

# SHIRE OF MERREDIN



*“Heart of the Wheatbelt”*

**MINUTES OF COUNCIL MEETING**

**15 APRIL 2008**

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**Minutes for the Ordinary Meeting of the Merredin Shire Council held in the Council Chambers, Cnr King/Barrack Streets, Merredin on Tuesday 15 April 2008 at 1.00pm.**

**ATTENDANCE:** Cr KA Hooper – Shire President  
Cr RM Crees – Deputy Shire President  
Crs S Elliott; P Forbes; M Hayden (2.44pm); M Morris; J Simmonds; JP Townrow; M Young; W Wallace.

Messrs G Parslow, Acting Chief Executive Officer; D Morris, Manager of Community Services; J Mitchell, Manager of Development Services; J Garrett, Manager of Engineering Services; E Hooper, Manager of Finance and Administration and V Green, Executive Assistant.

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1.0 OFFICIAL OPENING

The Presiding Person declared the meeting open at 1.06pm. Debbie Morris, Manager of Community Services was in attendance.

2.0 PUBLIC QUESTION TIME

Nil

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr A Hooper, Mr Frank Ludovico

4.0 DISCLOSURE OF INTEREST

Cr Crees declared a Financial Interest in Agenda Item 11.8.

Cr Elliott declared an Impartiality Interest in Agenda Item 10.5.

Cr Young declared an Impartiality Interest in Agenda Items 9.2 and 9.3 and a Proximity Interest in Agenda Item 11.3.

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 18 March 2008.

- 29426** Moved Cr Townrow Sec Cr Young  
*That the minutes of the meeting of the Council meeting held on 18 March 2008 be confirmed as a true and correct record of proceedings*

**CARRIED 9/0**

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 Proposal for Merredin Medical Centre

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

- 9.1 Merredin Community Telecentre Management Committee Meeting held on 26 February 2008  
**Attachment 9.1A**
- 9.2 Central Wheatbelt Visitor Centre Think Tank Meeting held on 6 March 2008  
**Attachment 9.2A**
- 9.3 Central Wheatbelt Visitor Centre MoU Working Group Meeting held on 10 March 2008  
**Attachment 9.3A**
- 9.4 Merredin Heritage Management Committee Meeting held on 27 March 2008  
**Attachment 9.4A**
- 9.5 Engineering Services Committee Meeting held on 28 March 2008  
**Attachment 9.5A**
- 9.6 Merredin Regional Community and Leisure Centre Committee Meeting held on 31 March 2008  
**Attachment 9.6A**
- 9.7 Merredin Business and Community Development Committee Meeting held on 2 April 2008  
**Attachment 9.7A**
- 9.8 Audit Committee Meeting held on 7 April 2008  
**Attachment 9.8A**

**29427**

Moved Cr Townrow Sec Cr Morris

*That the Merredin Shire Council receive the minutes of the Merredin Community Telecentre Management Committee Meeting held on 26 February 2008, the Central Wheatbelt Visitor Centre Think Tank Meeting held on 6 March 2008, the Central Wheatbelt Visitor Centre MoU Working Group Meeting held on 10 March 2008, the Merredin Heritage Management Committee Meeting held on 27 March 2008, the Engineering Services Committee Meeting held on 28 March 2008, the Merredin Regional Community and Leisure Centre Committee Meeting held on 31 March 2008, the Merredin Business and Community Development Committee Meeting held on 2 April 2008 and the Audit Committee Meeting held on 7 April 2008.*

**CARRIED 9/0**

- 9.1 Merredin Community Telecentre Management Committee  
Nil Recommendations to Council

- 9.2 Central Wheatbelt Visitor Centre Think Tank

Cr Young declared an Impartiality Interest in Item 9.2.1.

- 9.2.1 Pioneer Wall

*To recommend to Council that Council bear the cost of relocating the Wall into Pioneer Park where it would be in a more fitting context with the Pioneer Memorial nearby. The publicity that could accompany this event may encourage further contributions to the Memorial Wall.*

*Council were advised that the approximate cost of relocating the wall would be \$2,000.00 to \$3,000.00.*

**29428**

Moved Cr Townrow Sec Cr Forbes

*That Council bear the cost of relocating the Wall into Pioneer Park where it would be in a more fitting context with the Pioneer Memorial nearby. The publicity that could accompany this event may encourage further contributions to the Memorial Wall.*

**CARRIED 7/2**

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Cr Young declared an Impartiality Interest in Item 9.3.4.1.

9.3 Central Wheatbelt Visitor Centre MoU Working Group

4.1 Central Wheatbelt Visitor Centre Landscaping

Moved Jen Gmeiner                      Sec Kaye Crafter

*That the Shire of Merredin consider allocating some funding for landscaping work to take place in front of the Visitor Centre in 2008/09.*

CARRIED

**29429**

Moved Cr Townrow                      Sec Cr Morris

*That the Shire of Merredin consider allocating some funding for landscaping work to take place in front of the Visitor Centre in 2008/2009.*

**CARRIED 8/1**

4.2 Pioneers Wall

Moved Ray Watson                      Sec Kaye Crafter

*That the Shire of Merredin consider the relocation of the Pioneers Wall to a more appropriate area such as Pioneer Park.*

CARRIED

*Recommendation 9.3.4.2 Lapsed as the matter was considered at CMRef 29428.*

9.4 Merredin Heritage Management Committee

8.3 Proposed 2008/2009 Budget

Moved R Endersbee                      Sec J Rutherford

*That the Merredin Heritage Management Committee recommend to Council that Council consider allocating the amounts of \$8,000.00 not including maintenance items be allocated to the Railway Museum, \$8,000.00 not including maintenance items be allocated to the Merredin Military Museum and \$10,000.00 not including maintenance items for Committee discretion – Totalling \$26,000 in the 2008/2009 budget, to be administered through the Merredin Heritage Management Committee.*

CARRIED 3/0

- 29430** Moved Cr Morris Sec Cr Townrow  
*That Council consider allocating the amounts of \$8,000.00 not including maintenance items be allocated to the Railway Museum, \$8,000.00 not including maintenance items be allocated to the Merredin Military Museum and \$10,000.00 not including maintenance items for Committee discretion – Totalling \$26,000 in the 2008/2009 budget, to be administered through the Merredin Heritage Management Committee.*

**CARRIED 8/1**

9.5 Engineering Services Committee

7.2 Roads to Recovery Supplementary Funds Transfer

- Moved Cr Hooper Sec Cr Morris  
*That the \$58,000.00 allocated to Chedwiggin Way be transferred as additional funds to Carrington Way (\$43,000.00) and Farrar Parade (\$15,000.00).*

CARRIED 6/0

- 29431** Moved Cr Townrow Sec Cr Morris  
*That the \$58,000.00 allocated to Chedwiggin Way be transferred as additional funds to Carrington Way (\$43,000.00) and Farrar Parade (\$15,000.00) with the funding for Chedwiggin Way be considered in 2008/2009 Budget.*

**CARRIED 9/0**

**ABSOLUTE MAJORITY**

“Absolute Majority” inserted into above motion **CMRef 29473** 20 May 2008.

7.3 Five Year Road Program

- Moved Cr Hooper Sec Cr Simmonds  
*That the 2008/2009 Five Year Road Program as attached be adopted.*

CARRIED 6/0

- 29432** Moved Cr Simmonds Sec Cr Young  
*That the 2008/2009 Five Year Road Program as attached be adopted.*

**CARRIED 9/0**

7.4 Ten Year Plant Replacement Program

- Moved Cr Hooper Sec Cr Wallace  
*That the 2008/2009 Ten Year Plant Replacement Program as attached be adopted.*

CARRIED 6/0



- 29433** Moved Cr Townrow Sec Cr Elliott  
*That the 2008/2009 Ten Year Plant Replacement Program as attached be adopted.*

**CARRIED 9/0**

9.6 Merredin Regional Community and Leisure Centre Committee

8.0 Nukarni Football Club MoU

Moved Cr Wallace Sec J Jefferys  
*That the Merredin Regional Community and Leisure Centre Advisory Committee recommend to Council that Council endorse the amended Memorandum of Understanding between the Nukarni Football Club and the Merredin Shire as attached.*

CARRIED 6/0

- 29434** Moved Cr Wallace Sec Cr Elliott  
*That Council endorse the amended Memorandum of Understanding between the Nukarni Football Club and the Shire of Merredin.*

**CARRIED 7/2**

9.7 Merredin Business and Community Development Committee

7.3 2008/2009 Townscape Budget

Moved Cr Townrow Sec Cr Forbes  
*That the overall Concept Plan for the Central Business District and the relevant areas associated with that plan (outlined below) be a priority for the proposed 2008/09 Shire budget.*

1. *Library/Cultural Centre*
2. *Pedestrian Art Project*
3. *Banner Plan*
4. *Arrival point in Merredin*
5. *Traffic Flow*
6. *Visitor Centre enhancement*
7. *Pedestrian Spaces and Routes*

CARRIED 2/1

**29435**

Moved Cr Townrow Sec Cr Forbes

*That the overall Concept Plan for the Central Business District and the relevant areas associated with that plan (outlined below) be a priority for the proposed 2008/2009 Shire budget.*

- 1. Library/Cultural Centre*
- 2. Pedestrian Art Project*
- 3. Banner Plan*
- 4. Arrival point in Merredin*
- 5. Traffic Flow*
- 6. Visitor Centre enhancement*
- 7. Pedestrian Spaces and Routes*

**CARRIED 9/0**

9.8

Audit Committee

Nil Recommendations to Council

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**10.0 COMMUNITY SERVICES**

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**10.1 MANAGER OF COMMUNITY SERVICES – MONTHLY REPORT**

**Reporting Department:** Community Services  
**Reporting Officer:** Debbie Morris – Manager, Community Services  
**Legislation:** Local Government Act 1995

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**Background**

The following report is provided for Council's information.

