

SHIRE OF MERREDIN



“Heart of the Wheatbelt”

MINUTES OF COUNCIL MEETING

20 APRIL 2010

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Minutes of the Ordinary Meeting of the Shire of Merredin held in the Council Chambers, Corner King and Barrack Streets, Merredin on Tuesday 20 April 2010 commencing at 1.00pm.

ATTENDANCE:

Councillors:	KA Hooper	Shire President
	RM Crees	Deputy Shire President
	D Crook	
	M Morris	
	J Townrow	
	W Wallace	
	M Young	
Leave of Absence:	P Forbes	
	A Hooper	
Staff:	G Powell	Chief Executive Officer
	J Mitchell	Executive Manager of Development Services
	D Morris	Executive Manager of Community Services
Apologies:	J Garrett	Executive Manager of Engineering Services
	V Green	Executive Assistant to Chief Executive Officer

1.0 OFFICIAL OPENING

The Shire President declared the meeting open at 1.00pm.

Debbie Morris, Executive Manager of Community Services, was in attendance.

2.0 PUBLIC QUESTION TIME

Nil.

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr Townrow has been granted Leave of Absence for Council Meetings February 2010 to April 2010 inclusive (**CMRef 30210**). Cr Forbes and Cr A Hooper have been granted Leave of Absence for the April 2010 Council Meeting (**CMRef 30258**).

Jim Garrett, Executive Manager of Engineering Services and Vanessa Green, Executive Assistant, advised their apologies.

4.0 DISCLOSURE OF INTEREST

Cr Townrow declared an Impartiality Interest in Agenda Item 10.1.
Cr Young declared an Impartiality Interest in Agenda Item 10.1.
Cr Morris declared an Impartiality Interest in Agenda Item 13.8.

5.0 PETITIONS AND PRESENTATIONS

Nil.

6.0 CONFIRMATION OF MINUTES**6.1 Ordinary Council Meeting**

Confirmation of the minutes of the Ordinary Council Meeting held on 16 March 2010.

Officer's Recommendation / Resolution**30290**

Moved Cr Townrow Seconded Cr Young

That the minutes of the Ordinary Council Meeting held on 16 March 2010 be confirmed as a true and correct record of proceedings.

CARRIED 7/0**7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

Nil.

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

Nil.

9.0 RECEIVAL OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL**Officer's Recommendation / Resolution****30291**

Moved Cr Morris Seconded Cr Townrow

That Council receive the minutes of the Merredin Local Emergency Management Committee Meeting, the Wheatbelt East Regional Organisation of Councils Executive Meeting, the Western Australian Local Government Association Great Eastern Country Zone Meeting and the Merredin Heritage Advisory Committee Meeting.

CARRIED 7/0

- 9.1 Merredin Local Emergency Management Committee Meeting held on 18 March 2010
Attachment 9.1A

Committee Recommendation

- 5.1 Shire of Merredin Emergency Management Plan

Moved P van der Merwe Seconded R Daniels
That the Local Recovery Plan, Local Emergency Management Arrangements, Risk Register and Finance Sub-Plan for the Shire of Merredin be endorsed, as amended, and forward the Plans to Council for endorsement and public notification and to the District Emergency Management Committee for information.

CARRIED

Note: Since the Committee meeting, the Plans referred to above have been amended and are available in their final form. The Plans are included as an appendix in **Attachment 9.1A**.

Officer's Recommendation / Resolution

- 30292** Moved Cr Young Seconded Cr Morris
That Council endorse the Local Recovery Plan, Local Emergency Management Arrangements, Risk Register and Finance Sub-Plan for the Shire of Merredin as attached, and that the Plans be advertised for public notification and forwarded to the District Emergency Management Committee for information.

CARRIED 7/0

- 9.2 Wheatbelt East Regional Organisation of Councils Executive Meeting held on 24 March 2010
Attachment 9.2A

Nil Recommendations to Council.

- 9.3 Western Australian Local Government Association Great Eastern Country Zone Meeting held on 25 March 2010
Attachment 9.3A

Nil Recommendations to Council.

- 9.4 Merredin Heritage Advisory Committee Meeting held on 25 March 2010
Attachment 9.4A

Committee Recommendation6.2 2009/10 Committee Budget Allocation

Moved A Parker

Seconded M Ivey

That Council:

1. *endorse the Pioneer Park concept plan as presented in Attachment 6.2A;*
2. *refer the plan to staff for detailed design, costing and refer the matter back to Council; and*
3. *endorse rolling over the 2009/10 Heritage Committee budget allocation of \$10,000 to the 2010/11 budget for implementation of the finalised concept plan.*

CARRIED 4/0

Note: The Plan referred to above as Attachment 6.2A is included as an appendix to **Attachment 9.4A.**

Resolution**30293**

Moved Cr Morris

Seconded Cr Crook

That Council:

1. *receive the draft Pioneer Park Concept Plan as presented in Attachment 6.2A of the Merredin Heritage Advisory Committee Minutes;*
2. *refer the draft Concept Plan to staff for detailed design and costing then refer the matter back to Council; and*
3. *endorse rolling over the 2009/2010 Merredin Heritage Advisory Committee budget allocation of \$10,000.00 to the 2010/2011 Budget for implementation of the finalised Concept Plan.*

CARRIED 7/0

Cr Townrow and Cr Young declared an Impartiality Interest in this Agenda Item 10.1.

