

SHIRE OF MERREDIN



“Heart of the Wheatbelt”

MINUTES OF COUNCIL MEETING

21 JULY 2009

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MINUTES

Minutes of the Ordinary Meeting of the Shire of Merredin held in the Council Chambers, Shire Administration Centre, Corner King and Barrack Streets, Merredin on Tuesday 21 July 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; M Young

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

Mrs Avril Parker

1.0 OFFICIAL OPENING

The Presiding Person declared the meeting open at 1.07pm. Debbie Morris, Executive Manager of Community Services, and Mrs Avril Parker were in attendance.

2.0 PUBLIC QUESTION TIME

Nil

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr Wallace (**CMRef 29926**) has been granted Leave of Absence for this meeting.

30046

Moved Cr Forbes

Sec Cr Crees

That Councillor Young be granted Leave of Absence for Committee Meetings until the end of September 2009, that Councillor Elliott be granted Leave of Absence for all meetings until the end of September 2009 and that Cr K Hooper be granted Leave of Absence from Council and Committee meetings in August 2009.

CARRIED 9/0

4.0 DISCLOSURE OF INTEREST

Cr Townrow declared a Impartiality Interest in Agenda Item 9.4.8.1.

Cr Young declared a Financial Interest in Agenda Item 9.4.8.1.

5.0 PETITIONS AND PRESENTATIONS

Nil

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

- a. Confirmation of the Minutes of the previous Council Meeting held on 16 June 2009; and
- b. Amendment to the date in **CMRef 29913** (17 March 2009) from “2009/2010” to “2008/2009”.

30047

Moved Cr Young

Sec Cr Morris

That the Minutes of the meeting of Council held on 16 June 2009 be confirmed as a true and correct record of proceedings and that CMRef 29913 from the meeting of Council held on 17 March 2009 be amended to show the date as “2008/2009”.

CARRIED 9/0**7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION****7.1 2009 Local Government Convention**

The Shire President advised he would be unable to attend the 2009 Local Government Convention and that Cr Townrow would take his place, as well as being the voting delegate at the AGM. All other duties required by the Shire President during his Leave of Absence would be deferred to Cr Crees, Deputy Shire President.

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

Nil

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

- 9.1 Senior Staff Review Committee Meeting held on Tuesday 16 June 2009

Attachment 9.1A

- 9.2 Wheatbelt East Regional Organisation of Councils Meeting held on Tuesday 23 June 2009

Attachment 9.2A

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- 9.3 Merredin Heritage Management Committee Meeting held on Thursday 25 June 2009
Attachment 9.3A
- 9.4 Merredin Business and Community Development Committee Meeting held on Wednesday 1 July 2009
Attachment 9.4A
- 9.5 Merredin Local Emergency Management Committee Meeting held on Tuesday 7 July 2009
Attachment 9.5A

30048

Moved Cr Forbes

Sec Cr Elliott

That Council receive the Minutes of the Merredin Senior Staff Review Committee Meeting held on Tuesday 16 June 2009, the Wheatbelt East Regional Organisation of Councils Meeting held on Tuesday 23 June 2009, the Merredin Heritage Management Committee Meeting held on Thursday 25 June 2009, the Merredin Business and Community Development Committee Meeting held on Wednesday 1 July 2009 and the Merredin Local Emergency Management Committee Meeting held on Tuesday 7 July 2009.

CARRIED 9/0

9.1 Senior Staff Review Committee**5.1 Chief Executive Officer's Position Description**

Moved Cr Hooper

Sec Cr Crees

That the Senior Staff Review Committee recommend to Council the adoption of the attached Chief Executive Officer's Position Description.

CARRIED 4/0

Note: The Position Description referred to in the above Recommendation is included as an Appendix to the Minutes of the Senior Staff Review Committee Meeting.

30049

Moved Cr Morris

Sec Cr Crees

That Council adopt the Chief Executive Officer's Position Description.

CARRIED 9/0**9.2 Wheatbelt East Regional Organisation of Councils**

Nil Recommendations to Council

9.3 Merredin Heritage Management Committee

Nil Recommendations to Council

Cr Townrow declared Impartiality Interest in this Agenda Item 9.4.8.1.

Cr Young declared a Financial Interest in this Agenda Item 9.4.8.1 and left the meeting at 1.24pm.

9.4 Merredin Business and Community Development Committee

8.1 Merrittville/Future Aged Accommodation

Moved Cr Morris Sec Cr Townrow
That the Business and Community Development Committee recommend to Council that Council endorse a budget allocation of \$50,000.00 in the 2009/2010 Budget for future development of aged accommodation in Merredin.

CARRIED 4/0

Note: The Formal Request referred to in the Merredin Business and Community Development Committee Minutes has since been received by the Administration and is included as an Appendix to those Minutes.

30050 Moved Cr Forbes Sec Cr Morris
That Council endorse a budget allocation of \$50,000.00 in the 2009/2010 Budget for the future development of aged accommodation in Merredin.

CARRIED 9/0

30051 Moved Cr Forbes Sec Cr Elliott
1. That a Merrittville Retirement Village Working Group be formed to work with BCDC to progress the expansion of Merrittville Project.
2. That the Merrittville Retirement Village Inc be asked to provide a delegate to this Working Group.

CARRIED 8/0

Frank Ludovico, Chief Executive Officer, left the meeting at 1.25pm.

Frank Ludovico, Chief Executive Officer, entered the meeting at 1.26pm.

9.5 Merredin Local Emergency Management Committee

Nil Recommendations to Council

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10.0 COMMUNITY SERVICES

**10.1 CUMMINS THEATRE CONSERVATION PROJECT – TIVOLI ROOM
FACADE DESIGN CONCEPT**

Reporting Department:	Community Services
Reporting Officer:	Jane Bandurski – Cummins Theatre Manager
Legislation:	Local Government Act 1995
File Reference:	CP/8/3

Background

As part of the conservation project currently being implemented at Cummins Theatre, the Tivoli Room will be refurbished in a manner which ensures that the space is more complimentary to the aesthetics of the auditorium, while increasing the functionality and appeal of the space. Similarly, it has been proposed that the Tivoli Room and façade be refurbished in a manner which is more aesthetically sympathetic to the significant heritage values of the Theatre proper.

The community group “Friends of Cummins Theatre Inc” was established in October 2008 and has since been raising funds specifically for the refurbishment of the Tivoli Room. The group has recently submitted to Council a list of recommendations (**Attachment 10.1A**) of how they would like to see the Tivoli Room developed.

During the planning process for the Project, two proposals for the redesign of the façade have been considered. The first proposal was included in the Townscape Plan prepared by Michael Tooby and Associates in 2002. (**Attachment 10.1B**). The second proposal has been prepared by the Shire’s Building Project Manager, Mr John Gearing (**Attachment 10.1C**).

The Conservation Plan prepared in 2007 by Palassis Architects outlined the following Policies regarding the setting and fabric of Cummins Theatre:

- Policy 22 Open views to Cummins Theatre from Bates Street should be retained and conserved.
- Policy 23 The relationship between the front elevation of the original building and street contributes to both the character of the place and the streetscape and should be retained and conserved. Similarly, the generous setback in front of the Annexe allows views of the front elevation of Cummins Theatre and should be maintained.
- Policy 24 The established setbacks and heights should be used to guide any changes or new development that may impact upon the setting of Cummins Theatre.

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Policy 25 The existing landscape scheme is of little significance and may be retained or replaced with a new landscape scheme, depending on future use requirements. If a new landscape scheme is developed, it should be designed to enhance the setting of the place and should not obscure or damage significant fabric or views.

Financial Implications

At its February 2009 meeting, Council endorsed the allocation of \$600,000.00 from its Royalties for Regions funding to the Cummins Theatre Conservation Works (**CMRef 29864**). At its March 2009 meeting, Council resolved to support funding applications being submitted to the Wheatbelt Development Commission, Lotterywest and the Community Cultural and Arts Facilities Fund (**CMRef 29900**).

Of the \$600,000.00 allocation of Royalties for Regions funding, \$313,565.00 has been included in the initial project budget, while \$286,435.00 has been retained as a contingency fund, in the event that pending funding applications are not granted. The Shire of Merredin has so far been successful in receiving \$220,300.00 funding from the Wheatbelt Development Commission to complete stage one of the conservation works. The Shire has also applied for the following grants and is awaiting notification of their status:

Jobs Fund	\$204,700.00
CCAFF	\$ 50,000.00
Lotterywest Community Facilities	\$270,700.00

A breakdown of the initial project plan and associated budget and funding bodies is attached (**Attachment 10.1D**).

The priorities of the Cummins Theatre Conservation Works project remain as documented in the initial project plan. The introduction of elements such as the Tivoli Room facade has seen an increase in the total project budget from \$1,059,265.00 to \$1,123,053.00 (**Attachment 10.1E**). Priority will be given to works items specified in the initial project plan approved by Council, and the contingency fund will be used to support these works. In the event that all external funding applications are successful, the contingency fund may be used to support additional proposed works such as the Tivoli Room facade design concept.

Comment

The facade proposed in **Attachment 10.1B** contradicts Policies 23 and 24 of the Conservation Plan, in that it brings the facade too far forward and detracts from the original facade of the Theatre.

