

SHIRE OF MERREDIN



“Heart of the Wheatbelt”

MINUTES OF COUNCIL MEETING

15 JUNE 2010

MINUTES**INDEX**

1.0	OFFICIAL OPENING	4
2.0	PUBLIC QUESTION TIME	4
3.0	APOLOGIES AND LEAVE OF ABSENCE.....	4
4.0	DISCLOSURE OF INTEREST	4
5.0	PETITIONS AND PRESENTATIONS	4
6.0	CONFIRMATION OF MINUTES	4
6.1	Ordinary Council Meeting.....	4
7.0	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION	5
8.0	MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC	5
9.0	RECEIVAL OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL.....	5
9.1	Kellerberrin Sub Regional Road Group Meeting held on 11 May 2010	5
9.2	Western Australian Local Government Association Great Eastern Country Zone Meeting held on 27 May 2010.....	5
9.3	Merredin Local Emergency Management Committee Meeting held on 1 June 2010	5
10.0	COMMUNITY SERVICES	6
11.0	DEVELOPMENT SERVICES	6
12.0	ENGINEERING SERVICES	7
12.1	Naming of Road for Rural Street Address.....	7
12.2	Reserve 12736 Amalgamation or Management to Shire of Merredin .	9
16.1	Request for Burial at Pioneer Cemetery	10
13.0	FINANCE AND ADMINISTRATION	11
13.1	Monthly Finance Report	11
13.2	List of Accounts Paid	12
13.3	Sports Floor Surface at the Merredin Regional Community and Leisure Centre.....	13
13.4	Cummins Theatre Hire Document and Fees and Charges 2010/2011	16
13.5	Merredin Regional Community and Leisure Centre Fees and Charges 2010/2011.....	22
13.6	Royalties For Regions – Future Projects	24

MINUTES

14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN 27

**15.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN
..... 28**

**16.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY
DECISION..... 28**

16.1 Request for Burial at Pioneer Cemetery 28

17.0 MATTERS BEHIND CLOSED DOORS 28

18.0 CLOSURE 29

MINUTES

Minutes of the Ordinary Meeting of the Shire of Merredin held in the Council Chambers, Corner King and Barrack Streets, Merredin on Tuesday 15 June 2010 commencing at 1.00pm.

ATTENDANCE:

Councillors:	KA Hooper	Shire President
	RM Crees	Deputy Shire President
	D Crook	
	P Forbes	
	M Morris	
	J Townrow	
	W Wallace	
	M Young	
Apology:	A Hooper	
Staff:	G Powell	Chief Executive Officer
	J Garrett	Executive Manager of Engineering Services
	V Green	Executive Assistant to Chief Executive Officer
	E Growden	Executive Manager of Finance and Administration

1.0 OFFICIAL OPENING

The Shire President declared the meeting open at 1.02pm.

Jim Garrett, Executive Manager of Engineering Services, was in attendance.

2.0 PUBLIC QUESTION TIME

Nil.

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr A Hooper tendered her apologies.

4.0 DISCLOSURE OF INTEREST

Cr K Hooper declared a Proximity Interest in discussion at Agenda Item 17.0.

Cr Morris declared a Financial Interest in discussion at Agenda Item 17.0.

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 21 May 2010.

MINUTES

Officer's Recommendation

That the minutes of the Ordinary Council Meeting held on 21 May 2010 be confirmed as a true and correct record of proceedings.

Resolution

30334 Moved Cr Townrow Seconded Cr Crook

That subject to the minutes of the Ordinary Council Meeting held on 21 May 2010 being amended to include the reason for the request being a "hearing disability" at Item 16.1 Chamber Seating Arrangement, they be confirmed as a true and correct record of proceedings.

CARRIED 8/0

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil.

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

Cr K Hooper and Cr Young advised they wished to raise two matters behind closed doors.

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

9.1 Kellerberrin Sub Regional Road Group Meeting held on 11 May 2010

Attachment 9.1A

Nil Recommendations to Council.

9.2 Western Australian Local Government Association Great Eastern Country Zone Meeting held on 27 May 2010

Attachment 9.2A

Nil Recommendations to Council.

9.3 Merredin Local Emergency Management Committee Meeting held on 1 June 2010

Attachment 9.3A

MINUTES

Officer's Recommendation / Resolution**30335**

Moved Cr Townrow Seconded Cr Morris

That Council receive the minutes of the Kellerberrin Sub Regional Road Group Meeting held on 11 May 2010, the Western Australian Local Government Association Great Eastern Country Zone Meeting held on 27 May 2010 and the Merredin Local Emergency Management Committee Meeting held on 1 June 2010.