10.0 COMMUNITY SERVICES

10.1 AGED ACCOMMODATION STRATEGY

Reporting Department:	Community Services
Reporting Officer:	Debbie Morris – Executive Manager, Community Services
Legislation:	Local Government Act 1995
File Reference:	CS/10/Aged Accommodation
Disclosure of Interest:	Nil
Attachments:	Aged Accommodation Strategy

Background

Council has recognised the need to consider future planning for aged accommodation for Merredin and the surrounding towns.

December 2008 - Council endorsed an application for funding via the Regional and Local Government Infrastructure Program – Strategic for an extension to Merrittville Retirement Village, away from Department of Housing and Works guidelines.

March 2009 – at the Shire of Merredin Elector’s meeting aged housing was one of the main concerns.

July 2009 – Council endorsed \$50,000 funding in the 2009/2010 Budget for Aged Accommodation Planning in conjunction with Merrittville Retirement Village Working Group through the Business and Community Development Committee (BCDC).

August 2009 – BCDC endorsed the Consultant’s Brief to undertake an Aged Accommodation Strategy.

September 2009 – BCDC endorsed the Specification and Scope of Works for the Aged Accommodation Strategy and the advertising of the Request for Quotation.

November 2009 – Community Perspectives were contracted to undertake the Aged Accommodation Strategy.

Progress Reports were presented in December 2009 and January 2010 and the Consultant attended Council’s March 2010 meeting and gave a presentation of the key findings of the Survey.

Comment

The Aged Accommodation Strategy prepared by Community Perspectives (**Attachment 10.1A**) provides a details analysis and report for people in the 45+ age group in the study area, which consisted of Merredin and surroundings towns within a 100km radius.

The Strategy will enable Council to plan for development of older persons housing, home support services and residential care facilities in the future.

Statutory/Policy Implications

Nil.

Financial Implications

\$50,000.00 was budgeted in the 2009/2010 Budget at Account *E109100* towards the Merrittville Feasibility Study, with a corresponding \$25,000.00 contribution from Merrittville Retirement Village Committee at Account *I106210*. It is proposed that this cost be shared on a 50:50 basis.

The cost of the Aged Accommodation Strategy - Community Perspectives, is \$30,375.00 excluding GST.

Officer's Recommendation / Resolution**30294**

Moved Cr Morris

Seconded Cr Townrow

That Council:

- 1. adopt the Merredin Aged Accommodation Strategy prepared by Community Perspectives as presented in Attachment 10.1A;***
- 2. provide a copy of the Merredin Aged Accommodation Strategy to the Wheatbelt Development Commission, the Health Department of WA, adjoining Councils and relevant Regional Organisation of Council's; and***
- 3. request staff to provide a further report on implementation of the recommendations in the Merredin Aged Accommodation Strategy.***

CARRIED 7/0

Debbie Morris, Executive Manager of Community Services, left the meeting at 1.14pm.

John Mitchell, Executive Manager of Development Services, entered the meeting at 1.16pm.

11.0 DEVELOPMENT SERVICES

11.1 TOWN PLANNING – USE DETERMINATION – TELECOMMUNICATIONS INFRASTRUCTURE

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Town Planning Scheme No. 1
File Reference:	LUP/5/1
Disclosure of Interest:	Nil
Attachments:	Nil

Background

An application to establish Telecommunications Infrastructure in the general farming area has been received.

Comment

The use is not listed nor contained within any use class within the Shire of Merredin Town Planning Scheme No. 1.

Telecommunications Infrastructure is an important component of rural and regional development and arguably should not be prohibited within a Scheme area.

The relevant use symbols of the Town Planning Scheme No. 1 are:

1. “P” – permitted;
2. “PS” – not permitted unless special approval given by Council subject to conditions being complied with;
3. “AP” – not permitted unless special approval given after advertising; and
4. “IP” – not permitted unless is incidental to a predominant use as determined by Council.

The use, Telecommunications Infrastructure, is not listed as a “PS” use within the zoning and development table of the Town Planning Scheme No. 1.

The impact of high impact facilities will be greater within the town areas and therefore more information relevant to public health and electromagnetic energy and health effects would be required.

Statutory/Policy Implications

Clause 2.2.4 of the Scheme permits Council under the above circumstances to determine whether the use shall be prohibited within the Scheme area or that the use may be permitted within one or more of the use class zones within the Scheme area.

Telecommunications Infrastructure is also protected via several Federal Government Standards and Policies where the application is considered low impact.

The current application is not considered low impact pursuant to the Telecommunications (Low Impact Facilities) Determination 1997 made under the Telecommunications Code of Practice 1997 and therefore requires approval by Council.

