

SHIRE OF MERREDIN



“Heart of the Wheatbelt”

MINUTES OF COUNCIL MEETING

17 FEBRUARY 2009

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MINUTES

Minutes for the Ordinary Meeting of the Shire of Merredin held in the Council Chambers, Corner King and Barrack Streets, Merredin on Tuesday 17 February 2009 commencing at 1.00pm.

ATTENDANCE: Cr KA Hooper – Shire President
Cr RM Crees – Deputy Shire President
Crs S Elliott; P Forbes; M Hayden; A Hooper; M Morris; J Townrow; W Wallace; M Young

Messrs FB Ludovico, Chief Executive Officer; V Green, Executive Assistant; E Hooper, Executive Manager of Finance and Administration; J Mitchell, Executive Manager of Development Services and D Morris, Executive Manager of Community Services

1.0 OFFICIAL OPENING

The Presiding Member declared the meeting open at 1.05pm. Debbie Morris, Executive Manager of Community Services, was in attendance.

2.0 PUBLIC QUESTION TIME

Nil

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr Simmonds (**CMRef 29789**) has been granted Leave of Absence for this meeting.

4.0 DISCLOSURE OF INTEREST

Cr A Hooper declared an Impartiality Interest in Agenda Item 17.1.

Cr Forbes declared an Impartiality Interest in Agenda Item 13.7.

Cr Young declared an Impartiality Interest in Agenda Item 13.7.

5.0 PETITIONS AND PRESENTATIONS

Nil

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

Confirmation of the Minutes of the previous Council Meeting held on 20 January 2009.

29857

Moved Cr Elliott

Sec Cr Hayden

That the minutes of the meeting of Council held on 20 January 2009 be confirmed as a true and correct record of proceedings.

CARRIED 10/0**7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION**

Nil

8.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**17.1 Physical Activity Programs Coordinator Position**

Refer to Page 8 for information on this Agenda Item.

17.2 Health Local Laws 1999 - Keeping of Pigeons – Lot 623, House No 12 Endersbee Street, Merredin

Refer to Page 30 for information on this Agenda Item.

17.3 Councillor Morale

Refer to Page 50 for information on this Agenda Item.

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

9.1 Western Australian Local Government Association Great Eastern Country Zone Meeting held on 29 January 2009
Attachment 9.1A

9.2 Audit Committee Meeting held on 29 January 2009
Attachment 9.2A

9.3 Kellerberrin Sub-Regional Road Group Meeting held on 2 February 2009
Attachment 9.3A

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- 9.4 Merredin Local Emergency Management Committee Meeting held on 3 February 2009
Attachment 9.4A
- 9.5 Merredin Business and Community Development Committee Meeting held on 4 February 2009
Attachment 9.5A
- 9.6 Wheatbelt East Regional Organisation of Councils Executive Meeting held on 4 February 2009
Attachment 9.6A

29858

Moved Cr Crees

Sec Cr Elliott

That Council receive the minutes of the Western Australian Local Government Association Great Eastern Country Zone Meeting held on 29 January 2009, the Audit Committee Meeting held on 29 January 2009, the Kellerberrin Sub-Regional Road Group Meeting held on 2 February 2009, the Merredin Local Emergency Management Committee Meeting held on 3 February 2009, the Merredin Business and Community Development Committee Meeting held on 4 February 2009 and the Wheatbelt East Regional Organisation of Councils Executive Meeting held on 4 February 2009.

CARRIED 10/0

9.1 Western Australian Local Government Association Great Eastern Country Zone

Nil Recommendations to Council

9.2 Audit Committee

- 6.1 Review of 2007/2008 Independent Audit Report and Management Report

Moved Cr Elliott

Sec Cr Young

That Council accept the Review of the 2007/2008 Independent Audit Report and Management Report.

CARRIED

Note: The Independent Audit Report and Management Report mentioned in the above motion are included as an Appendix to the Audit Committee Minutes.

29859

Moved Cr Young

Sec Cr Elliott

That Council accept the Review of the 2007/2008 Independent Audit Report and Management Report.

CARRIED 10/0

9.3 Kellerberrin Sub-Regional Road Group

Nil Recommendations to Council

9.4 Merredin Local Emergency Management Committee

Nil Recommendations to Council

9.5 Merredin Business and Community Development Committee

Nil Recommendations to Council

9.6 Wheatbelt East Regional Organisation of Councils - Executive

Nil Recommendations to Council

10.0 COMMUNITY SERVICES

This Agenda Item 17.1 was brought forward due to the attendance of Debbie Morris, Executive Manager of Community Services.

Cr A Hooper declared an Impartiality Interest in this Agenda Item 17.1.

17.1 Physical Activity Programs Coordinator Position

29860 Moved Cr Wallace Sec Cr Townrow
That Council go behind closed doors to discuss a Commercial in Confidence matter in accordance with Section 5.23(2) of the Local Government Act 1995.
CARRIED 10/0

Council went behind closed doors at 1.12pm.

29861 Moved Cr Townrow Sec Cr Morris
That Council come out from behind closed doors.
CARRIED 10/0

Council came out from behind closed doors at 1.27pm.

29862 Moved Cr Townrow Sec Cr Crees
That Council endorse the continuation of the Physical Activity Programs Coordinator position for a period of 3 years commencing July 2009.
CARRIED 10/0

29863 Moved Cr Morris Sec Cr Townrow
That Council provide an allocation in the 2009/2010 Budget for the entire position of the Physical Activity Program Coordinator.
CARRIED 9/1

John Mitchell, Executive Manager of Development Services, entered the meeting at 1.30pm.

11.0 DEVELOPMENT SERVICES

**11.1 CUMMINS THEATRE – COMMITTEE MEETING RESOLUTIONS,
COST ESTIMATES AND SCOPE OF WORKS**

Reporting Department: Development Services
Reporting Officer: John Mitchell – Executive Manager,
Development Services
Legislation: Various
File Reference: CP/8/3

Background

The Cummins Theatre Working Group met on Thursday 5 February 2009. The notes of that meeting are contained in **Attachment 11.1A**.

The following recommendations from that meeting require Council consideration and ratification to act upon: -

Recommendation

That Council allocate funds from the 2008/2009 Budget for the Cummins Theatre Reserve Fund (approximately \$20,000.00) to employ a heritage consultant and a draughtsperson/architect to draw up the comprehensive Project Plan based on the Scope of Works, Priorities Listings, Building Report and Cost Estimates provided.

Recommendation

That Council allocate \$300,000.00 from the Shire of Merredin's Royalties for Regions funding to the Cummins Theatre Conservation Works Project, to progress the applications for grant assistance and the completion of the Schedule of Works beginning with 'Priority 1'.

An absolute majority is required for the first recommendation.

The Scope of Works, Building Report and Cost Estimates are contained in **Attachment 11.1B**.

Statutory Implications

The Committee is a Working Group of Council and ratification of its actions and recommendations are required by Council prior to implementation.

Financial Implications

The Cost Estimates suggest a budget of \$1,000,000.00 to complete the works including the provision of air conditioning and upgrading of the costume room, green room loading areas and maintenance rooms.

Comment

In summary the Scope of Works are: -

1. Carry out all external repairs to the buildings in accordance with the Conservation Report including tuck point, render and address rising damp issues;
2. Repair and make operable the office on north side of building;
3. Renovate stage area, install flying equipment and make stage area operable;
4. Gut the green room and back area, strip cladding, reform and renovate this area;
5. Gut, demolish, reinstate the costume room including general storage and cleaning storage;
6. Rectify access to the fly tower, insulate, install walk boards to auditorium area and make area safe;
7. Renovate the Tivoli Room and ablutions.