Tourism Services

The position of Visitor Centre Officer was re-advertised with a closing date of 25 March 2008. Four applications were received, however for various reasons only one interview was conducted. Trudy Higgins was the successful applicant and she commenced on 1 April 2008.

Arrangements were finalised for Heritage Week 4 – 12 April 2008. The Shire hosted an afternoon tea on Friday 4 April 2008 to recognise those people who have been involved in preserving Merredin's heritage. Visitor Centre Manager Pam Masters was the MC for the event, which was well received by all who attended. A heritage tour of the town centre was conducted on 8 April 2008 by Visitor Centre Manager Pam Masters and Manager of Community Services.

Library Services

Discussions with State Library have taken place following an application for the position of Librarian. The applicant does not have the qualifications required by the State Library for the position, however has other tertiary qualifications and the applicant indicated that they are willing to undertake the necessary study to attain those necessary for a Librarian.

Sonya Smith has been registered to attend Country Library Officer Training in early May 2008.

Donna Crook has been employed on a casual basis in the Library from early March 2008.

Natural Resource Management

The Manager of Community Services liaises regularly with the Natural Resource Management Officer on all activities and projects.

Recreation Services

Merredin Recreation Centre Advisory Committee administrative duties along with relevant follow up of actions have been carried out by the Manager of Community Services in the absence of a Recreation Centre Manager.

Nicole Newton commences in the role of Recreation Centre Manager on 9 April 2008. An induction to the facility will be conducted along with a comprehensive hand over on the day.

An application for funding has been submitted to the Premier's Physical Activity Taskforce for funding for the Physical Activity Programs Coordinator position.

The Manager of Community Services has been working closely with all staff at the Recreation Centre over the past month whilst there has been no Manager at the Centre. Staff meetings, both as a group and individually have taken place with Manager of Community Services which has been very beneficial in addressing concerns and issues by both staff and clients. A number of processes have been improved and implemented and staff morale is positive.

All Recreation Centre staff have had input into the 2008/2009 budget process for their relevant areas and have managed the extra workload extremely well, ensuring the Centre is operating effectively and efficiently at all times.

Community and Economic Development

Merredin Heritage Management Committee, Business and Community Development Committee administrative duties (minutes, agendas, action sheets, correspondence) along with relevant follow up of actions is being carried out by the Manager of Community Services.

With Council's endorsement of the CEDPO position to Project Officer, the position was advertised with a closing date being 14 April 2008. Considerable interest has been shown in the position.

Casual Project Officer Rachael Gearing coordinated the Notre Dame medical students visit to Merredin on 17 – 20 March 2008. The visit was successful and a debrief was held on 2 April 2008 between Rachael Gearing, Cr Julie Townrow and Manager of Community Services. Rachael is currently in the process of coordinating the ANZAC services in consultation with the Manager of Cummins Theatre Jane Bandurski. Rachael is also coordinating the Banners in the Terrace project. North Merredin Primary School have agreed to undertake the design for this year's banner.

Cummins Theatre

Manager of Community Services met with Brendon Grylls, MLA on 17 March 2008 regarding proposed support for the improvements to the Cummins Theatre.

The Manager of Cummins Theatre and Manager of Community Services have met regularly to discuss budgets, funding applications, cultural planning and general theatre activities.

Manager Of Community ServicesStaff

The Community Services section will only have two vacant positions as from 9 April 2008. However over the past month there has still been considerable extra workload, not only for the Manager of Community Services, but the Officers in the locations where the positions are vacant. The employment of two casual project officers has alleviated some of the workload.

Employment contracts have been completed for Nicole Newton, Rachael Gearing (Casual Project Officer), Donna Crook (Casual Project Officer), Trudy Higgins (Visitor Centre Officer) and Priscilla Wise (Casual Recreation Officer) this month.

Grants

1. Thank a Volunteer Grant acquittal has been completed.
2. Office of Crime Prevention acquittal has been completed (\$5000.00 for Crime Prevention Plan)
3. Community Sporting and Recreation Facilities Fund (CSRFF) application successful - \$39,556.00 (installation of an automatic irrigation system on the Merredin Recreation Ground Oval)
4. WDC Visitor Centre Expansion grant is in the process of being acquitted.
5. Grants monitoring system is in progress.
6. Application submitted for Community Safety and Crime Prevention Incentive Grant - \$20,000.00.

Budget

2008/2009 budgets for all Community Services areas is currently being completed. (Recreation Centre, Visitor Centre, Library, Community/Economic Development, Cummins Theatre and Natural Resource Management)

Be Active Coordinator

The Be Active Coordinator has arranged a tour of the region for the regional staff of the Department of Sport and Recreation on 9 & 10 April 2008. The visit to Merredin will take place on Thursday 10 April 2008.

## Meetings/Seminars attended

- Council meeting held on 18 March 2008
- Radio West (MRC&LC advertising) meeting held on 26 March 2008
- Volunteering WA meeting held on 27 March 2008
- MRC&LC Staff meeting held on 27 March 2008
- Nukarni Football Club (MOU) meeting held on 27 March 2008
- Merredin Heritage Management Committee meeting held on 27 March 2008
- Interview (Visitor Centre position) held on 28 March 2008
- MRC&LC Advisory Committee meeting held on 31 March 2008
- Notre Dame Debrief held on 2 April 2008
- BCDC meeting held on 2 April 2008
- Merredin Repertory Club (MOU) meeting held on 7 April 2008
- Annual Electors meeting held on 7 April 2008
- CY O'Connor College of TAFE (Governing Board) Luncheon held on 8 April 2008
- Senior Staff meeting held on 8 April 2008

## Reports from individual Community Services areas:

Central Wheatbelt Visitor Centre  
Report is **Attachment 10.1A**

Natural Resource Management  
Report is **Attachment 10.1B**

Cummins Theatre  
Report is **Attachment 10.1C**

Merredin Regional Community & Leisure Centre  
Position Vacant

Library Services  
Position Vacant

Community Project Officer  
Position Vacant

**Statutory Implications**

Compliance with relevant Acts and Local Laws.

**Officer's Recommendation**

*That Council receive the Manager of Community Services report for April 2008.*

**29436**

Moved Cr Wallace

Sec Cr Elliott

*That Council receive the Manager of Community Services report for April 2008.*

**CARRIED 9/0**

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**10.2 MERREDIN REGIONAL COMMUNITY AND LEISURE CENTRE  
ADVISORY COMMITTEE**

<b>Reporting Department:</b>	Community Services
<b>Reporting Officer:</b>	Debbie Morris – Manager, Community Services
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	RCS/4/MSC

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**Background**

The Merredin Regional Community & Leisure Centre (MRC&LC) Advisory Committee was formally endorsed at the 23 October 2007 Special Council meeting. The membership structure of the Committee being – Shire President, 3 Councillors, 3 Community Members (elected by Merredin Sports Council), Chief Executive Officer and Recreation Centre Manager.

At the 19 February 2008 Council meeting, Council endorsed the adoption of the amended MRC&LC Management Plan with Cr Crees, Cr Morris and Cr Wallace appointed as Council delegates on the MRC&LC Advisory Committee with all other Councillors as deputies (**CMRef 29339**).

The Merredin Sports Council advised the Shire on 31 March 2008, that at their March meeting the Sports Council Committee endorsed the President, Vice President and Treasurer as proxies for the MRC&LC Advisory Committee. (**Attachment 10.2A**)

Current Sports Council representatives consist of Erica Carlson, Judy Jefferys and Daina Sutherland.

**Statutory Implications**

Local Government Act 1995 Section 5.10 – Absolute Majority required

**Comment**

The objectives of the MRC&LC Advisory Committee are:

1. To provide guidance of the playing of recognised sporting, recreational and community activities.
2. To provide guidance for the social interaction and good fellowship between members and other activity participants.
3. To provide guidance on the equity of access for all Members and users of the Centre.
4. To make recommendations to Council to apply the property and income of the Centre towards the promotion of the object of the Centre and no part of that property or income shall be paid or otherwise distributed, directly, or indirectly, to members, except in good faith in the promotion of these objects.



Input from the community, via the Sports Council representatives, is an integral part of the successful performance of the MRC&LC Advisory Committee. The endorsement of proxies would enable full representation at all meetings.

**Officer's Recommendation**

*That Council endorse the President, Vice President and Treasurer of the Merredin Sports Council as proxies for Erica Carlson, Judy Jefferys and Daina Sutherland on the Merredin Regional Community and Leisure Centre Advisory Committee.*

ABSOLUTE MAJORITY REQUIRED

**29437**

Moved Cr Morris

Sec Cr Crees

*That Council endorse the President, Vice President and Treasurer of the Merredin Sports Council as proxies for Erica Carlson, Judy Jefferys and Daina Sutherland on the Merredin Regional Community and Leisure Centre Advisory Committee.*

**CARRIED 9/0  
ABSOLUTE MAJORITY**

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**10.3 MERREDIN HERITAGE MANAGEMENT COMMITTEE**

<b>Reporting Department:</b>	Community Services
<b>Reporting Officer:</b>	Debbie Morris – Manager, Community Services
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	RCS/4/MMM

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**Background**

The Merredin Heritage Management Committee was formally endorsed at the 23 October 2007 Special Council meeting. The membership structure of the Committee being three Councillors, Representatives of the Merredin Railway Museum and Merredin Military Museum and the Manager of the Visitor Centre as a non voting member. At this time the Merredin Railway Museum representative was Mr John Rutherford and the Merredin Military Museum representative was Mr Rob Endersbee, with Ms Pam Masters and Mr Phil Hastings as their relevant proxies.

The Merredin Military Museum advised the Shire on 25 March 2008 that Mr Phil Hastings is no longer associated with the museum and therefore is to be removed as the proxy delegate for the Merredin Heritage Management Committee. (**Attachment 10.3A**) The Military Museum has nominated Mr Mike Ivey as the new proxy.

**Statutory Implications**

Local Government Act 1995 Section 5.10 – Absolute Majority required

**Comment**

The main objective of the Merredin Heritage Management Committee, which was endorsed at the 20 November 2007 Council Meeting (**CMRef 29199**), was to “Recognise and conserve Merredin’s history and heritage.”