Officer's Recommendation / Resolution

30295

Moved Cr Townrow

Seconded Cr Young

That Council, in accordance with Clause 2.2.4 (a) of the Shire of Merredin Town Planning Scheme No. 1, determine that the Telecommunications Infrastructure establishments are assigned the following use symbol in the referenced Town Planning Scheme zones:

- | | |
|--------------------------------|-------------|
| 1. Residential 1 | "PS" |
| 2. Residential 2 | "PS" |
| 3. General Farming | "P" |
| 4. Shop | "PS" |
| 5. Civic & Cultural | "PS" |
| 6. Stable | "PS" |
| 7. Office | "PS" |
| 8. Special Zones | "PS" |
| 9. Tourist | "PS" |
| 10. Light Industry | "PS" |
| 11. General Industry | "PS" |
| 12. Showroom | "PS" |

CARRIED 7/0

**11.2 TOWN PLANNING – ESTABLISHMENT OF TELECOMMUNICATIONS FACILITY –
LOCATION 22836, 7 SOUTHCOTT ROAD, HINES HILL**

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Town Planning Scheme No. 1
File Reference:	A7145
Disclosure of Interest:	Nil
Attachments:	Application

Background

An application PA9/10 (**Attachment 11.2A**) to establish a telecommunications facility on Location 22836, 7 Southcott Road, Hines Hill has been received from Daly International representing Optus Mobile Pty Ltd and the landowner.

The application seeks to erect a 60m high guyed mast with associated equipment shelter and security fences. The total land area affected is 66 square metres.

Comment

Nil.

Statutory/Policy Implications

The provisions of the Shire of Merredin Town Planning Scheme No.1 apply. The use within the scheme is listed by resolution from the Council meeting as a “PS” use which means Council can approve with or without conditions.

The use does not impact on the available majority use of the land being general farming.

Financial Implications

Planning application fees have been paid.

Officer’s Recommendation / Resolution**30296**

Moved Cr Townrow Seconded Cr Young

That the application PA9-10 from Daly International representing Optus Mobile Pty Ltd to establish a telecommunications facility on Location 22836, 7 Southcott Road, Hines Hill be approved.

CARRIED 7/0

11.3 **LAND PURCHASE – LOT 1511 BARRACK STREET, MARY STREET, MERREDIN – LIGHT INDUSTRY DEVELOPMENT; TOWN PLANNING SCHEME NO. 1, AMENDMENT 2**

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Local Government Act 1995
File Reference:	R10359
Disclosure of Interest:	Nil
Attachments:	Plans and Subdivision Overlay

Background

In June 2004 Council resolved (**CMRef 27462**) to adopt the Town Planning Scheme No. 1 Amendment No. 2 which rezoned the land contained in Lot 1511 Barrack Street, Mary Street, Merredin to light industrial and provided an indicative overlay of the proposed development.

Copies of the deposited plans and the subdivision overlay are contained in **Attachment 11.3A**.

Since the 1990's the Administration has been attempting to gain the release of the Public Transport Authority land contained in Reserve 10359 minus the 20 metre area adjacent to the railway lines.

Advice has been received of the completion of issues relevant to the release of land east of Mary Street, Merredin for on-sale and development. In addition there has been a request for confirmation of costs incurred by Council towards the release of the land over the last few years. These costs will be taken into consideration when valuing the land.

Comment

Crossland & Hardy Consulting Surveyors have submitted a plan for submission to Landgate as a deposited plan. It is likely the land will be released before the end of 2010.

Requests for the release of industrial land have not occurred and there are light industrial lots still for sale in McKenzie Crescent, Merredin. New industrial developments incorporating the need for new developed sites have not been received in three years.

It is unlikely that Council would see a full return on development within ten years. Staged development may be the most advantageous course of action.

Statutory/Policy Implications

Council has proposed a subdivision of the land. Section 3.59(2) of the Local Government Act 1995 requires that where Council proposes to enter a major land transaction that a business plan be prepared.

Financial Implications

Development of industrial land is slightly different to residential in that higher electricity ratings are provided per hectare of released land i.e. in the vicinity of 100amp/phase/3 phase.

Full development costs including roads and sewer are estimated to be at least \$3.5 million. This is based on 70,000m² of land and using basic costings available from residential subdivisions.

Grants for headworks components may be available to assist with the project costs.

Officer's Recommendation / Resolution**30297**

Moved Cr Townrow

Seconded Cr Crees

That a Business Plan, in accordance with Section 3.59(2) of the Local Government Act 1995, be prepared to permit the acquisition of Lot 1511 Barrack Street East, Merredin and that development be deferred until further analysis has been undertaken.

CARRIED 7/0

11.4 TOWN PLANNING – HOME OCCUPATION – COUNSELLING SERVICES, 5 DOBSON AVENUE, MERREDIN

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Town Planning Scheme No. 1
File Reference:	A1209
Disclosure of Interest:	Nil
Attachments:	Application and Policy

Background

The residence is a Council owned building leased via a periodic tenancy agreement to an employee. The applicant is a family member.

The provisions of the Home Occupation Policy are applicable. The application is for a counselling service which is classified as Home Office in the Town Planning Scheme No. 1. A copy of the application and policy are contained in **Attachment 11.4A.**

The matter is presented to Council for determination as the premises are owned by Council and the applicant is related to the tenant being a Council employee.

Comment

Council has the right through the Residential Tenancies Act 1987 to prevent the proposed use.

Statutory/Policy Implications

The business is classified as a Home Office and would be compliant with the Policy 8.12 – Home Occupation for the intended use.

Rental for the property is subsidised by the Shire of Merredin in accordance with employment conditions. The rental agreement clause 6 states that the tenant shall not permit the dwelling to be used for any other purpose, unless approval is obtained.

Financial Implications

Nil.

Officer's Recommendation / Resolution

30298 Moved Cr Townrow Seconded Cr Wallace
That Council approve the application for the proposed "Home Office – Professional Counselling" at 5 Dobson Avenue, Merredin.

