

SHIRE OF MERREDIN



“Heart of the Wheatbelt”

MINUTES OF COUNCIL MEETING

15 DECEMBER 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 15 December 2009 commencing at 1.00pm.

ATTENDANCE: Cr KA Hooper – Shire President
Cr RM Crees – Deputy Shire President
Crs D Crook, P Forbes, A Hooper; M Morris; W Wallace; M Young

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

1.0 OFFICIAL OPENING

The Shire President declared the meeting open at 1.00pm.

Jim Garrett, Executive Manager of Engineering Services; Emma Growden, Executive Manager of Finance and Administration; John Mitchell, Executive Manager of Development Services and Debbie Morris, Executive Manager of Community Services, were in attendance.

2.0 PUBLIC QUESTION TIME

Nil

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr J Townrow

4.0 DISCLOSURE OF INTEREST

Cr Morris 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 17 November 2009 with two corrections on Page 5 being the removal of "Cr declared a Interest in Agenda Item" at Item 4 and the spelling from Sal Marias to Sal Marais at Item 5.

30194

Moved Cr Wallace

Sec Cr Morris

That the minutes of the ordinary Council meeting held on 17 November 2009 be confirmed as a true and correct record of proceedings with two corrections on Page 5 being the removal of "Cr declared a Interest in Agenda Item" at Item 4 and the spelling from Sal Marias to Sal Marais at Item 5.

CARRIED 8/0

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

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

17.1 Carrington Way – Reserve Prices

Refer Page 13 for information on this Agenda Item.

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

9.1 Merredin Local Health Advisory Group Meeting held on 12 November 2009

Attachment 9.1A

9.2 Central Wheatbelt Visitor Centre MoU Working Group Meeting held on 16 November 2009

Attachment 9.2A

9.3 Wheatbelt East Regional Organisation of Councils Executive Meeting held on 25 November 2009

Attachment 9.3A

9.4 Western Australian Local Government Association Great Eastern Country Zone Meeting held on 26 November 2009

Attachment 9.4A

- 9.5 Merredin Heritage Management Committee Meeting held on 26 November 2009

Attachment 9.5A

- 9.6 Merredin Local Emergency Management Committee Meeting held on 1 December 2009

Attachment 9.6A

30195

Moved Cr Morris

Sec Cr Forbes

That Council receive the minutes of the Merredin Local Health Advisory Group Meeting held on 12 November 2009, the Central Wheatbelt Visitor Centre MoU Working Group Meeting held on 16 November 2009, the Wheatbelt East Regional Organisation of Councils Executive Meeting held on 25 November 2009, the Western Australian Local Government Association Great Eastern Country Zone Meeting held on 26 November 2009, the Merredin Heritage Management Committee Meeting held on 26 November 2009 and the Merredin Local Emergency Management Committee Meeting held on 1 December 2009.

CARRIED 8/0

-
- 9.1 Merredin Local Health Advisory Group

Nil Recommendations to Council

- 9.2 Central Wheatbelt Visitor Centre MoU Working Group

Nil Recommendations to Council

- 9.3 Wheatbelt East Regional Organisation of Councils - Executive

Nil Recommendations to Council

- 9.4 Western Australian Local Government Association Great Eastern Country Zone

Nil Recommendations to Council

- 9.5 Merredin Heritage Management Committee

Nil Recommendations to Council

9.6 Merredin Local Emergency Management Committee5.1 Emergency Services Update

Moved P Van Der Merwe

Sec M Daley

That the Merredin Local Emergency Management Committee request that Council appoint a Councillor as a delegate to the Merredin Local Emergency Management Committee.

CARRIED

Cr K Hooper has already been nominated as a representative on this Committee and will endeavour to attend more meetings.

