

# SHIRE OF MERREDIN



*“Heart of the Wheatbelt”*

**MINUTES OF COUNCIL MEETING**

**15 JULY 2008**

**INDEX**

<b>1.0</b>	<b>OFFICIAL OPENING .....</b>	<b>4</b>
<b>2.0</b>	<b>PUBLIC QUESTION TIME.....</b>	<b>4</b>
<b>3.0</b>	<b>APOLOGIES AND LEAVE OF ABSENCE .....</b>	<b>4</b>
<b>4.0</b>	<b>DISCLOSURE OF INTEREST .....</b>	<b>5</b>
<b>5.0</b>	<b>PETITIONS AND PRESENTATIONS.....</b>	<b>5</b>
<b>6.0</b>	<b>CONFIRMATION OF MINUTES.....</b>	<b>5</b>
6.1	Previous Council Meeting .....	5
<b>7.0</b>	<b>ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION.....</b>	<b>5</b>
<b>8.0</b>	<b>MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC .....</b>	<b>5</b>
<b>9.0</b>	<b>RECEIVAL OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL.....</b>	<b>5</b>
9.1	Central Wheatbelt Visitor Centre MoU Working Group Meeting held on 9 June 2008.....	5
9.2	Merredin Regional Community and Leisure Centre Advisory Committee Meeting held on 23 June 2008 .....	5
9.3	Wheatbelt East Regional Organisation of Councils Meeting held on 24 June 2008.....	6
9.4	Merredin Heritage Management Committee Meeting held on 26 June 2008 .....	6
9.5	Merredin Medical Centre Occasional Committee Meeting held on 30 June 2008.....	6
9.6	Merredin Local Emergency Management Committee Meeting held on 1 July 2008.....	6
9.7	Merredin Business and Community Development Committee Meeting held on 2 July 2008 .....	6
<b>10.0</b>	<b>COMMUNITY SERVICES .....</b>	<b>12</b>
10.1	Executive Manager of Community Services – Monthly Report .....	12
10.2	Wheatbelt Regional Consultation.....	16
16.1	Adam Brand Concert.....	17
<b>11.0</b>	<b>DEVELOPMENT SERVICES .....</b>	<b>19</b>
11.1	Building Statistics Return – June 2008 .....	19
11.2	Carrington Way Residential Lots – Retention of Lots .....	21
11.3	Town Planning Consideration – Proposal in Brief to Establish Service Station and Fuel Depot – Location 7785 Cnr Great Eastern Highway and Narembreen Road .....	23
11.4	Cummins Theatre – Notes of Meeting – Committee to Renovate Cummins Theatre.....	25
11.5	Dividing Fence – Lot 417 South Street and Reserve 17475 South Street, Merredin .....	28
11.6	Planning Application – Oversize Outbuilding – Lot 251, House No. 20 Haines Street, Merredin.....	29
11.7	Tender 9 – 07/08 Water, Sewer and Power Infrastructure Carrington Way Subdivision; Delegated Authority to Chief Executive Officer to Proceed.....	31

---

11.8	Prosecution – Mr I Wallace – Breach of Section 218(c) Planning and Development Act 2005 – Lot 15 Booran South Road, Merredin .....	34
11.9	Town Planning – Adoption of Interim Development Order – Local Planning Scheme No.3 .....	36
<b>12.0</b>	<b>ENGINEERING SERVICES.....</b>	<b>39</b>
12.1	Executive Manager of Engineering Services – Monthly Report.....	39
<b>13.0</b>	<b>FINANCE AND ADMINISTRATION .....</b>	<b>41</b>
13.1	Executive Manager of Finance and Administration – Monthly Report .....	41
13.2	Monthly Finance Report.....	43
13.3	List of Accounts Paid .....	44
13.4	2007/2008 Interim Audit Report .....	45
13.5	Investment Policy .....	48
16.2	Write Off of Land & Buildings – Asset Register Review .....	49
13.6	Chief Executive Officer’s Monthly Report .....	50
13.7	Compulsory Voting in Local Government Elections .....	53
<b>14.0</b>	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....</b>	<b>55</b>
14.1	Taping of Council Meetings.....	55
14.2	Community Meetings.....	59
<b>15.0</b>	<b>QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN .....</b>	<b>61</b>
<b>16.0</b>	<b>URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION.....</b>	<b>61</b>
16.1	Merredin Senior Centre .....	61
16.2	WALGA Annual General Meeting .....	61
<b>17.0</b>	<b>MATTERS BEHIND CLOSED DOORS.....</b>	<b>61</b>
<b>18.0</b>	<b>CLOSURE .....</b>	<b>61</b>

---

**Minutes for the Ordinary Meeting of the Merredin Shire Council held in the Council Chambers, Corner King and Barrack Streets, Merredin on Tuesday 15 July 2008 commencing at 1.00pm.**

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

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

[Change in Attendance Register – refer CMRef 29635 dated 19 August 2008](#)

---

1.0 OFFICIAL OPENING

Due to the absence of the Shire President, the Deputy Shire President took the chair and declared the meeting open at 1.10pm.

**29588** Moved Cr Simmonds Sec Cr Morris  
*That the meeting be adjourned until the Shire President returns.*  
**CARRIED 9/0**

Cr K Hooper, Frank Ludovico, Chief Executive Officer and Vanessa Green, Executive Assistant entered the meeting at 1.11pm.

**29589** Moved Cr Elliott Sec Cr Young  
*That the meeting reconvene at 1.12pm.*  
**CARRIED 10/0**

The Shire President informed the meeting that the Sale of Business, Incentive Agreement and Lease documents for the Merredin Medical Practice had been signed with Dr. Gabriel Adeniyi.