CARRIED 7/0

11.5 TOWN PLANNING – DEVELOPMENT OVERLAY – NORTHERN RESIDENTIAL AND RURAL RESIDENTIAL AREA

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Planning & Development Act 2005
File Reference:	LUP/5/1
Disclosure of Interest:	Nil
Attachments:	Town Planning Scheme No. 2; Local Planning Strategy 2007 Map

Background

Council prepared and adopted Town Planning Scheme No. 2 (TPS2) – Northern Residential Area Scheme in 1970. The objectives of the scheme were to coordinate the orderly planning and development of the land within the Scheme area to an overall plan of development.

Council has prepared overlays and adopted several Town Planning Schemes to address the orderly planning of the town of Merredin. Town Planning Schemes 2, 4, 5 and a draft 6 have been prepared. Copies of the maps will be presented to the Council meeting.

A copy of TPS2 is contained within **Attachment 11.5A**.

Comment

Local Planning Strategy 2007 (LPS2007) has a stated objective of revoking TPS2 and preparing a structure plan of development of the northern area. A copy of the Local Planning Strategy 2007 map is contained in **Attachment 11.5B**. The Local Planning Scheme No. 6 confirms this intent.

Part six of the TPS2 states that all development shall occur in accordance with a structured development plan. The scheme map will be presented to Council. Development within the northern residential area has been not reflected this adopted plan.

Council has also sought a five year development plan for land development. Prior to preparing the plan, the adopted town planning scheme plans should be addressed as each represents a direction previously adopted.

LPS2007 also advises that Council shall prepare development guidance plans for scheme area No. 5 (Old Goldfields Road light industrial development), Cohn Street area, light industrial area – Barrack Street East and the residential land to the south of Second Avenue, Merredin.

The northern area of town was subjected to flooding in the 1990's and this plan also needs to be reflected within current land development planning.

Currently Council has considered the following areas for residential development:

1. Land bounded by Kitchener, Pool, Throssell and Woolgar Streets – Approx 100 lots;
2. Unallocated crown land – Davies Street and Lefroy – 21 lots;
3. Endersbee and Caw Street – 16 blocks;
4. Cohn Street, Dobson Avenue, Cummings Street – Approx 80 lots;
5. Whitfield Way – stage two – 12 special residential lots;
6. Reserve 44697 and 17767 Telfer Road, Merredin;
7. Residential land south side of Third Avenue, Merredin – draft TPS 6;
8. Special residential and rural residential on south of town of Merredin;
9. Private proposed developments of Hughes Road (Bartlett) and the abattoir site.

In all of the above the LPS2007 requires the preparation of a development plan.

Private development of 28 lots has occurred in Haines Street – Little development and the PTA land release on Todd Street, Merredin.

Council has also identified commercial and industrial land releases at:

1. Barrack Street, East – 24 light industrial lots;
2. McKenzie Crescent – approx 8 blocks left for sale;
3. Development of Light Industrial land on Goldfields Road behind existing sewerage ponds – TPS 5 – this is not supported by current landowners;
4. Development of industrial land Gabo Avenue – TPS 5.

Overlay plans have been developed for:

1. Kitchener Road;
2. Davies Street and Endersbee Street;
3. Cohn Street;
4. Whitfield Way;
5. Barrack Street East – Town Planning amendment;
6. Light industrial and Industrial – Gabo and Goldfields – TPS 5;
7. Development of residential land south of Third Avenue, Merredin – draft TPS 6 – appears not adopted.

There is a need to consolidate and prioritise the developments. Time frames for development are reasonably flexible as until one development sells the next similar use proposed development would most likely not occur.

Statutory/Policy Implications

TPS2 states that development of the northern residential area shall be in accordance with a guided development plan – TPS 2 Scheme Map.

LPS2007 confirms this intent prior to permitting development and for all other proposed development areas. LPS2007 advises that TPS2 is to be revoked and a guided development plan prepared and implemented.

Financial Implications

All plans require detailing, computerising, and being joined into the administration of the Local Planning Scheme through documentation routinely referred to.

Estimates of costs for a consultant to redraw or scan existing plans and consolidate the older hand drawn plans is \$10,000.00.

Officer's Recommendation / Resolution

30299

Moved Cr Townrow

Seconded Cr Crook

That a provision of \$10,000.00 be included in the 2010/2011 Budget to retain consultants to undertake a Land Development Strategy incorporating a needs analysis, order of priority and development costs for land identified in the body of this report.

CARRIED 7/0

John Mitchell, Executive Manager of Development Services, left the meeting at 1.28pm.

Cr Wallace and Cr Young left the meeting at 1.28pm.

12.0 ENGINEERING SERVICES

12.1 MERREDIN CENTRAL BUSINESS DISTRICT PLAN

Reporting Department:	Engineering Services
Reporting Officer:	Jim Garrett – Executive Manager, Engineering Services
Legislation:	Local Government Act 1995
File Reference:	ED/8/3
Disclosure of Interest:	Nil
Attachments:	Locality Map

Background

At its July 2009 meeting (**CMRef 30067**), Council adopted the final Central Business District (CBD) Concept Plan developed by Urban Design Landscape Architects.

In order for staff to progress the CBD plan to a preliminary design stage, a feature survey of the CBD and surrounding area will be required. This is to assist a consulting engineer to draw up detailed plans, specifications and costings, as the CBD Concept Plan adopted by Council was not to scale and no allowances had been made for drainage.