10.0 COMMUNITY SERVICES

Nil Recommendations to Council

MINUTES

11.0 DEVELOPMENT SERVICES

11.1 FOOD ACT 2008 – APPOINTMENT OF AUTHORISED OFFICERS

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Food Act 2008 and Food Regulations 2009
File Reference:	PH/09/01

Background

The Food Act 2008 and the Food Regulations 2009 came into effect in October this year. This has a number of operational implications for Administration and local food businesses. Businesses must now notify the Shire of their business activities in relation to food and be registered with the Shire in most circumstances. Administration is working to ensure all businesses comply with the legislation prior to 31 December 2009. Transitional provisions are in place to ensure that Shire Environmental Health Officers have authority to enforce the new provisions, however these expire 31 December 2009.

Statutory Implications

Under provisions of the Food Act 2008 a Local Government is an “enforcement agency” for the vast majority of food businesses within its municipality. During the transitional period which expires on 31 December 2009, Local Governments need to appoint suitably qualified persons to administer the Act and Regulations:

An enforcement agency may appoint a person to be an authorised officer for the purposes of this Act if —

- (a) the enforcement agency, having regard to any guidelines issued by the CEO under subsection (2), considers the person has appropriate qualifications and experience to perform the functions of an authorised officer; or*
- (b) the person holds office as an environmental health officer under the Health Act 1911.*

The enforcement agency must also provide each authorised officer, appointed by the agency, with a certificate of authority and maintain a register of authorised persons. Various other activities including the issue of registrations and annual reporting also need to be undertaken.

MINUTES

Section 118 of the Act provides for the functions of enforcement agencies and delegations;

- (1)
- (2) *A function conferred or imposed on an enforcement agency may be delegated —*
- (a); or
- (b) *if the enforcement agency is a local government...*

Comment

The Shire currently utilises the services of Environmental Health Officers Mr John Mitchell and Mr Philip Swain who can be appointed as authorised persons in accordance with the Act. No guidelines on other suitably qualified persons have yet been issued by the Chief Executive Officer of the Department of Health. Under the Local Government Act 1995 Section 5.46 a Local Government must maintain a register of the delegations it has made under the Local Government Act and it is suggested that this is the most appropriate document to include reference to the Food Act 2008. Council adopted the current set of delegations at its August 2009 meeting.

Officer's Recommendation

1. *That Council amend the Delegation Register under the subsection "Other" by inserting a clause;*

*"7.3 Food Act 2008 – Food Act Functions
DELEGATION NUMBER- 7.3*

*LEGISLATIVE POWER - Food Act 2008 and Food Regulations
2009*

DELEGATION SUBJECT - Enforcement Agency Functions

DELEGATE - Chief Executive Officer"

2. *That the Chief Executive Officer be delegated the administration of the functions of the Shire of Merredin as "enforcement agency", pursuant to the Food Act 2008 and the Food Regulations 2009. These functions include, but are not limited to, the authorising of environmental health officers as authorised persons, the issuing of food business registrations and the annual reporting requirements described in the Act.*

ABSOLUTE MAJORITY REQUIRED

30196

Moved Cr Crees Sec Cr Crook

1. *That Council amend the Delegation Register under the subsection "Other" by inserting a clause;*

"7.3 Food Act 2008 – Food Act Functions

Delegation Number - 7.3

*Legislative Power - Food Act 2008 and Food Regulations
2009*

Delegation Subject - Enforcement Agency Functions

Delegate - Chief Executive Officer"

2. *That the Chief Executive Officer be delegated the administration of the functions of the Shire of Merredin as "enforcement agency", pursuant to the Food Act 2008 and the Food Regulations 2009. These functions include, but are not limited to, the authorising of environmental health officers as authorised persons, the issuing of food business registrations and the annual reporting requirements described in the Act.*

**CARRIED 8/0
ABSOLUTE MAJORITY**

12.0 ENGINEERING SERVICES

12.1 CONSTRUCTION OF CONCRETE FOOTPATHS AND PRAM RAMPS TENDER NO 07-09/10

Reporting Department: Engineering Services
Reporting Officer: Jim Garrett – Executive Manager, Engineering Services
Legislation: Local Government Act 1995
File Reference: Tender 07-09/10

Background

The Shire of Merredin issued Tender No 07-09/10 on 21 November 2009 for approximately 4,000m² of concrete footpaths in various locations within the Merredin townsite (Craddock Road, Barrack Street and Roy Little Park).