2.0 PUBLIC QUESTION TIME

Nil

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr Townrow has been granted Leave of Absence for this meeting (**CMRef 29528**)

- 29590** Cr Elliott Cr A Hooper  
*That Cr Young be granted Leave of Absence for three months from Committee Meetings.*

**CARRIED 10/0**

4.0 DISCLOSURE OF INTEREST

Cr Crees declared a Financial Interest in Agenda Item 11.8

Cr Young declared a Impartiality Interest in Agenda Item 9.1 and 10.1

Cr Young declared a Proximity Interest in Agenda Item 11.6

Cr Morris declared a Financial Interest in Agenda Item 11.9

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 June 2008.

- 29591** Moved Cr Crees Sec Cr Forbes  
*That the minutes of the meeting of Council held on 17 June 2008 be confirmed as a true and correct record of proceedings.*

**CARRIED 10/0**

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

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

Nil

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

9.1 Central Wheatbelt Visitor Centre MoU Working Group Meeting held on 9 June 2008

**Attachment 9.1A**

9.2 Merredin Regional Community and Leisure Centre Advisory Committee Meeting held on 23 June 2008

**Attachment 9.2A**

- 
- 9.3 Wheatbelt East Regional Organisation of Councils Meeting held on 24 June 2008  
**Attachment 9.3A**
- 9.4 Merredin Heritage Management Committee Meeting held on 26 June 2008  
**Attachment 9.4A**
- 9.5 Merredin Medical Centre Occasional Committee Meeting held on 30 June 2008  
**Attachment 9.5A**
- 9.6 Merredin Local Emergency Management Committee Meeting held on 1 July 2008  
**Attachment 9.6A**
- 9.7 Merredin Business and Community Development Committee Meeting held on 2 July 2008  
**Attachment 9.7A**

**29592**

Moved Cr Simmonds Sec Cr Crees

*That the Merredin Shire Council receive the minutes of the Central Wheatbelt Visitor Centre MoU Working Group Meeting held on 9 June 2008, the Merredin Regional Community and Leisure Centre Advisory Committee Meeting held on 23 June 2008, the Wheatbelt East Regional Organisation of Councils Meeting held on 24 June 2008, the Merredin Heritage Management Committee Meeting held on 26 June 2008, the Merredin Medical Centre Occasional Committee Meeting held on 30 June 2008, the Merredin Local Emergency Management Committee Meeting held on 1 July 2008 and the Merredin Business and Community Development Committee Meeting held on 2 July 2008.*

**CARRIED 10/0**

---

9.1 Central Wheatbelt Visitor Centre MoU Working Group

Nil Recommendations to Council

---

9.2 Merredin Regional Community and Leisure Centre Advisory Committee

2.0 Action Sheet Update and Business Arising

Moved E Carlson                      Sec J Jefferys  
*That the Merredin Regional Community and Leisure Centre Advisory Committee recommend to Council that the name of the Merredin Regional Community and Leisure Centre Membership change to the Merredin Recreation Ground Membership.*

CARRIED 5/0

**29593**

Moved Cr Morris                      Sec Cr Simmonds  
*That Council endorse that the name of the Merredin Regional Community and Leisure Centre Membership be changed to the Merredin Recreation Ground Membership.*

**CARRIED 9/1**

8.1 Netball/Basketball Kiosk

Moved Cr Wallace                      Sec E Carlson  
*That the Merredin Regional Community and Leisure Centre Advisory Committee recommend to Council that Council allow for \$14,000.00 in the 2008/2009 Budget for the upgrade of the existing netball/basketball kiosk.*

CARRIED 5/0

Moved Cr Wallace                      Sec E Carlson  
*That the Merredin Regional Community and Leisure Centre Advisory Committee recommend to Council the existing Trotting Club bar be demolished before 31 December 2008.*

CARRIED 5/0

**29594**

Moved Cr Wallace                      Sec Cr Morris  
*That Council allow \$14,000.00 in the 2008/2009 Budget for the upgrade of the existing netball/basketball kiosk.*

**CARRIED 9/1**

**29595**

Moved Cr Morris                      Sec Cr Wallace  
*That Council demolish the existing Trotting Club Bar before 31 December 2008.*

**CARRIED 9/1**

## 8.2 Changeable Sign

Moved E Carlson

Sec J Jefferys

*That the Merredin Regional Community and Leisure Centre Advisory Committee recommend to Council that Council allocate \$5,000.00 in the 2008/2009 Budget for a Changeable sign to be installed at the front entry to the Merredin Recreation Ground.*

CARRIED 5/0

**29596**

Moved Cr Wallace

Sec Cr Morris

*That Council allocate \$5,000.00 in the 2008/2009 Budget for a Changeable sign to be installed at the front entry to the Merredin Recreation Ground.*

**CARRIED 6/4**

## 8.3 Vandalism

Moved Cr Wallace

Sec D Sutherland

*That the Merredin Regional Community and Leisure Centre Advisory Committee recommend to Council that Council endorse the Merredin Regional Community and Leisure Centre Vandalism Policy.*

CARRIED 5/0

Note: *The proposed Vandalism Policy referred to in the above recommendation is included as an appendix to the Merredin Regional Community and Leisure Centre Advisory Committee Minutes.*

**29597**

Moved Cr Morris

Sec Cr Simmonds

*That Council endorse the Merredin Regional Community and Leisure Centre Vandalism Policy.*

**CARRIED 10/0**



## 8.4 Memberships – Schools

Moved Cr Wallace

Sec E Carlson

*That the Merredin Regional Community and Leisure Centre Advisory Committee recommend to Council that Council endorse an annual Fee for Senior High Schools of \$1,500.00 and for Primary Schools of \$750.00.*

CARRIED 5/0

Moved E Carlson

Sec D Sutherland

*The entitlements for Senior High Schools on payment of the annual Fee of \$1,500.00 to include:*

- 1. 3 x Oval Use*
- 2. 2 x Large Function Room Hire*
- 3. 2 x Meeting Room Hire*
- 4. 20 x Indoor Court Hire*

CARRIED 5/0

Moved Cr Wallace

Sec J Jefferys

*The entitlements for Primary Schools on payment of the annual Fee of \$750.00 to include:*