The proposed façade outlined in **Attachment 10.1C** has been prepared incorporating recommendations from the Conservation Plan and requests from Friends of Cummins Theatre Inc. It has been designed so that the front elevation of the Cummins Theatre remains the prominent feature view from Bates Street. The design has incorporated the arch and verandah of the Cummins Theatre and fly tower façade, however given that it remains set back from the street it does not detract from the existing structure. The introduction of a verandah provides protection from the elements, without obscuring any elements of the building, while allowing for the courtyard space to be utilised as an alfresco area.

The façade design concept will not be implemented in lieu of any of the previous works priorities approved by Council – it will only be considered if and when the project budget permits.

It is recommended that Council approve the concept of the design for the Tivoli Room façade outlined in **Attachment 10.1C**.

Officer’s Recommendation

That Council endorse the proposed Tivoli Room façade concept contained in Attachment 10.1C.

Cr Young entered the meeting at 1.27pm.

30052 Moved Cr Morris Sec Cr A Hooper
That Council endorse the proposed Tivoli Room façade concept contained in Attachment 10.1C.

CARRIED 9/0

Cr Townrow requested that it be noted that a covered alfresco area located between the Theatre proper and the Tivoli Room be considered in any future plans for the Theatre.

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

Debbie Morris, Executive Manager of Community Services, left the meeting at 1.35pm.

11.0 DEVELOPMENT SERVICES

11.1 TOWN PLANNING – APPLICATION FOR SUBDIVISION OF FARMING LAND – LOCATION 19232 PUSTKUCHEN ROAD, HINES HILL – DEEDERING FARMING CO PTY LTD

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; WAPC DC Policy 2.5
File Reference:	A6043 & A9325

Background

An application (**Attachment 11.1A**) to subdivide land within the general farming zone has been received from JBA Surveys representing Deedering Farming Co. Pty Ltd.

Statutory Implications

The provisions of the Shire of Merredin Town Planning Scheme No. 1 and Western Australian Planning Commission Development Control Policy DC2.5 require that the Shire of Merredin protect general farming land as a primary principle of planning.

The application seeks to reduce the total number of lots from 3 to 2 and make use of the existing road reserve as a primary boundary.

Financial Implications

The Shire of Merredin has not previously enforced the subdivision clearance fees. For the 2009/2010 financial year the fees will be enforced.

Comment

This application states that the use of the land will be rural and farming. There are no applications for dwellings or buildings currently with the Building Surveyor.

Officer's Recommendation

That Council support the application from JBA Surveys on behalf of Deedering Farming Co Pty Ltd to reduce the number of Lots from 3 to 2 over existing Locations 19232, 19293 and 25347 to Lots 800 and 801 as per Plan Drawing APS01 Rev01 dated 18 May 2009.

30053

Moved Cr Morris

Sec Cr Elliott

That Council support the application from JBA Surveys on behalf of Deedering Farming Co Pty Ltd to reduce the number of Lots from 3 to 2 over existing Locations 19232, 19293 and 25347 to Lots 800 and 801 as per Plan Drawing APS01 Rev01 dated 18 May 2009.

CARRIED 9/0

11.2 **TOWN PLANNING APPLICATION FOR SUBDIVISION –
LOCATIONS 20741 AND 20742 BULLSHEAD ROAD, MERREDIN –
JBA SURVEYS – OWNERS KG AND MH ATKINSON**

Reporting Department: Development Services
Reporting Officer: John Mitchell – Executive Manager,
Development Services
Legislation: Planning and Development Act 2005, WAPC
Development Control Policy(s) DC2.5 &
DC3.4; Shire of Merredin Town Planning
Scheme No. 1
File Reference: A7189

Background

An application to create four lots from two lots has been received from JBA Surveys representing the owners – KG and MH Atkinson. The proposal and maps are contained in **Attachment 11.2A**.

Statutory Implications

The provisions of Western Australian Planning Commission (WAPC) Development Control Policy DC2.5 and DC3.4 are applicable.

DC2.5 seeks to protect farming land from various issues. The four key objectives of the Policy are:

1. *Protect agricultural land resources wherever possible by—*
 - a. *discouraging land uses unrelated to agriculture from locating on agricultural land;*
 - b. *minimising the ad hoc fragmentation of rural land; and*
 - c. *improving resource and investment security for agricultural and allied industry production.*
2. *Plan and provide for rural settlement where it can—*
 - a. *benefit and support existing communities, and*
 - b. *have access to appropriate community services and infrastructure.*
3. *Minimise the potential for land use conflict by—*
 - a. *providing adequate separation distance between potential conflicting land uses;*
 - b. *introducing management requirements that protect existing agricultural land uses;*
 - c. *identify areas that are suitable and capable for intensive agricultural pursuits as agricultural priority areas; and*
 - d. *avoid locating new rural settlements in areas that are likely to create conflict with established or proposed agricultural priority areas.*

4. *Carefully manage natural resources by—*
- a. *discouraging development and/or subdivision that may result in land or environmental degradation;*
 - b. *integrating land, catchment and water resource management requirements with land use planning controls;*
 - c. *assisting in the wise use of resources including energy, minerals and basic raw materials;*
 - d. *preventing land and environmental degradation during the extraction of minerals and basic raw materials; and*
 - e. *incorporating land management standards and sequential land use change in the land use planning and development process.*

Statement of Planning Policy No. 11 Agricultural and Rural Land Use Planning DC3.4 relates to the homestead provisions and a component of the application is in keeping in principle with the Homestead Policy of the Shire of Merredin.

The Shire of Merredin Town Planning Scheme No. 1 states as a general farming zone objective to protect the economic viability of those areas generally and to preserve the rural character and appearance of the area. The lot sizes are the discretion of Council, based on what is generally locally accepted as a viable farm unit.

Financial Implications

No fees have been charged for this consideration. Upon approval of the subdivision, fees of \$55.00 per Lot created are applicable pursuant to the Planning and Development (Local Government Fees) Regulations 2000 (amended 2009).

Comment

The creation of the new Lot 803 (23.809ha) is not supported as it is not a viable farming location nor in keeping with the general lot sizes of the region.

Lot 801 (5.326ha) can be supported, though it is slightly larger than Council's Homestead Policy which states less than 4ha unless circumstances warrant.

In addition, where there were two locations, four are now created further leading to ad-hoc fragmentation of general farming land contrary to DC2.5.

No reasons are provided within the application for the additional Lot created.

Officer's Recommendation

1. *That the Western Australian Planning Commission be advised that the Shire of Merredin only supports the creation of the Homestead Lot (Lot 801) on Plan Job No. 9999 of JBA Surveys providing the necessary building clearances and septic tank boundary clearances are met.*
2. *That the Shire of Merredin does not support the creation of a third farming location of 23 hectares – Lot 803 of Plan Job No. 9999 of JBA Surveys.*

AMENDMENT

Moved Cr Morris

Sec

That the word “not” is removed between “Merredin does” and “support the” in item 2 of the Officers Recommendation.

LAPSED FOR WANT OF A SECONDER**30054**

Moved Cr Crees

Sec Cr Townrow

1. *That the Western Australian Planning Commission be advised that the Shire of Merredin only supports the creation of the Homestead Lot (Lot 801) on Plan Job No. 9999 of JBA Surveys providing the necessary building clearances and septic tank boundary clearances are met.*
2. *That the Shire of Merredin does not support the creation of a third farming location of 23 hectares – Lot 803 of Plan Job No. 9999 of JBA Surveys.*

CARRIED 7/2

**11.3 WASTE AVOIDANCE AND RESOURCE RECOVERY ACT 2007
SETTING OF WASTE COLLECTION FEES – ANNUAL CHARGE**

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Waste Avoidance and Resource Recovery Act 2007
File Reference:	WM/5/Garbage

Background

The Waste Avoidance and Resource Recovery Act 2007 (WARR07), Section 67 permits the Local Government to make an annual charge per waste receptacle or pursuant to Section 66 determine a waste collection rate.

The Council have also set a waste management charge for the purposes of reserve rehabilitation, rehabilitation of land fill sites and for the collection of waste from the transfer stations located in Burracoppin and Muntadgin. This component of the annual waste fees is the subject of a separate report.

This report aims to set the relevant Act provisions to the setting of waste receptacle charges only.

Statutory Implications

Council has previously utilised an annual charge per receptacle for general waste collection pursuant to the provisions of the Health Act 1911 – 1979 as amended. For the purposes of future administration the fees per receptacle are set pursuant to Section 67 of the Waste Avoidance and Resource Recovery Act 2007.

Council Policy 8.18 – Mobile Garbage Bins – refuse Collections requires that the annual charge be approved by Council.

There is no statutory implication or impediment to the introduction of two fees – a collection of Waste Annual Charge where a service is provided and a Landfill Site Maintenance Annual Charge.

Financial Implications

There is no administration issue or computer issue with the placement of two annual charges on townsite properties and one annual charge, landfill site, on all other properties.

Council records indicate there are 1958 rateable properties as at 1 July 2009.