The following tenders were received.

	TENDERER	PRICE
A	RC Civil Constructions	\$104.50 per m ² incl. GST Approx. \$418,000.00 incl. GST
B	Gearing Construction Contractors	\$51.40 per m ² incl. GST Approx. \$205,600.00 incl. GST

The evaluation matrix is attached (**Attachment 12.1A**).

Financial Implications

Approximately 4,000m² of Concrete Footpath at \$68.00 per m² has been budgeted for in the 2009/2010 financial year.

Comment

In the 2009/2010 Budget \$180,000.00 was allocated for the concrete footpath around Roy Little Park with some of these funds partially funded by Jobs Funds \$88,000.00 and Department of Transport \$50,000.00.

Officer's Recommendation

That Council award Tender 07-09/10 to Gearing Construction Contractors to construct concrete footpaths in various locations around the townsite of Merredin at a cost of \$51.40 per m² including GST.

30197

Moved Cr Wallace

Sec Cr Young

That Council award Tender 07-09/10 to Gearing Construction Contractors to construct concrete footpaths in various locations around the townsite of Merredin at a cost of \$51.40 per m² including GST.

CARRIED 8/0

MINUTES

This Agenda Item 17.1 was brought forward due to the attendance of the Executive Management team.

17.1 RESERVE PRICES FOR THE CARRINGTON WAY SUBDIVISION

Reporting Department: Administration
Reporting Officer: Frank Ludovico – Chief Executive Officer
Legislation: Local Government Act 1995
File Reference: LUP/13/5

Background

On 2 May 2009 an auction occurred to sell land at the Carrington Way subdivision. At the time of the auction only 3 lots were sold. Since that date an additional 13 lots have been sold. In September 2009 (CMRef 30113) Council resolved:

“That Council delegate the Chief Executive Officer the power to accept offers for the purchase of land in the Carrington Way subdivision at the Council approved prices with any submissions received during the local Public Notice Period (S3.58(3)) to be considered by Council. If there are no written submissions resulting from the local Public Notice Period (S3.58(3)) the Chief Executive Officer is authorised to transfer the land without further reference to Council.”

The then provisions of Section 3.58 of the Local Government Act 1995 indicated that a market valuation was required not more than 6 months before the proposed disposition. In effect, a market valuation was required before any disposition occurred after 2 November 2009.

However, recent amendments to Section 3.58 of the Local Government Act 1995 indicates that Council can resolve the market value of the land if it is based on a valuation carried out more than 6 months before the proposed disposition but the local government believes that the valuation still provides a true indication of the property’s value.

The purpose of this Agenda Item therefore is to give Council the opportunity to review the reserve prices for the Carrington Way subdivision and make any necessary adjustments and to use the new provisions of Section 3.58(4) to enable us to continue to sell land at Carrington Way.

Financial Implications

Attached is a list of the vacant land currently available at Carrington Way and their currently listed reserve prices (**Attachment 17.1A**). A market valuation from Elders has suggested that the land is valued at \$63.00/m².

Comment

Council staff believe that the currently listed reserve prices are a true reflection of the market value and believe Council should use the new provisions of Section 3.58(4) of the Local Government Act 1995 to enable sales to proceed.

Officer's Recommendation

That Council in accordance with Section 3.58(4) of the Local Government Act 1995 resolve that the valuation provided for the unsold lots in the Carrington Way subdivision is still a true indication of the value of the land as provided for in Attachment 17.1A.

30198

Moved Cr Forbes

Sec Cr Morris

That Council in accordance with Section 3.58(4) of the Local Government Act 1995 resolve that the valuation provided for the unsold lots in the Carrington Way subdivision is still a true indication of the value of the land as provided for in Attachment 17.1A.