- 1. 3 x Oval Use*
- 2. 2 x Indoor Playground Hire*
- 3. 1 x Function Room Hire*
- 4. 1 x Meeting Room Hire*
- 5. 10 x Indoor Court Hire*

CARRIED 5/0

**29598**

Moved Cr Simmonds

Sec Cr Morris

*That Council endorse an annual fee for Senior High Schools of \$1,500.00 and for Primary Schools of \$750.00.*

**CARRIED 9/1**

**29599**

Moved Cr Forbes Sec Cr Elliott

*The entitlements for Senior High Schools on payment of the annual fee of \$1,500.00 to include:*

1. *Unlimited Oval Use*
2. *2 x Large Function Room Hire*
3. *2 x Meeting Room Hire*
4. *Unlimited Indoor Court Hire*

*The entitlements for Primary Schools on payment of the annual fee of \$750.00 to include:*

1. *Unlimited Oval Use*
2. *2 x Indoor Playground Hire*
3. *1 x Function Room Hire*
4. *1 x Meeting Room Hire*
5. *Unlimited Indoor Court Hire*

**CARRIED 8/2****REASON:**

Cr Forbes believed the entitlements to be wrong and the change allowed for more value to be obtained for the fee.

9.3 Wheatbelt East Regional Organisation of Councils

Nil Recommendations to Council

9.4 Merredin Heritage Management Committee

## 8.1 Mosaic Software and Municipal Inventory

Moved Rob Endersbee Sec John Rutherford

*Council to endorse the amount of \$5,000.00 in the 2008/2009 Budget to cover the instillation of the Mosaic Software at the following sites: Admin Building, Visitor Centre, Rec Centre, Cummins Theatre, Library, Railway Museum and Military Museum.*

**CARRIED 5/0****29600**

Moved Cr Morris Sec Cr Hayden

*That Council allocate the amount of \$5,000.00 in the 2008/2009 Budget to cover the installation of the Mosaic Software at the following sites: Administration Office, Central Wheatbelt Visitor Centre, Merredin Regional Community and Leisure Centre, Cummins Theatre, Merredin Library, Merredin Railway Museum and Merredin Military Museum.*

**CARRIED 10/0**

9.5 Merredin Medical Centre Occasional Committee

Nil Recommendations to Council

9.6 Merredin Local Emergency Management Committee

Nil Recommendations to Council

9.7 Merredin Business and Community Development Committee

Nil Recommendations to Council

---

Cr Young declared an Impartiality Interest in this Agenda Item 10.1.

10.0 COMMUNITY SERVICES

---

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

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

---

**Background**

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

Grants

All current grants were followed up this month to ensure accurate budget information was submitted in the draft 2008/2009 Budget.

The extension date of the WDC Visitor Centre Expansion Grant acquittal has been granted to September 2008.

Proceeds have been received of \$20,000.00 for the Community Safety and Crime Prevention Incentive Grant.

An application for the Lotterywest Interpretation of Cultural Heritage Grants has been submitted for the employment of a consultant to develop an Interpretation Plan for the Merredin Heritage Precinct.

Equal Opportunity Commission

An email has been received from the Equal Opportunity Commission (EOC) advising that previous Regional Manager of Library Services, Mrs Madeleine Carter has withdrawn her complaint. We are awaiting formal written notification.

Budgets

A large amount of time this month has been spent on the draft 2008/2009 Budget, which included discussing budget areas individually with Community Services staff.

Monthly budget reports have been printed and distributed to the Community Services Team.

Volunteer Management Program

Advice and feedback on the Merredin Volunteer Management Program was requested and received from Local Government Insurance Services (LGIS) and will be implemented into the program.

Tourism Services

Contributions from WE-ROC have been discussed with the Chief Executive Officer.

There is regular contact with Visitor Centre Manager regarding maintenance items, budgets, staff, signage and meetings.

Taya Fritsch has tendered her resignation as part time Visitor Centre Officer position effective from 29 July 2008.

Natural Resource Management

Executive Manager of Community Services and NRMO revised the two Merredin Peak projects which have associated funding – Recreation Trail (Lotterywest) and Revegetation (Out Patch). Ms Pauline Guest from the Avon Catchment Council agreed to a modified plan for the Revegetation project and the NRMO has commenced implementation.

The Executive Manager of Engineering Services arranged for the NRMO vehicle lease to be extended for three months after which time a new vehicle will be purchased.

Library Services

Four applications were received for the Regional Manager of Library Services position which closed on Friday 13 June 2008. An interview was conducted on 9 May 2008 with one applicant, with three further interviews being conducted on 2 and 3 July 2008. The successful applicant is Ms Julie Turner, who will commence in early August. Julie is currently the Librarian at the Merredin Senior High School.

Recreation Services

A meeting with the Recreation Centre Manager was held in the week prior to her leave to ensure adequate arrangements were in place whilst she was on leave.

Recreation Centre staff are dealing with day to day activities and referring any other enquiries or issues to the Executive Manager of Community Services.

The Merredin Civic Bowls Club contributions to the Recreation Centre have been formally acknowledged.

The kitchen lease with Mr Peter McDonald has been finalised.

The Recreation Ground Master Plan has been finalised and advertised for public comment with a closing date of 1 August 2008.

The proposed Schools Memberships for the Merredin Regional Community and Leisure Centre were circulated to both the high school and primary schools in Merredin, however they did not receive favourable responses.

Community And Economic Development

The Executive Manager of Community Services continues to offer support and guidance to the Project Officers in these early stages of their employment.

Cummins Theatre

Regular interaction occurs between the Theatre Manager and Executive Manager of Community Services regarding staff training and development opportunities – Denmark and Alice Springs, budgets and funding acquittals (Lotterywest).

Electrical issues prior to the Merredin Repertory Club's show were resolved. Other safety electrical items are in the process of being attended to this month.