Council's costs in the provision of a refuse collection service per week are
(Source: 2008/2009 Budget & Avon Waste Invoices): -

Refuse Service	Refuse Collection Costs			
	Number	Cost	Total 08/09 – per week	Comment
Domestic (Avon)	1,286	\$0.87	\$1,118.82	Cost increase by 2.2% = \$0.89 = \$1,144.54
Commercial – 240l SOM waste Survey and Avon)	637	\$0.87	\$554.19	\$566.93
Bulk Commercial – 1100l	136	\$8.00	\$1,088.00	(\$8.20) = \$1,115.20
street bins x 2 empty week	118	\$0.87	\$51.33	\$52.51
Street bins 1 empty	46	\$0.87	\$40.02	\$40.93
Travel to Muntadgin and Burracoppin		\$144.6 8	\$144.68	\$147.87
Muntadgin – 15 domestic services	15	\$0.87	\$13.05	\$13.35
Recycling	1,286	\$2.57	\$13,220.08/ month	\$158,640.96/annum
Totals	2,102 x 240l; 136 x 1,100l		\$3,010.09	\$3,076.32
			\$9,325.20/ week	\$308,400.00/annum

For the 2008/2009 financial year the average monthly account to Avon Waste was \$25,700.00 (four week month) (rounded) or \$334,100.00 per annum.

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Actual Income for the provision of waste services for 2008/2009 and estimated for 2009/2010 is: -

Income Sources			
Source	Income 08/09	Income 09/10	Comments
Domestic	126,620.20	\$149,500.00	1246 dwellings rates notices
Commercial	74,477.67	\$75,000.00	625 notices at \$120
Recycling	142,180.91	\$157,300.00	1165 notices x \$135
Refuse Site maintenance charge	115,339.30	113,400.00	1890 properties
Total	458,617.88	495,200.00	

Expenditure for 2009/2010 summarised is: -

Service Area	Cost	Comment
Refuse Collection	\$334,100.00	Average payment to Avon Annually
Chandler Road Landfill Site	\$120,000.00	2009/2010 Budget
Transfer Stations	\$16,000.00	2009/2010 Budget
	\$470,100.00	

As can be seen, the annual charge set at \$120.00 per 240l service should cover the cost of the provision of the waste service. The breakeven component is assumed that all rates will be received. The current charges do not allow for a Reserve for the future provision of infrastructure.

The current Administration has approximated number of bins for commercial/industrial (163) and the number of recycling bins issued to the residential sector (1165) (as at 8 August 2008), however administration staff time has not permitted this information to be confirmed.

There are 1958 rates notices issued annually. Amortising the landfill and transfer station costs as a cost to be shared equally by all potential users, the cost per rates notice is \$70.00 for the maintenance of the landfill sites. There is no allowance within this amount for rehabilitation, purchase of new sites, or setting up of Reserves to address future legislative requirements.

The direct cost of the refuse containers service is: -

1. 240l 52 collections per annum \$ 46.80;
2. 1,100l 52 collections per annum \$426.40

Therefore the cost per bin should be \$120.00 per 240l bin and \$500.00 per 1,100l bin for the first service, and an amount as determined by Council for additional services. It is the opinion of the Administration that the same charge should apply as more refuse is created for disposal.

Comment

The Administration is unaware of any regional or small Local Government that is using a rate in the dollar for the provision of waste services.

A “waste facility” by definition (WARR07) means premises used for the storage, treatment, processing, sorting, recycling or disposal of waste.

A waste service as defined would permit the charging of costs related to the collection, storage, disposal, transport, processing sorting or recycling of waste, the facilities or processes to deal with waste. It is therefore believed that the annual service charge (waste receptacle) can include the costs of the collection, disposal, maintenance of tip facilities, street bins and associated works.

All farming properties have access to the landfill site and the transfer stations and should contribute accordingly.

As previously stated, there is no budget provision for the future of waste collection and disposal within the Annual Budget. The general Local Government rate subsidises the WARR Act rate.

For the 2009/2010 financial year, additional expenditure of \$100,000.00 is proposed for the Landfill Site extensions land purchase. The cost is borne from general rates revenue.

It is likely, but as yet unproven, that development costs of the Landfill Site extensions will be in the vicinity of \$400,000.00 including land purchase.

Officer’s Recommendation

That Council, pursuant to Section 67 of the Waste Avoidance and Resource Recovery Act 2007, set a Waste Collection and Disposal Charge of \$120.00 per 240l waste bin collection service and \$500.00 per 1,100l waste bin collection service in the 2009/2010 Budget.

30055

Moved Cr Townrow Sec Cr Young

That Council, pursuant to Section 67 of the Waste Avoidance and Resource Recovery Act 2007, set a Waste Collection and Disposal Charge of \$120.00 per 240l waste bin collection service and \$500.00 per 1,100l waste bin collection service in the 2009/2010 Budget.

CARRIED 9/0

11.4 WASTE MANAGEMENT CHARGE

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Local Government Act 1995, Waste Avoidance and Resource Recovery Act 2007
File Number:	WM/5/Landfill Levy – (New File)

Objective

This report aims to inform Council of its capacity to raise a waste management charge in the 2009/2010 financial year and the purpose for which the charge is intended.

Background

A levy was first introduced in the 1999/2000 Budget as a means of funding waste services additional to the annual health charge for refuse collection. Council of the day determined that all properties should contribute to the maintenance of the landfill site and introduce a tip maintenance charge.

In 2004 the charge became known as the waste management levy and has been used for rehabilitation works, capital health works and maintenance of the landfill site. The Waste Management Reserve was also established with the stated purpose *“To be utilised to fund future developments and upgrades in refuse management”*.

In both cases, the former provisions of the Health Act 1911 provided the head of power to raise charges for the provision of refuse collection, disposal and related waste service management issues.

With Council considering three reports relevant to the provision, management and charging of services for waste it is proposed in the following comments that the existing Waste Management Charge and associated Waste Management Reserve be realigned to reflect provisions of the Waste Avoidance and Resource Recovery (WARR) Act 2007 and to meet Council's objectives as defined in its Waste Management Plan 2002 reviewed in 2007.

Statutory Implications

Section 66 of the WARR Act 2007 permits a Local Government to impose a rate on land for the provision of waste services. The WARR Act 2007 defines waste services as :

- a. *the collection, transport, storage, treatment, processing, sorting, recycling or disposal of waste; or*
- b. *the provision of receptacles for the temporary deposit of waste; or*
- c. *the provision and management of waste facilities, machinery for the disposal of waste and processes for dealing with waste;*

Section 67 of the WARR Act 2007 permits Council to charge for provision of a receptacle and for the weekly kerbside collection of waste.

Section 68 of the WARR Act 2007 permits a Local Government to impose a fee or charge for the provision of goods and services it provides or proposes to provide, in accordance with Section 6.16 of the Local Government Act 1995.

Advice received from WALGA via Mr James McGovern is that the Shire can charge an annual charge or rate for the purpose of providing for the proper performance of all or any of the waste services. (Source – email 14/5/2009).

Tax Office advice is that Council can charge a waste collection charge, waste disposal charge and/or a separate charge for rehabilitation or capital works as GST exempt operations. The annual charge can include a component for rehabilitation and post closure management of sites. Advice from WALGA is that the levy is tax exempt. (source email – 12/6/2009)

“The annual waste service charges which is a fee for collecting, transporting, storing, treating, processing, sorting, recycling or disposing of waste under the Waste Avoidance & Resource Recovery Act 2007 will be exempt from GST.

On this basis, the annual rate charged for other waste services (such as landfill site maintenance) described in your email below will be GST exempt.

Please note this advice is provided to the Shire of Merredin as a subscriber to the WALGA Tax Service.

We hope that this general information meets your needs. If your issue requires comprehensive tax advice, a private or a tax compliance review; subscribers can access these services by contacting the WALGA Tax Team at UHY Haines Norton direct.”

Financial Implications

Council budgets to receive an income from 1958 rateable properties. For 2008/2009 an income of \$114,000.00 was expected. The funds are currently used for the following purposes: -

1. Rehabilitation of closed gravel sites and landfill sites;
2. Recycling activities and new ventures;
3. Annual Maintenance of transfer stations;
4. Capital/high cost maintenance works at landfill site – cell creation; green-waste mulching, concrete crushing and the like;

Comment

It is recommended that Council utilise the charging capacity of Section 66 of the WARR Act 2007 to impose a rate on land (waste service charge) and that this be fixed at \$60.00 per assessable property in the 2009/2010 financial year.

Secondly, it is recommended the Waste Management Reserve be redefined to align with the stated aims of Council's adopted Waste Management Plan and the definition for 'waste services' as defined in the WARR Act 2007.

Thirdly, it is recommended that the levy be increased in the 2010/2011 financial year to reflect a component for annual maintenance and a further component for rehabilitation, provision of infrastructure for waste collection and disposal. This can be achieved once the costs of development for the extensions are known.