At its July 2009 meeting (**CMRef 30070**), Council allocated \$100,000.00 for the CBD Plan in the 2009/2010 financial year at Account *E1135/4*.

At its October 2009 meeting (**CMRef 30157 N°2**), Council endorsed the transfer of the \$100,000.00 that was allocated to the CBD Redevelopment into the CBD Redevelopment Reserve, as at the time staff felt that the funds would not have been spent in the 2009/2010 financial year.

In March 2010 Robb Hydraulics Consulting Pty Ltd was engaged to assess the current drainage of the CBD from Barrack Street north to Cohn Creek and design a new drainage system if required, in line with the CBD Concept Plan adopted by Council. The estimated cost for the consulting work is \$55,000.00.

Paul Kraft and Associates has also been engaged to conduct a feature survey of the CBD and surrounding areas from the standard gauge railway line north to Duff Street and from King Street east to Queen Street to assist in any future developments of the CBD. The estimated quote for the feature survey was \$25,000.00. A map of area is shown in **Attachment 12.1A**.

Comment

Once the feature survey has been completed, the CBD Concept Plan can be overlaid onto the feature survey to give Council and staff a clear indication where all future CBD developments will fit and if any changes are needed to the CBD Concept Plan.

Robb Hydraulic Consulting Pty Ltd has verbally indicated that the estimated cost to have detailed plans, specifications and costings of the CBD Plan would be between \$50,000.00 and \$70,000.00.

Statutory/Policy Implications

Nil.

Financial Implications

Based on the consultants and surveyors costs, estimates of \$80,000.00 will need to be transferred from the CBD Redevelopment Reserve to the Municipal Fund to pay for the drainage plans and feature survey.

Officer's Recommendation / Resolution**30300**

Moved Cr Morris

Seconded Cr Crook

That Council:

- 1. transfer \$80,000.00 from the Central Business District Redevelopment Reserve to the Municipal Fund for the Central Business District feature survey and the drainage plans; and***
- 2. allocate \$50,000.00 in the 2010/2011 Budget to the Central Business District Redevelopment Reserve for the detailed plans, specifications and costings of the Central Business District Plan.***

CARRIED 5/0

Cr Wallace entered the meeting at 1.29pm.

12.2 REQUEST FOR SPONSORSHIP OF WHEATBELT TRAINING AWARDS 2010

Reporting Department:	Engineering Services
Reporting Officer:	Jim Garrett – Executive Manager, Engineering Services
Legislation:	Local Government Act 1995
File Reference:	CR/04/01
Disclosure of Interest:	Nil
Attachments:	Correspondence - Request for Sponsorship

Background

The Wheatbelt Training Awards 2010 will be held on 23 October 2010 and the Awards present an opportunity to acknowledge Wheatbelt apprentices, trainees and students who have completed their training during the year.

A letter has been received from Directions Employment Services (**Attachment 12.2A**) offering Council an opportunity to sponsor the Awards. Council will be recognised for promoting education, traineeships, apprenticeships and employment in the Wheatbelt. It will also show Council's commitment and connection to the local region in shaping the future.

The cost to sponsor the Awards is \$500.00 and for this Council will receive:

1. extensive media recognition (local newspaper, radio etc) for its support of regional career pathways and industry;
2. its artwork and logo on all print material, including the backdrop for media interviews and photographs;
3. recognition on the website (www.wheatbeltrainingawards.com);
4. tickets to the event; and
5. an opportunity to network with local businesses and dignitaries.

Comment

Council is a host employer of an apprentice gardener and mechanic through Directions Employment Services.

Statutory/Policy Implications

Nil.

Financial Implications

Funds are available from Account *E041170* - Public Relation and Donations in the 2009/2010 Budget.

Officer's Recommendation / Resolution

30301

Moved Cr Morris

Seconded Cr Crees

That Council sponsor the Wheatbelt Training Awards 2010 with funds of \$500.00 from Account E041170 - Public Relations and Donations.

CARRIED 6/0

Cr Young entered the meeting at 1.30pm.

13.0 FINANCE AND ADMINISTRATION

13.1 MONTHLY FINANCE REPORT

Reporting Department:	Finance and Administration
Reporting Officer:	Emma Growden – Executive Manager, Finance and Administration
Legislation:	Local Government Act 1995
Disclosure of Interest:	Nil
Attachments:	Monthly Financial Report

Background

The Monthly Finance Report is attached for Council's information.
(Attachment 13.1A).

Statutory/Policy Implications

Local Government Act 1995 and Financial Management Regulations.

Financial Implications

As outlined in **Attachment 13.1A.**

Officer's Recommendation / Resolution

30302 Moved Cr Morris Seconded Cr Crook

That Council receive the Monthly Finance Report for February 2010.

CARRIED 7/0

13.2 **LIST OF ACCOUNTS PAID**

Reporting Department:	Finance and Administration
Reporting Officer:	Emma Growden – Executive Manager, Finance and Administration
Legislation:	Local Government Act 1995 and Financial Management Regulations
Disclosure of Interest:	Nil
Attachments:	List of Accounts Paid

Background

The attached List of Accounts Paid (**Attachment 13.2A**) 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.

Officer’s Recommendation / Resolution

- 30303** Moved Cr Crees Seconded Cr Young
That Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$125,763.75 and amounts directly debited from Council’s Municipal Fund Bank Account BSB 066-518 Account Number 000-000-10 totalling \$415,199.03 and outstanding creditors totalling \$85,433.77.

