations 1997;

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The Scheme is already extended meeting its current duties and legislative requirements and with the new Cat Act 2011, part of which came into law November 2012 and the balance will be law on the 1st November 2013, it is considered unlikely that the Ranger Service can meet its requirements with the existing level of resources.

An Extraordinary Meeting of the Central Wheatbelt Ranger Service (CWRS) was held on Friday 15 February 2013 to consider a number of issues, including the employment of a another Ranger. Minutes of the CWRS meeting are at **Attachment 10.4A**.

Although the response was negative due to budget constraints, it was discussed that costing of resourcing the Ranger Service should be undertaken so that municipalities could consider the matter and decide whether to include funding in their next budget for an additional Ranger.

Comment

The need to extend the Service to meet the implementation of the new Cat Act is the focal point of this report, however, it should also be kept in mind, that within a few years we may also need to address the replacement of the retiring Senior Ranger. Council will also be aware of comments in the community on the need for a full time Ranger in Merredin.

It would be beneficial to the local authority (authorities) that a skilled person with local history would be able to fill the role from gaining experience and training under the Senior Ranger. There seems to be difficulty in the staffing of country positions which can also take considerable lead time to attract appropriate personnel.

The operational costs for an additional Ranger would be approximately:

Salary, inclusive of superannuation, insurance, etc.	\$76,000.00
Ranger's vehicle	\$ 8,000.00
Housing (estimate)	\$ 2,300.00
Total per year	\$86,300.00

(There would be an initial vehicle purchase cost of around \$36,000.00 and a change over value of about \$15,000.00 per year. There may be a saving by splitting the service area so that the quantity of travel would be reduced which may increase the time between vehicle replacements.)

At 60% (based on the current MOU and that the other municipalities come on board) the Shire of Merredin's contribution would be \$51,780.00

A point that came out of the CWRS Extraordinary Meeting was that there did not appear to be a cat problem in other shires. This may be, or alternatively is perceived that there is no cat problem, but it is suggested, that as the public

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become aware of the legislation (the Cat Act 2011), that complaints would soon follow for action by the Ranger.

The above figures will be forwarded to the other member Councils of the CWRS.

A number of options can be considered, some are as follows:

1. Provide the other members of the Central Wheatbelt Ranger Service the above costs for the employment of a second Ranger and request a response by the end of April 2013.
 - a. A positive response from the other members of the CWRS would require that the Shire of Merredin budget for its share of contribution to the scheme in the 2013-2014 budget.
 - b. Should the response be negative, then consideration be given to discontinuing the CWRS scheme and that the Shire of Merredin increase the current Ranger Service to fulltime at the extra cost of approximately \$35,000.00 per year.
2. Seek more members to the CWRS to share operational costs, however, this may lead to a lesser standard of service as the Rangers would need to service a bigger area. This may be difficult as most shires in reasonable proximity have their own Ranger Service and if we can only offer a lesser service, albeit at a lower cost, they would have community issues to address.
3. Provide a service on an hourly rate to other non-member CWRS municipalities. This would raise very little income, as the non-member Shires in reasonable proximity have their own Ranger Service and our services would only be required on an ad hoc basis.

Statutory/Policy Implications

New legislation, the Cat Act 2011, added to the number of existing pieces of legislation.

Financial Implications

Yes - Please refer to the Comments section of this report.

31079 Moved: Cr Crees

Seconded: Cr Wallace

Officer's Recommendation:

That after providing the Central Wheatbelt Ranger Service members with the estimated costs as contained in the Comments section of this report to employ a second Ranger that;

- a. If a positive response from the other members of the Central Wheatbelt Ranger Service is received by the 30 April 2013, that the Shire of Merredin budget for its share of contribution to the scheme in the 2013-2014 budget; or*
- b. Should the response be negative, then discontinue the Central Wheatbelt Ranger Service and the Shire of Merredin increases the current Ranger Service to a fulltime one at the extra cost of approximately \$35,000.00 per year.*

CARRIED 9/0

Mario Ioppolo left the meeting at 3.38pm

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Councillors Hooper and Crees declared a proximity Interest in item 11.1 and left the meeting at 3.38pm.

11.0 **ENGINEERING SERVICES**

11.1 **2013/2014 FIVE YEAR ROAD PROGRAM**

Reporting Department:	Engineering and Services
Reporting Officer:	Kevin Paust
Legislation:	Local Government Act 1995
File Reference:	13/03
Disclosure of Interest:	Nil
Attachments:	5 Year Road Program

Background

To assist Council in adopting the 2013/2014 road works program for budget purposes, a draft 5 year road program (**Attachment 11.1A**) is developed annually by the Executive Manager of Engineering Services.

Included in the five year road program are the proposed:

- Road Works
- Drainage works
- Footpath works
- Road Maintenance budget allocations

Funding for the 2013/2014 road program comes from grant money received from the Regional Road Group (RRG) funding pool, Roads to Recovery (R2R2) and Councils own resources (OR). Over the next 2 financial years we will also be receiving funds for road upgrades covered by the Grain Freight Network.

Roads that are funded from Regional Road Group grants are on a $\frac{2}{3}$ RRG and $\frac{1}{3}$ Council's own resources.

Road to Recovery road grants are fully funded by R2R2 but may be "topped up" with Councils own resources.

Comment

Regional Road Group (**RRG**) road grant funds for the 2013/2014 financial year:

	RRG	OR	Total
Chandler Road	\$191,333	\$95,667	\$287,000
Bruce Rock/Doodlakine Road	\$240,967	\$120,483	\$361,450
Burracoppin South Road	\$58,767	\$29,383	\$88,150

11.2 **NOKANNING WEST ROAD**

Reporting Department:	Engineering Services
Reporting Officer:	Kevin Paust
Legislation:	Local Government Act 1995
File Reference:	13/03
Disclosure of Interest:	Nil
Attachments:	Photos of Road Condition (Attachment 11.2A) Petition from Ratepayers (Attachment 11.2B)

Background

Council adopts a 5 year road program which is reviewed annually however Nokanning West Road has not been included in the road works program since the 2007/08 financial year.

A petition from rate payers within the area was received on 25th February 2013 expressing concerns about the poor road condition and safety factor of the road.