CARRIED 8/0

Jim Garrett, Executive Manager of Engineering Services; John Mitchell, Executive Manager of Development Services and Debbie Morris, Executive Manager of Community Services, left the meeting at 1.16pm.

13.0 FINANCE AND ADMINISTRATION

13.1 MONTHLY FINANCIAL REPORT – NOVEMBER 2009**Reporting Department:** Finance and Administration**Reporting Officer:** Emma Growden – Executive Manager, Finance and Administration**Legislation:** Local Government Act 1995

Comment

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

Officer's Recommendation

That Council receive the Monthly Finance Report for November 2009.

30199

Moved Cr Young

Sec Cr Morris

That Council receive the Monthly Finance Report for November 2009.

CARRIED 8/0

13.2 LIST OF ACCOUNTS PAID

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

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 \$76,752.72 and amounts directly debited from Council's Municipal Fund Bank Account BSB 066-518 Account Number 000-000-10 totalling \$360,864.25 and outstanding creditors totalling \$469,241.18.

30200

Moved Cr Morris Sec Cr Young

That Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$76,752.72 and amounts directly debited from Council's Municipal Fund Bank Account BSB 066-518 Account Number 000-000-10 totalling \$360,864.25 and outstanding creditors totalling \$469,241.18.

CARRIED 8/0

MINUTES

13.3 WHITFIELD WAY STAGE ONE WRITE OFF OF EXPENSES

Reporting Department:	Administration
Reporting Officer:	Frank Ludovico – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	LUP/13/2

Background

In October 2007 the Chief Executive Officer provided a report to the Business and Community Development Meeting showing the income expenditure for the Whitfield Way Stage One project. That report indicated that the project made a loss of \$16,036.00.

Included in that account was an invoice to the Leeway Group (who were contracted to install water supply and underground power) for \$8,685.31 which was for the supply of sand bedding and plant hire by the Shire.

Also included in that expenditure was a cheque to consulting engineers, David Wills and Associates for \$16,549.50.

During the implementation of that project a number of difficulties were involved surrounding the contractors ability to undertake certain works, the lack of other contractors to undertake the works and the resulting engagement of other contractors at inflated prices to remedy the situation.

In the midst of all that conflict a suitable compromise was reached.

The invoice to the Leeway Group had not been collected and the cheque to David Wills and Associates has been held.

The purpose of this Agenda Item is to resolve these outstanding issues.

Financial Implications

The writing off of the invoice to Leeway Group will amount to an \$8,685.31 shortfall in Council's income. Cancellation of the cheque to David Wills and Associates will result in \$16,549.50 additional funds for expenditure. The difference of \$7,891.19 will be available funds for Council use.

It is suggested that the use of these funds be considered in the Budget Review occurring in February/March 2010.

The other implication is the loss on the Whitfield Way Stage One project will reduce to \$8,144.00.

Comment

This negotiated settlements has previously been reported to Council in September 2007, however the formalities of it have not been concluded through Council.

The cheque to David Wills and Associates has been cancelled.

Officer's Recommendation

That Council write off invoice M48 to the Leeway Group for \$8,685.31.

ABSOLUTE MAJORITY REQUIRED

30201

Moved Cr Young

Sec Cr Wallace

That Council write off invoice M48 to the Leeway Group for \$8,685.31.

**CARRIED 8/0
ABSOLUTE MAJORITY**

Emma Growden, Executive Manager of Finance and Administration, left the meeting at 1.21pm.

13.4 REVIEW OF MEMORANDUM OF UNDERSTANDING – MERREDIN AGRICULTURAL SOCIETY INC

Reporting Department: Administration
Reporting Officer: Frank Ludovico – Chief Executive Officer
Legislation: Local Government Act 1995
File Reference: CM/9/1

Background

At Council's July 2009 meeting (**CMRef 30071**) Council adopted the Memorandum of Understanding (MoU) for the Merredin Agricultural Society Inc.