CARRIED 8/0**Committee Recommendation**5.1 Adoption of Merredin LEMC 2009/2010 Annual Report

Moved R Daniels

Sec P van der Merwe

That the Merredin Local Emergency Management Committee adopt the 2009/2010 Annual Report and recommend to Council that the Merredin Local Emergency Management Committee 2009/2010 Annual Report be endorsed and forwarded to the Wheatbelt District Emergency Management Committee.

CARRIED

Note: The 2009/2010 Annual Report as mentioned in the above Committee Recommendation 9.1.5.1 is contained as an appendix to the Merredin Local Emergency Management Committee Minutes.

Resolution**30336**

Moved Cr Forbes

Seconded Cr Morris

That Council endorse the Merredin Local Emergency Management Committee 2009/2010 Annual Report and forward the Report to the Wheatbelt District Emergency Management Committee.

CARRIED 8/0**10.0 COMMUNITY SERVICES**

Nil Recommendations to Council.

11.0 DEVELOPMENT SERVICES

Nil Recommendations to Council.

MINUTES

12.0 ENGINEERING SERVICES

12.1 NAMING OF ROAD FOR RURAL STREET ADDRESS

Reporting Department:	Engineering Services
Reporting Officer:	Jim Garrett – Executive Manager, Engineering Services
Legislation:	Local Government Act 1995
File Reference:	R/12/2
Disclosure of Interest:	Nil
Attachments:	Map

Background

At its August 2005 meeting Council endorsed the implementation of Rural Street Addressing (**CMRef 28060**).

The purpose of Rural Street Addressing is to place a numbered plate at the entrance to each property containing a residence. Property numbers are based on distance of the entrance to the property from the start of a road. Odd numbers are on the left, even on the right. This eliminates the need to have the owners' name at the property entrance. Emergency services such as police, ambulance and fire, as well as delivery contractors, can find properties easily.

As rural lot numbers are no longer recognised by utility services all new rural residences are required to get a Rural Street Address.

The two new residences built by Brendon Bartlett and Paul Bartlett near the Naremben Road have been identified by staff as not having a Rural Street Address. When staff applied to the Department of Land and Information to have a number allocated to these residences it was found that the road they are situated on was not named.

It was assumed by staff that the road was named Hughes Road, as this road runs parallel with the Great Eastern Highway from Naremben Road west to Great Eastern Highway as shown on **Attachment 12.1A**.

Staff were advised to apply to the Geographic Names Committee to name the road.

The Department of Land and Information suggested that as this road is a continuation of Hughes Road, the section of the road be named Hughes Road from Naremben Road east for 1 kilometre to Great Eastern Highway as shown on **Attachment 12.1A**.

MINUTES

Comment

Staff are currently applying for seven new Rural Street Addresses in the Shire boundaries.

Statutory/Policy Implications

Nil.

Financial Implications

Nil.

Officer's Recommendation / Resolution**30337**

Moved Cr Townrow

Seconded Cr Forbes

That Council endorse that the road running east of Narembeen Road for 1 kilometre to Great Eastern Highway, as presented in Attachment 12.1A, be named Hughes Road.

CARRIED 8/0

MINUTES

12.2 RESERVE 12736 AMALGAMATION OR MANAGEMENT TO SHIRE OF MERREDIN

Reporting Department:	Engineering Services
Reporting Officer:	Jim Garrett – Executive Manager, Engineering Services
Legislation:	Local Government Act 1995
File Reference:	R12736
Disclosure of Interest:	Nil
Attachments:	Map

Background

Correspondence has been received from the Department of Regional Development and Lands requesting Council reconsider its proposal to extract gravel from gravel Reserve 12736, Knungajin-Merredin Road, Merredin and to support the amalgamation of the Reserve into adjoining property.

A map of the area is contained within **Attachment 12.2A**.

Comment

The Shire of Merredin has only 15% of its own gravel reserves remaining which contain material suitable for road construction work.

Statutory/Policy Implications

Nil.

Financial Implications

Nil.

Officer's Recommendation / Resolution**30338**

Moved Cr Crees

Seconded Cr Townrow

That Council advise the Department of Regional Development and Lands that it does not support the amalgamation of Reserve 12736 Knungajin-Merredin Road, Merredin into adjoining property.

CARRIED 8/0

MINUTES

This Late Agenda Item was brought forward due to the attendance of Jim Garrett, Executive Manager of Engineering Services.

16.1 REQUEST FOR BURIAL AT PIONEER CEMETERY

Reporting Department:	Engineering Services
Reporting Officer:	Jim Garrett - Executive Manager, Engineering Services
Legislation:	Local Government Act 1995
File Reference:	PH/6/1
Disclosure of Interest:	Nil
Attachments:	Letter

Background

An application for order of burial for Ms Maureen Cunningham in the Pioneer Cemetery has been received (**Attachment 16.1A**). It was the wish of Ms Cunningham to be buried with her mother, father and brothers "when her time came", as can be seen in the Attachment.