Officer's Recommendation

1. *That Council allocate funds from the 2008/2009 Budget for the Cummins Theatre Reserve Fund (approximately \$20,000.00) to employ a heritage consultant and a draughtsperson/architect to draw up the comprehensive Project Plan based on the Scope of Works, Priorities Listings, Building Report and Cost Estimates provided.*

ABSOLUTE MAJORITY REQUIRED

2. *That Council allocate \$300,000.00 from the Shire of Merredin's Royalties for Regions funding to the Cummins Theatre Conservation Works Project, to progress the applications for grant assistance and the completion of the Schedule of Works beginning with 'Priority 1'.*

Moved Cr Townrow **Sec** Cr Young

That Council allocate \$600,000.00 from the Shire of Merredin's Royalties for Regions funding to the Cummins Theatre Conservation Works Project and employ a heritage consultant and a draughtsperson/architect to draw up the comprehensive Project Plan based on the Scope of Works, to progress the applications for other grant assistance and the completion of the Schedule of Works.

AMENDMENT

Moved Cr Crees Sec Cr Hayden

That the words "consider allocating up to" replace the word "allocate".

4/6 LOST

29864

Moved Cr Townrow Sec Cr Young

That Council allocate up to \$600,000.00 from the Shire of Merredin's Royalties for Regions funding to the Cummins Theatre Conservation Works Project and employ a heritage consultant and a draughtsperson/architect to draw up the comprehensive Project Plan based on the Scope of Works, to progress the applications for other grant assistance and the completion of the Schedule of Works.

**6/4 CARRIED
ABSOLUTE MAJORITY**

REASON: With a total project estimate of \$986,850.00, \$300,000.00 would be insufficient to undertake the works. The balance of funds required need to be sourced from other grants.

**11.2 MERREDIN REGIONAL COMMUNITY AND LEISURE CENTRE –
PHYSIOTHERAPY (HYDROTHERAPY) POOL OPERATION**

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Health (Aquatic Facilities) Regulations 2007
File Reference:	A305

Background

There are issues with the operation of the Physiotherapy (Hydrotherapy) Pool. The public have complained regarding the temperature of operation and the decision to reduce the temperature to 28 degrees Celsius.

The Environmental Health Officer has raised concerns regarding the operation and cleanliness of the pool (algae growth, accumulation of body oils) and the calibration of testing equipment.

Recent inspections of the pool by the Executive Manager of Development Services (EMDS), Building Project Manager and the Recreation Centre Manager have shown: -

1. Consistent pump failures;
2. Air within the hydraulic system at all times;
3. Failure of pool to circulate;
4. Filter and vacuum pressure inconsistencies.

The system was designed and installed by Shenton Enterprises. **Attachment 11.2A** contains the correspondence sent to Shenton Enterprises.

Statutory Implications

The provisions of the Health (Aquatic Facilities) Regulations 2007 (the Regulations) and the Code of Practice are applicable. A copy of the Code of Practice for the design, construction, operation, management and maintenance of aquatic facilities is contained in **Attachment 11.2B**.

The legislation is imprecise on the system to be used at high temperatures - refer Section 5 – Water Quality and Testing, paragraph 14 (some indoor facilities...).

The Code of Practice implies that Bromine has far better sterilisation qualities at higher operating temperatures, as researched by the EMDS.

Section 5.1.1 – 5.1.10 states minimum free chlorine levels and recommendations regarding other chemicals.

The maximum water temperature allowed in any aquatic facility is 38 degrees Celsius.

MINUTES

Financial Implications

The EMDS has been back from annual leave for two weeks, therefore there has been insufficient time to prepare full costings of the higher temperatures operation of the pool.

However, it can be fairly assumed that the costs of power will increase, chlorine use will increase – chlorine breaks down twice as fast at temperatures greater than 26 degrees Celsius, cleaning costs will increase – release of body fats at higher temperatures, additional chemicals to counter algae at higher temperatures.

Costings are being prepared for pump and heat exchange operation and will be presented to Council when complete.

Comment

It is the decision of the Council and public what temperature the pool should operate at within the tolerances of the Regulations. Administration will then ensure that the minimum relevant standard as determined by the Regulations is maintained.

The pool is approved as a group two classification which requires that all patrons be directly supervised. Emergency care personnel must be on site at all times. As part of the contract with Shenton Enterprises, Recreation Centre staff were to be trained and inducted by the contractor. An operations manual was received. In November 2007 the EMDS advised the Recreation Centre Manager to address competency and training issues.

It has now been advised (December 2008) to Executive Managers that the training was not properly undertaken and that staff did not attend a pool course but a course for teaching swimming to children - Austswim.

Significant works have been commenced by the relevant Managers to address the known issues. Since Council's January 2009 meeting the following actions have been taken: -

1. Pool waters have been properly and independently tested and found to be in need of substantial attention – phosphate levels to be reduced, alkalinity to be increased to 80, starver to be added to water to reduce algae growth and calcium hardness to be increased;
2. All testing equipment has been calibrated and the required equipment for additional tests as required by the Regulations purchased;
3. Staff have been given formal responsibilities and training is to be undertaken for the relevant staff including the Manager of the facility;
4. Pool temperatures have been increased to 32 degrees Celsius to attract the users back to the facility;
5. The latest chemical and microbiological testing has shown that the pool is operating within the guidelines of the Regulations.

There are two other issues to address should the pool remain at 32 degrees Celsius – corrosion of the building internally through the release of various gases – chloramines; and ventilation of the enclosed space and the smells that the heat and sterilisation gases create.

Direct air conditioning of the room will be required. Direct air ventilation exhaust removal of the room to fresh air must be installed. During winter the room will most likely steam causing rust corrosion and the chloramines release acids that will damage aluminium frames and ceiling panels and supports.

Two suggestions are put forward: -

1. Installation of a pool blanket which can be wall mounted for one person use to reduce heat loss, steam arising in winter and reduce corrosion potential when the facility is not in use;
2. Installation of appropriate wall mounted air conditioner systems to offset gases created, reduce potential for corrosion and provide a definite air flow through the facility.

The above will need strict management enforcement to ensure that the system works.

The comments provided by Mr Marcus Holliday in **Attachment 11.2C** are taken from a publication that is not referenced by the Code of Practice for Aquatic Facilities and no comment is made.

Officer's Recommendation

1. *That Council note the works being undertaken to rectify the issues with the Physiotherapy (Hydrotherapy) Pool at the Merredin Regional Community and Leisure Centre.*
2. *That the Physiotherapy (Hydrotherapy) Pool temperature be set at 32 degrees Celsius and that appropriate Budget provisions be included within the 2009/2010 Budget to ensure adequate air exchanges within the room and that the room is climate controlled to alleviate corrosion and smell concerns.*

29865

Moved Cr Morris

Sec Cr Townrow

1. *That Council note the works being undertaken to rectify the issues with the Physiotherapy (Hydrotherapy) Pool at the Merredin Regional Community and Leisure Centre.*
2. *That the Physiotherapy (Hydrotherapy) Pool temperature be set at 32 degrees Celsius and that appropriate Budget provisions be included within the 2009/2010 Budget to ensure adequate air exchanges within the room and that the room is climate controlled to alleviate corrosion and smell concerns.*

CARRIED 10/0

MINUTES

Debbie Morris, Executive Manager of Community Services, left the meeting at 1.57pm.

11.3 **PLANNING APPLICATION PA15-08 - COLLGAR WINDFARM
CONDITION 6 – VIEWING AREA**

Reporting Department: Development Services
Reporting Officer: John Mitchell – Executive Manager,
Development Services
Legislation: Planning and Development Act 2005, Shire of
Merredin Town Planning Scheme No. 1.
File Reference: A8068

Background

On 23 September 2008 the Development Application Approval PA15-08 was issued to Collgar Windfarms to establish up to 127 wind turbines on various locations within the Collgar area.

Condition 6 of that approval requires the submission of details for the establishment of a public viewing area of the Windfarm.

The matter of a small committee was discussed at the Council's briefing session in December 2008 and the landowner, Mr George Giraud, Ms Pam Masters, Central Wheatbelt Visitor Centre, Mr Jim Garrett, Executive Manager of Engineering Services and Mr John Mitchell, Executive Manager of Development Services agreed to meet on 29 January 2009 to consider a site. Mrs Donna Crook, Acting Executive Manager of Community Services attended on the day as Ms Masters was unavailable.

Statutory Implications

The matter is referred to Council for adoption as the condition 6 requires the viewing area be to the satisfaction of the Shire of Merredin.