The Merredin Agricultural Society Inc has further reviewed this document and has suggested changes to the MoU. The attached draft (**Attachment 13.4A**) shows the variations requested.

Comment

The addition of the words "including grounds of storage shed" in the definition of Centre accounts for the particular requirements of the Society and clearly indicates the facilities covered by the MoU.

In respect to reviewing the MoU this is a clause that has been altered in order to improve efficiency and is consistent with other recent MoU's.

In the Merredin Agricultural Society clauses the following amendments have been made:

Clause 2 as the Agricultural Society do not have members in the same way a football or hockey club or fire and rescue service, the clause has been amended to reflect this. The Society organises a one-off event, being the Agricultural Show, where community members are enlisted to organise this.

Clause 5 words have been deleted to reflect the Agricultural Society's particular requirement.

Clause 9 has been added to provide clarification on that issue.

Officer's Recommendation

That Council endorse the Memorandum of Understanding between the Shire of Merredin and the Merredin Agricultural Society Inc as shown in Attachment 13.4A.

30202

Moved Cr Crook

Sec Cr Forbes

That Council endorse the Memorandum of Understanding between the Shire of Merredin and the Merredin Agricultural Society Inc as shown in Attachment 13.4A.

CARRIED 8/0

13.5 WHEATBELT HEALTH PLANNING INITIATIVE – REPORT OF CONSULTATIONS AUGUST 2009

Reporting Department:	Administration
Reporting Officer:	Frank Ludovico – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	PH/14/2

Background

The Wheatbelt Health Planning Initiative Report has been prepared for the Wheatbelt Health MoU Group which was formed in 2006 in response to the need to ensure an interagency response to health planning in the Wheatbelt.

The Wheatbelt Health Planning Initiative – Report of Consultations August 2009 consolidates the information gathered from consultation with community members and stakeholders across the Wheatbelt region during June and July 2009. The Executive Summary (Pages I-IV), Eastern District Themes (Page 26-27), Western District Themes (Page 38-39), Southern District Themes (Page 47-48) and Central District Themes (Page 57-58) provide a summary of the issues pertinent to each sub region within the Wheatbelt (**Attachment 13.5A**).

The Wheatbelt Health MoU Group met on 9 December 2009 and I will bring any pertinent issues arising from that meeting to the Council meeting.

Comment

I believe the report clearly identifies the various issues that the Shire of Merredin has been espousing for a number of years. We now need to work with the Wheatbelt Health MoU Group and other stakeholders to achieve some of the goals contained in the report.

The Wheatbelt Health MoU Group needs to be congratulated for developing this milestone document which will be the basis for negotiating for health services into the future.

Officer's Recommendation

- 1. That the Wheatbelt Health MoU Group needs to be congratulated for developing this milestone document which will be the basis for negotiating for health services into the future.*
- 2. That Council work cooperatively with the Wheatbelt Health MoU Group and other stakeholders to achieve the goals contained in the Wheatbelt Health Planning Initiative – Report of Consultations August 2009.*

30203

Moved Cr Wallace

Sec Cr A Hooper

1. *That the Wheatbelt Health MoU Group needs to be congratulated for developing this milestone document which will be the basis for negotiating for health services into the future.*
2. *That Council work cooperatively with the Wheatbelt Health MoU Group and other stakeholders to achieve the goals contained in the Wheatbelt Health Planning Initiative – Report of Consultations August 2009.*

CARRIED 8/0

13.6 REVIEW OF DELEGATIONS

Reporting Department: Administration
Reporting Officer: Frank Ludovico – Chief Executive Officer
Legislation: Local Government Act 1995
File Reference: FM/3/2

Background

At Council's August 2009 meeting (**CMRef 30094**) Council reviewed its Delegations Register. Some issues have come to light since that review which should be dealt with.