Council's Cemeteries Local Laws do not state that the Pioneer Cemetery is closed for burials and that all new burials must be at the new Cemetery.

In Council's scheduled 2009/2010 Fees and Charges for interments there are no charges in place for burials at the Pioneer Cemetery.

Comment

The last burial at the Pioneer Cemetery was 12 years ago.

Statutory/Policy Implications

Nil.

Financial Implications

Nil.

Officer's Recommendation / Resolution

- 30339** Moved Cr Townrow Seconded Cr Morris
That Council grant the right of burial for Ms Maureen Cunningham into the Pioneer Cemetery and the Fees and Charges for the interment be the same as those for burial in the Merredin Cemetery as listed in the 2009/2010 Fees and Charges.

CARRIED 8/0

Jim Garrett, Executive Manager of Engineering Services, left the meeting at 1.12pm.

MINUTES

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

30340 Moved Cr Morris Seconded Cr Young

That Council receive the Monthly Finance Report for May 2010.

CARRIED 8/0

Emma Growden, Executive Manager of Finance and Administration, entered the meeting at 1.13pm.

MINUTES

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

- 30341** Moved Cr Wallace Seconded Cr Morris
That Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$202,903.21 and amounts directly debited from Council's Municipal Fund Bank Account BSB 066-518 Account Number 000-000-10 totalling \$586,681.75 and outstanding creditors totalling \$177,290.07.

CARRIED 8/0

MINUTES

13.3 SPORTS FLOOR SURFACE AT THE MERREDIN REGIONAL COMMUNITY AND LEISURE CENTRE

Reporting Department:	Administration
Reporting Officer:	Greg Powell – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	RCS/13/1
Disclosure of Interest:	Nil
Attachments:	Warranty

Background

In July 2006 Council appointed Centrecourt Renovators to supply and install the Indoor Sports Surface flooring to the Merredin Regional Community and Leisure Centre (MRC&LC) (**CMRef 28578**).

Since that time an amount of movement has occurred in the floor sub-structure due to the climatic expanding and contracting of the control joints which connect the concrete floor slabs. This movement has caused bubbling in the floor surface along the expansion joints.

Discussions have been ongoing between the Building Project Manager, the manufacturer (Rephouse) and the supplier and installer (CentreCourt) on a remedy for the situation.

Comment

The remedial action recommended by Rephouse involves removing the floor surface back to bare concrete along the control joints, examining and filling the joints with flexible joint sealant, installing additional slip joints, applying a bond breaker tape over the newly sealed joints and reinstating the floor surface with an option to cover the entire floor surface with an additional wearcoat.

However, the manufacturer is unable to advise whether this will resolve the problem permanently.

Time estimates to complete the minimal works required is 3-4 weeks and to complete the maximum works is 4-6 weeks. The floor surface would not be able to be used during the time taken to complete the works, therefore consideration would need to be given to when the proposed works are undertaken.

MINUTES

Discussions have been held with the Recreation Centre Manager at the Freebairn Recreation Centre in Kulin which indicate a similar issue with their floor surface occurring over the last 5-6 years. The Freebairn surface was installed by Rephouse's competitor and investigations undertaken by the Shire of Kulin have suggested that the issue is related to water located under the substructure of the floor. Tanks and pumps have been installed at the site to drain away the water and the Recreation Centre Manager is of the opinion that this is assisting the situation.

The Freebairn Recreation Centre Manager also suggested that the issue with the floor would be ongoing, that they were not considering lifting and repairing the floor itself and sports were continuing to be played on the surface as the lifting and/or bubbling was considered minimal.

A structural engineer was requested to provide estimates on the movement in the floor because of variations in temperature. It is estimated that movement in the order of 3-4mm could be expected.

It is assumed by staff that the flooring materials are able to expand and not contract and it is this contraction of the material caused by contraction of the expansion joints caused by expansion of the floor slabs in summer that may be the cause of the problem. This may be exacerbated as the floor was laid in winter when the joints would be at their maximum.

This report is provided for information only at this point in time as discussions are ongoing with both the manufacturer and installer and a further report will be provided to Council in due course.

Statutory/Policy Implications

If a person were to injure themselves while playing on or using the surface there is the possibility of a public liability case being made against Council. Council does hold a public liability insurance policy to cover any such claim, however consideration should be given to the possible costs incurred as a result of any claim being made.

A 5 year warranty is provided by the manufacturer of the floor surface and a copy of this is included in **Attachment 13.3A**. The fifth paragraph states that *"Any damage or failure of surfacing resulting from improper sub-surface construction, vandalism, abnormal use, incorrect installation, acts of God, or lack of maintenance are not covered by this warranty"*. The manufacturer states the problem with the floor surface has arisen as a result of *"improper sub-surface construction"*.