Traffic counts for this road are low at 26 vehicles per day.

Comment

There are a number of options open to Council in responding to the petitioners:

Option 1:

Remove the bitumen seal and return the 5km section to a formed gravel road.

Total cost \$165,000. Because of the low vehicle count, the road does not warrant sealing however this solution may not be supported by road users.

Option 2:

Remove the bitumen from the 5km section to make the road safe and reconstruct and seal to 7m width at the rate of 1 km section per year over 5 years.

Total cost \$145,000 per kilometre.

Total project cost of \$725,000.

The earliest that any work can be undertaken is in the 2014/15 financial year as the program funded by external sources for next year has been committed. If Council is not to commit any of its own resources to the work, Roads to Recovery funding could be utilised. Whether the road complies with funding guidelines is yet to be determined.

It should be noted that the forward capital works road programme will require amendment should Council resolve that this work be undertaken.

12.0 CORPORATE AND COMMUNITY SERVICES

12.1 LIST OF ACCOUNTS PAID

Reporting Department:	Finance & Administration
Reporting Officer:	Evelyn Arnold
	Finance and Administration
Legislation:	Local Government Act 1995 & Financial Management Regulations
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	List of Accounts Paid

Background

The attached List of Account Paid (**Attachment 12.1A**) during the month under Delegated Authority is provided for Council's information.

Statutory/Policy Implications

Local Government Act 1995 and Financial Management Regulations.

Financial Implications

All liabilities settled have been in accordance with the Annual Budget provisions. It should be noted that outstanding creditors total \$38,452.19.

31084 Moved: Cr Hooper

Seconded: Cr D Morris

Officer's Recommendation

That Council receive the schedule of accounts as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$1,173,085.26 from Council's Municipal Fund Bank Account.

CARRIED 9/0

12.3 **REVIEW OF THE CREDIT CARD POLICY**

Reporting Department:	Administration
Reporting Officer:	Evelyn Arnold – Executive Manager of Corporate and Community Services
Legislation:	Local Government Act 1995
File Reference:	Council Policy Manual 3.22
Disclosure of Interest:	Nil
Attachments:	Credit Card Policy (Attachment 12.3A)

Background

The recent interim audit highlighted an omission from Council's current Credit Card policy. Despite Council and Audit Committee endorsement the permission for the Executive Manager of Corporate and Community Services to hold a shire credit card was omitted. This omission is corrected in the amended policy as at **Attachment 12.3A**.

Comment

The policy is attached. This provides robust guidelines and controls surrounding the appropriate use of the business credit card and endorses the issue of two corporate credit cards.

Statutory/Policy Implications

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

Financial Implications

Nil.

31086 Moved: Cr Hayes-Thompson

Seconded: Cr McFarlane

Officer's Recommendation

That Council adopt the amended credit card policy 3.22.

CARRIED 9/0

12.4 **MEMORIAL PLAQUE - MERREDIN HOTEL SITE**

Reporting Department:	Finance & Administration
Reporting Officer:	Evelyn Arnold
Legislation:	Local Government Act 1995
File Reference:	Nil
Disclosure of Interest:	Nil
Attachment:	Nil

Background

On the 19th February 2013, a letter was received from Mrs Lesley Horn requesting permission to install a small plaque at the site of the Merredin Hotel in honour of her parents.

Comment

Mrs Horn's parents (Les and Phyllis Neil) operated the hotel for 30 years during the period of time when the hotel was owned by Swan Brewery. The current council policy 8.23 allows for the installation memorial plaques providing the following criteria are met:

1. Be consistent with Council's Strategic Plan for the site;
2. Be considered in the context of the number of existing plaques, memorials, public artworks, fountains and other objects in vicinity;
3. Commemorate a person or group who has made a significant contribution to the Merredin community;
4. Not commemorate a person, event, or occasion already identified by another plaque or marker.

An inspection of the proposed site shows that the only feasible location for the plaque would be on the concrete pad in front of the bench seat. Mrs Horn she would be happy with this location (subject to Council approval) and has confirmed that she will bear all the costs of the purchase of the plaque and the installation.

Statutory/Policy Implications

Nil

Financial Implications

Nil

Officer's Recommendation

That Council grant permission for Mrs Horn to proceed with the ordering and installation of a memorial plaque at the Merredin Hotel site subject to the requirements of Council Policy 8.23.

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31087 Moved: C Crees

Seconded: Cr Anderson

Resolution

That Council grant permission for Mrs Horn to proceed with the ordering and installation of a memorial plaque at the Merredin Hotel site subject to the requirements of Council Policy 8.23 as an interim measure and that the plaque or its replacement be incorporated into the Merredin Heritage Trail.

CARRIED 6/3

13.0 ADMINISTRATION

13.1 PROPOSED MOTORSPORT LOCATIONS

Reporting Department:	Administration
Reporting Officer:	CEO
Legislation:	Local Government Act 1995
File Reference:	RCS/04/41
Disclosure of Interest:	Nil
Attachments:	Map indicating locations of reserves.

Background

Several presentations have been made to Council in regard to a Bike Tattoo and Car Show being held at MRC&LC (requiring construction of a burn out pad) which resulted in Council undertaking community consultation on two separate occasions.

The community surrounding MRC&LC was initially consulted and a response in the negative was received on the location of the burnout pad.

An alternative site located on Crooks Road was suggested as a possibility for the location however it was resolved at the August 2012 meeting that Council would seek comment from "all" residents (re: location, usage and management of any proposed facility).

The matter was again presented to Council on 20 November 2012. There was support for the concept but no proposals were forthcoming from any clubs, associations or interested parties with regard to the formation and running of such an event or organisation.

Council was advised that, "without an overarching organisation prepared to undertake and manage a facility it makes it difficult to progress the concept unless Council determines it to be a community priority and allocates resources to a new project"

Council reached the following resolutions:

31005 Moved: Cr M Morris Seconded: Cr D Morris
Officer's Recommendation

That after consideration of the responses from the community on the proposal to construct a burn out pad at the MRC&LC Mr Geoff Wells be advised that Council does not support the proposal.