Financial Implications

There are no financial implications to the Shire of Merredin. The costs of the provision of the viewing platform are borne by the applicant, Collgar Windfarms.

Comment

A site location map is contained in **Attachment 11.3A**. Photographs of the Emu Downs Viewing Area located at Cervantes are contained in **Attachment 11.3B**. Photographs of the chosen site with descriptions are contained in **Attachment 11.3C**.

After the site visit, Ms Pam Masters was advised of the site and her comments sought. No objections were raised.

MINUTES

Throughout the Windfarm application process there has been substantial dialogue with the representatives of Collgar Windfarms. A suggested viewing area development proposal was provided for the Emu Downs Windfarm and the design was always suggested/considered as an example in principle for the Collgar site.

The recommended site is adjacent to Location 20218 on the bituminised Bullshead Road, opposite the Telstra microwave tower. The site is 29 kilometres from Merredin, 1 kilometre west from Scott Road and Springwell Valley Road and is elevated.

Required Main Roads WA site distances of 250 metres can be provided with the removal of some road side vegetation. A safe site distances of 250m can then be provided. The photographs of the road approaches are taken with site distances of 250m to show safety considerations. Road improvements would include bitumen road widening of entrance of viewing area, additional warning signage approaching the areas, tourism signage, town directional signage and parking area signage.

The site should also be considered for a project by the Natural Resource Management Officer for flora species and potentially a site showing the variety of flora within Merredin through survivable plantings. The site itself would comprise the information display area slightly raised (300mm maximum) with a bituminised setdown area for passengers of large commercial vehicles, and gravelled parking areas for cars and the like. Turning areas and access roads should also accommodate cars with caravans. A refuse bin service is not recommended as it cannot be serviced economically.

The site incorporates natural vegetation which the land owner seeks to have retained. Mr Giraud has verbally agreed to gift the land to Council providing the vegetation is retained and maintained. The land should be vested in the Shire of Merredin as part of the Road Reserve and properly annexed and managed to minimise deterioration of the natural bush. The area of land is approximately 550m x 70m deep (south) angled back towards the road reserves.

The design and colours of the Emu Downs display were considered appropriate for the Collgar Windfarm. One suggestion would be the disposal of rainwater to a concrete rainwater tank system for potentially on-use to plantings.

Officer's Recommendation

1. *That Council formally proceed with accepting Mr George Giraudo's gift of the land comprising approximately 2 hectares within Location 20218 to the Shire of Merredin as Road Reserve for the purposes of a public information and viewing area of the Collgar Windfarm.*
2. *That the viewing area for the Collgar Windfarms be located within Location 20218 Bullshead Norpa Road opposite the Telstra Microwave Tower and comprise a bituminised area for discharging passengers from large vehicle transport, with the remaining land to be graded compacted gravel for an area of parking reducing to road width for access to the site and provided with appropriate signage as determined by the Executive Manager of Engineering Services.*
3. *That Collgar Windfarms prepare a design overlay of the area for approval by the Chief Executive Officer of the Shire of Merredin in keeping with this report.*
4. *That the information display area comprise the design of Emu Downs as shown in Attachment 11.3B with the following displays: -*
 - a. *Site location map, Windfarm area and relationship to the town of Merredin;*
 - b. *Standard Windfarm information as suggested by Collgar – espousing the benefits of wind generation and general facts;*
 - c. *Local tourism display;*
 - d. *Native flora and fauna information.*
5. *That the information display area be provided by 30 June 2010 or within six months of the commencement of construction and installation of the wind-towers and turbines, whichever is the sooner.*

MINUTES**29866**

Moved Cr Wallace

Sec Cr Townrow

1. *That Council formally proceed with accepting Mr George Giraudo's gift of the land comprising approximately 2 hectares within Location 20218 to the Shire of Merredin as Road Reserve for the purposes of a public information and viewing area of the Collgar Windfarm.*
2. *That the viewing area for the Collgar Windfarm be located within Location 20218 Bullshead Norpa Road opposite the Telstra Microwave Tower and comprise a bituminised area for discharging passengers from large vehicle transport, with the remaining land to be graded compacted gravel for an area of parking reducing to road width for access to the site and provided with appropriate signage as determined by the Executive Manager of Engineering Services.*
3. *That Collgar Windfarms prepare a design overlay of the area for approval by the Chief Executive Officer of the Shire of Merredin in keeping with this report.*
4. *That the information display area comprise the design of Emu Downs as shown in Attachment 11.3B with the following displays: -*
 - a. *Site location map, Windfarm area and relationship to the town of Merredin;*
 - b. *Standard Windfarm information as suggested by Collgar – espousing the benefits of wind generation and general facts;*
 - c. *Local tourism display;*
 - d. *Native flora and fauna information.*
5. *That the information display area be provided by 30 June 2010 or within six months of the commencement of construction and installation of the wind-towers and turbines, whichever is the sooner.*

CARRIED 10/0**29867**

Moved Cr Morris

Sec Cr Young

That as part of the construction process:

- ~~1. *a Viewing Platform, incorporating a raised boardwalk walkway to the base of the nearest wind-tower be included;*~~
- ~~2. *Council negotiate with Collgar Windfarms for the public use of the road through a group of wind-towers;*~~
3. *Council negotiate with Collgar Windfarms to provide a significant display to be located within the Merredin CBD (e.g. blades, tower or working model) promoting the Windfarm.*

CARRIED 10/0

<p>Motion Rescinded 16 June 2009 CMRef 30017</p>
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11.4 RAILWAY INSTITUTE HALL; LOT 3000 TODD STREET, MERREDIN – ADVERTISEMENT SECTION 3.58 LOCAL GOVERNMENT ACT 1995 – OBJECTION RECEIVED

Reporting Department: Development Services
Reporting Officer: John Mitchell – Executive Manager, Development Services
Legislation: Local Government Act 1995, Section 3.58
File Reference: A3190

Background

At its November 2008 meeting Council resolved (**CMRef 29775**): -

- 1. That the Administration confirm with Mr David Murfit that the offer to demolish the Railway Institute Hall still stands if Council staff are unavailable to assist.*
- 2. That the offer from Mr David Murfit to remove the Railway Institute Hall situated on Lot 3000 Todd Street, Merredin at no cost, with Conditions 2 and 3 to Council, be advertised in accordance with the Local Government Act 1995.*
- 3. That the Chief Executive Officer be delegated authority to agree to the offer of Mr David Murfit subject to there being no objections (other than that building should be retained) to the proposal to allow Mr David Murfit to demolish the Railway Institute Hall at no cost to Council.*

Statutory Implications

In accordance with the provisions of the Local Government Act 1995, Section 3.58 (3) and (4) an advertisement was placed in the Wheatbelt Mercury on 14 January 2009 with a closing date of 30 January 2009 (16 days later).

The advertisement included the market value of the building. The value also included the land value.

The advertisement and valuation are contained in **Attachment 11.4A**.

Section 3.58(4) requires that the following detail be included within the advertisement: -

1. The names of all parties concerned;
2. The consideration to be given to the Local Government for the disposition;
3. The market value of the disposition;
4. Describing the property;
5. Giving details of the proposed disposition;
6. Inviting submissions within a period being not less than 2 weeks from the date of the advertisement.

The advertisement contained the above information.

Financial Implications

The cost of the advertisement has been borne by the Administration.

Comment

An objection has been received from Mr Colin Mowday of PO Box 594 Merredin (**Attachment 11.4B**). Mr Mowday states that the information is confusing, contradictory and duplicitous because Council stated after the sentence “the building will be removed at no cost to Council” that “the cost to the Council to remove the building is \$10,000.00.”

The second objection is that Mr Mowday believes Council worded the advertisement incorrectly, in that the minutes of 18 November 2008 state “demolish” and the advertisement states “remove the building”. Mr Mowday also states that the conditions contained within the resolution, which Council did not agree to, are integral to the consideration.

Mr Mowday did not approach Administration staff or request additional information.