MINUTES

Financial Implications

Quotes (excluding GST) received to remedy the floor are as follows:

Flooring	\$ 5,312.00*	(Rehouse)
Topcoat and Linemarking	\$13,200.00*	(Rehouse)
Additional Wearcoat (optional)	\$23,546.00*	(Rehouse)
Labour and Installation	<u>\$38,960.00</u>	(Centrecourt)
TOTAL	\$81,018.00	

The manufacturer has advised they are willing to offer a 50% discount on the cost of the materials* required to remedy the floor. This would reduce the above figure by \$21,029.00 to \$59,989.00. If Council does not wish to apply the optional 1mm wearcoat over the entire floor surface the cost can be reduced by a further \$11,773.00 to \$48,216.00.

There is no allocation in the 2009/2010 Budget or in the draft 2010/2011 Budget for these works.

Emma Growden, Executive Manager of Finance and Administration, left the meeting at 1.15pm.

Officer's Recommendation / Resolution**30342**

Moved Cr Townrow Seconded Cr Morris

That the information on the sports floor surface be noted and staff continue discussions with the manufacturer and installer of the synthetic flooring at the Merredin Regional Community and Leisure Centre.

CARRIED 8/0

MINUTES

13.4 CUMMINS THEATRE HIRE DOCUMENT AND FEES AND CHARGES 2010/2011

Reporting Department:	Finance and Administration
Reporting Officer:	Greg Powell – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	CP/19/5
Disclosure of Interest:	Nil
Attachments:	Circuit West Regional Venue Commercial Hire Fee Comparison, Conditions of Hire and Booking Information, Fees and Charges

BackgroundVenue Hire

In the 2009/2010 Budget the hire fees and charges for Cummins Theatre were reviewed, and modified to become more aligned with the Merredin Regional Community and Leisure Centre (MRC&LC). These fees have not been implemented due to the closure of the venue for renovations. Prior to this the fees and charges for the venue had not been changed since 2006/2007.

It is within the best interests of Council that the hire fees and charges for Cummins Theatre and the MRC&LC are comparable where they reflect the provision of a similar service. This has necessitated the introduction of a hire fee for the use of the kitchen at Cummins Theatre and a review of the hire structure for both venues.

Previous Cummins Theatre hire fees and charges have included a commercial, non-commercial and seminar level. They have also included a booking security deposit (included in the hire fee) and separate bonds.

At times the different rates have caused some confusion for both staff and hirers. In order to simplify the booking fees and charges it is proposed that split levels of hire fees be abolished in the 2010/2011 Budget. This will involve the abolishment of the meeting/seminar hire rate. Commercial and community rates have been retained to reflect the fact that non-commercial community events have no capacity reclaim hire costs.

Comment

In order to offer Commercial and Community hire rates, the following definitions of each respective term must be observed:

1. Commercial: Any event at which tickets are sold, an entry fee is charged or items are available for sale for commercial gain.
2. Community: Any public or private event which is free of charge (e.g. wedding, meeting, seminar).

MINUTES

The table below outlines the proposed charges for 2010/2011 along with the comparative charges for previous years.

Facility	2006-2009	2009-2010	Proposed
Tivoli Room – Commercial (per day)	\$85.00	N/A	\$320.00
Tivoli Room – Commercial (half day)	N/A	N/A	\$160.00
Tivoli Room - Community (per day)	\$85.00	N/A	\$240.00
Tivoli Room – Community (half day)	N/A	N/A	\$120.00
Tivoli Room - Commercial (per hour)	N/A	\$37.00	\$40.00
Tivoli Room - Community (per hour)	N/A	\$26.00	\$30.00
Tivoli Room - Bond	\$35.00	\$250.00	\$500.00
Theatre – Commercial (per day)	\$660.00	\$693.00	\$750.00
Theatre – Commercial (half day)	N/A	N/A	\$375.00
Theatre – Community (per day)	\$363.00	\$378.00	\$400.00
Theatre – Community (half day)	N/A	N/A	\$200.00
Theatre – Seminar (per day)	\$192.00	\$202.00	N/A
Booking Security Deposit – Commercial	\$275.00	\$347.00	N/A
Booking Security Deposit – Community	\$165.00	\$189.00	N/A
Booking Security Deposit - Seminar	\$82.00	\$101.00	N/A
Theatre – Bond (Commercial)	\$150.00	\$500.00	\$500.00
Theatre – Bond (Community)	\$82.50	\$500.00	\$500.00
Theatre – Bond (Seminar)	\$55.00	\$500.00	N/A
Kitchen – Commercial (per day)	N/A	N/A	\$160.00
Kitchen – Commercial (half day)	N/A	N/A	\$80.00
Kitchen – Community (per day)	N/A	N/A	\$80.00
Kitchen – Community (half day)	N/A	N/A	\$40.00
Stage - Casual hourly rate	N/A	N/A	\$30.00
Staff set up/clean up (per hour)	N/A	N/A	\$50.00
Staff Administration (per hour)	N/A	N/A	\$50.00

The complete Schedule of Fees and Charges for Cummins Theatre proposed for 2010/2011 is provided at **Attachment 13.4A**.