Meetings / Seminars / Workshops

Landmark Meeting held on 12 June 2008  
Heritage Mosaic Presentation held on 16 June 2008  
Local Planning Scheme Workshop held on 17 June 2008  
Council Meeting held on 17 June 2008  
Heritage Council Meeting held on 18 June 2008  
Community Services Team Meeting held on 19 June 2008  
Be Active Co ordinator Meeting held on 20 June 2008  
MRC & LC Advisory Committee Meeting held on 23 June 2008  
Budget Review Workshop held on 25 June 2008  
Cummins Theatre Working Group Meeting held on 26 June 2008  
Merredin Heritage Management Committee Meeting held on 26 June 2008  
Senior Staff Meeting held on 1 July 2008  
BCDC Meeting held on 2 July 2008  
Budget Review Workshop held on 3 July 2008  
Tourism Advisory Group (TAG) Meeting held on 3 July 2008  
Peter McDonald (MRC&LC Kitchen Lease) Meeting held on 4 July 2008  
Budget Workshop held on 7 July 2008  
Community Development and Rural Local Government Workshop (Wongan Hills) held on 10 & 11 July 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 and Leisure Centre  
Report is **Attachment 10.1D**

Community Project Officer  
Report is **Attachment 10.1E**

Library Services  
Position Vacant

**Statutory Implications**

Compliance with relevant Acts and Local Laws.

**Officer's Recommendation**

*That Council receive the Executive Manager of Community Services' Report for July 2008.*

- 29601** Moved Cr A Hooper                      Sec Cr Elliott  
*That Council receive the Executive Manager of Community Services' Report for July 2008.*  
**CARRIED 10/0**

- 29602** Moved Cr Morris                      Sec Cr Young  
*That Council:*
- 1. Support the Merredin Repertory Club's application for the Independent Theatre Initiative to purchase new stage lighting equipment and lamp stock for the Cummins Theatre;*
  - 2. Grant permission for the Merredin Repertory Club to access the Cummins Theatre for a minimum of five years from 1 August 2008 in accordance with the Memorandum of Understanding with the Shire of Merredin, which is reviewed annually.*
- CARRIED 10/0**

- 29603** Moved Cr Morris                      Sec Cr Simmonds  
*That Council commence investigations into the redevelopment of the Merredin Golf Clubroom site with the options to include freehold purchase.*  
**CARRIED 10/0**

**10.2 WHEATBELT REGIONAL CONSULTATION**

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

**Background**

The Minister for Infrastructure, Transport, Regional Development and Local Government, the Hon Anthony Albanese MP announced on 20 March 2008 that as foreshadowed in the Government's key regional election commitments, Area Consultative Committees (ACC's) would provide the basis for the creation of Regional Development Australia (RDA).

In order to gain across the region feedback on the future of the Wheatbelt Area Consultative Committee (WACC) and regional funding program, the WACC have organised two Regional Consultation Forums:

Kulin Thursday 7 August 2008

Wyalkatchem Friday 8 August 2008

The WACC are encouraging representatives from Local Government, Community, Business and other interested stakeholders to attend.

**Comment**

Chief Executive Officer, Frank Ludovico will be attending the forum in Kulin and the Executive Manager of Community Services, Debbie Morris will be attending the forum in Wyalkatchem.

Councillors are encouraged to attend one of the forums to ensure feedback from all sectors across the Wheatbelt is included in any future planning of a regional funding program and Regional Development Australia (previously ACC).

**Officer's Recommendation**

*That Council nominate a Councillor to attend each of the Regional Consultation Forums -*

*Cr \_\_\_\_\_ to attend Kulin on 7 August 2008*

*Cr \_\_\_\_\_ to attend Wyalkatchem on 8 August 2008*

**29604**

Moved Cr Elliott

Sec Cr Wallace

*That Council nominate Cr Young to attend the Regional Consultation Forum at Kulin on 7 August 2008.*

**CARRIED 10/0**



**MINUTES**

---

This Agenda Item 16.1 was brought forward due to the attendance of the Executive Manager of Community Services, Debbie Morris.

---

**16.1 ADAM BRAND CONCERT**

**Reporting Department:** Community Services  
**Reporting Officer:** Rachel Gearing and Taya Fritsch, Project Officers  
**Legislation:** Local Government Act 1995

---

**Background**

On 14 June 2008, Councillors and the Chief Executive Officer conducted an inspection of the Merredin Shire to assess the seasonal conditions for farmers. An issue arising from that tour was the investigation of a community concert.

Council decided at its June 2008 meeting **CMRef 29542** to investigate holding a major, quality concert for Merredin and surrounding areas.

The following research has been done in relation to hosting a major concert at the Recreation Grounds in Merredin

Adam Brand and backup artist Steve Forde will be touring Western Australia later this year and are available to perform in Merredin on Sunday 23 November 2008. The artists' fees have been reduced considerably due to the savings in travel costs.

It is envisaged the concert would operate along similar lines to the Lee Kernaghan concert, which was held on 5 August 2006 (1500 attendance).

**Statutory Implications**

Local Government Act 1995 Section 6.8 – Expenditure from Municipal Fund not included in Annual Budget.

**Financial Implications**

The following estimates have been obtained:

1. Quoted price for Adam Brand and Steve Forde - \$27,500.00 GST Inclusive
2. Quotation / estimate for security is \$8,000.00 (Aberbeen Security)
3. Quotation for Staging, PA and Lighting is \$25,000.00 (CCA Productions)
4. Quotation for Hire of Toilets is \$ 6,000.00 (Coates Prestige)

**Comment**

Adam Brand's Management are keen to perform in Merredin and are currently holding the 23 November 2008 free, however a decision is required by Wednesday 16 July 2008, as they have another location (Mundaring) that has shown interest.

Council will need to underwrite the associated costs for a major, quality concert in order to proceed with the booking. The estimated costs to date are in the vicinity of \$66,500.00.