Officer's Recommendation

1. *That Council, pursuant to Section 66 of the Waste Avoidance and Resource Recovery Act 2007, set a Waste Management Charge of \$60.00 per rateable property in the 2009/2010 Budget for the provision of waste services throughout the district.*
2. *That Council amend the purpose of the Waste Management Reserve to align with the definition of 'Waste Services' as contained in the Waste Avoidance and Resource Recovery Act 2007 and the Reserve be used for: -*
 - a. *the collection, transport, storage, treatment, processing, sorting, recycling or disposal of waste; or*
 - b. *the provision of receptacles for the temporary deposit of waste; or*
 - c. *the provision and management of waste facilities, machinery for the disposal of waste and processes for dealing with waste.*

30056

Moved Cr Townrow

Sec Cr Young

1. *That Council, pursuant to Section 66 of the Waste Avoidance and Resource Recovery Act 2007, set a Waste Management Charge of \$60.00 per rateable property in the 2009/2010 Budget for the provision of waste services throughout the district.*
2. *That Council amend the purpose of the Waste Management Reserve to align with the definition of 'Waste Services' as contained in the Waste Avoidance and Resource Recovery Act 2007 and the Reserve be used for:*
 - a. *the collection, transport, storage, treatment, processing, sorting, recycling or disposal of waste; or*
 - b. *the provision of receptacles for the temporary deposit of waste; or*
 - c. *the provision and management of waste facilities, machinery for the disposal of waste and processes for dealing with waste.*

CARRIED 9/0

**11.5 BURRACOPPIN SPORTS PAVILION / HALL – RESERVE 18745
BURRACOPPIN**

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Local Government Act 1995, Health Act 1911 – 1979, Building Code of Australia 2009
File Number:	CP/8/15

Background

An inspection of the Burracoppin Pavilion by the Executive Manager of Development Services in June 2007 showed substantial required repairs necessary to the building. Since that time the Officer has been diverted by other duties.

The Burracoppin Progress Association receives \$10,000.00 per annum towards maintenance, oval maintenance and other requirements of the sports ground and building.

In 2008 the Administration advised the various associations that the payment of the 2009/2010 allocation would be subject to acquittal of the 2008/2009 gratuity.

Statutory Implications

Council recently arranged meetings with the satellite communities and met at the Burracoppin Pavilion. At that time the condition of the building had not improved.

The issues with the building could lead to common law claims against the Shire of Merredin for non compliance and public liability issues.

The land is under the control and vesting of Council. Common law liability for the building rests with the Shire of Merredin.

No lease arrangements or files relevant to the lease, care and control of the land to the Burracoppin Progress Association can be located.

Financial Implications

The costs of repair have not been properly assessed, however include footings repair to rotation of footings in the kitchen, food preparation area upgrade and ceiling repairs to main area. When the building is upgraded there is an expectation from the legislation that issues relating to access and mobility, energy efficiency and air movement will be addressed further adding to the cost.

Comment

The required repairs include: -

1. Repainting and sealing of external including facia, eaves, timber surrounds, re-levelling of gutters and cleaning;
2. Provision of exit signage within building;
3. Replace 2mm and 4mm standard window panes with required standard of 4.5mm armoured or 10.5mm armoured for large surface areas;
4. Rectify collapsed ceiling within the pavilion area, change room areas and food preparation area;
5. Replace padlocks with deadbolt and Public Building compliant locks;
6. Rectify leaking roof over hall, kitchen and change room areas;
7. Structural renovation of food preparation area including compliance with the Food Safety Act 2007 and Food Hygiene Regulations 1993;
8. Resecuring parquetry floor to concrete and sealing;
9. Provision of hand basin to bar area;
10. Address safety issues of the premises including toilet access and emergency lighting, safety glass to all public areas and the like.

Does Council seek to commit to an upgrade of the building? If so, more detailed costings will need to be obtained.

Officer's Recommendation

That the Administration prepare full costings for the upgrade, and necessary compliance with appropriate legislation, of the Burracoppin Pavilion.

30057

Moved Cr Townrow

Sec Cr Elliott

That the Administration prepare full costings for the upgrade, and necessary compliance with appropriate legislation, of the Burracoppin Pavilion.

CARRIED 9/0

Moved Cr Morris

Sec Cr Hayden

That Council request that the Burracoppin Progress Association provide a 5 year Usage Plan for the Burracoppin Pavilion.

LOST 4/5

11.6 **BUILDING APPROVAL PROCESS – STATE GOVERNMENT HOUSING CLASSIFIED AS PUBLIC WORKS – DEPARTMENT OF HOUSING**

Reporting Department: Development Services
Reporting Officer: John Mitchell – Executive Manager,
Development Services
Legislation: Public Works Act 1928
File Number: GR/17/14

Background

Advice has been received from the Department of Housing that public housing shall be classified as public works and therefore no longer subject to the approval process of Local Government (**Attachment 11.6A**).

The correspondence states it is done to stimulate the economy. It should be noted that the Government has had the right to bypass Local Government as neither the Health Act 1911 or the Local Government Act 1995 binds the Crown.

In the twenty first century this decision is a draconian attitude and a deliberate avoidance of Local Government processes.

Statutory Implications

Local Government cannot require the submission of plans from the State Government.

The use of the Public Works Act 1928 is approvable, but a long stretch of the use of the Act, as it was designed to ensure that the State Government could ensure the provision of public infrastructure.

Financial Implications

The Shire of Merredin will lose the applicable building fees. In this instance between \$5,000.00 and \$6,000.00 in income for the 2009/2010 financial year.

Comment

Prior to receiving the advice, the Building Surveyor became aware of the issue when a builder declined to submit plans but wanted a series of local issue questions answered. In discussions with a Department representative it became apparent that the Department intended to avoid Local Government but proposed that Local Government complete all the legal works (advice, statistics etc) without the usual payment.

The decision has been made without any reference to Local Government for comment and makes assumptions that the Local Government is the cause of delays in approval processes. Whilst the correspondence states the Department will liaise, there is no obligation to comply with the provisions of the Shire of Merredin Local Planning Scheme. The Executive Manager of Development Services has yet to be approached by the Department regarding this project.

The by passing of Local Government has further implications: -

1. Classifying as public works the Government avoids BCITF and BRB levies introduced by the State Government unless the Government intends that the fees are paid directly to the relevant state authorities;
2. No completion of Australian Bureau of Statistics advice or surveys. As the Shire of Merredin receives no income for this process the advice should be performed by the relevant;
3. No confirmation that the residential planning codes, BCA09 or relevant standards have been complied with and that the dwellings have been constructed to meet Council Local Laws.
4. No advice of completion to enable rating processes to commence.
5. The provision of advice to a building application should incur a fee for service as the public and others are required to pay.

It is believed that the Department be advised that the bypassing of Local Government is draconian and unwarranted and that the use of Local Government time or Officers will result in the charging of fees for time, as they are not contributing as the local community as required to through the payment of regulatory fees.

As the matter impacts across all Local Government, the matter should be referred to the Wheatbelt East Regional Organisation of Councils and the Western Australian Local Government Association's Great Eastern Country Zone for comment and action.

Officer's Recommendation

1. *That the correspondence relating to the Public Housing – Planning Approval Process be referred to the Wheatbelt East Regional Organisation of Councils and the Western Australian Local Government Association's Great Eastern Country Zone for action and comment.*
2. *That the Department of Housing be advised that the use of Council's Planner or Building Surveyor for advice relating to public works projects where the applicable regulatory fees have not been paid will incur the payment of a fees pursuant to the Local Government Act 1995 or the Planning and Development (Local Government) Fees Regulations 2000.*

30058

Moved Cr Townrow Sec Cr Young

1. *That the correspondence relating to the Public Housing – Planning Approval Process be referred to the Wheatbelt East Regional Organisation of Councils and the Western Australian Local Government Association’s Great Eastern Country Zone for action and comment.*

2. *That the Department of Housing be advised that the use of Council’s Planner or Building Surveyor for advice relating to public works projects where the applicable regulatory fees have not been paid will incur the payment of a fees pursuant to the Local Government Act 1995 or the Planning and Development (Local Government) Fees Regulations 2000.*

CARRIED 9/0

11.7 THROSSELL ROAD PLAYGROUP BUILDING – LEASE ARRANGEMENTS – LOT 461 THROSSELL ROAD, MERREDIN

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Various – Local Government Act 1995, Occupational Safety Health Act 1986, Building Code of Australia and others
File Number:	Lease 11 & A3109

Background

In 2006 Council agreed to the lease of the pre primary building to the Merredin Playgroup with a list of conditions. Those conditions, the letters sent, the previous Minutes of Council and the original submission of the Merredin Playgroup are appended in **Attachment 11.7A**.

Attachment 11.7B contains the recent letter of the Merredin Playgroup.

Statutory Implications

The building is vested with the Shire of Merredin. Any failure of compliance with the building could lead to a common law claim of negligence if an incident occurs.

The building is an existing building and therefore certain compliance components can be deferred until a major upgrade. These items include the disabled ramp. However the access is poor, and again, a common law claim could succeed.

The provisions of the Building Code of Australia, Department of Children's Services and Health Department of WA legislation relating to child care facilities are applicable.

Financial Implications

The costs of compliance have not been quantified but will not be inexpensive. Issues such as fencing, air conditioning, access and mobility and the internal glass components must be brought to the standard of the day.

At a guesstimate the repairs would cost in the vicinity of \$30,000.00 - \$40,000.00 for remote doors, disabled access and the general upgrade. No budget provision has been made for the 2009/2010 financial year. The provision of air conditioning would add a further \$5,000.00 - \$7,500.00 to the repair costs.

In addition, the applicable rent of \$520.00/annum should then be reviewed and a commercial rate applied.

Comment

The Lease states in general terms that the maintenance of the building proper is the responsibility of the Shire of Merredin. This is contrary to the 2006 report and decision of Council. The lease is signed and expires in 2011.

In summary, the Shire of Merredin is obligated to carry out the repairs requested. In addition, as the building is a Class 2 – 9 BCA09 classification, the issue of air movement, energy efficiency and air conditioning must be addressed.