Cummins Theatre is a member of Circuit West – the network of WA regional theatres. Circuit West is designed to facilitate touring in regional WA and as such affiliated venues aim to provide similar facilities and services across the state. The Theatre Manager has collected information regarding commercial hire fees for selected Circuit West venues (**Attachment 13.4B**). The proposed hire fees for Cummins Theatre reflect the current trends in other similarly equipped regional venues in WA.

MINUTES

It is worth noting that the majority of other venues charge an additional fee for electricity, lights, power and air-conditioning. It must be noted that Cummins Theatre will be required to increase its technical capacity through purchase of lighting and audio equipment and the provision of technical staff, in order to meet the requirements of a regional venue suitable for touring performing arts product.

Equipment Hire

Until 2010, Cummins Theatre had provided an equipment hire service incorporating chairs, tables, glassware, crockery, cutlery, table centres and other assorted items. This resulted in damage to Cummins Theatre property and the minimal income generated was negated through breakages and staff time and resources expended through coordinating the hire service. It is proposed that all equipment hire be discontinued. The Shire is in the process of establishing an inventory of equipment across a number of venues including Cummins Theatre, MRC&LC and the Shire Administration building. It is proposed that Cummins Theatre equipment only be made available outside of Cummins Theatre to Shire staff and that external hire is to be discontinued.

Hire Document

The Cummins Theatre Conditions of Hire and Booking Information relating to the hire of the facility has been developed (**Attachment 13.4C**).

This document has been designed to incorporate similar information to the MRC&LC and other regional WA Performing Arts Venues where applicable and include some additional charges that may be applicable to hirers. It includes a Venue Booking Form, Technical Specifications, Alcohol Permission Form and Evacuation Plans. The Evacuation Plans included in this document must be reviewed prior to the reopening of the refurbished venue.

It is particularly pertinent that technical requirements are obtained with sufficient time to source appropriate staff and equipment. Access to the flying system will be restricted to trained personnel and as such technical staff will be required for the majority of performances and events.

Cummins Theatre has also implemented a new ticketing system which must be utilised for all ticketed events held at the venue. It will be essential that all financial and promotional information relating to the event is received with sufficient time to organise ticketing and all marketing endeavours.

The new booking form condenses the previous Commercial Hirer Booking Form and Standard Booking Form for the venue into one document while introducing information required for the new box office ticketing system.

MINUTES

The proposed hire fees for Cummins Theatre reflect current trends in regional WA performing arts venues while maintaining relevance to hire fees for local venues such as the MRC&LC. While the fees have increased on previous reviews this is in response to the rising overheads associated with the operation of the venue. The simplification of the division between split hire rates, such as the abolition of the seminar rate, is necessary to reflect the true operational costs of running Cummins Theatre.

The proposed hire fees for the Theatre have been increased by approximately 10%. In addition to this, the use of different facilities within the venue has been itemised to reflect a truer representation of utilisation. Previously, hirers were charged a flat fee for the hire of the Theatre regardless of whether or not they used the Tivoli Room and kitchen as well.

In the interest of creating fairness, specific facility hire has been introduced meaning where a hirer wishes to use all of the facilities, they will be charged accordingly. Similarly, if a hirer does not wish to use all of the facilities, they will only be charged for what they use. Due to this change in the application of hire fees the increase in the hire rates have been kept to a minimum.

Council indicated degrees of concern at its May 2010 meeting regarding the proposed costs for community usage of the Theatre and requested that staff consider the “community aspect” in the Schedule of Fees and Charges.

The revised Schedule of Fees and Charges for Cummins Theatre proposed for 2010/2011 incorporates a community rate. In addition to these proposed fees, community have the opportunity to seek waived or discounted fees under the Shire Policy 5.10 - Cummins Theatre – Waived or Discounted Hire fees, which was developed as a means for encouraging and supporting increased community use of Cummins Theatre.

The Merredin Repertory Club (MRC) is a community group that uses the Theatre on a regular basis for performances, rehearsals and meetings. A Memorandum of Understanding (MoU) was established in April 2007 between the Shire and the MRC to encourage more community use and local performing arts usage in the Theatre. The MoU, which is reviewed annually, establishes mutually agreed arrangements and precludes the MRC from the standard hire fees and charges for the Theatre. The Theatre Manager is currently liaising with the MRC to establish a new MoU incorporating relevant changes resulting from the Cummins Theatre renovation.