**Officer's Recommendation**

*That Council endorse hosting the Adam Brand Concert on Sunday 23 November 2008 and underwrite the necessary costs to enable the concert to proceed.*

ABSOLUTE MAJORITY REQUIRED

**29605**

Moved Cr Morris

Sec Cr Young

*That Council endorse hosting the Adam Brand Concert on Sunday 23 November 2008 and underwrite the necessary costs to enable the concert to proceed.*

**CARRIED 7/3**

**ABSOLUTE MAJORITY**

Debbie Morris, Executive Manager of Community Services left the meeting at 2.19pm.

11.0 DEVELOPMENT SERVICES11.1 **BUILDING STATISTICS RETURN – JUNE 2008**

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

**Background**

The monthly report on Building Licences issued by the Building Surveyor is provided below for Council information.

**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**

Building Licence No.	Licence issued to	Address of proposed building, Description of works	Owner of property	Class of Building
BA41/08	*	Lot 4/516 McDonald Street, Merredin – New D/B and tin roofed dwelling	M & G Lane, PO Box 814, Merredin WA 6415	1(a)
BA42/08	Enviromet Pty Ltd Lot 31 Rothsay Ave, Malvern East Vic 3145	Location 19112 Old Muntadgin Rd, Merredin, wind monitoring tower	J Meharry, Po Box 475 Merredin WA 6415	10(b)
BA43/08	Enviromet Pty Ltd, Lot 31 Rothsay Ave, Malvern East Vic 3145	Loc 20724 Bassula Rd, Merredin, wind monitoring tower	RM Crees, PO Box 579 Merredin	10(b)
BA44/08	AB Settineri, 3 Hart St, Merredin WA 6415	Lot 549, 3 Hart St, Merredin, new Steel framed garage	AB Settineri, 3 Hart St, Merredin	10(a)
BA45/08	T Hunter, 88 Bates Street, Merredin WA 6415	Lot 328, 88 Bates Street, Merredin WA 6415	T Hunter, 88 Bates St, Merredin WA 6415	10(a)
BA46/08	Peter Smith, 65 Moorine South Rd, Moorine Rock WA 6425	Lot 72 Growden St, Nangeenan WA 6414, new steel framed mezzanine floor, conc floor dwelling	Peter Smith	1(a)

<b>BA47/08</b>	* licence not issued - Hunter Multi Services, PO Box 733, Merredin WA 6415	Lot 328 Bates Street, Merredin WA 6415, new steel framed, brick portioned, tin roofed dwelling	Tom Hunter, 88 Bates Street, Merredin WA 6415	1(a)
<b>BA48/08</b>	Brian Gearing, 85 Haig Road, Merredin WA 6415	Lot 636, 15 Endersbee St, Merredin WA 6415, new steel framed and clad patio and carport	GV & SG Astbury, 17 Woolgar Ave, Merredin	10(a)
<b>BA49/08</b>	Paul Hutchings, 20 Haines St, Merredin WA 6415	Lot 251, 20 Haines St, Merredin, new s/f patio to dwelling	Paul Hutchings, 20 Haines St, Merredin WA 6415	10(a)

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

Valuation: Cannot be provided  
Progressive:

Fees:  
Progressive:

#### **Comment**

Two applications have not provided costings to enable fees etc to be calculated. Progressive tally to date is \$2,302,893.00 in construction costs and fees totalling \$7,050.32 have been raised.

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

*That Council receive the June 2008 statistics for Building Licences issued (BA41-08 to BA49-08) by the Building Surveyor.*

**29606**

Moved Cr Morris

Sec Cr Wallace

*That Council receive the June 2008 statistics for Building Licences issued (BA41-08 to BA49-08) by the Building Surveyor.*

**CARRIED 10/0**

Phil Swain, Acting Executive Manager of Development Services entered the meeting at 2.20pm.

- 11.2 **CARRINGTON WAY RESIDENTIAL LOTS – RETENTION OF LOTS**  
**Reporting Department:** Administration and Development Services  
**Reporting Officer:** Frank Ludovico, Chief Executive Officer and  
John Mitchell – Executive Manager,  
Development Services  
**Legislation:** Local Government Act 1995  
**File Reference:** LUP/13/5
- 

**Background**

In considering the Carrington Way development during the 2008/2009 Budget Workshop, discussions occurred over whether we should retain any lots for Council purposes.

This item discusses that issue. A Plan of the Development is attached (**Attachment 11.2A**).

**Financial Implications**

Development costs are estimated at \$1,218,977.00 plus road development costs of \$250,000.00. Total cost estimates are \$1,468,977.00. Based on previous valuations the sale of the lots could net Council \$223,023.00.

Realisation of the lots ranges from \$46,000.00 - \$74,000.00 dependent on size.

Retention of any lots will reduce this potential profit. However if the retained lots are used to update Council's existing housing stocks then the sale of the old housing would in effect realise this income.

**Comment**

Which Lots does Council seek to retain?

1. Lots 237 and 218 could be retained for future expansion of the Cummins Street Units.
2. Lots with a greater area than 1,000m<sup>2</sup> can support two dwelling developments.
3. Large lots could be used for housing of Executive staff.

If the lots are to be retained does Council seek to add those costs to the realisation on the balance of land to be sold?

If this is done then the costs per lot will increase and affect immediate profit. Waiting for the sale of an existing house could take some time but will eventuate in income.

**Officer's Recommendation**

*That Council retain Lots \_\_\_\_\_ for the purposes of residential development and that the costs of those lots be amortised over the balance of lots for sale.*

Cr Forbes left the meeting at 2.31pm.

Cr Forbes entered the meeting at 2.35pm.

**29607**

Moved Cr Morris

Sec Cr Elliott

*That Council retain Lots 208 and 217 **for the** purposes of residential development and that the costs of those lots be amortised over the balance of lots for sale.*

**CARRIED 9/1**

Addition of words above – Refer **CMRef 29635** dated 19 August 2008.