Officer’s Recommendation

- 1. That Mr Colin Mowday be advised his submission regarding the removal of the Railway Institute Hall is noted and Council believes it has acted correctly.*
- 2. That Mr David Murfit be advised he may remove the Railway Institute Hall from Lot 3000 Todd Street, Merredin.*

The Chief Executive Officer advised the meeting that the Department of Local Government and Regional Development had contacted the Administration regarding a complaint made to the Department in relation to this item. Council were further advised of the options available in resolving this matter.

Moved Cr Crees**Sec Cr Hayden**

- 1. That Mr Colin Mowday be advised his submission regarding the removal of the Railway Institute Hall is noted and Council believes it has acted correctly.*
- 2. That Mr David Murfit be advised he may remove the Railway Institute Hall from Lot 3000 Todd Street, Merredin.*

29868

Moved Cr Wallace

Sec Cr Townrow

*That the Motion be put.***CARRIED 10/0**

29869

Moved Cr Crees

Sec Cr Hayden

1. *That Mr Colin Mowday be advised his submission regarding the removal of the Railway Institute Hall is noted and Council believes it has acted correctly.*
2. *That Mr David Murfit be advised he may remove the Railway Institute Hall from Lot 3000 Todd Street, Merredin.*

CARRIED 8/2

Cr Elliott and Cr Young voted against the motion and requested that their vote be recorded.

11.5 **LOCAL PLANNING STRATEGY 2007 – AMENDMENT ONE – DELETING THE ANNOTATIONS ON THE STRATEGY MAP THAT RELATE TO REQUIRING ‘60% OF EXISTING RURAL RESIDENTIAL LAND BEING DEVELOPED’**

Reporting Department: Development Services
Reporting Officer: John Mitchell – Executive Manager, Development Services
Legislation: Planning and Development Act 2005, Shire of Merredin Local Planning Strategy 2007
File Reference: LUP/5/3

Background

The opportunity is taken to update Council on the state of play for the Local Planning Strategy and the proposed Local Planning Scheme No. 6.

In June 2008, following meetings relating to the development of the proposed Rural Residential zone on the south side of the town of Merredin, Council requested that the Administration prepare a submission to the Western Australian Planning Commission seeking an amendment to delete the 60% rule from the Local Planning Strategy document and map.

Unfortunately the Executive Manager of Development Services has been unable to locate a formal resolution to prepare and submit the amendment.

As the Commission has in past instances declined to consider applications with extended resolution dates, the matter is resubmitted to Council for approval.

Statutory Implications

Pursuant to Regulation 12 of the Town Planning Regulation 1967 Council must resolve to amend the local planning policy.

The amendment sought is to: -

“deleting all reference within the local planning strategy and the strategy map that relate to requiring 60% of existing rural residential land being developed.”

Financial Implications

The costs of the amendment including advertising are budgeted in the 2008/2009 Budget. E106285 - \$3,000.00

Comment

Attachment 11.5A contains the resolution deciding to amend a local planning strategy and the proposal to amend a local planning policy.

Advice has been received from the Western Australian Planning Commission advising that the previous correspondence, of September 2008 and November 2008, has been misplaced.

Copies of the correspondence has been resent registered mail and the Planning Consultant, Mr Paul Bashall, has liaised with the Commission to confirm receipt.

Since February 2009 the Commission has advised that the resolution to prepare a local planning scheme has been approved by the Commission and their stance on our request for an Interim Development Order will be resolved by 27 February 2009.

Officer's Recommendation

That the Administration seek an amendment to the Local Planning Strategy 2007 from the Western Australian Planning Commission to remove all annotations of "60% from the development of Rural Residential Land" from the strategy and maps.

ABSOLUTE MAJORITY REQUIRED

29870

Moved Cr Crees

Sec Cr Wallace

That the Administration seek an amendment to the Local Planning Strategy 2007 from the Western Australian Planning Commission to remove all annotations of "60% from the development of Rural Residential Land" from the strategy and maps.

**CARRIED 10/0
ABSOLUTE MAJORITY**

11.6 TOWN PLANNING – OVERHEIGHT OUTBUILDING – LOT 4 OF LOT 516 MCDONALD STREET, MERREDIN

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Planning and Development Act, Shire of Merredin Town Planning Scheme No. 1, Policy 8.25 – Outbuildings in Residential Areas
File Reference:	A2462

Background

An application (**Attachment 11.6A**) to establish an over height outbuilding on Lot 4 of Lot 516 McDonald Street, Merredin has been received from Mr Maurice Lane.

Statutory Implications

The provisions of Policy 9.8 are applicable.

Lot 4 of Lot 516 McDonald Street, Merredin comprises 1,200m² of land. Policy 8.25 permits the Building Surveyor to approve a maximum of 3.0m wall height and 3.6m ridge height. The proposed outbuilding is compliant with the total area requirements. The area of the outbuilding is 54m². The maximum allowable single outbuilding area is 94m².

The applicant seeks to increase the wall height to 3,300mm (+300mm) and the ridge height to 4,100mm (+500mm). The average apex to a dwelling is between 4,500mm and 6,500mm.

There are no building issues with the proposed development.

Financial Implications

Application fees of \$123.00 have not been paid.

Comment

The applicant seeks to store an off road caravan within the garage. Standard garage heights will not permit the caravan to access the building. The additional height is required to house the running mechanism of the sliding doors. A 3,000mm door height is proposed.

The over height outbuilding will not pose a hazard or be unsightly.

Officer's Recommendation

That the application from Mr Maurice Lane to erect an outbuilding with a wall height of 3,300mm and a ridge height of 4,100mm on Lot 4 of Lot 516 McDonald Street, Merredin be approved.

29871

Moved Cr Young

Sec Cr Elliott

That the application from Mr Maurice Lane to erect an outbuilding with a wall height of 3,300mm and a ridge height of 4,100mm on Lot 4 of Lot 516 McDonald Street, Merredin be approved.

CARRIED 10/0

MINUTES

11.7 LOCAL LAW NO. 7 – HEALTH LOCAL LAW 1999 – REVIEW OF LOCAL LAW

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Local Government Act 1995 Section 3.12 – 3.19
File Reference:	Local Laws - Health

Background

Under Section 3.16.(1) of the Local Government Act 1995, a Local Government is required to periodically review its Local Laws within 8 years from the time of the gazettal of the Local Law. The aim of a review is to determine whether or not a Local Government considers that a Local Law should be retained unchanged, be repealed or be amended.

The Shire of Merredin Health Local Laws 1999 were adopted by Council in August 1999 (**CMRef 25479**) and were gazetted on 11 October 1999. The provisions of the Local Government Act 1995, including the requirement to review Local Laws, came into effect on 9 January 1996.

In undertaking a review of the Local Laws, Section 3.16 of the Local Government Act 1995 compels that a Local Government give statewide public notice and make copies of the Local Laws available to the public. The Council must then consider any submissions made and other administrative issues to determine if the Local Law should be repealed, amended or remain unchanged.

If it is determined by Council that the Local Law should be amended a Local Government is required to give statewide public notice of the proposed Local Law. The Council should again consider any submissions made in relation to a proposed amendment or repeal before finalising its decision on the Local Law.

At its May 2008 meeting Council resolved (**CMRef 29495**): *“That Council receive the Administration review of the Shire of Merredin Health Local Laws 1999 and advertise Local Law No. 7 in Health Local Laws seeking public comment.”*

The review was advertised on 11 June 2008 for the mandatory six (6) week submission period which closed on 5 September 2008. At that time there were no substantial amendments required and it was the intention to finalise the review and retain the existing Local Laws, provided public submissions to the contrary were not received. Whilst no submissions were received, the Administration has since received advice that the existing Local Laws will require amendment.

MINUTES

The advice relates to the following;

1. The adoption of the Waste Avoidance and Resource Recovery Act 2007 which changes the legislative provisions relating to the Shire of Merredin's waste services contained in the Local Laws;
2. The development and subsequent adoption of the Food Act 2007, although not impacting directly upon clauses within the current Local Laws, has implications for premises covered under the Local Laws, such as Lodging Houses;
3. The proposed Health Act Bill and the potential for different mechanisms for the implementation and enforcement of Public Health Policy.