CARRIED 7/0

13.3 WRITE OFF – DEBTORS, RATES – ASSESSMENT No. P2846

Reporting Department:	Finance and Administration
Reporting Officer:	Emma Growden – Executive Manager, Finance and Administration
Legislation:	Local Government Act 1995
File Reference:	P2846 (DB113)
Disclosure of Interest:	Nil
Attachments:	Nil

Background

Following the issuing of rates on A2846 in July 2009, the following process was taken:

1. 10 September 2009: rates now overdue – letter of warning sent to owner stating 14 days to pay or else debt collection procedures would commence.
2. 24 September 2009: confirmed that no response had been received and account sent to Austral for further action.
3. 25 September 2009: Austral confirmed that Final Letter of Demand sent.
4. 16 October 2009: confirmed with Austral that debt remained unpaid and further action to be taken. Legal action commenced and relevant fees were incurred. Notification of this was sent to ratepayer.
5. 29 October 2009: payment was made, excluding debt collection charges.

Following the payment of rates the following occurred:

1. 25 November 2009: Land subsequently sold and debt collection expenses raised as a debtor against the original owners name (DB113).
2. 15 February 2010 call received from the original owner regarding the invoice for the debt collection charges. She explained that she did not think she should have to pay this amount as at the time of rates becoming due her husband had passed away and the rates had been overlooked. It was asserted that in October 2009 the daughter of the original owner had called the Shire to explain why no payment had been made. They notified that payment had been made by B-Point on the 29 October 2009. It was asserted that at no time did the (previous) rates officer explain that her account was with the debt collector and that additional charges would be incurred.

3. 16 February 2010: daughter of original owner called regarding the invoice. Request was received to write off the invoice due to the emotional turmoil her family had suffered and the lack of communication between the Shire and her family. It was advised that several notices had been sent both by the Shire and Austral Mercantile. It was asserted that none of these had been received.

Comment

Review of previous year rates has indicated that the ratepayer over the previous three years had made full payment by the due date.

Statutory/Policy Implications

Local Government Act 1995 and an Absolute Majority of Council.

Financial Implications

Additional cost to Council of \$551.31.

Officer's Recommendation / Resolution**30304**

Moved Cr Townrow

Seconded Cr Crook

That Council authorise the full write off of \$551.31 currently outstanding on debtor DB113.

**CARRIED 6/1
ABSOLUTE MAJORITY**

13.4 CUSTOMER COMPLAINTS PROCEDURE AND CUSTOMER SERVICE CHARTER

Reporting Department:	Administration
Reporting Officer:	Greg Powell – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	CS/13/1
Disclosure of Interest:	Nil
Attachments:	Customer Complaints Procedure; Customer Service Charter

Background

The Shire's Customer Complaints Procedure and Customer Service Charter have recently undergone a review with input and suggestions from staff members and the Senior Management Group. The draft documents are included in **Attachment 13.4A**.

Comment

The documents are designed to formalise Council's response to complaints from customers, what Council should expect from our customers and vice versa and to specify what constitutes a complaint.

The documents were forwarded to Councillors on 15 March 2010 for their consideration and feedback was requested. No feedback was received therefore the documents are presented to Council for adoption.

Statutory/Policy Implications

Creation of a new policy for inclusion in the Shire of Merredin Policy Manual.

Financial Implications

Nil.

Officer's Recommendation / Resolution

- 30305** Moved Cr Morris Seconded Cr Townrow
That Council adopt the Customer Complaints Procedure and Customer Service Charter as presented in Attachment 13.4A effective immediately and the community be advised of the existence of the documents through the usual communication channels.

CARRIED 7/0

13.5 WHEATBELT BUSINESS NETWORK - MEMBERSHIP

Reporting Department:	Administration
Reporting Officer:	Greg Powell – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	ED/5/2
Disclosure of Interest:	Nil
Attachments:	Nil

Background

The Chief Executive Officer and Executive Manager of Community Services recently attended the launch of the Wheatbelt Business Network (WBN). The WBN will be affiliated with the Chamber of Commerce and Industry of WA (CCIWA) and will fill the role of a local Chamber.

Comment

Subsequent to the launch, the Chief Executive Officer sought additional information on the WBN membership which is replicated below.

“At present the WBN has just launched so we are seeking members. The Shire would be members of groups such as LGMA, WALGA etc but probably have no link to business or a Chamber of Commerce in the Wheatbelt. The WBN offers this opportunity and can help the Shire get in touch, both formally and informally with both Merredin businesses, and those in their surrounding district. The WBN links in with CCIWA as well as Regional Chambers of Commerce WA (RCIWA). The RCIWA is an important partnership, part of your WBN goes to this group, who lobby on behalf of members and attempts to unite the regions. At present there is no voice for the Wheatbelt, in terms of a Chamber of Commerce. Every other major region in WA is represented in the RCIWA except us.

The Shire of Merredin are not members as yet, but we would love to have you on board.

Membership is coming in from businesses in Merredin, both small and medium, as well as larger corporations. Membership is offered across the region and Kellerberrin and Naremben businesses have also shown a keen interest. To date these are the only towns I have got to. However in the next few months hope to get to Bruce Rock, Southern Cross etc.