The required repairs are: -

1. Provision of disabled ramp access 1:14 maximum grade;
2. Provision of self opening front door;
3. Provision of safety glass internally to all windows;
4. Provision of air conditioning in conformity with the BCA09;
5. Painting of the building through the upgrade process.

Council's correspondence of 2006 is vague in that it seeks to discuss issues such as a disabled ramp and safety glass issues. The outcome of those meetings and letters can only be the Lease which places the obligation on the Shire of Merredin.

The final issue is the public perception and potential politics of refusing to carry out the works, hence the reason for bringing the matter to Council for consideration.

Previously, when the matter of the roof replacement was brought to Council, the intent of the Lease was mentioned by Councillors which was that the upgrade works were the obligation of the Merredin Playgroup. As stated this is not reflected within the Lease.

Any decision of the Administration would reflect the Lease document and Council input is sought. If the intent is to permit the continuation of the Merredin Playgroup, the issues must be resolved.

An option is to relinquish the Lease and move the Merredin Playgroup to the Merredin Regional Community and Recreation Centre.

Officer's Recommendation

That budget provision of \$40,000.00 be made in the 2009/2010 Budget for the required repairs to the Merredin Playgroup building on Lot 461 Throssell Street, Merredin comprising the following repairs: -

- 1) Provision of disabled ramp access 1:14 maximum grade;*
- 2) Provision of self opening front door;*
- 3) Provision of safety glass internally to all windows;*
- 4) Provision of air conditioning in conformity with the BCA09;*
- 5) Painting of the building through the upgrade process.*

30059

Moved Cr Townrow Sec Cr Elliott

That a budget provision of \$10,000.00 be made in the 2009/2010 Budget for the required repairs to the Merredin Playgroup building on Lot 461 Throssell Street, Merredin comprising of the provision of safety glass internally to all windows and that the Executive Manager of Development Services meet with the Merredin Playgroup to discuss other repair issues.

CARRIED 8/1

11.8 STRATEGIC WASTE PLAN – 2009; ADVERTISING FUTURE DIRECTION, REGIONAL AFFILIATIONS

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Waste Avoidance and Resource Recovery Act 2007
File Number:	WM/11/1

Background

In 2008 Council was provided with funding to prepare the Strategic Waste Plan (SWP) as required by the Waste Avoidance and Resource Recovery (WARR) Act 2007.

The Plan has been completed in draft and reviewed by the Environmental Health Officers (EHO). A copy of the Plan and Summary is included as **Attachment 11.8A** and **Attachment 11.8B** respectively.

Statutory Implications

It is a requirement of the WARR Act that the Plan be advertised for public comment and be formally adopted by the Local Government.

Financial Implications

The Plan is fully funded by SWP funds from the Department of Environment and Conservation and as a regional project has cost approximately \$93,000.00. \$63,000.00 has been paid to the consultant. Council has received \$65,000.00. The remaining grant funds are received upon final adoption of the Plan. The Plan is 90% complete.

Comment

Recently the Council considered a report from the Executive Manager of Development Services (EMDS) regarding the cardboard recycling project and Council was requested to approve the use of the SWP funds to progress this project.

An extract from that correspondence (dated 23 June 2009) is quoted below: -

“When the Shire of Merredin applied for grant funding it did so as a regional approach representing the Shires of Merredin, Yilgarn, Westonia, Kellerberrin, Tammin, Bruce Rock and Nungarin. In total \$105,000 has been received or is to be received by the Shire of Merredin on behalf of the region of Councils.

To date the cost per Council is \$13,390.93. Nahrel Consulting are charging \$93,736.50 including GST. Each Council’s component remaining is \$1609.07c.

The Shire of Merredin seeks to utilize its component remaining to rectify the deteriorated condition of the cardboard recycling shed in Barrack Street, (East), Merredin. In discussions with Mr John Davis of the Department of Environment and Conservation Council requires the approval of the remaining scheme members to utilize this component which will be used with the stage one component to bring the facility to a suitable standard.

Would you please respond and provide that consent.”

To date Council has received a response from one Council. In addition, the following was asked: -

“There is a need for the group to meet, discuss fully the report and provide recommendations on the future direction as a regional group including issues such as recycling ventures, landfill sites – management and use as a regional group, market approach for sale of product, refuse collection and refuse contractors.

Whilst it is recognized that there are issues including amalgamation on Council’s agenda’s there is an obligation pursuant to the WARR Act 2007 to commence advertising and submit the adopted version by 30 March 2009. The plan has been submitted as a draft at this time and has been acknowledged as received.

Does the group seek to meet to discuss regionalization of the collection and disposal of refuse? Does the group seek to commence a refuse analysis as a group as a commencement to identify waste streams and market potential? Does the group seek to meet to resolve or consider other issues relevant to regional waste management?”

To date one response has been received and indicates that a regional approach is not sought.

The EHO’s summary is the views of three EHO’s of the region and, in summary, the following is suggested: -

1. Perform a regional survey of all waste created and collected to determine the viability of recycling, volumes and categories of waste and to assess potential markets for the disposal of the recycling product;
2. Determine viable markets for disposal and a regional approach to the sale of recycling product;
3. Maintain individual infrastructure and assess where regional approaches are more practical, efficient and cost effective.

One distinct disadvantage for Merredin in waste collection and disposal in a regional approach is the cost of collection. Merredin – 0.87c a 240l container lift; Kellerberrin - \$1.40 per lift and up to \$1.89 per lift in other Shires.

The EMDS has requested that the Consultant segment the SWP to its constituent member plans for individual implementation.

The Department of Environment suggests a long process for public consultation including public meetings, town displays, public information sessions, advertising and long term displays within the Administration offices.

The process is extreme considering the impact of the plan on the public. It is suggested that the matter be advertised including web site access to document, and a public meeting called to coincide with a regular meeting of Council. The main issues to the public will be those contained within the reports submitted to the June and July 2009 Council meetings, dealing with the introduction of tip fees, tip passes, user pays principles and the like. These issues can be advertised at the same time as the SWP.

Council will need to determine a suitable date for a meeting.

A submission period of 60 days is considered appropriate.

Officer's Recommendation

That Council advertise the Strategic Waste Plan for public comment and call a Public Meeting to be held on _____.

30060

Moved Cr Townrow

Sec Cr Young

That Council advertise the Strategic Waste Plan for public comment and call a Public Meeting to be held at 7.00pm following the 15 September 2009 Council Meeting.

CARRIED 8/1

11.9 MERREDIN DISTRICT OLYMPIC POOL – ENGINEER’S REPORT AND SCHEDULE OF WORKS UPDATE

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Health Act 1911 – 1979 as amended; Aquatic Facilities Code of Practice
File Number:	CP/8/6

Background

At its December 2008 Meeting, Council resolved (**CMRef 29801**) “*That the Administration engage suitably qualified Engineers prior to June 2009 to assess the structural adequacy of the 50m Merredin District Olympic Pool bowl and provide evidence and documentation on the expected life of the Merredin District Olympic Pool bowl to permit consideration of a major upgrade of the facility.*”

As VDM Group had been previously engaged to review the Cummins Theatre and Merredin District Olympic Pool (the Pool) in 2007 they were re-engaged to complete the engineering details of the Theatre and review the Pool, its surrounds and the core sample taken in 1990.

A copy of the June 2009 VDM report, December 2008 Agenda Item, and the Shire of Merredin Schedule of Works is contained in **Attachment 11.9A**.

Statutory Implications

The provisions of the Health Act 1911 – 1979, Aquatic Facilities Regulations 2007 and the Code of Practice for the Operation, Management Design and Construction of Aquatic Facilities are applicable. Construction shall be compliant with the Building Code of Australia 2009.

Financial Implications

The tests suggested within the Engineer’s Report are being progressed during July 2009. Mr Robartson has been called from annual leave to assist with the works and to provide Mr Gearing with additional information on the Pool operation.

The implications are wages of \$1,000.00 and water refill costs of the main pool.

Comment

The VDM Report suggests that the toddler’s pool may be the primary source of leaking within the facility. Levels have been taken and suggest the same.

The Report suggests that the Pool bowl can be retained and renovated.

If the Report proves that the leaks are controllable and the bowl can be retained, Council will need to consider previous resolutions relating to the keeping of the Pool and the proposals to relocate the facility to the Recreation Ground.

It is therefore appropriate for the Community, Health, Building, Town Planning and Environmental Services Committee to meet with the Executive Manager of Development Services and the Building Project Manager to assess the reports, grant application availability, financial sourcing and provide recommendations to Council relevant to the programming of the upgrade.

For information, the Aquatic Facility Working Group fulfilled its obligation when the Report of upgrade was presented to Council in 2008. A Councillor from that Working Group has resigned from Council, if that Working Group is to be reformed to address these latest matters.

Officer's Recommendation

That Council: -

- 1. Note the progress of the works to assess the leaks of the Merredin District Olympic Pool to date – July 2009;*
- 2. Advise the Community, Health, Building, Town Planning and Environmental Services Committee to meet with the Executive Manager of Development Services and the Building Project Manager to assess the Reports relating to the Merredin District Olympic Pool and provide recommendations to Council relevant to the programming of the upgrade of the Merredin District Olympic Pool.*

30061

Moved Cr Townrow

Sec Cr Forbes

That Council: -

- 1. Note the progress of the works to assess the leaks of the Merredin District Olympic Pool to date – July 2009;*
- 2. Advise the Community, Health, Building, Town Planning and Environmental Services Committee to meet with the Executive Manager of Development Services and the Building Project Manager to assess the Reports relating to the Merredin District Olympic Pool and provide recommendations to Council relevant to the programming of the upgrade of the Merredin District Olympic Pool.*

CARRIED 9/0

This Agenda Item 16.1 was brought forward due to the attendance of John Mitchell, Executive Manager of Development Services.