CARRIED 9/0

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31006 Moved: Cr M Morris Seconded: Cr McFarlane
That staff prepare a report of options for an area for development for motor sport outside the town boundary and it be presented to the February Council meeting.

CARRIED 6/3

Comment

Preliminary research has now been undertaken to identify reserves within a 5 and 10 km radius of the townsite. A map of their location can be found at **Attachment 13.1A** and a breakdown of each is listed below.

5 Km Radius of Merredin				
Number	Vesting Order	Purpose	Size/area	Comment
2914	Vest Shire of Merredin	Water	509ha	Health issues/water supply.
23357	Commonwealth of Australia	Rifle Range	213 ha	Rifle range
23909	No Vesting order known.	Railway purposes: Ballast pit. (Parklands and recreation)	63 ha	Too close to residential properties. (proposed site of Harvest Rock)
24906	Vest Shire of Merredin	Under cemeteries Act	14.2 ha	Merredin Cemetery - Not suitable
24922	No vesting order known	Gravel (Merredin/Narembeen Road)	19.3 ha	Proximity to airstrip
5 - 10km Radius of Merredin				
Number	Vesting Order	Purpose	Size/Area	Comment
10009	Vesting Minister of Agriculture	Experimental Farm	1172 ha	Not suitable - Ag Department
19476	Vesting WA Wildlife Authority	Merredin Nature Reserve (Conservation of flora and fauna)	224.1 ha	Not suitable - Not vested to Shire
19991		Quarry - Old Nukarni Road	10.0 ha	Not suitable - area too small
20268		Quarry / gravel - Old Nukarni Road	3.47 ha	Not suitable - area too small
23580	Vest Shire of Merredin	Recreation and parklands.	1160.73 ha	Dissected by standard gauge rail. Surrounds (east of) Whitfield Way development.
23846		Gravel - Chandler Road	9.76 ha	Area too small
29700	Vest Shire of Merredin	Public recreation	25.914 ha	Area too small

Research into the land area requirements to establish a motorplex type facility have indicated that a minimum of 50ha is required in order to have a 2km distance track, inside which could include the burnout pad. Interestingly, the Wanneroo Raceway was originally constructed on a 200 acre (80.97 ha) lot.

From the list above it would appear that the only suitable land may be contained within reserve 23580. However, in order to verify this on ground

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inspection/survey would be necessary. It should be noted that noise and traffic could be an issue because of it's proximity to Whitfield and Maiolo Ways.

Should Council wish to pursue this further, it will need to commit resources, however before doing so it may be appropriate to be briefed by representatives of the proposed Dowerin Motorplex Complex.

Conversations with David Bird, President of Dowerin Car Club have indicated that there is interest in establishing a "Wheatbelt Motorplex" (location is irrelevant at this time) however funding for such a venture has been and is difficult to come by. State and Federal assistance has been non-existent and reasons given include "not at this time".

Given the historical community response and the lack of land available for development, it is suggested that Council would be better served by offering "in principle" support to the concept of the "Wheatbelt Motorplex" rather than duplicating services already being proposed and developed.

Statutory/Policy Implications

Nil

Financial Implications

It should be noted that Council has not made any provision towards any facility in the current or future budgets or long term financial planning.

31088 Moved: Cr Anderson

Seconded: Cr M Morris

Officers Recommendation

That Council, before making a final determination on the suitability of Reserve 23580 for motorsport purposes, seeks a briefing from Mr Tony Bird, President of the Dowerin Car Club.

CARRIED 9/0

13.3 **MRC&LC – GRANDSTAND BAR**

Reporting Department:	Administration
Reporting Officer:	Greg Powell - CEO
Legislation:	Local Government Act 1995
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Nil

Background

Council previously advised the Sports Council that it should investigate and advise whether it wished to take over the operation of the Bar from Council. A decision by the Sports Council has been deferred on a number of occasions and at a meeting on 25th February, only days prior to Council's deadline of the end of February, the Sports Council resolved to form a committee to investigate the feasibility of taking over the Bar and to develop a business plan.

Comment

Some time has elapsed since the Sports Council was invited to consider taking over the Bar and it is disappointing that an extended period of time has elapsed until some interest has been shown. Council will recall that it intended to call for expressions of interest from the wider community and private sector should the Sports Council decline the offer.

Given the period of time that has elapsed Council could call for expressions of interest with the Sports Council being one of the interested parties, if indeed there are any other parties.

Should Council resolve to proceed with an EOI process it is suggested that, given its intricacies, that either WALGA's tendering service or a business broker qualified in this field be retained.

Statutory/Policy Implications

The Local Government Act and tender regulations would govern this process.

Financial Implications

The financial implications would not be known until the expressions were considered.

Officer's Recommendation

That Council call for expressions of interest to lease the Grandstand Bar at the MRC&LC.

31092 Moved: Cr M Morris

Seconded: Cr McFarlane

Resolution

That Council call for expressions of interest to lease the Grandstand Bar, including the kitchen, at the MRC&LC.

CARRIED 9/0

Councillor Anderson declared an Interest Affecting Impartiality in item 13.14 and left the meeting at 4.27pm.

13.4 **SOUTH WEST SETTLEMENT OF NATIVE TITLE CLAIMS**

Reporting Department:	Administration
Reporting Officer:	Greg Powell - CEO
Legislation:	Native Title Act 1992
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Maps (Attachment 13.4A) Correspondence from RDL (Attachment 13.4B)

Background

The Department of Regional Development and Lands (RDL) has been requested to identify Crown land that could be considered as part of the benefits package offered to the six claimant groups.

RDL will be identifying land over two stages – land 5km outside town sites, 5ha and over and the second stage being land within 5km of a town site, 5ha and below. Further land will be identified by SWALSC as stage three.

Any land transferred in a range of tenures will be subject to normal laws applicable to land ownership and management.

Land has been identified and is shown on the attached maps. Also attached is the letter from DRL which explains the proposal in more detail.

Comment

It is important to note that regardless of tenure (ie freehold or leasehold) any use of the land will be subjected to the requirements of all relevant legislation. In this case, the land's use will be required to comply with Council's LPS which currently has the land zoned "Residential". All health and building requirements will have to be met.