Statutory Implications

Section 3.16(1) of the Local Government Act 1995 requires that within a period of 8 years from the day when a Local Law commenced or a report of a review of the Local Law was accepted, a Local Government is to carry out a review of the Local Law.

The Shire of Merredin Health Local Laws 1999, gazetted on 11 October 1999, have not previously been reviewed. The following legislation has impacted upon the review of the Local Law and the draft amendment;

1. Local Government Act 1995
2. Local Government (Functions and General) Regulations 1996
3. Health Act 1911
4. Shire of Merredin Health Local Laws 1997
5. Waste Avoidance and Resource Recovery Act 2007
6. Food Act 2008

It is a requirement of the Local Government Act 1995 that at a Council meeting the Presiding Member is to give notice to the meeting of the purpose and effect of any proposed Local Law, including any amendment by including the same in the Agenda and Minutes of that meeting.

The intended Purpose and Effect of amending the Health Local Laws are:

Purpose

The purpose of the amendment is to provide for the regulation, control and management of activities and issues relating to public health within the municipality.

Effect

The effect of the amendment is to control activities and manage influences on community public health within the district.

Financial Implications

Direct costs associated with this report will be limited to advertisement fees and gazettal fees for amendment of the Local Laws. Following the further discussion period, and depending upon any submissions, further amendment review and legal advice may be incurred.

Comment

The Shire of Merredin Health Local Laws 1999 were the result of a significant consolidation, undertaken by Local Governments in the late 1990's, to modernise Health Local Laws. Many of the provisions serve to maintain basic sanitary conditions for dwellings, establishing maintenance standards, control community nuisance issues and manage waste services.

Other provisions assist the Local Government in the control of pests and certain noxious trades, as well as provision for the control of certain infectious diseases. Controls include the creation of offences with penalties and licensing and registration of activities such as offensive trades and Lodging Houses.

The major changes to the Local Laws relate to the introduction of the new Waste Avoidance and Resource Recovery Act 2007, which effectively removes any ability to utilise the Health Act 1911 for the management of waste rubbish and refuse issues.

Transitional provisions preserve the current Local Laws. These provisions of the Local Laws relate to issues such as the management of refuse receptacles and the transportation and disposal of waste. Advice from the Department of Health has confirmed that these provisions must be removed from the current Local Law and should be adopted, as required, utilising the provisions of the Local Government Act 1995.

Therefore in Part 4, all of Divisions 2 and 3 have been proposed for repeal and it is recommended that Administration immediately commence the adoption of a Local Law for the management of the Shire of Merredin's waste issues. As the amendment of the Local Law is required, a series of minor amendments to update references to legislation, organisations and standards have also been included. A draft amendment based on this position appears as **Attachment 11.7A**.

Hence, it is proposed that Council endorse the draft amendment, which will require advertising and a second six (6) week period for public submissions.

Officer's Recommendation

That Council:

- 1. advertise the Shire of Merredin Health Amendment Local Laws 2009, as outlined in Attachment 11.7A, in accordance with Section 3.12 of the Local Government Act 1995, the Health Act 1911 and the principles of National Competition Policy.*
- 2. request the Administration to commence the drafting and submission to Council for the making of a Local Law to address the Shire of Merredin's waste management issues in accordance with the requirements of the Waste Avoidance and Resource Recovery Act 2007 and the Local Government Act 1995.*

ABSOLUTE MAJORITY REQUIRED

The Executive Manager of Development Services advised the meeting of the intended Purpose and Effect of amending the Health Local Laws, which are:

Purpose

The purpose of the amendment is to provide for the regulation, control and management of activities and issues relating to public health within the municipality.

Effect

The effect of the amendment is to control activities and manage influences on community public health within the district.

29872

Moved Cr Elliott

Sec Cr Crees

That Council:

- 1. advertise the Shire of Merredin Health Amendment Local Laws 2009, as outlined in Attachment 11.7A, in accordance with Section 3.12 of the Local Government Act 1995, the Health Act 1911 and the principles of National Competition Policy.*
- 2. request the Administration to commence the drafting and submission to Council for the making of a Local Law to address the Shire of Merredin's waste management issues in accordance with the requirements of the Waste Avoidance and Resource Recovery Act 2007 and the Local Government Act 1995.*

**CARRIED 10/0
ABSOLUTE MAJORITY**

11.8 GENETICALLY MODIFIED ORGANISMS - CANOLA

Reporting Department: Administration
Reporting Officer: Frank Ludovico – Chief Executive Officer
Legislation: Local Government Act 1995

Background

In January 2009 the Western Australian Local Government Association (WALGA) distributed a survey regarding the locations of larger scale genetically modified Canola trials (**Attachment 11.8A**).

In researching the matter it was discovered that the last time Council had discussed this issue was in February 2002, resolving (**CMRef 26568**) “*That the Merredin Shire Council receive the Genetic Modification Free Zones reports and includes the topic as an agenda item for the next Great Eastern Zone Ward meeting.*”

An email survey was sent to Councillors on 22 January 2009. The two questions were:

1. What is your Council’s position on the growing of genetically modified Canola crops in your municipality.
2. What is your Council’s position on the transportation through and/or storage of genetically modified crops in your municipality.

Five responses were received; three supported the propositions, one opposed the propositions and one had no position.

The survey was returned to WALGA indicating support for the two proposals.

Comment

The topic has been debated many times and it may be appropriate for Council to revisit this issue in order to develop an appropriate policy.

Officer’s Recommendation

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

29873

Moved Cr Crees

Sec Cr Morris

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

CARRIED 10/0

This Agenda Item 17.2 was brought forward due to the attendance of John Mitchell, Executive Manager of Development Services.

17.2 Health Local Laws 1999 - Keeping of Pigeons – Lot 623, House No 12 Endersbee Street, Merredin

29874 Moved Cr Elliott Sec Cr Crees
That Council go behind closed doors to discuss a Commercial in Confidence matter in accordance with Section 5.23(2) of the Local Government Act 1995.

CARRIED 10/0

Council went behind closed doors at 2.43pm.

29875 Moved Cr Young Sec Cr Forbes
That Council come out from behind closed doors.

CARRIED 10/0

Council came out from behind closed doors at 2.58pm.

29876 Moved Cr Forbes Sec Cr Townrow
That Mr W Last be advised to decrease the number of birds to 150 pigeons within 2 months, to 100 pigeons within 6 months and to 50 pigeons within 12 months, within approved cages on Lot 623, House No. 12 Endersbee Street, Merredin, otherwise Council will enforce its Health Local Laws.

CARRIED 10/0

John Mitchell, Executive Manager of Development Services, left the meeting at 3.00pm.

12.0 ENGINEERING SERVICES

12.1 ROAD RESERVE DEDICATION OF COMBES ROAD

Reporting Department:	Engineering Services
Reporting Officer:	Jim Garrett – Executive Manager, Engineering Services
Legislation:	Land Administration Act 1997
File Reference:	R234

Background

As part of the Great Eastern Highway upgrade from Hines Hill to Walgoolan, a section of Combes Road, which runs from Great Eastern Highway to the Western Power Works Depot in Merredin, required realignment to allow for turning lanes onto Great Eastern Highway.

At Council's March 2007 meeting, Council resolved (**CMRef 28843**) to close a section of Combes Road to allow for the realignment.

The Department for Planning and Infrastructure have requested (**Attachment 12.1A**) that Council pass a resolution to dedicate the newly realigned Combes Road as a Road Reserve under Section 56 of the Land Administration Act 1997. A map of the location is included in **Attachment 12.1B**.

Comment

The realignment and construction of Combes Road was completed in May 2007.

Officer's Recommendation

That Council endorse that the realigned section of Combes Road be dedicated as a Road Reserve under Section 56 of the Land Administration Act 1997.

29877

Moved Cr Elliott

Sec Cr Morris

That Council endorse that the realigned section of Combes Road be dedicated as a Road Reserve under Section 56 of the Land Administration Act 1997.

CARRIED 10/0

29878 Moved Cr Young Sec Cr Townrow
That Council adjourn the meeting at 3.00pm for afternoon tea.
CARRIED 10/0

29879 Moved Cr Townrow Sec Cr Crees
That Council reconvene the meeting at 3.23pm.
CARRIED 10/0

Cr Townrow advised of her apology for not being able to attend Welcome to Merredin and Thank a Volunteer event.