16.1 **LAND PURCHASE – OFFER TO PURCHASE LOTS 360 – 363, HN 121
TODD STREET, MERREDIN – RETAIL FOOD OUTLET**

Reporting Department: Development Services
Reporting Officer: John Mitchell – Executive Manager,
Development Services
Legislation: Local Government Act 1995
File Number: A1742

Background

A request has been received from Mr Gavin Cornish of Landmark, representing a client who seeks to establish a fast food restaurant on some or all of the land comprising Lots 360 – 363 Todd Street, Merredin. The request and a plan of the site are contained within **Attachment 16.1A**.

Statutory Implications

Lots 360 – 363 comprise 4,081m² of land which is zoned “Residential 1 Zone (Single Residential)” within the Shire of Merredin Town Planning Scheme No. 1. This zoning does not permit the establishment of a food shop.

Local Planning Scheme No. 6 proposes to rezone the land to “town centre” as shown within the Local Planning Strategy Map of 2007 as “shop”. Note that the Strategy Map has been approved by the WA Planning Commission.

The provisions of Section 3.58 of the Local Government Act 1995 are applicable. For sale by private treaty, Council must obtain a market valuation for the land, advertise the intent of sale and seek comment prior to agreeing to the sale. The other option is to call tenders for the sale of the land. The third option is to sell the land by public tender.

Financial Implications

No market valuation has been obtained. It is believed that each block has a residential market valuation of \$65,000 to \$75,000.

Comments

Does Council seek to sell the land for the purposes of establishment of a fast food restaurant?

Infrastructure is available to the land including sewer and power. Any development may require amalgamation, dependent on the layout of the business. Any proposal must include parking, landscaping, addressing rowdy behaviour, neighbours comments and the like.

Vehicle access and egress to the site would require the development of a Traffic Management Plan with a Road Safety Audit, as the proposed development will have a major effect on traffic using the Great Eastern Hwy and Main Roads WA will require these Plans before they support the development.

Any development properly arranged would not need more than 2,000m² to establish the business and parking. To alleviate impact on neighbours and to ensure the development is aware of all restrictions the following conditions of sale are suggested: -

1. That only Lots 362 and 363 Todd Street, Merredin be offered for sale;
2. That a Traffic Management Plan and a Road Safety Audit is conducted to determine the entry and egress to the fast food restaurant;
3. Bituminised on-site parking and landscaping in accordance with the Shire of Merredin Town Planning Scheme is required;
4. That a Town Planning Scheme Amendment may be required in the short term to permit the development to proceed.

Officer's Recommendation

That Council offer Lots 362 and 363 Todd Street, Merredin for sale, for the establishment of a "shop", by tender with a preset reserve price and that as conditions of sale, the following applies: -

1. *That a Traffic Management Plan and a Road Safety Audit is conducted to determine the entry and egress to the fast food restaurant;*
2. *Bituminised on-site parking and landscaping in accordance with the Shire of Merredin Town Planning Scheme is required;*
3. *That a Town Planning Scheme Amendment may be required in the short term to permit the development to proceed.*

30062

Moved Cr A Hooper Sec Cr Forbes

That Council offer Lots 362 and 363 Todd Street, Merredin for sale, for the establishment of a "shop", by tender with a preset reserve price and that as conditions of sale, the following applies: -

1. *That a Traffic Management Plan and a Road Safety Audit is conducted to determine the entry and egress to the fast food restaurant;*
2. *Bituminised on-site parking and landscaping in accordance with the Shire of Merredin Town Planning Scheme is required;*
3. *That a Town Planning Scheme Amendment may be required in the short term to permit the development to proceed.*

CARRIED 8/1

Jim Garrett, Executive Manager of Engineering Services, entered the meeting at 2.32pm.

John Mitchell, Executive Manager of Development Services, left the meeting at 2.38pm.

12.0 ENGINEERING SERVICES

12.1 LOCAL GOVERNMENT TRANSPORT AND ROADS STRATEGY

Reporting Department:	Engineering Services
Reporting Officer:	Jim Garrett – Executive Manager, Engineering Services
Legislation:	Local Government Act 1995
File Reference:	GR/17/11

Background

The Western Australian Local Government Association's (WALGA) Infrastructure Policy Team, which comprises of WALGA State Councillors whose portfolio focus is transport and road issues, have developed a Draft Local Government Transport and Roads Framework Document (**Attachment 12.1A**).

This Document aims to consolidate in one place the advocacy framework used by WALGA in relation to transport and road issues. WALGA's development of policy responses to State and Federal Government policy, legalisation or inquiries is based on feedback from Local Government with positions developed and endorsed by State Council. The policy responses are based on a number of broad strategies which have been developed over time and underpin the approach of WALGA.

The Framework outlines the current context for Local Government in the transport and roads domain and identifies some of the challenges and opportunities facing Local Government in this area. The strategies and actions are outlined within four areas which are aligned with the Australian Local Government Association.

WALGA is seeking feedback from the sector on this Document. In the first instance they seek the views of Local Government by 3 August 2009 to inform discussion at the 2009 Roads Forum which is being held on 5 August 2009.

Comment

With rail rationalisations and the affects of increased freight traffic on local roads, the importance of more funding for freight routes through Local Governments will become a major issue for the Local Governments affected.

Officer's Recommendation

That Council support the Draft 2009-2014 Local Government Transport and Roads Framework Document.

30063 Moved Cr Elliott Sec Cr Townrow
That Council support the Draft 2009-2014 Local Government Transport and Roads Framework Document.
CARRIED 9/0

30064 Moved Cr Elliott Sec Cr Townrow
That Council adjourn the meeting at 2.45pm.
CARRIED 9/0

Jim Garrett, Executive Manager of Engineering Services, left the meeting at this juncture and did not return.

30065 Moved Cr Morris Sec Cr Young
That Council reconvene the meeting at 3.08pm.
CARRIED 9/0

Emma Hooper, Executive Manager of Finance and Administration, was in attendance.

13.0 FINANCE AND ADMINISTRATION

This Agenda Item 13.6 was brought forward due to the attendance of Mrs Avril Parker.

13.6 MERREDIN CENTRAL BUSINESS DISTRICT CONCEPT PLAN

Reporting Department:	Administration
Reporting Officer:	Frank Ludovico – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	ED/8/3

Background

In Council's 2008/2009 Budget, Council provided \$40,000.00 at Account *E125020* to undertake an overall Concept Plan of the Central Business District (CBD) area.

At Council's November 2008 meeting (**CMRef 29767**), Council appointed Urban Design Landscape Architects (UDLA) as the consultant to undertake the CBD concept planning.

The Business and Community Development Committee (BCDC) progressed this project and on 9 March 2009 held a public meeting to commence the process of preparing a Plan. At that meeting community members were selected (Mrs Bev Drakeford, Ms Avril Parker, Mrs Julie Flockhart, Mr Mick Hayden and Ms Pam Masters) to form a Working Party with the BCDC to provide feedback on any Plans developed.

This Working Party met again on 14 April 2009 and on 11 May 2009 to revise and develop the Plans.

A public meeting was held on 22 June 2009 to endorse the Plan prepared by the consultants, UDLA. This Plan is attached (**Attachment 13.6A**).

The project is intended to be completed in a 8 stage process and this is shown in **Attachment 13.6B**.

Financial Implications

Based on the consultants initial cost estimates the project will cost over \$3.263 million (**Attachment 13.6C**).

At Council's March 2009 meeting (**CMRef 29916**) Council allocated \$100,000.00 from the 2008/2009 Royalties for Regions Program for the implementation of the CBD Plan.

Strategic Implications

Council's Strategic Plan at Action 1.1.2 calls for the development of the CBD Concept Plan and its adoption in 2009/2010 financial year.

Item 15 of the 2009 Key Performance Indicators for the Chief Executive Officer requires the development of the Merredin CBD Development Plan.

Comment

There has been extensive consultation over the development of this Plan with committee members actively engaging the business community and providing feedback to the consultants.

The major features of the Plan are:

1. the realignment of the carparks increasing their efficiency and the number of carparks available;
2. the creation of a town square/piazza effect in the Railway Museum/Central Wheatbelt Visitor Centre and the junction of Bates and Barrack Street;
3. the town square/piazza will open the vista of the town from the Highway inviting the travelling public to come and explore;
4. the relocation of the Visitor Centre to create a town square/piazza effect, opening vistas from the town to the Railway Museum and from the Highway into town;
5. the development of a heritage precinct adjacent to the Cummins Theatre;
6. the commercial development of the Newfields Carpark fronting Bates Street;
7. landscaping works between Barrack Street and the remodelled car parking area.

Once the Plan is adopted I would suggest that the Engineering Services Team develop a program (detailing works and cost estimates) for implementing the Plan.

The implementation of this Plan may require engineering consultants to develop detailed plans, specifications and costings. Other aspects can be undertaken by Council staff.

Council can then determine funding for the project.

Officer's Recommendation

That Council receive the final Central Business District Plan developed by Urban Design Landscape Architects and, subject to budget limitations, continue to develop, plan and implement the projects identified in the Plan.