MINUTES

Another group that uses the Theatre for a number of events throughout the year is the Merredin Senior High School (MSHS). In 2009 an agreement was made with the MSHS that incorporated a set number of events for an agreed fee. Due to the closure of the Theatre the terms of this agreement have not yet been implemented. Negotiations are currently underway for a new agreement to be reached prior to the reopening of Cummins Theatre.

The Cummins Theatre conservation works project has been funded entirely by funding bodies external to Council; no ratepayers' money has been used in the completion of this project. As the demand for the works came from the community, it stands to reason that the community should be aware that the operational costs for Cummins Theatre have risen substantially as a result of the introduction of elements to the building such as air conditioning and as such will need to be subsidised.

In summary, the Theatre is a cultural icon which should be enjoyed by all, however there are costs to operate the facility that need to either be paid by the users or subsidised by Council.

Statutory/Policy Implications

Nil.

Financial Implications

Electricity costs are due to rise by 25% in the coming financial year. The installation of air conditioning at Cummins Theatre will more than double electricity consumption for the venue, and it may be anticipated that the consumption through use of stage lights will also increase.

Further to this consideration, the improved technical facilities will require trained technical staff to correctly operate the new systems, particularly with respect to the fly tower. Electrical and equipment maintenance programs will also need to be taken into consideration. Additional lighting and audio equipment may also be purchased and installed at Cummins Theatre following the electrical refurbishment of the venue. This may occur progressively, and will necessitate a review of hire fees either during the 2010/2011 year or in the subsequent financial year.

The proposed increase in hire fees maintains Cummins Theatre's position as one of the cheapest venues in regional WA, while more accurately reflecting the operational costs of the venue.

It is essential that hire fees be increased to reflect the improved facilities and service provided by Cummins Theatre as a result of the renovation project.

MINUTES

An annual allocation is made for donations of hire fees and this will need to be reviewed in order to reflect the new operational costs and associated hire fees and charges for the venue. It is not possible to forecast how many applications for donations may be received each year, however it may be anticipated that requests will increase in 2010/2011 due to the increased hire fees and charges. This may necessitate the development of stricter guidelines for the determination and allocation of donated hire fees.

Officer's Recommendation

That Council:

1. *endorse the proposed Schedule of Fees and Charges for Cummins Theatre as presented in Attachment 13.4A for inclusion in the 2010/2011 Budget and advertise the Schedule of Fees and Charges for Cummins Theatre through the usual communication channels;*
2. *endorse the Cummins Theatre Conditions of Hire and Booking Information as presented in Attachment 13.4C; and*
3. *adopt the following definitions with relation to the Hire of Cummins Theatre:*
 1. *Commercial: any event at which tickets are sold, an entry fee is charged or items are available for sale for commercial gain.*
 2. *Community: any public or private event which is free of charge (e.g. wedding, meeting, seminar).*

Resolution**30343**

Moved Cr Crees

Seconded Cr Morris

1. ***That Council endorse the proposed Schedule of Fees and Charges for Cummins Theatre as presented in Attachment 13.4A for inclusion in the 2010/2011 Budget and advertise the Schedule of Fees and Charges for Cummins Theatre through the usual communication channels.***
2. ***That subject to editing for brevity and clarity, Council endorse the Cummins Theatre Conditions of Hire and Booking Information as presented in Attachment 13.4C, as amended.***
3. ***That Council adopt the following definitions with relation to the Hire of Cummins Theatre:***
 1. ***Commercial: any event at which tickets are sold, an entry fee is charged or items are available for sale for commercial gain.***
 2. ***Community: any public or private event which is free of charge or held by a party with a Memorandum of Understanding (e.g. wedding, meeting, seminar).***

CARRIED 8/0

MINUTES

13.5 MERREDIN REGIONAL COMMUNITY AND LEISURE CENTRE FEES AND CHARGES 2010/2011

Reporting Department:	Finance and Administration
Reporting Officer:	Greg Powell – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	RCS/13/1
Disclosure of Interest:	Nil
Attachments:	Nil

Background

The annual review of the Fees and Charges for the MRC&LC was undertaken and presented to Council at its May 2010 meeting. The intention was for the Fees and Charges to become more aligned with those for Cummins Theatre as similar events could be held at both venues.

Council resolved not to adopt the Fees and Charges as presented and requested a further review taking into account the “community use” of the venue. This has been completed and the table on the following pages outlines the proposed charges for 2010/2011 along with the comparative charges for previous years.

The changes include an increase in the small function room hire for community users to \$30.00 per hour and \$40.00 per hour for commercial users. The large function room hire will increase to \$40.00 per hour for community and \$60.00 per hour for commercial. The meeting room hire has also been increased, however it should be noted that all sporting communities with Memorandum of Understandings (MoU) are not charged for the use of this room. Kitchen hire fees will decrease to come into line with Cummins Theatre.