We launched in Merredin due to my committee's contacts here, as well as my previous knowledge of the Shire.

Further to this the Shire of Dalwallinu has had informal discussions regarding how the WBN can link their Shire with their businesses, because at the moment they are unsure what business wants, the trends occurring and want to use a different medium to communicate with them, as like in Merredin, their Chamber of Commerce dissolved due to personal conflicts. The WBN offers a larger body and 'brand', hopefully removing town pressures, personal conflict etc.

Cost of Membership

Membership costs are \$250.00 per annum plus a once off \$30.00 administration fee.

Benefits of Membership

Advertise

- 1. New member listing and mini-profile in monthly E newsletter*
- 2. Special advertising discounts*
- 3. Free listing on WBN website with a direct link to your web site*
- 4. Listing in the Membership Directory*
- 5. Sponsorship and speaking opportunities*
- 6. Post your job vacancies*

Be part of an exciting and growing network

- 1. 50% off CCIWA membership*
- 2. Networking events and business referrals*
- 3. Programs and professional development*
- 4. Current industry and community information from CCIWA, SBC*

Care for the region

- 1. Exposure to key stakeholders*
- 2. Link with other community groups and businesses*
- 3. Use our visibility"*

Statutory/Policy Implications

It makes some sense for Council to become a member as it will provide direct linkages to the business community and provide a forum to raise issues such as Gala Night. Additionally Council should be more fully informed on issues facing the business community and provide advocacy opportunities with membership of an organisation such as this.

Financial Implications

In the 2009/2010 Budget, \$22,000.00 is allocated at Account *E041160* - Subscriptions of which \$19,780.00 has been expended to date with \$1,200.00 allocated for the Western Australian Local Government Association Great Eastern Country Zone subscription which is yet to be expended. A remaining balance of \$1,020.00 is therefore available for other subscriptions.

Officer's Recommendation / Resolution**30306**

Moved Cr Wallace

Seconded Cr Morris

That Council becomes a member of the Wheatbelt Business Network at an initial membership cost of \$280.00 being met from Account E041160 - Subscriptions.

CARRIED 7/0

13.6 GENETICALLY MODIFIED CROPS – WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION'S POLICY

Reporting Department:	Administration
Reporting Officer:	Greg Powell – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	GR/17/11
Disclosure of Interest:	Nil
Attachments:	Draft Policy Statement on Genetically Modified Crops

Background

The Western Australian Local Government Association (WALGA) has developed a Draft Policy Statement on Genetically Modified (GM) Crops (**Attachment 13.6A**).

A number of submissions were made during the 8 week consultation period for the Policy Background Paper which has helped to formulate this Draft Policy Statement.

WALGA is seeking feedback by 30 April 2010 from member Councils on the Draft Policy.

A final Policy will then be presented to the June 2010 State Council meeting for endorsement.

Comment

Council last considered this matter in February 2009 where it resolved (**CMRef 29873**):

“That Council support continuing trials to determine the effects of growing genetically modified Canola.”

The Draft Policy is directed towards all GM crops, not just Canola, and attempts to represent the interest of all local governments whether they support GM crops or not.

Options for Council to consider are to accept and endorse the position put forward in the WALGA policy, resolve whether to support or not support GM organisms or let the matter lay on the table.

No doubt there are diverging views in the farming and wider communities on this matter and it may well be divisive to open a debate on the matter. That is a matter Council will need to consider. The WALGA Policy seeks to ensure local governments are fully informed when proposals to grow certain crops on land within their jurisdiction and this may serve Council's interests at this time.

Statutory/Policy Implications

Nil.

Financial Implications

Nil.

Officer's Recommendation

That Council endorse the Western Australian Local Government Association's Draft Policy Statement on Genetically Modified Crops and the Western Australian Local Government Association be advised accordingly.

Council Resolution

30307

Moved Cr Morris

Seconded Cr Townrow

That this Agenda Item 13.6 "Genetically Modified Crops – Western Australian Local Government Association's Policy" lay on the table.

CARRIED 7/0

REASON:

Council determined that its current position on GM Crops would not be altered by the draft WALGA Policy and that it would await further action.

13.7 WHEATBELT DEVELOPMENT COMMISSION BOARD NOMINATIONS 2010

Reporting Department:	Administration
Reporting Officer:	Greg Powell – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	GR/17/10
Disclosure of Interest:	Nil
Attachments:	Request for Nominations

Background

The Wheatbelt Development Commission (WDC) has advised that Local Government and Ministerial vacancies currently exist on the Wheatbelt Development Commission Board and have called for nominations (**Attachment 13.7A**).

Comment

It would appear from the WDC's website that Merredin is not represented through either Community, Ministerial or Local Government appointments.

Given the developing importance of the WDC in the administration of the Royalties for Regions funding, a voice to accentuate the needs of Merredin is important. This comment in no way diminishes the other work undertaken by the WDC and the importance of the WDC to Merredin.

Statutory/Policy Implications

Nil.

Financial Implications

Nil.

Officer's Nomination / Resolution**30308**

Moved Cr Townrow

Seconded Cr Crook

That Council nominate Councillor Morris for consideration for appointment to the Wheatbelt Development Commission Board.

CARRIED 7/0

Cr Morris declared an Impartiality Interest in this Agenda Item 13.8.