Input from the community, via the Railway and Military Museums’ representatives, is an integral part of the successful performance of the Merredin Heritage Management Committee. The endorsement of an active museum member as proxy would enable full representation at all meetings.

**Officer’s Recommendation**

*That the Council endorse the nomination of Mr Mike Ivey as the new proxy for the Merredin Military Museum on the Merredin Heritage Management Committee.*

ABSOLUTE MAJORITY REQUIRED

**29438**

Moved Cr Morris

Sec Cr Elliott

*That the Council endorse the nomination of Mr Mike Ivey as the new proxy for the Merredin Military Museum on the Merredin Heritage Management Committee.*

CARRIED 9/0  
ABSOLUTE MAJORITY

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**10.4 2008/2009 BUDGET PRIORITY CONSIDERATIONS - BCDC**

**Reporting Department:** Community Services  
**Reporting Officer:** Debbie Morris – Manager, Community Services  
**Legislation:** Local Government Act 1995  
**File Reference:**

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**Background**

At the 2 April 2008 Business and Community Development Committee (BCDC) meeting an Agenda Item seeking direction from the Committee for 2008/2009 Budget considerations was scheduled. However the item was not discussed due to a lack of a quorum.

With the 2008/2009 Budget process currently underway, direction and guidance from Council is now sought on projects that have been previously identified at BCDC meetings. This will enable staff to progress and submit Budget allocations for Council's consideration.

**Projects included:**

1. Joint Venture Housing – Aged and Youth
2. Land development - Residential
3. Land available for tourism accommodation (Landbank)
4. Street lighting
5. Purchase of PTA land
6. Grain Industry sustainability survey
7. Skills Audit – Retention of skilled workers
8. Christmas Decorations/lights
9. History of Merredin
10. Motorbike location
11. PTA Reserve/Houses
12. Railway platform – south side of railway line

**Financial Implications**

Proposed 2008/2009 Shire of Merredin Budget allocations for Council consideration.

**Comment**

Not all projects require Budget allocations and can be undertaken by staff in their day to day duties. Those requiring Budget allocations are:

1. Joint Venture Housing – Aged and Youth
2. Land development - Residential
3. Land available for tourism accommodation (Landbank)
4. Purchase of PTA land
5. Skills Audit – Retention of skilled workers
6. Christmas Decorations/lights
7. History of Merredin
8. PTA Reserve/Houses

The majority of these projects have also been identified as Short Term Priorities in the Shire of Merredin's Strategic Plan 2007-2012.

Staff are seeking Council's guidance and direction in relation to the priority order of projects. This will enable Budget allocations to be included in the draft 2008/2009 Shire of Merredin Budget.

**Officer's Recommendation**

*That Council consider and prioritise the projects listed below in order of importance for Council:*

1. *Joint Venture Housing – Aged and Youth (2)*
2. *Land development – Residential (1)*
3. *Land available for tourism accommodation (Landbank) (5)*
4. *Purchase of PTA land (4)*
5. *Skills Audit – Retention of skilled workers (3)*
6. *Christmas Decorations/lights (7)*
7. *History of Merredin (6)*
8. *PTA Reserve/Houses (4)*

*Priority*

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_

**29439**

Moved Cr Townrow                      Sec Cr Elliott

*That Council consider the projects listed in priority order below for funding in the draft 2008/2009 Budget:*

*Priority*

1. *Land Development – Residential*
2. *Joint Venture Housing – Aged and Youth*
3. *Skills Audit – Retention of skilled workers*
4. *Purchase of PTA Land / PTA Reserve/Houses*
5. *Land available for tourism accommodation (Landbank)*
6. *History of Merredin*
7. *Christmas Decorations/lights*

**CARRIED 8/1**

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Cr Elliott declared an Impartiality Interest in this Item 10.5.

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10.5 **MERREDIN MUSIC CLUB MEMORANDUM OF UNDERSTANDING**

**Reporting Department:** Community Services  
**Reporting Officer:** Debbie Morris – Manager, Community Services  
**Legislation:** Local Government Act 1995  
**File Reference:**

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**Background**

In April 2007 a Memorandum of Understanding (MoU) between the Shire of Merredin and the Merredin Music Club was established. The MoU was designed to maximise the community's usage of Cummins Theatre, and outlined a unique agreement upon conditions of use of the Theatre by the Merredin Music Club.

On Wednesday 26 March 2008 the Manager of Community Services, the Manager of Cummins Theatre and the Merredin Music Club President Mark Pawlak met to review the MoU with the view of continuing the agreement for another six month term. Some additions have been included in the proposed MOU (**Attachment 10.5A**).

**Financial Implications**

The Shire of Merredin will receive 12.5% gross profit on door sales from all Merredin Music Club presented concerts and events staged at Cummins Theatre. An additional \$50.00 refundable booking security deposit will be applicable on all Merredin Music Club bookings of the Theatre, to be effective upon the adoption of this MoU and to be applied as described in the *Conditions of Hire and Booking Information for Cummins Theatre*.

**Comment**

The introduction of the Merredin Music Club MoU has been effective in achieving the objectives outlined within the document in its first six months of operation. It is anticipated that a further six month adoption of the MoU will be of benefit to all parties. If adopted at this Council meeting the MoU will be scheduled for a review in October 2008.

**Officer's Recommendation**

*That the Merredin Shire Council adopt the proposed Memorandum of Understanding between the Shire of Merredin and the Merredin Music Club for a period of six months, scheduling a review in October 2008.*

John Mitchell, Manager of Development Services & Emma Hooper, Manager of Finance and Administration entered the meeting at 1.55pm.

Emma Hooper, Manager of Finance and Administration left the meeting at 1.56pm.

**29440** Moved Cr Townrow Sec Cr Young  
*That the Merredin Shire Council adopt the proposed Memorandum of Understanding between the Shire of Merredin and the Merredin Music Club for a period of six months, scheduling a review in October 2008.*

**CARRIED 8/1**

Debbie Morris, Manager of Community Services left the meeting at 2.13pm.

11.0 DEVELOPMENT SERVICES11.1 **BUILDING STATISTICS REPORT – MARCH 2008**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell - Manager, Development Services  
**Legislation:** Building Regulations 1989, Building Code of Australia 2006

**Background**

To provide to Councillors of the Shire of Merredin details of the Building Licences issued by the Building Surveyor for the previous month.

**Statutory Implications**

Building fees are levied for Class 1 and Class 10 (residential) buildings at 0.3182% of the construction value of the work.

Building fees are levied for Class 2 – 9 (commercial) buildings at 0.2% of the construction value of the work. In all cases a minimum fee of \$40.00 is levied. In addition a levy is applied by the Builders Registration Board - \$37.00.

**Applications/Approvals**

<b>Building Licence No.</b>	<b>Licence issued to</b>	<b>Address of proposed building, Description of works</b>	<b>Owner of property</b>	<b>Class of Building</b>
<b>BA21/08</b>	*	Lot 549, HN 3 Hart Street, Merredin, dwelling extensions	AB Settineri	Class 1(a)
<b>BA22/08</b>	Merredin Outdoor Centre	Lot 200 HN 2 Fifth Avenue, Merredin, garage Steel framed	G & J Barton	Class 10(a)
<b>BA23/08</b>	CJ & RA Hunter, 2 Second Avenue, Merredin	Lot 39 HN 2 Second Avenue, Merredin WA 6415, conversion 10(a) to habitable	CJ & RA Hunter	Class 1(a)
<b>BA24/08</b>	Bulkwest Engineering, 30 Delhi St, West Perth WA 6005	Lot 23 Gamenya Avenue, Merredin WA 6415, new 160 tonne weighbridge	CBH 30 Delhi St, West Perth WA 6005	Class 10(a)
<b>BA25/08</b>	John Adams, 30 Gamenya Avenue, Merredin WA 6415	Lot 8, HN 30 Gamenya Ave, Merredin WA 6415, timber framed additions to dwelling	John Adams, 30 Gamenya Ave, Merredin WA 6415	Class 1(a)

\* - indicates licence not yet issued, hence no name included.

Valuation: \$ 337,428.00 – No value for 21/08 Fees: \$ 757.66  
 Progressive: **\$1,232,856.00** Progressive: **\$3,239.76**



**Comment**

The licence for BA21-08 has not been issued as the owners are still seeking a registered builder to quantify and cost the project.

BA24-08 is subject to the Chief Executive Officer signing the town planning application approval prior to issuing a licence.

As at 7 April 2008 a further \$539,625.00 (7 Applications) in building applications seeking approvals have been received.

**Officer's Recommendation**

*That Council receive the March 2008 statistics for building licences issued (BA21-08 to BA25-08) by the Building Surveyor.*

**29441**

Moved Cr Morris

Sec Cr Townrow

*That Council receive the March 2008 statistics for building licences issued (BA21-08 to BA25-08) by the Building Surveyor.*

**CARRIED 9/0**

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**11.2 TOWN PLANNING APPLICATION – CREATION OF HOMESTEAD LOCATION – AVON LOCATION 22379 & 15626 – BJ GILES**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	John Mitchell - Manager, Development Services
<b>Legislation:</b>	Planning and Development Act 2005, Shire of Merredin Homestead Policy 2007
<b>File Reference:</b>	A6008, WAPC ref 137267

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**Background**

An application to subdivide Avon Locations 22379 (64.75ha) and 15626 (294.64ha) into two lots comprising 322ha and 40ha has been received for comment from the Western Australian Planning Commission (WAPC). The application is contained in **Attachment 11.2A**.

Mr Brad Giles, the owner seeks to create a Homestead Lot outside the standard approval conditions of the Homestead Policy.

**Statutory Implications**

The approval of the Homestead Lot is subject to the Development Control Policy 3.4 of the WAPC and the Shire of Merredin Homestead Policy 2007 adopted 15 January 2008.