11.3 **TOWN PLANNING CONSIDERATION – PROPOSAL IN BRIEF TO ESTABLISH SERVICE STATION AND FUEL DEPOT – LOCATION 7785 CNR GREAT EASTERN HIGHWAY AND NAREMBEEN ROAD**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	John Mitchell – Executive Manager, Development Services
<b>Legislation:</b>	Planning and Development Act 2005, Shire of Merredin Town Planning Scheme No.1, Shire of Merredin Local Planning Scheme No.3
<b>File Reference:</b>	A7180

---

**Background**

Liberty Oil has been attempting to find land within the main street access of Merredin since August 2007. The Company seeks to establish a twenty four hour card operated fuel station including accommodation quarters for staff and a fuel depot on Location 7785, Merredin - Narembeen Road, Merredin. A locality plan appends in **Attachment 11.3A**. The request for consideration is contained in **Attachment 11.3B**.

Mr Barry Scott met with the Executive Manager of Development Services on Wednesday 2 July 2008 to discuss the proposed site and whether there were any other sites suitable for the type of development proposed.

**Statutory Implications**

The provisions of the Shire of Merredin Town Planning Scheme No.1 “General Farming” Zoning and Development Table does not list a Service Station or Fuel Depot as a use within the zone. Therefore it is prohibited.

Within the proposed Local Planning Scheme No.3 the use is prohibited within the zone to be created.

**Comment**

Liberty Oil Corporation propose to construct a fuel station and depot (tank height 4.2m) on Location 7785 with access to the 24 hour card site to be via Narembeen Road. The proposal includes 2 x 55,000L above ground fuel storage tanks, 1 x 51,450L diesel tank for the service station and 1 x 9,000L unleaded fuel tanker to service the public, a caretakers dwelling and a shipping container with 20 oil drums. Access to the site will be via Narembeen Road.

Liberty Oil representatives advise that there is no suitable land for development of a service station within the main approach or within Todd Street, Merredin. Liberty Oils are progressing their business expansion throughout regional WA and are seeking sites which promote Liberty Oils and provide a large area for development.

The provisions of the Scheme No.3 will require amendment to permit the development to proceed. Council may place conditions on the development including landscaping, screening, use of shipping containers.

Liberty Oil is seeking (prior to expending \$20,000.00 on planning and documentation of the site) whether Council will consider the application considering that the Schemes will not permit the development.

**Officer's Recommendation**

*That Liberty Oils be advised that the zones prohibit the establishment of a service station and fuel depot at Location 7785 Merredin – Narembeen Road, Merredin and that the Shire of Merredin does not seek to change the zoning and development table to permit the development.*

**29608**

Moved Cr Elliott

Sec Cr Young

*That Liberty Oils be advised that Council support in principle the concept of locating a fuel station and depot on Location 7785 Merredin-Narembeen Road, Merredin and that the application for an amendment to the Town Planning Scheme No. 1 be initiated by Liberty Oils.*

**CARRIED 6/4**

**29609**

Moved Cr Elliott

Sec Cr Wallace

*That Council seek planning advice as to how Council could alter the draft Town Planning Scheme 3 to allow the development of a fuel station and depot, by Liberty Oils, on Location 7785 Merredin-Narembeen Road, Merredin.*

**CARRIED 7/3**

**REASON:**

To allow commercial and economic development to occur within the Shire of Merredin



---

---

**11.4 CUMMINS THEATRE – NOTES OF MEETING – COMMITTEE TO RENOVATE CUMMINS THEATRE**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	John Mitchell – Executive Manager, Development Services
<b>Legislation:</b>	Various - Heritage of Western Australia Act 1990, Building Code of Australia, Health Act 1911, Health (Public Building) Regulations 1992; Occupational Safety and Health Act 1984; and various Codes of Practice, Australian Standards.
<b>File Reference:</b>	A305

---

**Background**

On Thursday 26 June 2008 the Committee met to discuss the various building reports, heritage reports and WA Country Arts recommendations. At that meeting Mr Greg Shea representing the Repertory Club and Mr Brendon Grylls MLA representing the “Friends of Cummins Theatre” were present.

Notes of the meeting have been prepared and are contained in **Attachment 11.4A**.

Woodstock Electrical has been engaged to upgrade the emergency lighting system, provide adequate exit signs, ensure the stage circuitry is “safe”, provide proper controls for the fans, install the audio extension cable to the bottom of the tiered seating (works for exit signs require that the contractor crawl through the sub floor area), replace the emergency lighting back up system and ensure the emergency exit lighting is functioning.

This will ensure that any public liability claim arising from the use of the Theatre will be limited to non electrical functions.

**Statutory Implications**

The provisions of the Heritage of Western Australia Act 1990, Building Code of Australia, Health Act 1911, Health (Public Building) Regulations 1992; Occupational Safety and Health Act 1984; and various Codes of Practice, Australian Standards are applicable.

All works require the approval of the Heritage Council. Extreme time delays will occur due to the scrutiny of the Council and detailed plans and specifications will need to be prepared.

**Financial Implications**

The Committee believes that a resolution of Council committing funds over a period of time will assist access to grant funding. The final costings/estimates are unknown.

**Comment**

Councillors, please note that Woodstock Electrical was engaged after writing to all electrical contractors in Merredin advising of the works and seeking quotations by 30 March 2008, otherwise the Shire of Merredin would outsource the works.

Councillors comments regarding the direction of the committee and tasks contained within the notes are sought.

The main question of Council is the extent of insulation of the fly tower. The fly tower is an integral part of the stage/storage and costume change areas of the Theatre. The entire area is unlined galvanised iron sheeting. If the building is to receive climate control insulating the fly tower ceiling will not achieve energy efficiency. The entire eastern area of the Theatre comprising the stage, fly-tower, storage and change rooms should be insulated. Roller doors are installed in the rear area. The door is ripped, and does not seal. The roller doors should be replaced with solid core wooden doors provided with raven seals. The windows are 3mm glass. The minimum permitted within the Building Code of Australia is 4.5mm and for public areas up to 10.5mm armoured. The existing window frames will not accept additional thickness glass and should be replaced. Council direction is sought.