It is proposed to alter Delegation 4.1 (**Attachment 13.6A**) and tie it into Council's Purchasing Policy and to vary Delegation 4.6 (**Attachment 13.6B**) to provide more flexibility with the payment of accounts.

Statutory Implications

The Local Government Act 1995 Section 5.42 indicates that Council can delegate some of its powers to the Chief Executive Officer.

Comment

The change to Delegation 4.1 is to increase the value to \$100,000.00 to fit in with the tender thresholds as identified in Regulation 11 of the Function and General Regulations.

Further, a note is added drawing attention of the Chief Executive Officer to Council's Purchasing Policy.

Delegation 4.6 has been altered to provide flexibility in the Executive Staff who are able to authorise payment for Council activities.

Officer's Recommendation

That Council adopt the revised Delegation 4.1 as detailed in Attachment 13.6A and the revised Delegation 4.6 as detailed in Attachment 13.6B.

ABSOLUTE MAJORITY REQUIRED

30204

Moved Cr Morris

Sec Cr Crook

That Council adopt the revised Delegation 4.1 as detailed in Attachment 13.6A and the revised Delegation 4.6 as detailed in Attachment 13.6B.

**CARRIED 8/0
ABSOLUTE MAJORITY**

Cr Morris declared an Impartiality Interest in this Agenda Item 13.7.

13.7 **REVIEW OF MEMORANDUM OF UNDERSTANDING – MERREDIN COMMUNITY RESOURCE CENTRE**

Reporting Department: Administration
Reporting Officer: Frank Ludovico – Chief Executive Officer
Legislation: Local Government Act 1995
File Reference: CM/9/1

Background

At Council's March 2009 meeting (**CMRef 29920**) (**Attachment 13.7A**) Council endorsed a new Memorandum of Understanding (MoU) with the Merredin Community Resource Centre. Discussion has occurred since then to further clarify the arrangements at the Merredin Regional Community and Leisure Centre (MRC&LC).

The document has been extensively reviewed and is attached for Council consideration (**Attachment 13.7B**). Major changes to the approved MoU are in clauses 6.1.1, 6.1.7, 6.1.8, 6.2.2, 6.2.6, 6.3.1 and 6.3.5.

In addition, the Resource Centre sought to have the following clause inserted in Section 6.1 *“At the end of each financial year, return to the Merredin Resource Centre Management Committee account, 80% of all income earned by the Merredin Community Resource Centre that is surplus to the agreed annual operating costs of the Resource Centre.”*

This clause has not been inserted.

The Community Resource Centre have considered the non-inclusion of the above clause as *“completely unacceptable and we believe unreasonable. It effectively snuffs out any incentive for the Resource Centre to do anything other than cover costs. It also precludes any capacity to further projects for the community that require any financial input from our organisation as we have no way of making any money. The Merredin Community Resource Centre is actively adding to the Community and Leisure section of the MRC&LC by providing classes, courses and activities not provided by any one else at that facility... there is the need to provide us with the ability to survive and grow by allowing the majority of the PROFIT over and above all agreed costs made by us to remain with us.*

The notion of the Shire of Merredin keeping 100% of all PROFIT over and above all agreed costs is totally unreasonable and unacceptable and in fact stifles community development in Merredin”.

Comment

The new MoU document contained in **Attachment 13.7B**, attempts to refine and clarify some of the management issues that have occurred at the MRC&LC and the Community Resource Centre.

In respect to the clause requested to be added by the Community Resource Centre regarding return of income surplus to agreed annual operating costs, the Chief Executive Officer made representations to Council in March 2009 indicating that one of the benefits of collocating the Merredin Community Resource Centre at the MRC&LC is that it is a revenue generating enterprise, not dissimilar to the Grandstand Bar which would help defray some of the costs associated with running the MRC&LC.

It is considered this request to be fundamentally opposed to those representations and consider income generation for the MRC&LC provides enormous benefits to the community.