In answer to the specific questions raised in the attaché correspondence, there are no specific proposals for the identified land and there are no known management issues.

In this instance, it is recommended that Council support the inclusion of the land into the settlement package.

Statutory/Policy Implications

Nil on Council's part.

Financial Implications

Council may gain financially should the land become rateable on transfer.

31093 Moved: Cr M Morris

Seconded: Cr Hayes-Thompson

Officer's Recommendation

That Council support the inclusion of the land outlined as UCL within the Merredin Townsite on the attached maps into the Land Base for settlement of the South West Native Title Claim.

CARRIED 6/2

Councillor Anderson returned to the meeting at 4.32pm.

Councillors Hayes-Thompson and McFarlane declared a Proximity Interest in item 13.5. Councillor Crees declared a Financial Interest in item 13.5. Councillors Hayes-Thompson, McFarlane and Crees left the meeting at 4.33pm.

13.5 CBD REDEVELOPMENT - CARPARKS

Reporting Department: Administration
Reporting Officer: Greg Powell - CEO
Legislation: Local Government Act 1995
File Reference:
Disclosure of Interest: Nil
Attachments: Shire of Merredin – Town Centre Drawings

Background

Council has previously been briefed on the progress of the plans for the redevelopment of the Barrack Street car park and landscaping and associated services such as drainage.

Final drawings and project costings are now to hand and are attached at **Attachment 13.5A**.

Comment

The final design shows construction detail together with indicative project costings of around \$1.8 million. The plans are in accordance with those previously provided to Council.

Statutory/Policy Implications

Nil

Financial Implications

Funding for this project has been included in the forward estimates. Council has been providing around \$100,000 over the last two years towards this project but it has essentially gone on detailed planning required to underpin more detailed planning. In order to fund an element of the CBD Plan of this magnitude significant additional funding will need to be found.

Should the Royalties for Regions Scheme still be available for this type of project and an individual Council component still remain in the criteria Council could foreshadow this being directed to this project. However, a number of years (say 4) allocations will be required. Staging the project will need to be considered and this may prove impractical or cost prohibitive.

Funding from other sources, if any, has not been explored at this stage.

Officer's Recommendation

- 1. That the project plans for redevelopment of the CBD car park be received and the project costings noted.***
- 2. That Council direct \$100,000 towards the CBD Plan in its 2013/14 draft budget.***
- 3. That Council foreshadows directing its Royalties for Regions Country Local Government Fund allocation to this project should funding still be available from that source.***

31094 Moved: Cr M Morris

Seconded: D Morris

Resolution

- 1. That the project plans for redevelopment of the CBD car park be received and the project costings noted.***
- 2. That Council direct \$100,000 towards the CBD Plan in its 2013/14 draft budget.***
- 3. That Council considers directing its Royalties for Regions Country Local Government Fund allocation to this project should funding still be available from that source.***

CARRIED 5/1

Councillors Hayes-Thompson, McFarlane and Crees returned to the meeting at 4.38pm.

13.6 **WHEATBELT DEVELOPMENT COMMISSION BOARD NOMINATIONS 2013**

Reporting Department:	Administration
Reporting Officer:	Greg Powell - CEO
Legislation:	Local Government Act 1995 & legislation governing State Development Commissions
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Correspondence (Attachment 13.6A)

Background

The role of the Commission is to coordinate and promote economic development in the region. The Commission's strategic Intent is to ensure the Wheatbelt is valued as a key contributor to the State's prosperity. The Commission partners, plans, facilitate and promotes development that results in the Wheatbelt being a place of choice to live, work and invest. The Commission's current strategic priorities are: Effective Governance; Industry Development; Infrastructure development; Service Delivery Reform and Environmental Management. The Commission facilitates the effective implementation of a range of Royalties for Regions programs within the Wheatbelt.

The Wheatbelt Development Commission is seeking nomination for 2 Local Government representative. Terms of appointment will range up to three years.

Prospective nominees should possess interest and knowledge relevant to the regional communities and live within the region.

Applicants will be considered on proven decision making abilities at an executive level; a demonstrated involvement in either the economic, social or environmental development of the region; and the demonstrated ability to work cooperatively to achieve agreed goals across a wide range of issues.

The Minister for Regional Development will make the appointments to the Board. Nominations close Friday 5 April 2013.

Comment

Representation of the interests of Merredin specifically and the eastern Wheatbelt generally is seen as important particularly in the current climate of short, medium and long term planning becoming increasingly important.

Statutory/Policy Implications

Nil

Financial Implications

Nil

Officer's Recommendation

That Council nominates Cr(s) _____ for consideration by the Hon Minister for Regional Development as a Board Member of the Wheatbelt Development Commission.

31095 Moved: Cr M Morris

Seconded: Cr McFarlane

Resolution

That Council nominates Cr D Morris and Cr Hooper for consideration by the Hon Minister for Regional Development as a Board Member of the Wheatbelt Development Commission.

CARRIED 8/1

13.7 **CLGF 2011/12 WHEATBELT EAST MULTIPURPOSE HOUSING PROJECT**

Reporting Department:	Administration
Reporting Officer:	Greg Powell - CEO
Legislation:	Local Government Act 1995
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Nil

Background

WE-ROC employed an independent consultant to undertake an accommodation needs analysis in the five shires to identify the type of housing for which there is a significant shortage, or a predicted shortage at a regional level. Analysis concluded that there were gaps and projected gaps across a range of housing types throughout the region.

The types of housing required included:

- Aged care;
- Elderly independent living;
- Professional housing;
- Youth housing;
- Housing to accommodate business expansion (employees);
- Housing to accommodate business attraction (owners and employees);
- Tourist accommodation; and
- Subcontractor accommodation.

This range of housing types led WE-ROC to conclude that an accommodation project would be most beneficial if it had the flexibility to accommodate a varied demographic, from single people through to families.

The Wheatbelt East Multipurpose Housing Project will build seven houses in local communities in WEROC region. Building these houses will go some way to addressing a shortage of accommodation in the eastern Wheatbelt which has an impact on a range of issues including business attraction, business expansion, retention of youth, retention of elderly people and attraction of professional people.