Emma Hooper, Executive Manager of Finance and Administration, entered the meeting at 3.25pm.

13.0 FINANCE AND ADMINISTRATION

13.1 MONTHLY FINANCE REPORT – JANUARY 2009**Reporting Department:** Finance and Administration**Reporting Officer:** Emma Hooper – Executive Manager, Finance and Administration**Legislation:** Local Government Act 1995

Comment

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

Officer's Recommendation

That Council receive the Monthly Finance Report for January 2009.

29880

Moved Cr Elliott

Sec Cr Wallace

That Council receive the Monthly Finance Report for January 2009.

CARRIED 10/0

13.2 LIST OF ACCOUNTS PAID

Reporting Department:	Finance and Administration
Reporting Officer:	Emma Hooper – Executive Manager, Finance and Administration
Legislation:	Local Government Act 1995 and Financial Management Regulations

Background

The attached List of Accounts Paid (**Attachment 13.2A**) during the month under Delegated Authority is provided for Council's information.

Statutory 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

That Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$116,588.67 and amounts directly debited from Council's Municipal Fund Bank Account BSB 066-518 Account Number 000-000-10 totalling \$204,847.56 and outstanding creditors totalling \$76,420.26.

29881

Moved Cr Townrow Sec Cr Crees

That Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$116,588.67 and amounts directly debited from Council's Municipal Fund Bank Account BSB 066-518 Account Number 000-000-10 totalling \$204,847.56 and outstanding creditors totalling \$76,420.26.

CARRIED 10/0

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13.3 SHIRE OF MERREDIN ANNUAL REPORT 2007-2008

Reporting Department:	Finance and Administration
Reporting Officer:	Frank Ludovico – Chief Executive Officer
Legislation:	Local Government Act 1995
File Number:	FM/19/Annual Report

Background

Council's Annual Financial statements for the year ended 30 June 2008 have been completed as has the annual audit of the financial statements by Council's auditors, UHY Haines Norton Chartered Accountants.

Statutory Implications

The Local Government Act 1995 requires the Council to accept the Annual Report and to set the meeting date for the Annual General Meeting of Electors.

The Chief Executive Officer is required to advertise by local public notice the availability of the Annual Report after it has been accepted by Council (Section 5.55 of the Act).

Council is required to give 14 days notice of the Annual Electors Meeting (Section 5.29 of the Act). If the meeting is advertised in the West Australian on Saturday 21 February 2009 and then in the Wheatbelt Mercury on Wednesday 25 February 2009, the Annual Electors Meeting could be held after 7 March 2009.

The Annual General Meeting of Electors is required to be held not more than 56 days after Council have accepted the Annual Report.

The Annual Report is included in **Attachment 13.3A**.

Council's Audit Committee met with the Auditor to discuss the Annual Financial Statements on 26 January 2009. Minutes of the Audit Committee meeting are included in **Attachment 9.2A**.

Officer's Recommendation

- 1. That Council accept the Shire of Merredin Annual Report for the 2007-2008 Financial Year, and receives the Auditor's Report from UHY Haines Norton Chartered Accountants for the 2007-2008 Financial Year.*
- 2. That Council hold its Annual General Meeting of Electors on _____ at _____ in the Shire Administration Centre.*

MINUTES

29882 Moved Cr Young Sec Cr Elliott
That Council accept the Shire of Merredin Annual Report for the 2007-2008 Financial Year, and receives the Auditor's Report from UHY Haines Norton Chartered Accountants for the 2007-2008 Financial Year.

CARRIED 10/0

29883 Moved Cr Elliott Sec Cr Townrow
That Council hold its Annual General Meeting of Electors on Tuesday 17 March 2009 at 7.00pm in the Shire Administration Centre.

CARRIED 10/0

Debbie Morris, Executive Manager of Community Services entered the meeting at 3.25pm.

Jim Garrett, Executive Manager of Engineering Services and John Mitchell, Executive Manager of Development Services entered the meeting at 3.26pm.

13.3.1 Victorian Bush Fire Appeal Donation

29884 Moved Cr Elliott Sec Cr Morris
That Council donate \$5,000.00 in unallocated funds to the Victorian Bush Fires Appeal via the Australian Red Cross.

**CARRIED 9/1
ABSOLUTE MAJORITY**

13.3.2 Regional Local Community and Infrastructure Federal Funding

Council were advised that the Regional Local Community and Infrastructure Federal Funding had been increased by an additional \$500 million. Council was given the opportunity to amend or add to the current Merritville Expansion Project Submission.

Following a brief discussion, the Submission will be amended to include Letters of Support from various local organisations and statistics on Merredin's ageing population.

Cr Young left the meeting at 3.47pm.

Cr Young entered the meeting at 3.48pm.

13.4 **STRUCTURAL REVIEW OF THE ORGANISATION**

Reporting Department: Administration
Reporting Officer: Frank Ludovico – Chief Executive Officer
Legislation: Local Government Act 1995

Background

At Council's December 2008 meeting (**CMRef 29827**) the Chief Executive Officer was instructed to review the structure of the organisation.

Attached to this Agenda Item is my report undertaking the Review requested by Council (**Attachment 13.4A**).

Statutory Implications

Section 5.2 of the Local Government Act 1995 indicates that the Council of a Local Government should ensure there is an appropriate structure for the administering of the Local Government.

Officer's Recommendation

That Council adopt the Recommendations contained within the Structural Review of the Organisation, as shown in Attachment 13.4A, undertaken in February 2009.

29885

Moved Cr Elliott

Sec Cr Morris

That limited delegated authority be provided to the Managers of the Merredin Regional Community and Leisure Centre, Cummins Theatre, Central Wheatbelt Visitor Centre, Library and Swimming Pool.

**CARRIED 10/0
ABSOLUTE MAJORITY**

29886

Moved Cr Elliott

Sec Cr Wallace

That the Merredin Regional Community and Leisure Centre become the direct responsibility of the Chief Executive Officer as shown in Appendix 2, which is contained within the Structural Review of the Organisation, Attachment 13.4A.

CARRIED 8/2

29887

Moved Cr Morris

Sec Cr Elliott

That Council provides a half hour session every month at the Council Meeting or Briefing Session or another session to consider issues of strategic importance directly aligned with the Strategic Plan / Plan for the Future.

CARRIED 10/0

MINUTES**13.5 STAFF ATTRACTION AND RETENTION POLICIES**

Reporting Department:	Administration
Reporting Officer:	Frank Ludovico – Chief Executive Officer
Legislation:	Local Government Act 1995

Background

Identified in the Chief Executive Officer's Key Performance Indicators for 2008 was the development of Staff Attraction and Retention Policies.

The purpose of developing this Policy is to provide an attractive working environment for Council staff and to maintain a competitive position in the marketplace.

Comment

In researching this matter, staff have discovered that Council has a number of Policies and work practices which could be identified as providing attraction and incentive options for staff. These are listed below:

Incentive Attraction	Budget Amount	Reference
9 Day Fortnight		Award
Leave Loading	17.5% on 4 weeks annual leave	Award
Additional Public Holidays		Local Government Award (in lieu of day after New Year and Easter Tuesday)
Corporate Uniform/ Protective Clothing	\$10,900.00 \$15,000.00	
Smoke-free environment		
Farewell and Christmas Functions	\$4,500.00	
Paid Parental Leave		Award
Weekly rental of Council owned properties at 50% of market rental	\$30,700.00	Council Policy 2.10
Housing and Utility for Chief Executive Officer and Executive Managers 100% subsidy December 2001	\$74,500.00 (\$31,200.00 non cash)	CMRef 26526
Designated specialist staff allowance for owning their own homes – 50% of market rental December 2001	\$15,000.00	CMRef 26526

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Executive Vehicles	Running costs less 35% contribution based on value of car	Contract
Staff relocation expenses 50% on commencement and 50% after 12 months satisfactory service	\$2,500.00	Council Policy 2.12
Superannuation Payment of additional 3% of gross salary on condition employee contributes 5% from their own funds	\$37,800.00	Council Policy 2.11
Attendance at Conferences, seminars, training courses	\$67,500.00	Policy 2.6
Defence Reservist Leave		Policy 2.15
Salary Sacrificing – undertaken upon individual request		
Payment of Influenza Vaccine	\$400.00	In house arrangement
Revised Performance Appraisal/ Staff Development System		
Payment of Drivers Licence for Engineering Services staff	\$1,000.00	In house arrangement
Exit Interviews – commenced in November 2008		

At Executive level, using the services of the Local Government Insurance Service, team and relationship building exercises have commenced to improve the climate and working relationships within the organisation.