Moved Cr Forbes

Sec Cr Elliott

That Council receive the final Central Business District Plan developed by Urban Design Landscape Architects and, subject to budget limitations, continue to develop, plan and implement the projects identified in the Plan.

AMENDMENT

30066 Moved Cr Morris Sec Cr Townrow
That the word “adopt” replace the word “receive” in the Officer’s Recommendation.

CARRIED 6/3

THE AMENDMENT BECAME THE MOTION

30067 Moved Cr Forbes Sec Cr Elliott
That Council adopt the final Central Business District Plan developed by Urban Design Landscape Architects and, subject to budget limitations, continue to develop, plan and implement the projects identified in the Plan.

CARRIED 7/2

Mrs Avril Parker left the meeting at 3.26pm and did not return.

13.1 MONTHLY FINANCIAL REPORT – JUNE 2009

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

Comment

The preliminary Monthly Financial Report as at 29 June 2009 is attached for Council's information (**Attachment 13.1A**). There will be a need for further End of Year changes and the Annual Financial Report, once completed, will be provided to Council for adoption.

Officer's Recommendation

That Council receive the Monthly Financial Report as at 29 June 2009.

30068

Moved Cr Morris

Sec Cr Townrow

That Council receive the Monthly Financial Report as at 29 June 2009.

CARRIED 9/0

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 \$649,580.24 and amounts directly debited from Council's Municipal Fund Bank Account BSB 066-518 Account Number 000-000-10 totalling \$385,058.15 and outstanding creditors totalling \$257,746.72.

30069

Moved Cr Young Sec Cr Townrow

That Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$649,580.24 and amounts directly debited from Council's Municipal Fund Bank Account BSB 066-518 Account Number 000-000-10 totalling \$385,058.15 and outstanding creditors totalling \$257,746.72.

CARRIED 9/0

MINUTES

13.3 SHIRE OF MERREDIN 2009/2010 ANNUAL BUDGET ADOPTION

Reporting Department:	Finance and Administration
Reporting Officer:	Emma Hooper – Executive Manager, Finance and Administration
Legislation:	Local Government Act 1995
File Reference:	FM/10/2

Background

Council is required to officially prepare and adopt, in the manner and form prescribed, its Annual Budget by no later than 31 August each year, in accordance with Section 6.2 of the Local Government Act 1995. A number of motions are required to formalise the process.

Statutory Implications

In accordance with the Local Government Act 1995, an Absolute Majority decision of Council is required in adopting the Annual Budget.

Comment

Council has considered the contents of the various schedules contained in the draft budget, the wish list/discretionary items, the plant replacement program, road works program and capital expenditure items. Variations to the draft information are incorporated in the Annual Budget document (**Attachment 13.3A**).

Officer's Recommendation

1. General Rate
That the Shire of Merredin, in order to make up the budget deficiency and in accordance with Section 6.33 of the Local Government Act 1995, impose a rate in the dollar for the areas in the Shire valued on Gross Rental Values of 9.0743 cents and Unimproved Values of 1.0472 cents for the 2009/2010 financial year.
2. General Minimum Rate
That the Shire of Merredin, in accordance with Section 6.35(1) of the Local Government Act 1995, set a general minimum rate of \$390.00 for the 2009/2010 financial year for Gross Rental Value properties and Unimproved Values properties.
3. Due Date for Payment of Rates
That the Shire of Merredin set the due date for payment of rates for the 2009/2010 financial year to be 7 September 2009.

MINUTES

4. Due Date for Payment of Rate Instalments
That the Shire of Merredin, in accordance with Regulation 64(2) Local Government (Financial Management) Regulations 1996, set the due date for the payment of rate instalments for the 2009/2010 financial year as follows:
- | | |
|--------------------------|-------------------------|
| <i>First Instalment</i> | <i>7 September 2009</i> |
| <i>Second Instalment</i> | <i>9 November 2009</i> |
| <i>Third Instalment</i> | <i>11 January 2010</i> |
| <i>Fourth Instalment</i> | <i>12 March 2010</i> |
5. Interest on Rate Instalments
That the Shire of Merredin set an interest rate of 5.5% for the 2009/2010 financial year in accordance with Section 6.45 (4)(e) of the Local Government Act 1995 and Regulation 68 of the Local Government (Financial Management) Regulations 1996.
6. Administration Charge on Instalments
That the Shire of Merredin, in accordance with Section 6.45(3) of the Local Government Act 1995, set an administration charge of \$10.00 per rate instalment notice where the instalment plan is selected.
7. Interest on Overdue Rates
That the Shire of Merredin set an interest rate of 11% for the 2009/2010 financial year in accordance with Section 6.51 (1) of the Local Government Act 1995 and Regulation 70 of the Local Government (Financial Management) Regulations 1996.
8. Fees and Charges
That the Shire of Merredin, in accordance with Section 6.16(3) of the Local Government Act 1995, adopt the Schedule of Fees and Charges as per the 2009/2010 Budget document.
9. Interest on Money Owing to Council – General Debtors
That the Shire of Merredin, in accordance with Section 6.13 of the Local Government Act 1995 and Regulation 19(a) of the Local Government (Financial Management) Regulations 1996, set an interest rate of 11% for the 2009/2010 financial year.
10. Adoption of Budget
That the Shire of Merredin, in accordance with Section 6.2(1) of the Local Government Act 1995, adopt the Budget for the 2009/2010 financial year.
11. Adoption of Material Variance Level for Reporting
That Council adopt the value of +/- \$10,000.00 as the minimum amount for reporting material variances for the 2009/2010 financial year.

12. Organisational Structure

That Council, in accordance with Section 5.2 of the Local Government Act 1995, amend the Organisational Structure of the Shire of Merredin to reflect the positions funded in the 2009/2010 Budget.

ABSOLUTE MAJORITY REQUIRED

30070

Moved Cr Young

Sec Cr Elliott

1. General Rate

That the Shire of Merredin, in order to make up the budget deficiency and in accordance with Section 6.33 of the Local Government Act 1995, impose a rate in the dollar for the areas in the Shire valued on Gross Rental Values of 9.0743 cents and Unimproved Values of 1.0472 cents for the 2009/2010 financial year.

2. General Minimum Rate

That the Shire of Merredin, in accordance with Section 6.35(1) of the Local Government Act 1995, set a general minimum rate of \$390.00 for the 2009/2010 financial year for Gross Rental Value properties and Unimproved Values properties.

3. Due Date for Payment of Rates

That the Shire of Merredin set the due date for payment of rates for the 2009/2010 financial year to be 7 September 2009.

4. Due Date for Payment of Rate Instalments

That the Shire of Merredin, in accordance with Regulation 64(2) Local Government (Financial Management) Regulations 1996, set the due date for the payment of rate instalments for the 2009/2010 financial year as follows:

<i>First Instalment</i>	<i>7 September 2009</i>
<i>Second Instalment</i>	<i>9 November 2009</i>
<i>Third Instalment</i>	<i>11 January 2010</i>
<i>Fourth Instalment</i>	<i>12 March 2010</i>

5. Interest on Rate Instalments

That the Shire of Merredin set an interest rate of 5.5% for the 2009/2010 financial year in accordance with Section 6.45 (4)(e) of the Local Government Act 1995 and Regulation 68 of the Local Government (Financial Management) Regulations 1996.

6. Administration Charge on Instalments

That the Shire of Merredin, in accordance with Section 6.45(3) of the Local Government Act 1995, set an administration charge of \$10.00 per rate instalment notice where the instalment plan is selected.

-
7. **Interest on Overdue Rates**
That the Shire of Merredin set an interest rate of 11% for the 2009/2010 financial year in accordance with Section 6.51 (1) of the Local Government Act 1995 and Regulation 70 of the Local Government (Financial Management) Regulations 1996.
 8. **Fees and Charges**
That the Shire of Merredin, in accordance with Section 6.16(3) of the Local Government Act 1995, adopt the Schedule of Fees and Charges as per the 2009/2010 Budget document.
 9. **Interest on Money Owing to Council – General Debtors**
That the Shire of Merredin, in accordance with Section 6.13 of the Local Government Act 1995 and Regulation 19(a) of the Local Government (Financial Management) Regulations 1996, set an interest rate of 11% for the 2009/2010 financial year.
 10. **Adoption of Budget**
That the Shire of Merredin, in accordance with Section 6.2(1) of the Local Government Act 1995, adopt the Budget (as amended) for the 2009/2010 financial year.
 11. **Adoption of Material Variance Level for Reporting**
That Council adopt the value of +/- \$10,000.00 as the minimum amount for reporting material variances for the 2009/2010 financial year.
 12. **Organisational Structure**
That Council, in accordance with Section 5.2 of the Local Government Act 1995, amend the Organisational Structure of the Shire of Merredin to reflect the positions funded in the 2009/2010 Budget.

**CARRIED 9/0
ABSOLUTE MAJORITY**

Emma Hooper, Executive Manager of Finance and Administration, left the meeting at 3.48pm.

Cr Young left the meeting at 3.57pm.