**Comment**

Mr Giles seeks to create a 40 hectare Homestead Lot. The Policy as adopted permits the subdivision of the land between 4 and 10 hectares. This application is for 40 hectares.

The Shire of Merredin supports Homestead subdivisions between 4 and 10 hectare but will consider other applications of varying sizes in special circumstances.

Mr Giles advises that the size has been determined by the location of the dwelling and ground conditions – the land surrounding the dwelling contains a creek that divides the land into four paddock components and the creek line leaves the area of land within one paddock.

The application has not addressed the disposal of household waste issues. A condition of approval is that an appropriate disposal system be approved by the Environmental Health Officer.

**Officer's Recommendation**

*That the Western Australian Planning Commission be advised that the Shire of Merredin supports the size Homestead Lot created and that the following advice should be provided to the applicant:*

- 1) The minimum setbacks for the dwelling from the Lot boundaries is 20m;*
- 2) That the owner of the land must provide a satisfactory suitable off site waste disposal method for domestic waste created at the dwelling. This can be achieved by a trailer with sides and covered and the placement of a 240l mobile refuse bin at the site which is transported to the Shire of Merredin landfill site regularly.*

**29442**

Moved Cr Morris

Sec Cr Elliott

*That the Western Australian Planning Commission be advised that the Shire of Merredin supports the size Homestead Lot created and that the following advice should be provided to the applicant:*

- 1. The minimum setbacks for the dwelling from the Lot boundaries is 20m;*
- 2. That the owner of the land must provide a satisfactory suitable off site waste disposal method for domestic waste created at the dwelling. This can be achieved by a trailer with sides and covered and the placement of a 240l mobile refuse bin at the site which is transported to the Shire of Merredin landfill site regularly.*

**CARRIED 9/0**

Cr Young declared a Proximity Interest in Agenda Item 11.3 and left the meeting at 2.30pm.

### 11.3 **TOWN PLANNING REPORT**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell - Manager, Development Services  
**Legislation:** Planning and Development Act 2005, Shire of Merredin Town Planning Scheme No.1 (the Scheme)

#### **Background**

To outline the statutory planning activities of the Development Services section to Councillors of the Shire of Merredin for the previous month.

#### **Statutory Implications**

It is an offence under the Town Planning and Development Act 1928 (as amended) for any person to use any land or any building or structure thereon contrary to or otherwise than in accordance with the provisions of the Scheme.

#### **Financial Implications**

Town Planning fees are levied on applications as per Councils Schedule of Fees and Charges and under the provisions of the Town Planning (Local Government Planning Fees) Regulations 2000.

<b>DETERMINATION OF DEVELOPMENT APPLICATION WHERE THE ESTIMATED COST OF THE DEVELOPMENT (other than for an extractive industry)</b>	<b>FEE (\$)</b>
Not more than \$50 000	<b>\$100</b>
More than \$50 000 but not more than \$500 000	<b>0.23% of the estimated cost of development</b>
More than \$500 000 but not more than \$2.5 million	<b>\$1150 + 0.18% for every \$1 in excess of \$500,000</b>
Extractive Industry	<b>\$500</b>

#### **Comment**

The following applications were recently granted Town Planning consent –

1. PA4-08, Suncage Superannuation Fund, PO Box 262 Merredin WA 6415, proposed liquor store, Lot 3, 90 Barrack Street, Merredin WA 6415, Shop – Liquor Store is a “P” use. Value \$350,000.00

2. PA5-08, Rainday Pty Ltd, PO Box 380 Merredin WA 6415, temporary office accommodation – 7 April 2009 expiry, IP Use – however has already been approved with Offices previously, whilst office renovations are carried out, Lot 1497 Doyle Street, Merredin (AIM). Value \$15,000.00. Note that a special licence has been issued requiring that the approval be reviewed by 7 April 2009 or the office accommodation removed.

The Chief Executive Officer, acting under delegated authority of Council Policy 6.2, granted planning consent to the above mentioned applications.

The Chief Executive Officer has declined to process the following application pending a meeting with Cooperative Bulk Handling and Main Roads WA -

3. PA3-08, BulkWest Engineering 30 Delhi Street, West Perth WA 6005 – placement of a 160 tonne weighbridge at Lot 23 Gamenya Avenue, Merredin. The use of the weighbridge is a required component of the operation of the grain receival depot and is a “P” use as a bulk grain handling facility. Value – \$318,928.00

Accordingly, the application remains with the Building Surveyor pending a resolution. The Manager of Development Services is receiving complaints from Bulkwest Engineering in relation to this situation. Council direction is sought. The Item was the subject of a report to Council at its March 2008 meeting (**CMRef 29400** and **CMRef 29401**).

**Officer’s Recommendation**

*That the Merredin Shire Council receive the Town Planning report for April 2008.*

Jim Garrett, Manager of Engineering Services entered the meeting at 2.31pm.

**29443**

Moved Cr Townrow

Sec Cr Elliott

*That the Merredin Shire Council receive the Town Planning report for April 2008.*

**CARRIED 8/0**

Jim Garrett, Manager of Engineering Services left the meeting at 2.42pm

Cr Young entered the meeting at 2.43pm.

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11.4 **ROAD NAMING – GEOGRAPHIC NAMES SECTION – FLOCKART PLACE AND KOWIDGH WAY MERREDIN – REQUEST TO RENAME**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	John Mitchell - Manager, Development Services
<b>Legislation:</b>	Planning and Development Act 2005
<b>File Reference:</b>	G Little Subdivision; Street Naming

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### **Background**

In January 2007 the Shire of Merredin received advice that the survey plan for the Gary Little development on Haines Street had been lodged with Landgate and the Western Australian Planning Commission and that the Commission had refused to process the application until all authorities had advised that the conditions of subdivision had been met. The street created was called Kowidgh Way. The road is actually a cul-de-sac.

In 1974 the name Flockart Place was gazetted for the new street to be created on the south side of town. The road has never been formed or the area developed.

During March 2008 the Geographic Names Section corresponded (**Attachment 11.4A**) with the Manager of Development Services to seek that the Council change the road designation for Kowidgh Way and consider un-naming the road – Flockart Place.

### **Statutory Implications**

The Geographic Names Section is responsible for approval of the names of roads selected.

### **Comment**

Kowidgh Place – As the street is a cul-de-sac, the Geographic Names Section believes it relevant to change the road designation to Place as the use of the word Way is misleading and implies a through road. The matter has not been discussed with the Subdivision Developer – Gary Little.

It appears that the survey has again been lodged without ensuring that the conditions of subdivision have been met. This information regarding the conditions has been conveyed to Landgate by email. It is appropriate to advise Landgate that the subdivision should be referred back to the Western Australian Planning Commission to ensure that the conditions of subdivision have been met.

Council input to rename the road is sought. Naming rights are the obligation/right of the Local Government. It is suggested the name be changed to Kowidgh Way.

In addition Council has not received advise from the Western Australian Planning Commission (WAPC) seeking confirmation that all conditions relevant to the subdivision have been complied with.

Those conditions are contained in **Attachment 11.4B**. On 16 March 2007 the WAPC corresponded (**Attachment 11.4C**) to Mr Little advising that no evidence that conditions 1-13 of the approval have been met.

Flockart Place – The Geographic Names Section believes that until the road is formed the road should be “un-named” to avoid confusion with the rural area road named Flockart Road.

The issue was raised by Australia Post as both Flockart Roads are on the mailing list.

A map of the area is contained in **Attachment 11.4D**.

#### **Officer’s Recommendation**

1. *That the Geographic Names Section of Landgate be advised that the correct spelling of the road within Deposited Survey Plan 54776 should be Kowidgh Place.*

*AND*

2. *That the Administration advise the Western Australian Planning Commission that the deposited plan had been referred to the Shire of Merredin for road naming comment, however, that no record of compliance with the 13 conditions of subdivisional approval had been received by the Shire of Merredin.*
3. *That the Geographic Names Section of Landgate be advised that the proposed road Flockart Place can remain un-named pending a formal application for subdivision of the land in question.*

**29444**

Moved Cr Townrow                      Sec Cr Elliott

*That the Geographic Names Section of Landgate be advised that the correct spelling of the road within Deposited Survey Plan 54776 should be Kowidgh Place;*

**CARRIED 9/0****29445**

Moved Cr Townrow                      Sec Cr Forbes

1. *That the Administration advise the Western Australian Planning Commission that the deposited plan had been referred to the Shire of Merredin for road naming comment, however, that no record of compliance with the 13 conditions of subdivisional approval had been received by the Shire of Merredin.*
  
2. *That the Geographic Names Section of Landgate be advised that the proposed road Flockart Place can remain un-named pending a formal application for subdivision of the land in question.*

**CARRIED 9/0**



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Cr Hayden entered the meeting at 2.44pm.

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11.5 **LEASE OF RAILWAY YARD BUILDINGS – LOT 1504 BARRACK STREET, MERREDIN – MICHELLE AND DAVID MURFIT**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell - Manager, Development Services  
**Legislation:** Local Government Act 1995 – Section 3.58,  
Lease L5317-2 Public Transport Authority  
**File Reference:** Lease 5317-2

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**Background**

The buildings in question are the eastern buildings utilised by the Lions Club of Merredin for the storage of cardboard and newspaper waste collected from the town of Merredin. A map of the location is contained in **Attachment 11.5A**.

Verbal advice has been received from the Lions Club that the use of the buildings will lapse as the Club has resolved to discontinue the service provided.

The buildings currently contain approximately 60 tonnes of loose and bundled cardboard.

Correspondence has been sent to the Lions Club (**Attachment 11.5B**) seeking written confirmation of the actions advised.

Michelle and David Murfit seek to lease the buildings to store equipment and machinery. Their correspondence is contained in **Attachment 11.5C**. A photograph of the site is contained in **Attachment 11.5D**.

**Statutory Implications**

Section 3.58 of the Local Government Act 1995 requires that Council provide statewide public notice.

The approval of the Public Transport Authority is also required as the Shire of Merredin leases the land from that Authority.