A scan of Staff Attraction and Retention Strategies offered by other Local Governments include, in addition to the above:

1. Discount membership to Council managed recreation facilities;
2. Employee of the Month Awards (with financial reward);
3. Simplified job application processes;
4. Increased superannuation benefits;
5. Introduction of flexi-time / flexible roster arrangements;
6. Professional rewards program (to obtain degree qualifications or repayment of higher education contribution scheme debts).

MINUTES

Employee of the Quarter Award

The scheme could be developed along the following themes:

1. Award made on a quarterly basis;
2. Selection panel of Chief Executive Officer and Executive Managers;
3. A plaque on display in the Customer area of the Shire Office showing the name and photo of the employee (maybe the plaque can be named in memorial of an outstanding employee);
4. Small story and photo in the Shire of Merredin monthly newsletter;
5. Simple application process.

Cost would be minimal say \$500.00 per annum.

Superannuation

As an incentive to reward staff that continue to work at the Shire of Merredin a stepped approach could be introduced for superannuation.

If an employee already receives the Council 3% as designated in Policy 2.11, it may be appropriate to create a heavy incentive to stay one year and longer at Council. A 3% increase at the end of year one with annual increments up to a maximum of 5% (2009 Scheme).

In this circumstance an employee would obtain the 9% superannuation guarantee, 5% of their own contribution, 3% as specified under Policy 2.11 and if the incentive is approved, another 5% commencing their fourth year of employment with Council, totalling a maximum of 22%.

To reward existing employees, who have been employed longer than 12 months it would be appropriate to make contributions to them as from the first pay period commencing after 1 July 2009. All other employees would attract the benefit after they have completed one year of service.

At present, approximately 50% of staff attract the Council supported 3% (amounting to \$36,800.00). If the 2009 Scheme was introduced it is expected there would be an increase in the take up of the old scheme.

If the 2009 Scheme was introduced in July 2009 and the take up increased to 75% the immediate additional cost of the 2009 Scheme to Council would be \$56,700.00. The additional cost of the existing Scheme would also increase because of the greater take up. It is estimated this additional cost will be \$18,900.00, resulting in a total cost of \$75,600.00.

By the end of year 4 the additional cost of the 2009 Scheme would be \$94,500.00 per annum, plus the increase take up in the existing Scheme \$18,900.00 – total cost \$113,400.00 per annum.

Note: all figures are based on 2008/2009 figures and no allowance has been made for increases such as CPI or contract negotiations.

Professional Rewards Program

This program would have a qualifying period of 2-4 years and would provide an amount of \$2,000.00 per annum for legitimate professional development or training activities directed toward obtaining formal qualifications in the field of their employment or in another field in the Council organisation.

It is also suggested that this be allowed to be utilised for the repayment of Higher Education Contributing Scheme debts. The Scheme would be only available to Executive Manager and Chief Executive Officer level and would only be available for significant active progress towards a tertiary qualification.

It is also suggested if the employee leaves within 3 years the amount would be reimbursed on a pro rata basis.

Increased Social Functions

In order to create a cohesive team environment it is proposed that quarterly social functions be conducted, such as morning staff breakfasts, trips to nearby restaurants or recreational activities or an intra-Council sporting competition. These activities may necessitate the Shire facilities being closed for the day or for an afternoon so that this interaction can occur.

Estimated cost is an additional \$3,000.00 per annum.

Financial Implications

As can be seen, Council makes a significant contribution to staff incentives and allowances.

The estimated additional cost for:

Employee of the Quarter	\$ 500 per annum
Professional Rewards Program	\$4,000 per annum
Increase Social Functions	\$3,000 per annum
Additional Superannuation	\$75,600.00 Year One \$113,400.00 Year Four

Note: all figures are based on 2008/2009 figures and no allowance has been made for increases such as CPI or contract negotiations.

Comment

This may seem excessive, however there are real costs associated with staff recruitment, retention and disruption.

Advertising costs for Senior staff are between \$2,000.00 and \$2,500.00 per advertisement.

Vacancies result in a decrease in efficiency throughout the organisation. It also places pressure on existing staff who are more prone to stress and proceed on sick leave, are less productive, incur overtime to meet demands or seek a less stressful work environment.

Officer's Recommendation

1. *That all Staff Incentives be consolidated into one Policy.*
2. *That Council introduce an Employee of the Quarter Award.*
3. *That Council allow for increased Social Functions including the closure of facilities for the day or an afternoon so staff interaction can occur.*
4. *That Council introduce a Professional Rewards Program.*
5. *That Council introduce the 2009 Superannuation Scheme comprising of:*
 - a. *A 3% increase in Superannuation contributions by Council to all staff that are members of Council's existing Superannuation Scheme (Policy 2.11) and have been employed for longer than 12 months, effective from first pay period commencing in July 2009;*
 - b. *All Staff who become members of Council's existing Superannuation Scheme (Policy 2.11) become entitled to a 3% increase in Superannuation contributions by Council once they have completed 12 months service;*
 - c. *That all Staff who become a member of Council's existing Superannuation Scheme (Policy 2.11) become entitled to a 1% annual increase in Superannuation contributions made by Council, once they have completed 12 months service, up to a maximum of 5%.*

29888

Moved Cr Elliott

Sec Cr Young

That this Item Lay on the Table for a period of one month to enable further investigation and consultation to occur.

CARRIED 10/0

Jim Garrett, Executive Manager of Engineering Services, Emma Hooper, Executive Manager of Finance and Administration, John Mitchell, Executive Manager of Development Services and Debbie Morris, Executive Manager of Community Services left the meeting at 4.37pm.

Vanessa Green, Executive Assistant, left the meeting at 4.38pm.

Cr Young left the meeting at 4.39pm.

Vanessa Green, Executive Assistant, entered meeting at 4.40pm.

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13.6 LOCAL GOVERNMENT REFORM STRATEGIES

Reporting Department:	Administration
Reporting Officer:	Frank Ludovico – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	GR/17/11

Background

On 5 February 2009 the Minister for Local Government made an announcement “*inviting each of the 139 Councils within Western Australia to embrace the opportunity to voluntarily amalgamate and to voluntarily reduce the total number of elected members for each Council*”.

Also on 5 February 2009, a Ministerial Circular was distributed expanding on some of the issues discussed in the media statement.

Both documents are included in **Attachment 13.6A**.

The Great Eastern Country Zone of WALGA are conducting a special teleconference on Thursday 19 February 2009 to discuss the issue ahead of a Special Meeting of WALGA State Council on Wednesday 4 March 2009 and the issue is an Agenda Item for the next WE-ROC Council meeting on Tuesday 24 February 2009.

The Minister has indicated that Guidelines will be issued on the matter that need to be considered in this process. To date these Guidelines have not been issued.

Comment

It would be appropriate for Council to workshop the various issues associated with the Ministerial Circular.

Officer’s Recommendation

That Council workshop Local Government Reform Strategies.

Cr Young entered the meeting at 4.44pm.

29889

Moved Cr Morris Sec Cr Forbes

That the Shire of Merredin contact Local Governments in the surrounding area indicating that they are receptive to having any discussions in regard to the restructuring of Local Governments as announced by the Minister of Local Government. The surrounding area is defined as being the Central East Zone of the Wheatbelt Development Commission. If there are to be any changes to Local Government boundaries, amalgamations or any other structural changes involving the Shire of Merredin, the Shire of Merredin is ~~not in favour of~~ will consider not (amended CMRef 29896 17 March 2009) having the name Merredin in the title of the new authority.