Please note that all recommendations are subject to the approval of the Heritage Council of WA.

**Officer's Recommendation**

1. *That the notes of the Cummins Theatre Committee held on 26 June 2008 be received.*
2. *That the fly tower insulation comprise the entire rear area of the stage including all external walls, roofs and ceilings, that the roller doors be replaced with solid core timber doors and that existing windows be replaced with proper frames in keeping with the heritage character of the building.*

**29610**

Moved Cr Young

Sec Cr Forbes

*That the notes of the Cummins Theatre Committee held on 26 June 2008 be received.***CARRIED 10/0**

**29611**

Moved Cr Young                      Sec Cr Morris

*That the fly tower in the Cummins Theatre insulation comprise the entire rear area of the stage including all external walls, roofs and ceilings.*

**CARRIED 10/0**

**~~29612~~**

Moved Cr Elliott

*That the roller doors be replaced with solid core timber doors and that existing windows be replaced with proper frames in keeping with the heritage character of the building.*

**MOTION LAPSED FOR WANT OF A SECONDER**

---

**11.5 DIVIDING FENCE – LOT 417 SOUTH STREET AND RESERVE 17475  
SOUTH STREET, MERREDIN**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell – Executive Manager,  
Development Services  
**Legislation:** Dividing Fences Act 1961  
**File Reference:** A3029

---

**Background**

Mrs Catherine Chegwidden of 38 South Street, Merredin has corresponded (**Attachment 11.5A**) seeking that Council contribute to the dividing fence separating her property from the park adjacent – Reserve 17475. A map of the location is shown at **Attachment 11.5B**.

**Statutory Implications**

The provisions of the Dividing Fences Act 1961 do not bind the crown and do not apply to roads, parks and reserves under the control of local governments.

The decision to support rests with Council.

**Financial Implications**

The cost of installation of a post and rail steel fence is approximately \$100.00/m. The costs of a new fence are estimated at \$5,000.00.

The cost of materials is estimated at \$3,500.00.

**Comment**

Mrs Chegwidden is seeking Council support as the public utilise the park and rear laneway and can easily gain access to the yard where equipment has been previously stolen from.

Previous local governments the Executive Manager of Development Services has worked for have:

1. Offered to pay materials costs or part thereof;
2. Declined to assist as it sets a precedent.

when the application is for a reserve, park or undeveloped land

**Officer's Recommendation**

*That Council advise Mrs Catherine Chegwidden that it declines to provide assistance to fence Reserve 17475 .*

**29613**

Moved Cr Crees

Sec Cr Young

*That Council advise Mrs Catherine Chegwidden that it declines to provide assistance to fence Reserve 17475 .*

**CARRIED 9/1**

---

Cr Young declared a Proximity Interest in this Agenda Item 11.6 and left the meeting at 3.27pm.

---

11.6 **PLANNING APPLICATION – OVERSIZE OUTBUILDING – LOT 251, HOUSE No. 20 HAINES STREET, MERREDIN**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell – Executive Manager,  
Development Services  
**Legislation:** Shire of Merredin Town Planning Scheme No.1  
& Policy 9.8 Outbuildings in Residential Areas  
**File Reference:** P1922

---

**Background**

An application (**Attachment 11.6A**) has been received from Mr Paul Hutchings of 20 Haines Street, Merredin to erect an oversize outbuilding on Lot 251, House No. 20 Haines Street, Merredin. A map of the location is shown at **Attachment 11.6B**.

**Statutory Implications**

The provisions of Policy 9.8 are applicable.

Lot 251 Haines Street, Merredin comprises 9586m<sup>2</sup> of land. Policy 9.8 permits the Building Surveyor to approve a maximum of 3.3m wall height and 4.2m ridge height. The proposed outbuilding is compliant with the total area requirements. The area of the outbuilding is 180m<sup>2</sup>. The maximum single outbuilding area is 143m<sup>2</sup>.

The applicant seeks to increase the wall height to 4.2m (+0.9m) and the ridge height to 5.2m (+1m). The average apex to a dwelling is between 4.5m and 6.5m.

There are no building issues with the proposed development.

**Financial Implications**

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

**Comment**

The applicant seeks to store an off road caravan within the garage. Standard garage heights will not permit the caravan to access the building. The additional height is required to house the running mechanism of the sliding doors. A 3.3m door height is proposed.

The lot is contained within land that Council has noted for the preparation of an outline development plan to permit the subdivision into smaller lots.

A future issue may arise if the land is subdivided and the outbuilding remains within a substantially smaller lot.

Council has approved outbuildings with similar ridge heights and area previously.

**Officer's Recommendation**

*That the application from Mr P Hutchings of 20 Haines Street, Merredin to erect a outbuilding with a wall height of 4.2m and a ridge height of 5.2m on Lot 251, No. 20 Haines Street, Merredin be approved.*

**29614**

Moved Cr Crees

Sec Cr Simmonds

*That the application from Mr P Hutchings of 20 Haines Street, Merredin to erect a outbuilding with a wall height of 4.2m and a ridge height of 5.2m on Lot 251, No. 20 Haines Street, Merredin be approved.*

**CARRIED 9/0**

---

11.7 **TENDER 9 – 07/08 WATER, SEWER AND POWER INFRASTRUCTURE CARRINGTON WAY SUBDIVISION; DELEGATED AUTHORITY TO CHIEF EXECUTIVE OFFICER TO PROCEED**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell – Executive Manager,  
 Development Services  
**Legislation:** Local Government Act 1995  
**File Reference:** LUP/13/5

---

**Background**

Tender 9-07/08 Request for Tender and Specification for Sewers, Water Reticulation and Power was advertised in the West Australian on 28 June 2008. The closing date for the tender is 25 July 2008.