The land is zoned light industrial and the use as a storage of plant, equipment and materials is a “P” use.

The approval for the Chief Executive Officer to enter a lease requires an absolute majority of Council.

**Financial Implications**

Council's policy (Policy 6.4) on leasing of buildings indicates that a fee of \$50/m<sup>2</sup> is applied to leases for non residential property. This would amount to \$500.00 - \$750.00 per week or \$26,000.00 per annum.

Council can also apply a levy of \$100.00 per week as a minimum for this site.

**Comment**

The land in question is the subject of a lease to the Shire of Merredin. Current outgoings include insurance of the site, and annual residual circuit device inspection by an electrician. These costs are estimated at \$1,000 per annum.

Council officers have been resolving the practice of parking equipment, pools and sand supplies on Council land in Chedwiggen Avenue which the applicant is using without approval.

If Lions no longer require the buildings the application makes good use of existing infrastructure and resolves another minor issue.

Council can advertise the availability of the lease prior to determining this application, through expressions of interest or a tender system.

The approval of the Public Transport Authority to enter the sub-lease is also required.

**Officer's Recommendation**

- 1. That Council, subject to the approval of the Lions Club of Merredin and the Public Transport Authority, advertise the proposed sub-lease to Michelle and David Murfit for the purposes of storage of plant and equipment in the eastern buildings comprising Lease 5317-2 of the Public Transport Authority for an annual charge of \$5,200.00.*
- 2. That the Chief Executive Officer be authorised to enter into a sub-lease with Michelle and David Murfit for the use of the old Westrail depot buildings (L5317-2) subject to receiving the approval of the Lions Club, Public Transport Authority and no adverse comments being received from the public advice process.*
- 3. That Michelle and David Murfit be advised that the expenses to advertise the sub-lease application within a statewide newspaper are to agreed by them and be borne by the applicant.*

ABSOLUTE MAJORITY REQUIRED – ITEM 2

*Council was advised that this Agenda Item 11.5 was to be considered as information only as the issue of a private lease over the land rests with the Public Transport Authority.*

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**11.6 DEMOLITION LICENCE DA2-07, LOT 63 CROSSLAND STREET MUNTADGIN, PROSECUTION WITHDRAWAL**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell - Manager, Development Services  
**Legislation:** Building Regulations 1989  
**File Reference:** R31681

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**Background**

At the November 2007 meeting Council resolved (**CMRef 29225**) that legal action be commenced against the demolition contractor – Ideal Transport Homes, for the failure to cleanup the site after removal of the school dwelling located on Lot 63, Reserve 31681 Crossland Street, Muntadgin.

**Statutory Implications**

A prosecution was commenced pursuant to Regulation 31 of the Building Regulations 1989.

**Financial Implications**

Whilst no account has yet been received it is anticipated that the costs to date are in the vicinity of \$2,000.00.

A summons has been issued and after lengthy delays caused by the inability to locate the business, Ideal Transport Homes, the summons was served during March 2008.

**Comment**

On Thursday evening, 20 March 2008, the Manager of Development Services received advice from Mr Ken Stirrat of Muntadgin that the works to clean up the site were being completed that day.

An inspection on Friday 21 March 2008 determined that the site had been cleaned up as required by the Building Regulations 1989 and the licence issued. The photographs below show the state of the site.



The materials were disposed of at a gravel pit site that already contains concrete waste. The Reserve has been left in a tidy condition.

During the week commencing 24 March 2008 the Manager of Development Services contacted the Lawyers (Mr David Nadebaum) and advised of the cleanup. Those discussions concluded with the advice that the matter of prosecution should be withdrawn as the reason for prosecution had been complied with and any further actions would not result in a greater penalty or additional costs retrieval.

The Manager of Development Services instructed the Lawyers to cease pursuing the matter and to withdraw the prosecution as the matter had been complied with.

Council endorsement of these actions is sought.

**Officer's Recommendation**

*That Council endorse the actions of the Manager of Development Services in withdrawing the prosecution against Ideal Transport Homes for failure to comply with Regulation 31 of the Building Regulations 1989, as the issues had been complied with.*

**29446**

Moved Cr Crees

Sec Cr Elliott

*That Council endorse the actions of the Manager of Development Services in withdrawing the prosecution against Ideal Transport Homes for failure to comply with Regulation 31 of the Building Regulations 1989, as the issues had been complied with.*

**CARRIED 10/0**

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11.7 **TOWN PLANNING – SUBDIVISION EXTENSION OF PREVIOUS APPROVAL – RESERVE 13267, LOT 1420 TODD STREET, MERREDIN**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell - Manager, Development Services  
**Legislation:** Planning & Development Act 2005  
**File Reference:** R13267

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**Background**

At the March 2008 meeting (**CMRef 29389**) Council was advised that the proposed subdivision was to be extended to create 6 lots facing Allbeury Street, Merredin.

The formal advice has now been received and is contained within **Attachment 11.7A**.

**Statutory Implications**

The provisions of the Shire of Merredin Town Planning Scheme No.1 are applicable. The density coding for the area is R12.5 un-sewered and R20 sewered. Sewer is available to the development. Therefore the R20 density code is applied.

Legally the application is in keeping with the Shire of Merredin Town Planning Scheme No.1. To reject the application will cause an appeal to the State Administrative Tribunal which Council will lose.

Whilst the Officer is cognisant of the wishes of Council to demolish the dwellings on Todd Street, the matter must be considered on town planning grounds.

**Comment**

The application is in keeping with the provisions of the Town Planning Scheme No.1.

Comments regarding the Allbeury Road – six lot subdivision are:-

1. That the Developer should provide the crossovers to the newly created lots including reinstatement of kerb lines;
2. Ensure the lots are suitable for development i.e. soil analysis of the site for footings preparation.
3. That the Developer provides pathways within the road reserve area for pedestrian access.
4. The Developer formalising the road – Kitchener Road as a road reserve (between Allbeury and Pereira Rd) vested in the Shire of Merredin.

Council has previously written to the Minister for Planning and Infrastructure – December 2007 and February 2008 – **Attachment 11.7B**, advising that the Shire of Merredin sought the Minister to demolish those dwellings on Todd Street and maintain the area as public open space. The Minister advised verbally that the dwellings would not be demolished.

There is the public perception that the left hand of Council (Manager of Development Services) does not know what the right hand of Council (Chief Executive Officer) is doing, because Council seeks for the dwellings on Todd Street to be demolished and yet is approving the subdivision permitting the subdivision to continue.

As Council formed the opinion that the Minister should be written to and advised of Council's wishes, and is now approving the subdivision, the letters of December and February are irrelevant. These actions need to be sorted and the public advised of the reasons why the subdivision has been approved.

The implications as the situation now stands are:

1. Council's letter is totally different to the actions being taken;
2. The Minister's wishes will overrule Council as the scheme does not bind the crown, the application is in keeping with the Scheme text, and an appeal will result (in the opinion of the Manager of Development Services) in an overturn of Council's refusal to grant approval;
3. If the application proceeds the Manager of Development Services will inspect the dwellings (after sale to the public) pursuant to Section 135 and 139 of the Health Act 1911 for compliance with Council's Health Local Laws 1999.

Whilst the Chief Executive Officer and Council are motivated to address the community's concerns with the situation, the Manager of Development Services, a statutory officer, is bound to consider the application in terms of planning.

The Manager of Development Services is awaiting a call from Mr Brendon Grylls, MLA regarding his conversations with the Minister for Planning and Infrastructure. Advice of that information will hopefully be presented to Council at the meeting.

Council direction is sought on how to proceed.

**Officer's Recommendation**

1. *That the Developer – Public Transport Authority - be advised that the additional proposed lots to the subdivision comprising Lots 200 - 205 are acceptable to the existing development and that the Developer be advised that approval of the extended subdivision is approved subject to the following conditions:*
  - a) *That the Developer provide soil analysis of the site for classification purposes pursuant to AS2870 for soil classification;*
  - b) *That the Developer provide pedestrian access properly formed to Allbeury Street, Merredin;*
  - c) *That the Developer formalise the unzoned land comprising Kitchener Road, between Allbeury Street and Pereira Road, Merredin by dedicating it as road reserve vested in the Shire of Merredin.*
2. *That Council advise the local newspaper of the actions taken to achieve a positive outcome, however that the Minister has not taken Council's advice on board to resolve the issues and that the Shire of Merredin is bound by law to approve the subdivision application as it is compliant with the Town Planning Scheme.*

**29447**

Moved Cr Young

Sec Cr Townrow

1. *That the Developer – Public Transport Authority - be advised that the additional proposed lots to the subdivision comprising Lots 200 - 205 are acceptable to the existing development and that the Developer be advised that approval of the extended subdivision is approved subject to the following conditions:*
  - a) *That the Developer provide soil analysis of the site for classification purposes pursuant to AS2870 for soil classification;*
  - b) *That the Developer provide pedestrian access properly formed to Allbeury Street, Merredin;*
  - c) *That the Developer formalise the unzoned land comprising Kitchener Road, between Allbeury Street and Pereira Road, Merredin by dedicating it as road reserve vested in the Shire of Merredin.*
2. *That Council advise the local newspaper of the actions taken to achieve a positive outcome, however that the Minister has not taken Council's advice on board to resolve the issues and that the Shire of Merredin is bound by law to approve the subdivision application as it is compliant with the Town Planning Scheme.*

**CARRIED 10/0**

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Cr Crees declared a Financial Interest in this Item 11.8 and left the meeting at 3.10pm.

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11.8 **PLANNING APPLICATION P11/03, GOLDHOUR PTY LTD, LOT 15  
AVON LOCATION 24776, BOORAN SOUTH RAOD, MERREDIN WA  
6415**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell - Manager, Development Services  
**Legislation:** Planning & Development Act 2005  
**File Reference:** A7032

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**Background**

At the August 2007 meeting Council resolved (**CMRef 29082**) *That Planning Application PA11/03, PA02/05 and the relevant files be delivered to Council's Solicitors to determine whether legal action can be taken against the owner of Lot 15 Booran South Road, Merredin and the applicant of PA11/03 and PA02/05 for the failure to comply with the planning conditions issued relating to rehabilitation of the location.*

At the December 2008 meeting Mr Gavin Townsend, a potential purchaser of the land addressed Council during Public Question time and sought for Council to consider the prosecution and a proposal he would bring to Council to rehabilitate the land.