Comment

It should be noted that included in the 1 Platinum and 10 Gold Sponsorship packages was the free and/or discounted use (from these Fees and Charges) of the MRC&LC for a period of 5 years from August 2007 meaning there is just over 2 years remaining on these Sponsorship packages.

Estimates to May 2010 include a loss of income through sponsorship deals totalling \$4,190.25 in hire fees and \$4,800.00 in staff membership for this financial year.

Additionally, the majority of sporting clubs receive free and/or discounted use of the MRC&LC as part of their MoUs.

MINUTES

Council should be aware that the majority of the users of the kitchen are community groups which receive a discounted price of 50% off the fees, resulting in a fee of \$10.00 per hour charged if the event is not a fixtured sporting event.

The majority of the kitchen use is free for sporting clubs with the gas, water, electricity and cleaning costs all being absorbed by the Shire.

In order to offer Commercial and Community hire rates, the following definitions of each respective term must be observed:

1. Commercial: Any event at which tickets are sold, an entry fee is charged or items are available for sale for commercial gain.
2. Community: Any public or private event which is free of charge (e.g. wedding, meeting, seminar).

Statutory/Policy Implications

Nil.

Financial Implications

Costs for electricity, water and cleaning are all due to increase in the next financial year and a rise in the Fees and Charges is warranted.

Officer's Recommendation / Resolution**30344**

Moved Cr Crees

Seconded Cr Crook

That Council:

1. ***endorse the Schedule of Fees and Charges for the Merredin Regional Community and Leisure Centre as outlined in this Agenda Item 13.5 for inclusion in the 2010/2011 Budget and advertise the Schedule of Fees and Charges for the Merredin Regional Community and Leisure Centre through the usual communication channels; and***
2. ***adopt the following definitions with relation to the Hire of the Merredin Regional Community and Leisure Centre:***
 1. ***Commercial: any event at which tickets are sold, an entry fee is charged or items are available for sale for commercial gain.***
 2. ***Community: any public or private event which is free of charge or held by a party with a Memorandum of Understanding (e.g. wedding, meeting, seminar).***

CARRIED 8/0

MINUTES

13.6 ROYALTIES FOR REGIONS – FUTURE PROJECTS

Reporting Department:	Administration
Reporting Officer:	Greg Powell – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	GS/2/22
Disclosure of Interest:	Nil
Attachments:	Local Component Requirements

Background

At its May 2010 Meeting Council resolved to prioritise its top 5 projects from a list of local and regional projects for inclusion in its Forward Capital Works Plan (FCWP) for Royalties for Regions funding and additionally to develop a list of projects of regional significance for discussion at the forthcoming Wheatbelt Development Commission (WDC) forum (**CMRef 30332**).

The following lists (in no particular order) were included in the Minutes and the responses were requested to be with the Chief Executive Officer by Friday 28 May 2010.

Local Projects

1. Desalination plant
2. New library
3. CBD enhancement
4. Playground equipment
5. Shire entry statements
6. Cohn Creek restoration
7. Storage tanks at MRC&LC
8. Fourth Dam
9. Regional waste facility
10. Merritville extension
11. Shops – Mitchell/Bates St's
12. Pool relocation/upgrade
13. Staff housing
14. Synthetic surface at MRC&LC
15. Solar power – MRC&LC, Administration Centre and staff housing

Regional Projects

1. Regional waste management
2. Weather radar
3. Land development (headworks)
4. Road upgrades
5. Crematorium
6. Tourism

MINUTES

7. Housing
8. Townscape improvements
9. Regional ecoparks
10. Regional doctors
11. Plant purchases
12. Sporting facilities
13. Solar technology
14. Regional airstrips

Comment

Councillors' responses have been collated and the table below details the responses received in priority order.

Local Projects	Votes Received
Synthetic surface @ MRC&LC	7
Merrittville extension	7
CBD Plan	6
Solar Power	5
Desalination Plant	4
Pool relocation / upgrade	4
Library	3
Cohn Creek restoration	2
Playground equipment	1
Regional waste facility	1
Regional Projects	
Solar technology	5
Regional waste management	4
Merrittville / Aged accommodation	3
Tourism	3
Housing	3
Weather radar	2
Road upgrades	2
Regional doctors	1
Regional airstrips	1
Townscape improvements	1
Plant purchases	1
Crematorium	1
Desalination plant	1
Hospital secure ward - dementia	1

On 9 June 2010 informal advice was received from the Commonwealth that Council's application for \$400,000.00 on a matching basis for construction of a further dam and evaporation reduction measures has been successful. It is anticipated that Council will wish to accept the grant and therefore the project will take preference over the priorities outlined above.