These new properties will be suitable for use by different types of people. The properties will be built on freehold land owned by the shires which they will contribute as part of their in-kind contribution. The properties, when complete will be managed by the shires.

This project is supported by findings and recommendations contained in a number of reports, including the Wheatbelt Development Commission's Towards a Wheatbelt Infrastructure Plan, that identified an acute shortage of housing in the Wheatbelt as restricting economic and social growth in Wheatbelt communities.

Statutory/Policy Implications

Nil

Financial Implications

Nil

31096 Moved: Cr Crees

Seconded: Cr McFarlane

Officer's Recommendation

That Council endorses the commitment of \$166,400 of Reserve Funds to the CLGF 2011/12 Wheatbelt East Multipurpose Housing Project and the Department of Regional Development and Lands be advised accordingly.

CARRIED 9/0

13.8 **CLGF 2012/13 WHEATBELT EAST MULTIPURPOSE HOUSING PROJECT**

Reporting Department:	Administration
Reporting Officer:	Greg Powell - CEO
Legislation:	Local Government Act 1995
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Nil

Background

In order to satisfy the Department of Regional Development and Land requirement for funding of the next stage of the Housing Project, it is thought prudent for Council to adopt a resolution committing funding for the 2013/14 year.

Comment

In addition to the \$166,400 already allocated to for the project, an additional estimated amount at \$174,720 (being Shire of Merredin's contribution) is required for the second stage of the project bringing the total cost of the project to \$341,120 for a total of 4 complete houses.

Statutory/Policy Implications

Nil

Financial Implications

A 2013/14 Budget allocation from Reserve Funds of \$174,720.

31097 Moved: Cr Crees

Seconded: Cr McFarlane

Officer's Recommendation

That Council endorses the commitment of \$174,720 to the CLGF 2012/13 Wheatbelt East Multipurpose Housing Project in the 2013/2014 budget.

CARRIED 9/0

13.9 **MRC&LC – COLLGAR COMMUNITY FUND APPLICATION**

Reporting Department:	Administration
Reporting Officer:	Greg Powell - CEO
Legislation:	Local Government Act 1995
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Plans and costings.

Background

At its last meeting Council considered a concept plan for partial enclosure of portion of the paved area adjacent to the Function Room at the MRC&LC.

Council resolved that the matter be referred back to Staff for consideration of a larger under cover area.

Comment

Attached at **Attachment 13.9A** is the concept plan and costing presented to Council's February Meeting. Attached at **Attachment 13.9B** is a revised plan and costing for a larger area.

The estimate of approximately \$400,000 does not include any treatment for the sides of the larger structure of way of weather proof blinds or similar. Additionally, no provision has been made to relocate fire fighting infrastructure which would be inside the expanded area. These requirements would increase the cost by an as yet unknown amount but for budgetary purposes a contingency of around \$100,000 may be required.

Statutory/Policy Implications

Nil

Financial Implications

As indicated by the topic of both this and the last agenda item, the proposal is for a submission for funding under the Collgar Community Fund. It is believed the balance of the fund is slightly in excess of \$150,000. If the larger concept is adopted, even if funds were sourced from the Fund, an interim funding mechanism would be required probably by way of loan funds with repayment from the Fund over the next 3-4 years as well as the current balance.

Given the amount of investment in the MRC&LC in recent years and the increasing maintenance and renewal costs it may be pertinent to direct funding elsewhere.

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31098 Moved: Cr Crees

Seconded: Cr McFarlane

Officer's Recommendation

That Council adopt the concept as submitted to the February Meeting of Council and lodge a submission with the Collgar Community Fund.

CARRIED 6/3

13.10 **MRC&LC – ULYSSES MOTORCYCLE CLUB – WA ODYSSEY EVENT**

Reporting Department:	MRC&LC
Reporting Officer:	Rebecca Hutton
Legislation:	Local Government Act 1995
File Number:	
Disclosure of Interest:	Nil
Attachments:	Event Schedule

Background

The Ulysses Motorcycle Club is a social group of over 40's motorbike enthusiasts. There are several branches throughout WA as well as interstate. Each WA branch has the opportunity to organise the 'Odyssey' event every year on the long weekend in September at a regional centre. This year the Perth branch is organising the event, and has selected Merredin as the venue. Members of the Perth Branch have made several 'recons' to Merredin to look at available facilities and to gauge local interest and support for their proposed event. On all of these visits, they have met with Shire Staff to discuss the proposal.

The group will be arriving in Merredin on the morning of Friday 27th September and departing the morning of Monday 30th September. They expect up to 250 registrations over the weekend. They anticipate that all local accommodation options will be exhausted and have requested camping onsite at the MRC&LC for tents, campers and RV's. The event schedule (**Attachment 13.10A**) includes organised rides around to smaller towns, barefoot bowls, 'Ulympic' games on the main oval, a band post the AFL grand final on Saturday and a BBQ dinner (possibly at the theatre) on Sunday. They have out-sourced all the food catering to local community/sporting groups.

Comment

The organising committee has requested advice with regard to relevant fees to utilise (non exclusive) the required shire facilities for the weekend. They have indicated that substantial support has been given to them from other participating communities in the form of facility usage for previous events.

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A budget with all required items is costed below (*community rate quoted)

Ulysses Motorcycle Club - 2013 Odyssey

Item	Fees & Charges	Proposed Income	Provider
Extra Rubbish Removal	\$200.00	\$200.00	Avon Waste
Camping - inc showers (approx 100 pax@\$5)	\$500.00	\$500.00	MRC&LC
Use of Bowls Surface (\$20 per/h)*	\$80.00	\$0.00	MRC&LC
Fencing off camping area	\$600.00	\$600.00	Shire Staff & Resources
Lights & power splitters hire - CBH	n/a	Funded by Group	Possibly will be donated, will have to purchase fuel
Extra cleaning	\$500.00	\$500.00	MRC&LC
Staff Labour - extra Chairs & Tables	\$200.00	\$200.00	Shire Staff & Resources
Nukarni Club Room Hire *	\$100.00	\$0.00	Shire
Function Room Hire - 4 days *	\$1,080.00	\$0.00	MRC&LC
Theatre & Tivoli Hire - less than 4 hrs *	\$357.50	\$0.00	Cummins Theatre
Oval use for games *	\$358.00	\$0.00	MRC&LC
Total	\$3,975.50	\$2,000.00	

The MRC&LC will retain all profits over the bar (if they still have management) and any kitchen hire will be paid by the community/sporting group who takes on the catering for the weekend at either the Theatre or MRC&LC. The Ulysses group have not requested 'exclusive' use of the facility for the duration of their stay, and will come and go from the MRC&LC over the course of the weekend. Community members and sporting clubs will be free to use the function room and bar area alongside the group, although in reality this might be difficult given the size of the group.