The Manager of Development Services received the proposal contained in **Attachment 11.8A** on 17 March 2008.

On 8 April 2008 a message was received advising that the owner and purchaser were still in dispute and that the rehabilitation works would not be occurring at this time.

**Statutory Implications**

The provisions of the Planning and Development Act 2005, sections 214 and 215 are applicable and create an offence and a right of the Local Government to move in and perform the works once the non-compliance has been proven.

**Financial Implications**

The matter is a convoluted argument which the lawyers are currently considering. It is likely that the costs to prosecute will exceed \$8,000.00. In addition, experience has shown that it is believed the matter will be strongly defended and costs may escalate to enforce the planning condition. The last matter of this nature that the Officer undertook cost the Local Government \$25,000.00 with \$7,000.00 recouped after the case was successfully prosecuted.

The issue of the bank guaranteed bond of \$10,000.00 is in doubt as the bank has advised that it will not pay. This will need to be followed through if the matter is to continue.



**Comment**

Inspections of the site have been undertaken by the Manager of Development Services and the following photographs show the condition of the site as at 8 April 2008.



Front gate looking South



Gravel pit area – Southwest



General view south



Old machinery dump – materials given to Fire and Rescue Merredin



Edge gravel Pit looking north



Gravel pit looking west

The main issue now is the completion of the rehabilitation of the gravel site. Council input is sought to limit the prosecution to the rehabilitation of the gravel extraction site.

Mr Gavin Townsend has arranged the following:

1. Paddock cleanup and removal of all extraneous waste on site comprising mining sampling bags, holes created within the paddock, old stubble; and made the land suitable for arable farming;
2. Planted rows of trees along the northern and western boundaries with a reticulated water supply;
3. Arranged for the local fire brigade to enter the site and remove the steel waste comprising old car bodies, farm machinery and general steel components;
4. Commenced the dwelling development.

Other issues not currently addressed are:

1. Rehabilitation of the gravel pit at the rear of the property. Neighbours are advising that the recent heavy winds created a dust cloud as a result of the denuded land;
2. Removal of the bitumen waste placed on site during the highway upgrade.

The neighbours are advising of the concerns regarding wind blown debris and dust from the old gravel pit area.

Council support to continue the prosecution is sought as the lawyers have advised the case will be difficult to prove and is convoluted.

#### **Officer's Recommendation**

*That the prosecution of Mr Wallace for failure to comply with a planning condition to rehabilitate the gravel extraction site on Lot 15 Booran South Road in accordance with rehabilitation plans be proceeded with.*

**29448** Moved Cr Townrow Sec Cr Forbes  
*That the prosecution of Mr Ian Wallace for failure to comply with a planning condition to rehabilitate the gravel extraction site on Lot 15 Booran South Road in accordance with rehabilitation plans be proceeded with.*  
**CARRIED 7/2**

**29449** Moved Cr Simmonds Sec Cr Elliott  
*That Council adjourn the meeting for afternoon tea at 3.28pm.*  
**CARRIED 9/0**

**29450** Moved Cr Morris Sec Cr Young  
*That Council reconvene the meeting at 3.56pm. Cr Crees was in attendance, Cr Forbes was not in attendance.*  
**CARRIED 9/0**

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

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16.1 **NAMARKKON PTY LTD AND MARK DAVID SMITH AND ROSS  
ANTHONY SMITH – RESTRICTIVE COVENANT – POWER  
GENERATION PLANT, LOT 191 ROBERTSON ROAD, MERREDIN**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell – Manager, Development Services  
**Legislation:** Planning & Development Act 2005  
**File Reference:** A7141

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**Background**

At the June 2007 meeting (CMRef 18986) Council resolved to support the subdivision of Lot 191 from Location 19449 for the purposes of electricity generation.

The subdivisional approval issued by the Western Australian Planning Commission required that a restrictive covenant be placed on the property restricting the use to “electricity generation”.

The Restrictive Covenant was received at the Administration on Thursday 10 April 2008.

**Statutory Implications**

The provisions of the Planning and Development Act 2005 are applicable and permit the Commission to place conditions of any subdivisional approval.

**Comment**

The restrictive covenant has been received at the Administration Office and is contained in **Attachment 16.1A**. The document attached is the draft and has been returned for completion of the President’s name and the Acting Chief Executive Officer’s name.

Council approval for the President and Acting Chief Executive Officer to sign the restrictive covenant and place the common seal on the document is sought.

**Officer's Recommendation**

*That the President and Acting Chief Executive Officer are authorised to sign the restrictive covenant limiting the use of Lot 191 Robartson Road, Merredin to electricity generation and to place the common seal on the Restrictive Covenant.*

**29451**

Moved Cr Morris

Sec Cr Townrow

*That the President and Acting Chief Executive Officer are authorised to sign the restrictive covenant limiting the use of Lot 191 Robartson Road, Merredin to electricity generation and to place the common seal on the Restrictive Covenant.*

**CARRIED 9/0**

Cr Forbes entered the meeting at 4.58pm

This Item 16.2 was brought forward due to the attendance of Mr John Mitchell, Manager of Development Services.

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16.2 **TOWN PLANNING – OVERSIZE GARAGE – LOT 1350 WHITFIELD WAY, MERREDIN – POLICY 9.8 – OUTBUILDINGS IN RESIDENTIAL AREAS**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell  
**Legislation:** Town Planning Scheme No.1, Policy 9.8  
Outbuildings in Residential Areas  
**File Reference:** A1555

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**Background**

An application (**Attachment 16.2A**) to construct an oversized outbuilding on Lot 1350 Whitfield Way has been received at the Administration on Friday 11 April 2008. In order to permit the construction to proceed the matter is put before Council as a late item.

**Statutory Implications**

The provisions of Policy 9.8 are applicable and permit a maximum single outbuilding are of 143m<sup>2</sup> for a block size of 2050-2999m<sup>2</sup>. The size of the outbuilding is 162m<sup>2</sup> (16m<sup>2</sup> above policy for single outbuilding). The maximum allowable for all outbuildings is 262m<sup>2</sup> of outbuildings.

**Financial Implications**

Planning application fees of \$123.00 have not been paid.

**Comment**

The lot size is 10,000m<sup>2</sup>. The land is zoned “stable zone” pursuant to the Shire of Merredin Town Planning Scheme No.1.

The proposed zoning pursuant to the Local Planning Strategy 2007 is “Special Residential Area”.

The wall height of the outbuilding is 3.2m with an apex of 4.16m. The maximum overall height is permitted to be 4.2m. The outbuilding is colorbond clad.

**Officer's Recommendation**

*That the application from Mr B Potter to construct a 162m<sup>2</sup> outbuilding on Lot 1350 Whitfield Way, Merredin be approved.*

**29452**

Moved Cr Wallace

Sec Cr Townrow

*That the application from Mr B Potter to construct a 162m<sup>2</sup> outbuilding on Lot 1350 Whitfield Way, Merredin be approved.*

**CARRIED 10/0**

John Mitchell, Manager of Development Services left the meeting at 3.59pm.

Jim Garrett, Manager of Engineering Services entered the meeting at 3.59pm

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**12.0 ENGINEERING SERVICES**

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**12.1 MANAGER OF ENGINEERING SERVICES – MONTHLY REPORT**

**Reporting Department:** Engineering  
**Reporting Officer:** Jim Garrett – Manager, Engineering Services  
**Legislation:** Local Government Act 1995

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**Background**

The monthly report on operations is detailed below for Council information.

**Comment****Road Construction**

Endersbee Street reconstruction is progressing with bitumen and asphalt having been laid. Bitumen and asphalt driveways are being repaired and then the backfilling of the kerb will take place.

Totadgin Hall Road reconstruction is taking place and the bitumen has been ordered for 30 April 2008.

**Road Maintenance**

Maintenance graders are working in the Muntadgin area repairing storm damaged roads. Operators have commented that roads are dry and hard considering the amount of rain that had fallen in the area. This will require the roads to be graded again during our winter grading program.

**Parks And Gardens**

Some new lawn has been laid at Memorial Park to repair bare patches. Road verge and tree pruning is in progress

**Recreation Ground.**

The repair of the northern cricket wicket has been completed. Graham Motzel has been digging out the old turf and replacing this with new turf for the Cricket Association on weekends in his own time as whilst a Busy Bee had been arranged by the Cricket Association, no Association members were present to assist.

**Community**

There has been one load of glass taken to Perth for the Lions Club for recycling.

Employees

Outside staff attended a workshop for bullying and harassment in the work place on Tuesday 2 April 2008.

Current dam water volume

Dam #1	50% Full	Capacity	74,455 kilolitres
Dam #2	30% Full	Capacity	71,675 kilolitres
Dam #3	95% Full	Capacity	46,000 kilolitres
Railway Dam	45% Full	Capacity	23,000 kilolitres

**Officer's Recommendation**

*That Council receive the Manager of Engineering Services report for April 2008.*

**29453**

Moved Cr Morris

Sec Cr Townrow

*That Council receive the Manager of Engineering Services report for April 2008.*

**CARRIED 10/0**



**12.2 MAIN ROADS WA PROPOSED ROAD HANDOVER**

<b>Reporting Department:</b>	Engineering
<b>Reporting Officer:</b>	Jim Garrett – Manager, Engineering Services
<b>Legislation:</b>	Local Government Act 1995

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**Background**

During recent reconstruction works on the Hines Hill to Walgoolan section of the Great Eastern Highway, sections of the highway were realigned through both the Nangeenan and Burracoppin town sites. Because of the realignments, two short sections of the previous highway now provide access to local properties only, as can be seen on **Attachment 12.2A**.