13.4 **REVIEW OF MEMORANDUMS OF UNDERSTANDING**

Reporting Department:	Recreation Services
Reporting Officer:	Peter McDonald – Recreation Centre Manager
Legislation:	Local Government Act 1995
File Reference:	CM/9/1

Background

On completion of the Merredin Regional Community and Leisure Centre (MRC&LC) collocating clubs and organizations entered into Memorandums of Understanding (MoU) with the Shire of Merredin with Council endorsing these Memorandums. The MoU's outlined the responsibilities of both parties in the Centres' use.

Part of the agreement between the two parties is that the Memorandum of Understanding be reviewed on an annual basis.

Comment

The MoU is a standard agreement between the Shire of Merredin and the Sporting or Community Organization. It varies only in the area of Special Terms of the Agreement.

The changes in relation to the standard part of the agreement are listed below and are reflected in the new MoU document between the Shire of Merredin and the:

1. Merredin Civic Bowling Club (**Attachment 13.4A**)
2. Burracoppin Women's Hockey Club (**Attachment 13.4B**)
3. Merredin Women's Hockey Club (**Attachment 13.4C**)
4. Merredin Men's Hockey Club (**Attachment 13.4D**)
5. Merredin Junior Football Association (**Attachment 13.4E**)
6. Merredin Agricultural Society (**Attachment 13.4F**)

and form the review undertaken by the MRC&LC Manager and the above mentioned Clubs/Associations/Community Groups.

The amendments to the MoU's consist of the following:

Review and Evaluation

The words "*The parties agree to review this MoU on an annual basis to determine whether the objectives of efficient Centre management, fair and equitable access to the Centre and clear understanding of the responsibilities of the parties were achieved.*" were replaced with "*The parties agree to review this MoU every two years on the 31st March of that year to determine whether the objectives of efficient Centre management, fair and equitable access to the Centre and clear understanding of the responsibilities of the parties were achieved.*"

And in:

Terms of the Agreement

The following undertakings are agreed upon as respective responsibilities of the parties:

The Sporting Club/Association, Community Organisation shall:

9. *Undertake full responsibility for all assigned facility access keys in accordance with the key registration application.*

There were no changes to any other area of the MoU's for any of the Clubs/Associations/Community Groups.

Officers Recommendation

That Council endorse the reviewed Memorandum of Understandings between the Shire of Merredin and the:

1. *Merredin Civic Bowling Club;*
2. *Burracoppin Women's Hockey Club;*
3. *Merredin Women's Hockey Club;*
4. *Merredin Men's Hockey Club;*
5. *Merredin Junior Football Association; and*
6. *Merredin Agricultural Society.*

30071

Moved Cr Crees

Sec Cr Forbes

That Council endorse the reviewed Memorandum of Understandings between the Shire of Merredin and the:

1. *Merredin Civic Bowling Club;*
2. *Burracoppin Women's Hockey Club;*
3. *Merredin Women's Hockey Club;*
4. *Merredin Men's Hockey Club;*
5. *Merredin Junior Football Association; and*
6. *Merredin Agricultural Society.*

CARRIED 8/0

13.5 MERREDIN SPORTS COUNCIL COMMUNITY CROP

Reporting Department: Administration
Reporting Officer: Frank Ludovico – Chief Executive Officer
Legislation: Local Government Act 1995
File Reference: A9248 & RCS/4/35

Background

A request was received from the Merredin Sports Council to allow cropping on Lot 502 Crooks Road, Merredin for 2009/2010 season so funds can be derived for sports in Merredin (**Attachment 13.5A**).

I approved the use of the land as the arrangement was only for a short time duration and, as the group fell within the bounds of Regulation 30(2)(b) of the Function and General Regulations (i.e. charitable, benevolent, recreation or sporting organisation), the proposal was an exempt disposition of land.

This is similar to a request approved by Council at its May 2007 Meeting (**CMRef 28935**).

Officer's Recommendation

That Council endorse the actions of the Chief Executive Officer of allowing the Merredin Sports Council to utilise Lot 502 Crooks Road, Merredin for the purposes of a community crop for 2009/2010.

ABSOLUTE MAJORITY REQUIRED

30072

Moved Cr Crees

Sec Cr Forbes

That Council endorse the actions of the Chief Executive Officer of allowing the Merredin Sports Council to utilise Lot 502 Crooks Road, Merredin for the purposes of a community crop for 2009/2010.

CARRIED 8/0**ABSOLUTE MAJORITY**

13.7 DEPARTMENTAL COMPLAINT

Reporting Department:	Administration
Reporting Officer:	Frank Ludovico – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	GR/17/3 & CR/21/1

Background

On 21 May 2009 the Department of Local Government and Regional Development forwarded a complaint received from a resident of the Shire of Merredin asking us to provide information regarding the complaints contained in the letter (**Attachment 13.7A**). The Department requested a response within 21 days.

Owing to the Chief Executive Officer being away at the LGMA National Conference and the many other activities associated with this time of the financial year, the Chief Executive Officer requested an extension of the response date to 31 July 2009.

This was subsequently approved by the Department on 22 May 2009.

Councillors may note that the letter of complaint starts at complaint number 3. The Department advises that they have dealt with complaints 1 and 2.

As per **CMRef 30045** the amount of time dealing with this complaint, in Chief Executive Officer's, Executive Managers' and other staff's time, amounts to over 6 hours.

The purpose of bringing this item to Council is so that Council can be aware of the matters raised within the complaint.

Comment

My comments in respect to this complaint are attached as a draft response to the Department as **Attachment 13.7B**.

Officer's Recommendation

That Council forward to the Department of Local Government and Regional Development the response to the complaint received on 22 May 2009, as shown in Attachment 13.7B.

Cr Young entered the meeting at 4.05pm.

30073

Moved Cr Crees

Sec Cr Forbes

That Council forward to the Department of Local Government and Regional Development the response to the complaint received on 22 May 2009, as shown in Attachment 13.7B.

CARRIED 8/1

Moved Cr Young Sec
That Council consider making an offer to the complainant that they be employed as a contractor to assist with developing legislation and Council procedures.

LAPSED FOR WANT OF A SECONDER

**13.8 MEMBERSHIP – MERREDIN LOCAL HEALTH ADVISORY GROUP
AND EASTERN DISTRICTS HEALTH ADVISORY COUNCIL**

Reporting Department:	Administration
Reporting Officer:	Frank Ludovico – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	G/06/05

Background

Attached are resignations from Cr Pam Forbes for the Merredin Local Health Advisory Group (LHAG) and the Eastern Districts Health Advisory Council (EDHAC) (**Attachment 13.8A**).

At Council's 20 November 2007 Meeting, Cr Forbes was appointed to the Merredin LHAG (**CMRef 29251**). She subsequently became the Chairperson for that Group and represented the Merredin LHAG at the EDHAC.

The Merredin LHAG advises the Merredin Hospital on matters relating to health, service quality, access coordination and planning.

The purpose of the LHAG is to advise and support local health service providers in an environment of cooperation, share understanding and consensus.

The purpose of the EDHAC is to:

1. Provide effective community and consumer participation.
2. Improve service safety, quality and access using consumer and carer input.
3. Provide a voice for the community and consumers to WA Country Health Service (WACHS), the Minister for Health, Director General of Health, Chief Executive Officer of WACHS and other senior WACHS staff about country health needs, priorities and services.
4. Establish a two-way information exchange by:
 - a. Consumers and community members informing health service providers of priority health issues and offering solutions;
 - b. Service providers giving consumers and the community evidence of priority health needs and suitable service delivery models to improve access, safety and quality.
5. Influence consumer, community, WACHS and inter-agency links at the local, district, regional and State levels.

Strategic Implications

Actions 1.5.5, 2.2.3 and 2.2.4 discuss the need to improve health services in the regions and to lobby State and Federal Governments so this can occur.

The Merredin LHAG and EDHAC are important organisations in order to lobbying for improved health services.

Comment

The Chief Executive Officer remains a member of the Merredin LHAG, however the lack of interest by other members of the committee has meant that meetings have not held a quorum or have been cancelled.

I consider that it is important that Council be represented on these committees to continue these lobbying processes.

Officer's Recommendation

That Council nominate Councillor _____ to the Merredin Local Health Advisory Group.

Council were advised that as Cr A Hooper was nominated as a delegate to this Committee at the October 2007 Special Council Meeting, the Officer's Recommendation lapses.

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 Land Purchase – Offer to Purchase Lots 360 – 363, HN 121 Todd Street, Merredin – Retail Food Outlet

Refer to Page 36 for information on this Agenda Item.

Cr A Hooper left the meeting at 4.35pm.

Cr A Hooper entered the meeting at 4.37pm.

16.2 Structural Reform Discussion Paper

30074

Moved Cr Morris

Sec Cr Townrow

- 1. That Council advise the Minister for Local Government that, due to the lack of other volunteer partners, it considers the retention of the current structure as the only outcome for the Shire of Merredin, however it should be noted that the Shire of Merredin recognises that a regional local government is the inevitable future for this region and would like to participate in significant consultation on the issue before it is formed. Council sees the preferred partners for this regional local government as the Shire's of Bruce Rock, Kellerberrin, Merredin, Narembeen, Nungarin, Tammin, Yilgarn and Westonia and all need to have significant input into any negotiations on this matter.*
- 2. That a public meeting be held at 7.00pm on 30 July 2009 to allow community input into the Local Government Structural Reform process.*

CARRIED 9/0

17.0 MATTERS BEHIND CLOSED DOORS
Nil

18.0 CLOSURE

There being no further business the Presiding Person declared the meeting closed at 4.40pm.