MINUTES

Using ground extraction and perhaps desalination to address water quality Council will have water supplies surplus to its requirements. An opportunity has arisen to explore the potential to establish a salt water fish venture and the Chief Executive Officer will be meeting in Perth with academics in this field on 22 June 2010. Fresh water supplies could be utilised for agricultural / horticultural ventures. A number of these have emerged in rural areas in recent times. Merredin would be well placed to participate in these and more traditional pursuits given its proximity to a market and transport advantages.

A further issue brought to Council's attention is the need to address the backlog of upgrading/maintenance works such as those required by the Library and Swimming Pool.

Council will now need to specify which of the above projects it intends to progress and obtain initial detailed costings of these project(s) so that this information can be incorporated in the FCWP. Once indicative costings are known, timeframes can then be established which will be dependant on funding.

As these projects are "modular" by nature, the concept is also applicable on a regional as well as local basis and could be put to the WDC forum later in the month.

Solar technology can also be included in local and regional projects and the potential for joint venture arrangements with solar and wind power private sector entities (as has occurred in Victoria with "community-owned" windfarms) should also be explored.

Statutory / Policy Implications

Nil.

Financial Implications

At this time, there are no financial implications but these may arise should Council wish to commit its own resources to a project(s). Council may, in future budgets, have the ability to allocate up to \$500,000.00 per annum to one or a number of the selected projects. This will be incorporated in the long term financial plan currently being undertaken by Morrison Low.

Officer's Recommendation / Resolution**30345**

Moved Cr Crees

Seconded Cr Townrow

That Council confirm its priorities for local and regional Royalties for Regions funding and these projects be costed and included in the Forward Capital Works Program and Long Term Financial Strategy.

CARRIED 8/0

MINUTES

- 30346** **Resolution**
Moved Cr Young Seconded Cr Crees
That the following projects be confirmed as Council's local project priorities under Royalties for Regions funding and these projects be costed and included in the Forward Capital Works Program and Long Term Financial Strategy:
- 1. Synthetic surface at the Merredin Regional Community and Leisure Centre;*
 - 2. Merrittville extension;*
 - 3. CBD Plan;*
 - 4. Alternative Power generation;*
 - 5. Desalination Plant;*
 - 6. Pool relocation / upgrade;*
 - 7. Library;*
 - 8. Cohn Creek restoration;*
 - 9. Playground equipment; and*
 - 10. Regional waste facility.*
- CARRIED 8/0**

- 30347** **Resolution**
Moved Cr Townrow Seconded Cr Young
That the following projects be confirmed as Council's regional project priorities under Royalties for Regions funding and these projects be costed and included in the Forward Capital Works Program and Long Term Financial Strategy:
- 1. Alternative power technology generation;*
 - 2. Regional waste management;*
 - 3. Aged accommodation;*
 - 4. Tourism;*
 - 5. Housing;*
 - 6. Weather radar;*
 - 7. Road upgrades;*
 - 8. Regional doctors;*
 - 9. Regional airstrips;*
 - 10. Townscape improvements;*
 - 11. Plant purchases;*
 - 12. Crematorium;*
 - 13. Desalination plant; and*
 - 14. Hospital secure ward – dementia.*
- CARRIED 8/0**

14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

MINUTES

15.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

16.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**16.1 Request for Burial at Pioneer Cemetery**

Please refer to Page 10 for information on this Agenda Item.

17.0 MATTERS BEHIND CLOSED DOORS

- 30348** Moved Cr Morris Sec Cr Crook
That Council go behind closed doors to discuss a confidential matter in accordance with Section 5.23(2) of the Local Government Act 1995.

CARRIED 8/0

Council went behind closed doors at 2.06pm.

Cr Young left the meeting at 2.09pm.

John Mitchell, Executive Manager of Development Services, entered the meeting at 2.10pm.

Cr Young entered the meeting at 2.12pm.

John Mitchell, Executive Manager of Development Services, left the meeting at 2.23pm.

Greg Powell, Chief Executive Officer, and Vanessa Green, Executive Assistant, left the meeting at 2.24pm.

Cr K Hooper declared a Proximity Interest and Cr Morris declared a Financial Interest in the discussion and left the meeting at 3.01pm.

Cr Townrow left the meeting at 3.06pm.

Cr Townrow and Greg Powell, Chief Executive Officer, entered the meeting at 3.07pm.

- 30349** Moved Cr Forbes Sec Cr Townrow
That Council come out from behind closed doors.

CARRIED 6/0

MINUTES

Council came out from behind closed doors at 3.17pm.

30350 Moved Cr Forbes Sec Cr Townrow
That Council adjourn the meeting for afternoon tea at 3.18pm.
CARRIED 6/0

30351 Moved Cr Crees Sec Cr Townrow
That Council reconvene the meeting at 3.32pm.
CARRIED 8/0

Cr K Hooper and Cr Morris were in attendance.

18.0 CLOSURE

There being no further business the Shire President declared the meeting closed at 3.34pm.