The Nangeenan section is 220m in length starting from Rutter Road heading west and 230m in length heading east from Rutter Road, both sections terminate at a cul-de-sac.

The Burracoppin Road commences from Burracoppin–Campion Road and proceeds east for 330m and terminates at a cul-de-sac.

Main Roads WA has requested that the Merredin Shire Council accept responsibility for these roads in order that they become local roads and to formalise a handover to the Merredin Shire Council.

An inspection of these roads was carried out by Jim Garrett, Manager of Engineering Services and Sadequr Rahman, Project Manager for Main Roads WA. The roads were shown to be in good condition and no rectification works, other than a reseal at Nangeenan, are required if the handover was to take place. A reseal will be applied to this road when final sealing on the project is undertaken during January 2009.

If Council were to accept responsibility for these roads they will need to be formally named. Under the Land Administration Act 1997 Council is required to approve a name for the road and submit the name to the Minister of Land Information for approval.

**Statutory Implications**

Once Merredin Shire Council accepts responsibility for these roads they become local roads and all maintenance becomes the responsibility of the Shire of Merredin.

A person cannot assign a name to a road unless the name is first approved by Council and then by the Minister for Land Information. (penalty \$1,000.00 and a daily penalty of \$100.00)

**Comments**

Both roads have a 7.5 metre wide seal with the bitumen edges recently being graded. On inspection of the road surface there was no cracking or pot holes.

If a road is to be named after a person, they are to be deceased.

**Officer's Recommendation**

1. *That the Merredin Shire Council writes to Main Roads WA accepting responsibility for the sections of road in Nangeenan and Burracoppin as shown in Attachment 12.2A.*
2. *That the road shown in Nangeenan on Attachment 12.2A be named \_\_\_\_\_ by the Merredin Shire Council and be submitted to the Minister for Land Information for approval.*
3. *That the road shown in Burracoppin on Attachment 12.2A be named \_\_\_\_\_ by the Merredin Shire Council and be submitted to the Minister for Land Information for approval.*

Cr Young left the meeting at 4.04pm.

**29454**

Moved Cr Townrow

Sec Cr Forbes

*That the Shire of Merredin writes to Main Roads WA accepting responsibility for the sections of road in Nangeenan and Burracoppin as shown in Attachment 12.2A.*

**CARRIED 9/0**

Cr Young entered the meeting at 4.06pm

**29455**

Moved Cr Townrow

Sec Cr Young

*That the road shown in Nangeenan on Attachment 12.2A be named Marley Close by the Shire of Merredin and be submitted to the Minister for Land Information for approval.*

Jim Garrett, Manager of Engineering Services left the meeting at 4.07pm.

Jim Garrett, Manager of Engineering Services entered the meeting at 4.08pm

**CARRIED 8/2****29456**

Moved Cr Morris

Sec Cr Crees

*That Council advertise the proposed naming of the road shown in Burracoppin on Attachment 12.2A calling for public submissions for the name of the road. At the close of the submission period the matter is to be brought back to Council for consideration.*

**CARRIED 8/2**

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**12.3 LAND ACQUISITION ON GOOMALLING-MERREDIN ROAD**

**Reporting Department:** Engineering  
**Reporting Officer:** Jim Garrett – Manager, Engineering Services  
**Legislation:** Local Government Act 1995

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**Background**

Main Roads W.A. proposes to acquire a 15 metre strip of land for future road widening purposes on the Goomalling-Merredin Road near Nukarni as can be seen on **Attachment 12.3A**.

The property owner Mr Warren Crook has agreed to the acquisition of the land in exchange for fencing and certain accommodation works.

Main Roads W.A. have asked Council to consider this land requirement and advise if it is in agreement with the proposal and to its dedication as a road under Section 56 of the Land Administration Act.

**Comment**

Main Roads W.A. have already completed works to erect a new fence for Mr Crook on its new alignment. The fencing works were completed in June 2005.

Main Roads W.A. has not indicated when any road improvements are to be undertaken.

**Officer's Recommendation**

*That the Merredin Shire Council concurs with the proposed land excision for the dedication as a road reserve as shown in Attachment 12.3A.*

**29457**

Moved Cr Young

Sec Cr Crees

*That the Merredin Shire Council concurs with the proposed land excision for the dedication as a road reserve as shown in Attachment 12.3A.*

**CARRIED 10/0**

Jim Garrett, Manager of Engineering Services left the meeting at 4.17pm

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**13.0 FINANCE AND ADMINISTRATION**

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**13.1 MONTHLY FINANCE REPORT**

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

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**Background**

Each month attached to the Agenda (**Attachment 13.1A**) is the Monthly Financial Report prepared for Council.

**Officer's Recommendation**

*That Council receive the Monthly Finance Report for March 2008.*

**29458**

Moved Cr Elliott

Sec Cr Forbes

*That Council receive the Monthly Finance Report for March 2008.***CARRIED 10/0**



**13.3 WRITE OFF OF DEBTOR – MERREDIN MENS HOCKEY CLUB**

<b>Reporting Department:</b>	Finance and Administration
<b>Reporting Officer:</b>	Emma Hooper – Manager, Finance & Administration
<b>Legislation:</b>	Local Government Act 1995 & Financial Management Regulations
<b>File Reference:</b>	FM/8/2

**Background**

In a review of long outstanding debtors it was discovered that the Merredin Men's Hockey Club had a total debt of \$2,256.00. This debt relates to the following items:

1999/2000 Maintenance Contribution Mdn Recreation Ground	\$ 320.00
2000/2001 Maintenance Contribution Mdn Recreation Ground	\$ 352.00
2001/2002 Maintenance Contribution Mdn Recreation Ground	\$ 352.00
2002/2003 Maintenance Contribution Mdn Recreation Ground	\$ 264.00
2003/2004 Maintenance Contribution Mdn Recreation Ground	\$ 264.00
2004/2005 Maintenance Contribution Mdn Recreation Ground	\$ 352.00
2005/2006 Maintenance Contribution Mdn Recreation Ground	<u>\$ 352.00</u>
Total Charges	\$ 2,256.00

Communication occurred between Finance staff and the Merredin Men's Hockey Club, advising them of the long outstanding debt and the requirement to make immediate payment. On April 3 2008, correspondence was received from the club requesting that the Shire of Merredin accept a \$1,000.00 payment from the Club and waives the remaining balance (**Attachment 13.3A**). The reasons given for the Club's inability to pay the debt included low membership levels, affiliation costs and increased expenditure items such as insurance and equipment.

To substantiate their request, Merredin Men's Hockey Club was requested to provide a bank statement proving insufficient funds.

**Financial Implications**

The write off of this debtor would result in a decrease in debtors of \$1,256.00.

**Officer's Recommendation**

*That Council accept the Merredin Men's Hockey Club payment of \$1,000.00 and instigate a formal payment arrangement resulting in full payment of the debt by June 2009.*

Moved Cr Morris                      Sec Cr Townrow  
*That Council accept the Merredin Men's Hockey Club payment of \$1,000.00 and instigate a formal payment arrangement resulting in full payment of the debt by June 2009.*

**AMENDMENT**

Moved Cr Elliott  
*That the words "and instigate a formal payment arrangement resulting in full payment of the debt by June 2009." be removed from the motion.*

**MOTION LAPSED****29460**

Moved Cr Morris                      Sec Cr Townrow  
*That Council accept the Merredin Men's Hockey Club payment of \$1,000.00 and instigate a formal payment arrangement resulting in full payment of the debt by June 2009.*

**CARRIED 7/3**

13.4 **DEBT WRITE-OFFS**

<b>Reporting Department:</b>	Finance and Administration
<b>Reporting Officer:</b>	Emma Hooper – Manager, Finance & Administration
<b>Legislation:</b>	Local Government Act 1995 & Financial Management Regulations

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**Background**

The debts listed on the attachment have been through our normal debt recovery process with no result in payment.

**Statutory Implications**

Section 6.12(1)(c) of Local Government Act 1995 ‘Power to defer, grant discounts, waive or write off debts’. Absolute Majority is required.

**Financial Implications**

The net effect of the debt write-off is explained in the body of the report.

**Comment**

Please see **Attachment 13.4A** for the list of unrecoverable debts.

**Officer’s Recommendation**

*That the Merredin Shire Council write off the attached debts as listed and totalling \$7,241.92.*

ABSOLUTE MAJORITY REQUIRED

**29461**

Moved Cr Townrow                      Sec Cr Simmonds

*That the Merredin Shire Council write off the attached debts as listed in their current form totalling \$7,241.92 and that the Manager of Finance and Administration be advised to further investigate the possibility of processing collection through Fines Enforcement Registry.*

**CARRIED 9/1  
ABSOLUTE MAJORITY**



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**13.5 MANAGER OF FINANCE AND ADMINISTRATION – MONTHLY REPORT**

<b>Reporting Department:</b>	Finance and Administration
<b>Reporting Officer:</b>	Emma Hooper – Manager, Finance & Administration
<b>Legislation:</b>	Local Government Act 1995 & Financial Management Regulations

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**Background**

A monthly report on operations is provided below for Council information.

**Comment**Staffing

Suzette Coetzee commenced on Monday 7 April 2008 in the Administration Officer (Police Licensing) Position.

Debtor Review

A detailed review of all long outstanding debtors has occurred with the result being a number of debtors recommended for write-off. Some of these debtors date back as far as 1998 and the use of debt collection services to recoup these debts has been unsuccessful.

Review of Cummings Street Units

A detailed review of all Cummings Street Unit Tenancy Agreements has occurred. A Council Policy has not previously existed to determine prospective tenants' eligibility or to determine rental charges. This review has culminated in the drafting of 'Cummings Street Unit Rental Policy'. For further information please refer to Agenda Item 13.6.

Audit Committee

The Audit Committee meeting was held on 7 April 2008. No further issues were raised other than those already addressed in the Management Report and Independent Audit Report. All items previously raised are being addressed by the appropriate staff.