Given the potential economic boost this group could generate to local businesses, community groups and the MRC&LC, it is reasonable to consider offering the group a discount in the form of free facility hire for the course of the event. However, any 'out of pocket' expenses should be covered by the group;

- Rubbish removal - \$200
- Fencing & outside staff labour - \$800
- Camping (\$5 per head for 100 users) - \$500
- Extra Cleaning - \$500

Statutory Implications

Nil

Financial Implications

Council will forego revenue of \$1975.00 from the event which will be offset to an extent by revenue from bar sales and the benefit to the wider community from expenditure by this group.

31099 Moved: Cr McFarlane

Seconded: Cr D Morris

Officer's Recommendation

- 1. That Council adopt a total fee of \$2000.00 for use of all Shire facilities and other requested items as outlined in the event budget for the Ulysses Club 'Odyssey' event.***
- 2. That Council require a refundable \$500 bond be paid by the Ulysses Club to cover any 'unforeseen' expenses, specifically related to damage of property, cleaning, extra rubbish removal or staff assistance.***

CARRIED 8/1

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13.11 POLICY REVIEW - ELECTED MEMBER TRAINING AND PROFESSIONAL DEVELOPMENT

Reporting Department: Administration
Reporting Officer: Greg Powell - CEO
Legislation: Local Government Act 1995 & legislation governing State Development Commissions
File Reference: Policy Manual
Disclosure of Interest: Nil
Attachments: Joondalup Elected Member Training Policy Policy 1.5 – Councillor Attendance at Conferences, Seminars, Training Courses and Meetings.

Background

Correspondence was received from Mayor Troy Pickard, WALGA President encouraging Councils to construct a policy for the governance of elected members training and professional development (if one did not already exist).

A copy of the Joondalup Policy appends (**Attachment 13.11A**) which Mr Pickard uses as an example of what should be included and considered when creating and reviewing such policies.

Council does currently have a policy; 1.5 - Councillor Attendance at Conferences, Seminars, Training Courses and Meetings. A copy of which can be found at **Attachment 13.11B**.

Comment

Although the intent of both policies are similar in some respects there is considerable difference in the detailing and Councillors attention should be drawn to the following items in the Joondalup policy and the distinction in Council Policy:

Joondalup	Merredin Shire Council Policy
4.3 Annual Conference and Training Expense Allocation	
Expense allocation of: Mayor: \$13,000 plus ALGA (WA), ALGA (National) and WALGA Annual Conference Councillors: \$5,000 plus WALGA Annual Conference.	There is a total budget allocation of \$40,000 for all conference and training expenses to cover ALL elected members. Partners are entitled to attend Local Government Week at Council expense.
4.4 Definition	
Specific terminology	Non specific.
4.5 Approval	
Seeks prior approval to attend via	Item 1 - approval can be made via

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resolution of Council.	Council, Shire President or CEO. Conferences in other states require the prior approval of Council.
4.6 Conferences and Training that May be Attended	
Specific about the types of conferences and training that can be attended.	Non specific with the exception of Local Government Week.

Consideration should be given to the size of our Council and in turn the budget constraints.

Statutory/Policy Implications

Local Government Act 1995 and Shire of Merredin Policy Manual, policy number 1.5 - *Councillor Attendance at Conferences, Seminars, Training Courses and Meetings.*

Financial Implications

Currently there is a budget allocation of \$40,000 in cost centre E041030.

By adopting a policy on similar lines to that of the City of Joondalup each Councillor would receive an allocation. This would see the total allocation increase by an undetermined extent but by possibly \$2-3,000 per Councillor depending on the activity.

31100 Moved: Cr McFarlane

Seconded: Cr Anderson

Officer's Recommendation

That Council note the matter at this time and that it be reconsidered prior to the adoption of the 2013/14 budget.

CARRIED 8/1

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Councillors Hooper, Crook, Crees, D Morris and Anderson declared an Interest Affecting Impartiality in item, 13.12.

13.12 **MRC&LC – FEES AND CHARGES**

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

Background

Given the history surrounding this matter and the broader interest it has generated, it is worthwhile reproducing the information previously provided to Council. Relevant information provided to the December 2012 Council Meeting appears below:

Background

In September, 2012 Council considered a draft fee structure for the MRC&LC. This document was put together by staff after considerable research into other regional and metropolitan facility fee structures throughout the state. Council resolved in September:

30953

Moved: Cr Hooper

Seconded: Cr M Morris

Resolution

- 1. That Council adopt a user pays methodology for the MRC&LC as outlined in Attachment 13.7A effective from the winter 2013 season.*
- 2. That Council gives consideration to a long term strategy for recovery of operation and renewal costs.*
- 3. That the Volunteer Fire Brigade make a contribution of \$500 pa indexed annually to reflect increasing costs.*
- 4. That Council supports the simplified MOU approach to sports management.*
- 5. That the Sports Council be advised of the new methodology and requested to advise and seek comment from member sports to be provided by end of November 2012.*

CARRIED 9/0

Subsequently, the Merredin Sports Council was advised of the Council resolution and the 'draft' Proposed fee structure for MRC&LC document was circulated to the sports. From this point the following has occurred;

- Winter sports were given the opportunity to discuss the proposal with the MRC&LC Manager as many of these clubs*

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had impending AGM's where 2013 fee structures would be considered.