Another option Council may wish to consider determining a sunset clause in the MoU. The MRC&LC is continuing to expand in terms of clubs and activities and utilising the Community Resource Centre area for the purpose for which it is designed may be appropriate to meet this demand.

If Council considers this appropriate then a profit sharing arrangement would provide income for organising another venue.

Council could also consider a loss clause. If losses are incurred then it is the responsibility of the Community Resource Centre to determine how Council will be compensated.

Officer's Recommendation

That Council endorse the new Memorandum of Understanding between the Shire of Merredin and the Merredin Community Resource Centre as contained in Attachment 13.7B.

Cr Morris indicated that recent announcements by the Minister may have an effect on this issue.

30205

Moved Cr Morris

Sec Cr Young

That this Agenda Item 13.7 lay on the table for a period of 2 months to allow for further investigations.

CARRIED 8/0

13.8 ANNUAL ELECTORS MEETING

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

Background

The 2008/2009 Annual Electors Meeting for the Shire of Merredin was held on 8 December 2009 and the minutes of the meeting are attached for Council information (**Attachment 13.8A**).

Statutory Implications

Under Section 5.33 of the Local Government Act 1995 all decisions made at an Electors Meeting are to be considered at the next Ordinary Meeting of Council.

Officer's Recommendation

That Council receive the minutes of the Annual Electors Meeting held on Tuesday 8 December 2009.

30206

Moved Cr Crook

Sec Cr Crees

That Council receive the minutes of the Annual Electors Meeting held on Tuesday 8 December 2009.

CARRIED 8/0

MINUTES

13.9 REGIONAL AND LOCAL COMMUNITY INFRASTRUCTURE PROGRAM – STRATEGIC PROJECTS ROUND TWO

Reporting Department:	Administration
Reporting Officer:	Frank Ludovico – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	GS/2/29

Background

The Federal Government has made an additional \$120 million available to boost the Regional and Local Community Infrastructure Program in a second round of funding. It will be made available to a limited number of large strategic projects seeking a minimum Commonwealth contribution of \$1 million.

Preference will be given to projects which can demonstrate community benefit. Partnership funding is required and preference may be given to projects with greater co-contributions.

Applications will have a greater chance of success if they can quantify or otherwise demonstrate what the project will achieve, what the ongoing community benefits will be and how the project will be sustainable. Councils are encouraged to identify projects that address the needs of local indigenous populations.

Staff have considered the project funding criteria and the projects identified in Council's Strategic Plan. As a guide, staff have also considered the successful grant applications determined by the Government in the first round of funding.

Staff have identified two projects; the upgrade of the Merredin Districts Olympic Swimming Pool and the continued development of the Merredin Recreation Ground/Centre. **Attachment 13.9A** details those projects along with comments and justification.

The closing date for applications is 15 January 2010.

Comment

In respect to the Swimming Pool, significant planning is still required in this area and limited funds are available as a co-contribution to the project (\$27,950.00 in Swimming Pool Reserve).

In respect to the Recreation Centre upgrade, this project can be dovetailed in with the Tennis/Hockey Synthetic Turf project and so Council's existing commitment as well as future Department of Sport and Recreation funding can be seen as a co-contribution. Significant planning has already been undertaken into this project.

Officer's Recommendation

That Council submit an application to the Regional and Local Community Infrastructure Program Strategic Projects Round Two for

30207

Moved Cr A Hooper Sec Cr Crook

That Council submit an application to the Regional and Local Community Infrastructure Program Strategic Projects Round Two for the Recreation Centre upgrade.

CARRIED 8/0

Cr Forbes left the meeting at 1.46pm and did not return.

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
Nil

17.0 MATTERS BEHIND CLOSED DOORS

17.1 Carrington Way – Reserve Prices

Refer to Page 13 for information on this Agenda Item.

18.0 CLOSURE

There being no further business the Shire President declared the meeting closed at 1.50pm.

The Shire President wished Mr Frank Ludovico all the best for the future and thanked him for all his efforts.