**Officer's Recommendation**

*That the Merredin Shire Council receive the Manager of Finance and Administration Report for April 2008.*

**29462**

Moved Cr Forbes

Sec Cr Townrow

*That the Merredin Shire Council receive the Manager of Finance and Administration Report for April 2008.*

**CARRIED 10/0**

**13.6 CUMMINGS STREET UNIT RENTAL POLICY**

<b>Reporting Department:</b>	Finance and Administration
<b>Reporting Officer:</b>	Emma Hooper – Manager, Finance & Administration
<b>Legislation:</b>	Local Government Act 1995 & Financial Management Regulations

**Background**

The Cummings Street Units are the subject of a Joint Venture Agreement between the Shire of Merredin and the Department of Housing and Works.

**Comment**

In a move to regulate the determination of rental charges for the Cummings Street Units and to ensure a standardised approach for determination of eligibility of tenants the ‘Cummings Street Unit Rental Policy’ has been developed (**Attachment 13.6A**).

In developing the policy advice has been sought from the Department of Housing and Works and specific reference is drawn to the Department of Housing and Works Eligibility Policy, the income limits prescribed by this policy are provided at **Attachment 13.6B**.

Application forms for tenancy (**Attachment 13.6C**) have been developed which take into consideration eligibility detail required including assets held and gross income received by prospective tenants.

The Residential Tenancy Agreement Form 24B is appended at **Attachment 13.6D**.

**Officer’s Recommendation**

*That the Merredin Shire Council adopt Policy 3.16 “Cummings Street Rental Policy”.*

ABSOLUTE MAJORITY REQUIRED

**29463**

Moved Cr Young

Sec Cr Townrow

*That the Merredin Shire Council adopt Policy 3.16 “Cummings Street Rental Policy”.*

**CARRIED 10/0**

**ABSOLUTE MAJORITY**

**29464**

Moved Cr Morris

Sec Cr Townrow

*That Council approach the Manager of Department of Housing & Works to discuss the issues of Youth Housing in Merredin.*

**CARRIED 10/0**

Vanessa Green, Executive Assistant left the meeting at 5.05pm.

Vanessa Green, Executive Assistant entered the meeting at 5.07pm.

Emma Hooper, Manager of Finance and Administration left the meeting at 5.15pm.

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13.7 **CHIEF EXECUTIVE OFFICER'S REPORT**

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

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The Chief Executive Officer's report for April 2008 is presented below.

The Action Sheet detailing progress of previous Council resolutions from March 2004 onwards is **Attachment 13.7A**.

Notre Dame University – Medical Students

Council once again hosted a successful visit from the Notre Dame University Medical Students between 17 – 20 March 2008.

Thanks to the many volunteers, Councillors and staff that participated in the event.

Systemic Sustainability Study

Following on from Council's resolution at its March 2008 meeting (**CMRef 29422**):

*That Council receive "The Journey – Sustainability in the Future" report and request Councillors forward any concerns in relation to that report to the Chief Executive Officer no later than Thursday 26 April 2008 so he can compile a response to WALGA.*

I have not received any responses from Councillors so therefore I have not prepared a formal response on behalf of the Shire of Merredin for the Western Australia Local Government Association (WALGA). WALGA have recently decided to extend the closing date for submissions to Monday 16 June 2008.

The Great Eastern Country Zone of WALGA met in Westonia on 27 March 2008 to discuss the issue and have resolved to hold a special Zone Conference in Merredin on 21 April 2008 to discuss the matter again.

It would be appropriate for Zone Delegates and/or interested Councillors to attend.

Local Emergency Management Committee (LEMC)

I attended a meeting of Regional LEMC Committees to hear a presentation of Inspector Walker regarding Emergency Management processes used to manage a situation.

Attraction and Retention

I attended a Human Resources Seminar on 3 April 2008 to gather information in respect to developing Attraction and Retention Policies for the Shire of Merredin.

Following on from the Chief Executive Officer's Performance Review I have asked consultant Anne Lake to come to the Shire towards the end of May to commence negotiations regarding a Collective Workplace Agreement for "Inside Staff". I believe it is through a Collective Workplace Agreement process that some of the Attraction/Retention issues can be addressed.

Merredin Liquor Accord (Attachment 13.7B)

Sergeant Alex Timms of Merredin Police has invited the Shire of Merredin as a Local Government and as the Licensee of the Merredin Regional Community & Leisure Centre (MRC&LC) to a meeting to discuss a Liquor Accord for Merredin. This meeting is to be held on Monday 21 April 2008 commencing at 10.00am at the MRC&LC.

As this is during my absence on leave I have asked Councillors, Manager of Community Services, Manager of Recreation Centre or Recreation Centre Bar Manager to attend this meeting. Councillor Morris has indicated he is prepared to attend on behalf of Council.

CY O'Connor College of TAFE Graduation Sponsorship

Unfortunately all the categories listed by Council at its March 2008 meeting (CMRef 29414) had been taken up by other organisations, therefore no sponsorship was made.

**Officer's Recommendation**

*That Council receive the Chief Executive Officer's Report for April 2008.*

**29465**

Moved Cr Forbes

Sec Cr Townrow

*That Council receive the Chief Executive Officer's Report for April 2008.*

**CARRIED 10/0**

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13.8 **RURAL HEALTH – COMMENTS MADE 26 MARCH 2008 IN THE WEST AUSTRALIAN NEWSPAPER**

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

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**Background**

Attached to this Agenda Item are copies of newspaper reports published in The West Australian on 26 March 2008. One on Page 6 and the other of Page 5 of the Medical Liftout. (**Attachment No. 13.8A**)

It is imperative that Local Government and the Shire of Merredin in particular respond to these newspaper articles as it seems our “lets work together approach” has been used to the detriment to our rural communities.

Comments by Mrs Chris O’Farrell claiming she was “*puzzled why country residents had not been vocal about the neglect of their health care at a policy level*” (Page 6, 26 March 2008, The West Australian).

Her other comments on Page 5 of the Medical Liftout, The West Australian, 26 March 2008 also state “*You are not getting any strong sense of a voice coming from country people about health policy. No question of, ‘Where is our reform? What is being done to secure our health system? Maybe they are tired, maybe they are just focusing on drought and family and mental illness and all the rest of it. It has been quite a surprising outcome of the past five or six years; things that you would think were very controversial and there has just been nothing.*”

And lastly the comments by Mr Kim Snowball, Chief Executive of WA Country Health “*They (Local Government) have taken the view that it is not only a health issue, it is a community development issue, so the Local Government will pay for a surgery and a house to attract a private GP to their location*”.

It would be appropriate to make a response to these articles.

**Comment**

Whilst I respect the attitude of other Local Governments to attract doctors to their towns for “community development issues” the Shire of Merredin could take a regional leadership role by confronting the WA Country Health Service and demanding improved health services for country WA residents.

Processes such as Local Health Advisory Committees, District Health Advisory Committees and the like seem to be organised to frustrate any real improvement in health services within the regions. Working outside the system may prove more effective.

I believe an urgent meeting should be held with Mr Kim Snowball, Chief Executive of WA Country Health, to discuss:

1. Why the \$9 million dollar upgrade of the Merredin Regional Hospital has not progressed in 3 years of budgeting for the project?;
2. Why they have not taken the lead in the provision of GP services in Merredin even though they recognise the issue of GP services in Merredin has been an unresolved problem for many, many years?;
3. What progress is being made into making Merredin Regional Hospital as a regional hub?

**Officer's Recommendation**

*That Council meet with Mr Kim Snowball, Chief Executive of WA Country Health, to discuss health issues in Merredin.*

**29466**

Moved Cr Wallace

Sec Cr Elliott

*That Council meet with Mr Kim Snowball, Chief Executive of WA Country Health, to discuss health issues in Merredin.*

**CARRIED 10/0**

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**13.9 ANNUAL ELECTORS MEETING HELD ON 7 APRIL 2008**

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

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**Background**

The Annual Electors 2006/2007 Meeting for the Shire of Merredin was held on 7 April 2008 and the minutes of the meeting are attached for Council information. (**Attachment No. 13.9A**).

**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 the Shire of Merredin receive the minutes of the Annual Electors Meeting held on Monday 7 April 2008.*

**29467** Moved Cr Young Sec Cr Crees  
*That the Shire of Merredin receive the minutes of the Annual Electors Meeting held on Monday 7 April 2008.*  
**CARRIED 10/0**

**29468** Moved Cr Morris Sec Cr Wallace  
*That the format for the evening of the Annual Electors Meeting be changed to have two separate meetings. The first meeting is required to fulfil the statutory obligations and the second is designed to encourage community participation in discussing the future plans of the Shire of Merredin.*  
**CARRIED 10/0**

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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 Proposal for the Merredin Medical Practice

**29469**

Moved Cr Young

Sec Cr Elliott

*That Council go behind closed doors to discuss a Commercial in Confidence matter in accordance with Section 5.23 2(c) and (e) of the Local Government Act 1995.*

**CARRIED 10/0**

Council went behind closed doors at 5.28pm.

Cr Wallace left the meeting at 5.32pm.

Cr Wallace entered the meeting at 5.35pm.

Cr Forbes left the meeting at 5.36pm.

Cr Forbes entered the meeting at 5.40pm.

Vanessa Green, Executive Assistant left the meeting at 5.45pm.

Vanessa Green, Executive Assistant entered the meeting at 5.46pm.

Cr Young left the meeting at 6.03pm.

Cr Young entered the meeting at 6.06pm.

**29470**

Moved Cr Elliott

Sec Cr Young

*That Council come out from behind closed doors.*

**CARRIED 10/0**

Council came out from behind closed doors at 6.27pm.



**29471** Moved Cr Morris Sec Cr Simmonds  
*That Council continue negotiations in relation to the Proposal for  
the Merredin Medical Practice.*

**CARRIED 9/1**

18.0 CLOSURE

There being no further business the Presiding Person declared the meeting closed at 6.28pm.