- *The document was presented at the Merredin Sports Council AGM on 23rd October by Council staff.*

All feedback from the sports has been collated and included within the revised proposed fee structure document (Attachment 13.3A)

In Summary;

- *Many sports found the calculations within the fee structure difficult to understand. Some thought them inconsistent between the different sports. Although the calculations are based on 'usage' the majority of sports just wanted to know a single fee for them to have access to the facilities that they currently use without the need to monitor or restrict use.*
- *The football clubs are concerned about junior players within the senior teams having to pay what is perceived as a 'senior fee', where junior sports were able to play at a subsidised rate.*
- *When would clubs be invoiced the fee?*
- *Some comments that surfaces need to be better maintained should the current fee structure change (ie. Cricket & Golf)*
- *Some concern that an increase in a fee would result in a loss of members*
- *Would the fee structure preclude clubs from charging opposition teams (and own players) a 'green fee' as a way of revenue raising, similar to what the football clubs do at the moment with a gate charge?*
- *Generally the proposed fee structure was well received. Most sports understood the requirement to change the current structure to one of user pays. However, there was some concern about heavy users (members playing multiple sports) being penalised for doing so as the current arrangement is 'value for money' for these people.*
- *A detailed response to the issues raised by the sports is noted in blue on the attachment.*

Statutory Implications

Nil

Financial Implications

If adopted, the new fee structure will have positive financial implications for Council and reduce the impost on ratepayers who do not utilise the facility.

Comment

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The MRC&LC 'Centaman' booking system will allow staff to continue to monitor facility usage from the each of the sports into the future. The proposed fee structure can be implemented in time for the 2013 winter sporting fixtures.

The fee can be charged to local clubs OR associations with an MOU (ie. some sports represent one club/team within an entire association like the Merredin Mens Hockey Club, or an entire association like basketball or netball with several local teams in each). Any outside clubs or associations utilising the facilities can be charged on a 'per use' basis via the weekly invoicing system.

The new fee structure can be implemented with the simplified MOU approach to sports management that Council considered at its September meeting.

Cr Hooper declared an Impartiality Interest in this item.

- 31022 *Moved: Cr D Morris* *Seconded: Cr McFarlane*
Officer's Recommendation
- 3. That the new fee structure for the MRC&LC as outlined in the 'proposed fee structure for MRC&LC' from the winter 2013 season be adopted.*
 - 4. That the fees be charged to clubs and/or associations after the third playing date when fixtures and training dates are finalised and seasonal facility usage is known.*
 - 5. That the new fee structure be advertised.*
- CARRIED BY ABSOLUTE MAJORITY 6/1*

Comment

Subsequent to Council's December decision, concern was expressed in some sectors of the sporting community although there had been a general consensus on the approach as evidenced by the Minutes from the October Sports Council meeting. (The minutes have previously been provided to Council by way of the Information Bulletin.)

A meeting of the Sports Council was held on 25th February 2012 and was attended by Cr D Morris, the CEO and the Rec Centre Manager. Some time was spent on further consideration of the fees and charges with the outcome being that individual sports were requested to put their concerns in writing so that they could be considered by Council at its March meeting.

Some but not all sports have done so. The correspondence can be found at **Attachment 13.12A.**

The Sports Council held a further meeting more recently which resulted in a letter which is included in the attachment above.

16.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

16.1 WASTE MANAGEMENT- PROPOSED NEW LIQUID WASTE TREATMENT LAGOON

Reporting Department:	Development Services
Reporting Officer:	Environmental Health Officer (Rebecca Bowler)
Legislation:	<i>Environmental Protection Act 1986, Local Government Act 1995</i>
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Nil

Background

In accordance with the requirements of the *Environmental Protection Act 1986*- Licence for Prescribed Premises the Shire of Merredin Chandler Road Landfill site is able to accept the following Controlled Wastes from the Environmental Protection (Controlled Waste) Regulations 2004: Septage Waste – wastes from the apparatus for the treatment of sewerage, Grease Wastes- waste resulting from food preparation, stormwater, pondwater and finally fire debris and washwater. Our current liquid waste treatment lagoon is at full capacity and there are additionally some minor non compliances in relation to the general licence conditions imposed by the EPA 1986. These minor non compliances include, inadequate locking (securing) and fencing of the perimeter containing the liquid waste treatment lagoon. If Council is to continue to accept controlled waste from controlled waste carriers then it will need to construct another liquid waste lagoon. The proposed location is the vicinity of the current building and demolition waste disposal site within the bounds of the Chandler Road Landfill.

Comment

Cost to build, maintain and regulate the new proposed liquid waste treatment lagoon is not cost effective and the service is being provided to those that do not generally service the Shire of Merredin area. Have received on a regular basis, liquid waste from Shire of Westonia mine site and from as far east as Southern Cross and Coolgardie.

There was an incident in 2012 where approximately 20 000L of 'non complaint' liquid waste was disposed of within our current liquid waste lagoon.

Statutory/Policy Implications

Nil.

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Financial Implications

Construction costs:

Construction of liquid waste treatment lagoons (no lining assumed appropriate soil quality)

Qty	Description	Unit Price	Ex Price
Est 3 samples	Soil Analysis*	\$869	\$2 607
2	Excavation & construction of 1x 50 000L liquid waste lagoon Note: assumed soil quality will determine that no need for plastic lining	\$6000	\$12 000
121 linier m	Chain mesh ***fencing @ 1.8m high	~\$50 per linier meter	\$6 050
TOTAL cost			\$20 657

*Break down of initial soil analysis costs (per sample- would need approximately 3 samples):

Plasticity Limits \$170 +GST,

Grading \$170 +GST

Compaction - \$180 +GST

Permeability \$270+GST.

Total- \$790+ GST per sample submitted (3 samples= \$2370.00+ GST)

Construction of liquid waste treatment lagoons (no lining with poly/fibre glass tank- assumed inappropriate soil quality, plastic lining costs and cement reinforcement for tanks not included)

Qty	Description	Unit Price	Ex Price
Est 3 samples	Soil Analysis*	\$869	\$2 607
2	60,000L fibreglass tank**	\$8140	\$16 280
2-3	23,000L poly tank***	\$5280	\$5280-\$7920
121 linier m	Chain mesh fencing @ 1.8m high	~\$50 per linier meter	\$6 050
	Initial excavation work		Approx \$8000
TOTAL cost	2x 60,000L fibreglass tank**		\$32 937
TOTAL cost	2-3x 23,000L poly tank***		\$21937-\$24577

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****To install fibre glass and poly tanks with concrete reinforcement:**

Tanks west do a 60,000L fibreglass tank but don't recommend putting it in the ground unless its protected by cement.