CARRIED 10/0

Cr Forbes and Cr Young declared an Impartiality Interest in this Agenda Item 13.7.

13.7 **MERREDIN BOWLING CLUB – REQUEST FOR FINANCIAL ASSISTANCE**

Reporting Department: Finance
Reporting Officer: Frank Ludovico – Chief Executive Officer
Legislation: Local Government Act 1995
File Reference: FM/5/1

Background

Attached is a request from the Merredin Bowling Club seeking financial assistance to replace lights on their front bowling green (**Attachment 13.7A**).

They request consideration for funding for this project from the Royalties for Regions funding allocation or other Grants.

Council discussed the funding allocations from Royalties for Regions at its January 2009 meeting and determined to conduct a workshop in late February 2009 to discuss the various issues (**CMRef 29847**).

Comment

Other avenues of funding are the Department of Sport and Recreation Community Sporting and Recreation Facilities Funds. Applications for these funding are normally advertised in July or August each year and need to be submitted to Local Governments for their consideration and prioritisation before finally being submitted to the Department at the end of October. These funds provide up to one third of the cost associated with the particular project. The proponent is required to put another third contribution in cash and the remaining third may be “in kind” or cash.

It may be appropriate for Council to make a one third contribution to this project if Grant funding is successful.

Officer’s Recommendation

That Council:

- 1. advise the Merredin Bowling Club that it will consider its request in its Workshop regarding Royalties for Regions funding;*
- 2. will provide one third funding to the project if the application to the Department of Sport and Recreation Community Sporting and Recreation Facilities Fund is successful.*

29890

Moved Cr Wallace

Sec Cr Elliott

That Council advise the Merredin Bowling Club that it will consider its request in its Workshop regarding Royalties for Regions funding.

CARRIED 6/4

29891

Moved Cr Townrow Sec Cr Elliott

That Council will provide one third funding to the project if the application to the Department of Sport and Recreation Community Sporting and Recreation Facilities Fund is successful.

CARRIED 6/4

MINUTES

This Agenda Item 16.1 was brought forward.

16.1 RECREATION STORAGE SHED

Reporting Department: Administration

Reporting Officer: Frank Ludovico – Chief Executive Officer

Background

At Council's September 2008 meeting, Council adopted the Recreation Ground Master Plan (**CMRef 29695**). That Plan included the construction of a storage shed north of the proposed third Bowling Green (**Attachment 16.1A**).

In Council's 2008/2009 Budget, Council allocated \$60,000.00 for the construction of the shed with \$30,000.00 to come from Grant funding and contributions from sporting groups, Agricultural Society etc.

In order to progress this matter, a meeting was held on 3 February 2009 with interested organisations to discuss the size and specification of the shed. Notes from that meeting are attached (**Attachment 16.1B**).

Points emerging from the meeting that require Council consideration are:

1. Location of Storage Shed;
2. Location of Storage Shed for Civic Bowling Club
3. Location of Storage Shed for Fire Brigade
4. Storage Shed for Hockey / Tennis

As can be seen from the notes of the meeting, the Storage Shed required was 350m². Current costs of the Shed would be approximately \$105,000.00 using a concrete floor.

It was also noted at a recent inspection of the Fire Brigade Running Track that there was a requirement for a storage area for that group also.

Comment

In discussing this issue with staff and proponents and physically inspecting the site, it may be appropriate for Council to consider a variation to the Recreation Ground Master Plan.

It is suggested that the one storage facility be broken into two sections. The first section comprising of three bays be located on the western side and adjoining to the Golf Club Starter Shed. This would meet their proposed demand and enable the two buildings to be aesthetically similar. The third bay could be allocated to the Agricultural Society, they really have no requirement for a particular location.

The second section of the Shed could be located near the Fire Brigade Running Track in order to meet the demands of the Fire Brigade and this facility would also house Council's equipment. At this stage, a Memorandum of Understanding (MoU) with the Fire Brigade has not been determined and it would be appropriate for Council to provide some guidance in this matter so that it can be included in those MoU negotiations.

In respect to the Civic Bowling Club Shed, a 3m x 3m shed was approved by Council at its December 2007 meeting (**CMRef 29272**). As the facility is small and unobtrusive and easy to remove it is suggested that the Civic Bowling Club proceed with the construction of the shed as previously approved by Council.

In respect to storage facilities for the Hockey and Tennis Club, it would be appropriate that this be incorporated in the design for the courts. A storage facility could be incorporated into a spectator area which could form part of the overall development.

Once some of these location issues are determined we can obtain detailed costings and negotiate a final outcome.

It is considered that splitting the Sheds will not incur additional costs.

Officer's Recommendation

- 1. That Council support the construction of a Storage Shed adjacent to the Golf Starting Facility to the north of the proposed third Bowling Green;*
- 2. That a Storage Shed be constructed to the south of the Recreation Oval to provide facilities for the Fire Brigade (subject to Memorandum of Understanding negotiations) and Council requirements.*

Cr Young left the meeting at 5.35pm.

Cr Young entered the meeting at 5.38pm.

29892

Moved Cr Morris

Sec Cr Townrow

That Council support the construction of a Storage Shed as shown in the Recreation Ground Master Plan.

CARRIED 9/1

REASON:

1. The Recreation Ground Master Plan had already gone through an extensive consultation process.
2. Location of the Fire Brigade Shed would be subject to Memorandum of Understanding negotiations.

14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

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 Recreation Storage Shed

Refer to Page 47 for information on this Agenda Item.

16.2 Royalties for Regions Funding

Refer to Page 51 for information on this Agenda Item.

17.0 MATTERS BEHIND CLOSED DOORS

17.1 Physical Activity Programs Coordinator Position

Refer to Page 8 for information on this Agenda Item.

17.2 Health Local Laws 1999 - Keeping of Pigeons – Lot 623, House No 12 Endersbee Street, Merredin

Refer to Page 30 for information on this Agenda Item.

17.3 Councillor Morale

29893 Moved Cr Young Sec Cr Elliott
That Council go behind closed doors to discuss a Commercial in Confidence matter in accordance with Section 5.23(2) of the Local Government Act 1995.

CARRIED 10/0

Council went behind closed doors at 5.52pm.

Vanessa Green, Executive Assistant, left the meeting at 5.52pm.

29894 Moved Cr Young Sec Cr Elliott
That Council come out from behind closed doors.

CARRIED 10/0

Council came out from behind closed doors at 6.04pm.

MINUTES

Vanessa Green, Executive Assistant, entered the meeting at 6.05pm.

Cr A Hooper left meeting at 6.06pm.

Cr Wallace left the meeting at 6.09pm

Cr Wallace entered the meeting at 6.11pm

Cr A Hooper entered the meeting at 6.17pm

16.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION CONT/...

16.2 Royalties for Regions Funding

Council discussed the various projects to be considered in relation to the allocation of Royalties for Regions Funding and the projects were:

1. Desalination Plant (solar powered?);
2. Solar power at Merredin Regional Community and Leisure Centre;
3. Wind turbine at Central Wheatbelt Visitor Centre or Merredin Regional Community and Leisure Centre Display/Functioning?;
4. Cohn Creek Restoration/Clean out;
5. Pool Repairs/Upgrade;
6. Solar Power/Solar hot water for Council properties;
7. Central Wheatbelt Visitor Centre New Roof;
8. Security Cameras installed at Barrack Street, Bates Street, Apex Park, Merrittville;
9. Roy Little Park, Pathway, clean out dam, beautify island and other amenities;
10. Painting of Power Poles;
11. Purchase Merredin Club Tennis Courts and build units for Youth or Visitor/Short Term accommodation;
12. Purchase old Garden Centre block;
13. Use salt water to generate power;
14. Build shops on southern side of Barrack Street adjacent to Central Wheatbelt Visitor Centre and sell or rent out;
15. Men's Shed/Community Shed/ Community Garden;
16. Improve Jellicoe Road Park;
17. Additions to Shire Administration Offices.

18.0 CLOSURE

There being no further business the Presiding Member declared the meeting closed at 6.47pm.