13.8 **MERREDIN MARKETS**

Reporting Department:	Administration
Reporting Officer:	Greg Powell – Chief Executive Officer
Legislation:	Local Government Act 1995, Road Traffic Act 1974
File Reference:	RCS/04/21
Disclosure of Interest:	Nil
Attachments:	Merredin Markets Correspondence

Background

Correspondence has been received from the Merredin Community Resource Centre Management Committee advising it has been approached by a local retailer to re-commence markets in Barrack Street, Merredin, including businesses in the immediate area (**Attachment 13.8A**). The Committee supports the request, advises its intention to co-ordinate the markets and seeks Council's support for the proposal, approval to use the car park and lawn area adjacent to Barrack Street, Merredin and for closure of the road.

Comment

The proposal has been considered by relevant staff who question the need for the road closure if only the car park and lawn area are to be used as this would be similar from normal business day activities. However, the road closure could add to the atmosphere of a market day.

Consideration needs to be given to the provision of parking should the road and a portion of the car park be closed to traffic.

As the markets are proposed to be held over a weekend, the organisers should be responsible for erecting and removing signage.

Confirmation of adequate public liability insurance cover should also be required.

Statutory/Policy Implications

Nil.

Financial Implications

Nil.

Officer's Recommendation / Resolution**30309**

Moved Cr Crees

Seconded Cr Wallace

That the Merredin Community Resource Centre Management Committee be advised that Council supports in principle a proposal to commence weekend markets in Barrack Street, Merredin subject to a traffic management plan being completed for the area which is to address road closures, car parking and signage requirements and public liability coverage being confirmed.

CARRIED 6/1

14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

15.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN**15.1 Rate Setting Statement 2010/2011**

Cr Young has submitted the following:

Motion:

Moved Cr Young Seconded Cr Townrow

- 1. *That Council not raise rates for the 2010/2011 financial year.***
- 2. *That Council instruct the Chief Executive Officer that any major/minor project from our Strategic Plan, set to be progressed this coming year, be referred back to Council in order to be evaluated with the view to defer any project which may detract from our goal of responsible and sustainable fiscal management.***

LOST 1/6

BACKGROUND

Local Government is presumed "grass roots" government because we as Councillors are in touch with our electorate on a daily basis. We are also meant to be the moral and ethical voice of local government, ensuring that we constantly identify with and represent our electorate.

Since October 2009 the Reserve Bank interest rate has been raised 5 times adding an extra \$300.00 to the average \$300,000.00 mortgage.

Over 50% of our rates comes from sectors of our community which are in difficult financial circumstances, with little hope for improvement in the short term; 6-12 months. Electricity charges are set to rise by 17-1/2%, the first increase has occurred, the second will come into effect in July. Farmers' poor fortune is translating into a down-turn for all businesses in town. In contrast, wages have not risen even the so-called 3% CPI, pensions either.

As a result of the factors listed above, our electors face a bleak year ahead and I believe it appropriate, if we truly represent our electors to not raise rates this year.

As householders/business people we trim off any excess expenditure when times are tough, as the directors of the board of management of the community asset we refer to as the Shire of Merredin, we should also adopt the same principles when dealing with the Shire budget.

If we raise rates by 3% on last year, the return would be approx \$68,000.00; not a great amount in the scheme of things when you are dealing with a six million dollar budget, however, the \$30.00 increase to a pensioner or home only ratepayer becomes a significant amount when added to the increases already mentioned. The impact on businesses, farmers included, will be much greater.

We need to send a message to our electors that we care about our community, identify with the circumstances which arise from time to time, and this will in turn send a message that Merredin is a great place to live in because Council still has a heart.

The past two years have not been very favourable to our farming community and as a result the economic future of the town appears rather gloomy. Most businesses in the town that I have spoken to, have indicated a slowing down of turnover, and the prospect of no improvement for the next 8 – 10 months.

As a Councillor it is my duty to represent my electors and that means in particular, my ratepayers, the owners of Shire assets. The Joondalup report lesson issued by the Dept of Local Government tells us that Councillors are meant to be the moral and ethical voice of local government, and rightly so.

I firmly believe that Shire staff, like public servants at all levels of government, do not take into consideration economic climates when making budget decisions, but rather are more concerned with their goals and objectives (some set in KPI's) and their solution to budget shortfalls is to raise rates.

The role of Councillors is to ensure economic factors are considered, as well as ensuring that expenditure at Shire level is directed towards responsible asset management and community needs are met.

After consultation with business people in the town, I believe that our rate setting statement for this year should reflect a NIL INCREASE in rates, and concentration of our expenditure for the coming year to improvement of our assets, with building maintenance and road, footpath and kerbing upgrading as our main priority. This would ensure that our bottom line is improved or strengthened without raising rates.

I also firmly believe that savings and budget cuts, if they need to be made, should be made in the community development and tourism sectors, as they are non-essential services and therefore do little to improve the triple bottom line needed to ensure our sustainable and responsible fiscal management. As Householders/Businesses, when faced with financial constraints, we trim away the non essential items first, as Councillors we should also do the same.

It is important that we as Councillors remain in touch with our electorate and ratepayers and when over 50% of our rate revenue is provided by ratepayers that are hurting financially this year, it is only appropriate that we assist in the only practical way we can.

16.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil.

17.0 MATTERS BEHIND CLOSED DOORS

Nil.

18.0 CLOSURE

There being no further business the Shire President declared the meeting closed at 2.08pm.