The price for this is \$7400.00 + GST

Normal guarantee is 20years

Would need two of these tanks taking the cost to \$14800 +GST (not inclusive of the cost to cement reinforce or initially excavate)

*****The biggest poly tank Merredin Rural Supplies can get is 23,000L**

The price for this is \$2400 + GST.

Would need two to three of these taking the cost to \$4800- \$7200 +GST (not inclusive of the cost to cement reinforce or initially excavate)

******Chain mesh fencing:**

Approximately 121m of chain mesh fencing required

Approximately \$8.66 per m to purchase

Approximately \$41.34 per m to erect

Total cost approximately= \$6050

Ongoing monitoring:

Ground water monitoring

Qty	Description	Unit Price	Ex Price
2 days	Vehicle/technician and Equipment	\$950	\$1900
343km	Mobilisation/Demobilisation	\$0.75/km	\$257.25
2	Sample analysis	\$230	\$460
1	Accommodation	\$150	\$150
	Freight	\$100	\$100
	Total Ex GST		\$2867.25
	GST		\$286.72
	Total Inc GST		\$3153.97

*Note: there is the option to ground water monitor ourselves, after speaking with Margaret Redfern form DEC, it is fine to use a mechanical bailer and get the samples to Perth ourselves over night via the courier (\$20 per courier), further reducing costs. Currently cost 2x ~\$1460 for a bi-annual sample of groundwater quality (one bore hole ~\$2920 per annum).

De-sludging of pits/tanks is required every 10-15yrs and requires the use and cost to run front end loader or excavator including labour

Officer's Recommendation

That council no longer continue to receive controlled waste from controlled waste carriers and give approval to decommission and remediate the existing liquid waste lagoon.

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31103 Moved: Cr Anderson

Seconded: Cr D Morris

Resolution

That council no longer continue to receive controlled waste from controlled waste carriers and give approval to decommission and remediate the existing liquid waste lagoon from 1 July 2013.

CARRIED 8/1

16.2 **WASTE MANAGEMENT FOR COMMERCIAL PREMISES**

Reporting Department:	Development Services
Reporting Officer:	Environmental Health Officer (Rebecca Bowler)
Legislation:	<i>Environmental Protection Act 1986, Local Government Act 1995</i>
File Reference:	
Disclosure of Interest:	Nil

Background

Avon Waste (the Shire of Merredin's waste management contractor) in conjunction with the Shire's Development Services branch have discussed various options in relation to streamlining and making more financially viable, the provision of waste management services.

It is proposed that all 1,100L mobile bins will eventually be replaced with a variety of sizes to suit the business opportunity. For example where two 1,100L (0.87m³) bins (current cost \$24.66 a lift) are provided, a 1.5m³ or 3.0m³ bin front load would be provided in its place. The costs for the lifts are \$16.81 for 1.5m³; \$33.63 for 3.0m³ and \$50.44 for the 4.5m³ lifts. A buy back of old 1100L bins is also offered to business, to be arranged directly with Avon Waste on individual basis (the condition and age of the bin will assist in determining the 'buyback' amount offered). The cost of new bins is based on size and varies between \$1,200 and \$1,600. Note: arrangement for bin hire or purchase can be arranged through Avon Waste for the duration of its contract to 2014.

There are approximately 66 premises on Councils records that take a 1,100L service. In all 142 services are provided each week. An additional 13 commercial premises have more than 4 standard household green receptacles (240L) collected twice per week which could receive a better service at a reduced cost by reviewing procedures and introducing the 1.5m³ or 3.0m³ bins.

Email extract sent from Del Sherry- Finance officer, Avon Waste

'We have been getting queries from commercial residents in Merredin requesting larger bins than the 1100 litre ones currently available. Jeremy has been doing some investigating and we have decided that we can provide this service to those customers. We would propose offering the same pricing structure as is currently in place for the 1100L bins so there would be no additional cost per volume, it's just that the bins would be larger. Our pricing for the 1100L bins is \$12.33 currently. We would invoice these bins as a multiple of 1100L bins, ie:

*A 1.5m3 bulk bin would be equivalent to 1.36 x 1100L bins (price to be \$16.81)
A 3.0m3 bulk bin would be equivalent to 2.73 x 1100L bins (price to be \$33.63)
A 4.5m3 bulk bin would be equivalent to 4.09 x 1100L bins (price to be \$50.44)*

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We hope that by charging per 1100L bin quantity, we would avoid the need to alter the fees and charges schedule. There really is no difference in the pricing structure, it's just that some people are really looking for a bigger bin...'

Comment

The Shire of Merredin is always looking for ways to improve and make more efficient, the provision of waste management services to commercial businesses.

Statutory/Policy Implications

Local Government Act 1995 - addition to current Council fees and charges
Review proposed charges in the 13/14 financial year

Financial Implications

Nil.

Cost recover mechanism in place for the new bins for the rest of the 2012/13 financial year will charge:

\$16.81 per lift for 1.5m³; \$33.63 per lift for 3.0m³ and \$50.44 per lift for the 4.5m³

Businesses wishing to switch now, from the 1100L to the new m³ bins will be charged at the newly proposed lift rate pro rata until the end of this financial year.

In the review of the fees and charges at the end of this financial year it is proposed that the 1100L annual service fee will be removed completely and in it's place will be the annual fee structure for the new bins.

31104 Moved: Cr Crees

Seconded: Cr Anderson

Officer's Recommendation

That Council adopt a change in Waste Management fee structure to include the new bin sizes and their proposed fee structure of:

A 1.5m³ bulk bin would be equivalent to 1.36 x 1100L bins (price to be \$16.81)

= \$874.12 per annum

A 3.0m³ bulk bin would be equivalent to 2.73 x 1100L bins (price to be \$33.63)

=\$1748.76 per annum

A 4.5m³ bulk bin would be equivalent to 4.09 x 1100L bins (price to be \$50.44)

=\$2622.88 per annum

CARRIED 9/0