The August Council meeting will be held on 19 August 2008.

Delegated Authority to the Chief Executive Officer to consider and appoint the successful contractor/s is sought from Council.

**Statutory Implications**

Section 5.42 of the Local Government Act 1995 permits the Local Government to delegate certain powers and duties to the Chief Executive Officer. Section 3.43 prohibits the delegation to accept a tender which exceeds an amount determined by the local government for the purposes of the section.

Council has determined via budget an amount that cannot be exceeded.

The Absolute Majority of Council is required for this report.

**Financial Implications**

A preliminary budget for the project has been estimated at \$1,417,277.50 + GST. The breakdown of costs is listed below: -

**Carrington Way, Merredin**

Number of lots	29
Total cost for project	\$1,647,555.25
Cost per lot	\$48,871.64
Summary	

<b>Description</b>	<b>Rate Pre-tender Estimate</b>
Preliminaries	\$80,500.00
Siteworks	\$48,570.00
Retaining walls	\$28,297.50
Sewerage	\$77,710.00

---

Drainage		\$30,600.00
Water		\$112,140.00
Roads		\$278,800.00
Miscellaneous		\$108,400.00
Provisional Sums		\$65,400.00
Electrical per lot	\$8,000.00	\$232,000.00
Contingency		\$100,000.00
<b>SUB TOTAL</b>		<b>\$1,081,917.50</b>
Subtotal		<b>\$1,081,917.50</b>
Water Corporation headworks		
Sewer per lot	\$1,450.00	\$42,050.00
Water per lot	\$2,900.00	\$84,100.00
Drainage per lot	\$400.00	\$11,600.00
Western Power headworks		\$0.00
<b>Fees</b>		
Engineering Lump sum		\$112,000.00
Electrical per lot	\$90.00	\$2,610.00
Survey per lot	\$2,000.00	\$58,000.00
Geotech per job	\$25,000.00	\$25,000.00
<b>TOTAL</b>		<b>\$1,497,777.50</b>
GST		\$149,777.75
Total Estimate		<b>\$1,647,555.25</b>

The costings contain estimates that Council has included within the draft 2008/2009 Budget.

#### **Comment**

It is requested that the Chief Executive Officer be granted delegated authority to accept tenders that do not exceed budget parameters. Where the budget is to be exceeded the matter shall be referred to Council for deliberation.



**Officer's Recommendation**

*That the Chief Executive Officer be granted delegated authority to consider Tender 9-07/08 and accept a tender for the provision of infrastructure providing the overall budget set for the Carrington Way subdivision is not exceeded.*

ABSOLUTE MAJORITY REQUIRED

**29615**

Moved Cr Morris

Sec Cr Crees

*That the Chief Executive Officer be granted delegated authority to consider Tender 9-07/08 and accept a tender for the provision of infrastructure providing the overall budget set for the Carrington Way subdivision is not exceeded.*

**CARRIED 9/0  
ABSOLUTE MAJORITY**

Cr Young entered the meeting at 3.30pm.

---

Cr Crees declared a Financial Interest in this Agenda Item 11.8 and left the meeting at 3.30pm.

---

11.8 **PROSECUTION – MR I WALLACE – BREACH OF SECTION 218(C)  
PLANNING AND DEVELOPMENT ACT 2005 – LOT 15 BOORAN  
SOUTH ROAD, MERREDIN**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell – Executive Manager,  
Development Services  
**Legislation:** Planning and Development Act 2005, Shire of  
Merredin Town Planning Scheme No.1  
**File Reference:** A7032

---

**Background**

In accordance with Councils resolution at its April 2008 meeting (**CMRef 29448**), staff have commenced legal action against Mr Ian Wallace for the failure to rehabilitate the gravel extraction quarry at Lot 15 Booran South Road, Merredin.

The summons document has been received at the Administration for serving on Mr Ian Wallace.

To date Mr Gavin Townsend (the new owner) has arranged for:

1. Removal of the extraneous materials around the land;
2. Removal of the steel waste stored on the land;
3. Re-cropping of the land.

Mr Townsend also approached the Administration in March 2008 to provide a document advising that if Council gave an additional three years the gravel site would be rehabilitated. This correspondence is contained in **Attachment 11.8A**.

**Statutory Implications**

The provisions of the planning consent of PA11-03 and PA2- 05 and the Shire of Merredin Town Planning Scheme No.1 are applicable.

PA11-03 required that the land be rehabilitated in accordance with a rehabilitation plan submitted by Mr I Wallace.

**Financial Implications**

Expenditure to date on the prosecution is estimated at \$2,000.00.

**Comment**

Mr Townsend has advised that settlement of the land occurred with Mr I Wallace on 30 June 2008. As part of the contract of sale Mr I Wallace has conditioned that Mr Townsend will rehabilitate the site if Council pursues Mr I Wallace. This is condition five of the sale agreement.

The site has been cleaned up substantially and the main issue is the rear gravel pit located on the south west corner of the location.

Tree plantings have occurred on the front (north) boundary and on the west side of the location and the plants are reticulated to enable growth. It is understood that Mr Townsend undertook these works.

As part of the Councillors briefing session in June 2008 the matter of the prosecution was raised. The consensus at that session was that the prosecution could be withdrawn as the new owner would address the main issues being pursued by the Shire of Merredin.

The Executive Manager of Development Services has discussed the rehabilitation issues with Mr Townsend who has agreed to rehabilitate the site within two years in accordance with the rehabilitation plan that formed part of the original Town Planning Consent (PA11-03). Mr Townsend has also agreed to remove the old house and the accumulation of mining sample bags within the two year period.

There have been no complaints from neighbours since Council's commencement of legal action and since the works of rehabilitation and clean up of the site have been commenced by Mr Townsend.

Any remedial or legal action that the Shire of Merredin takes against Mr I Wallace will directly impact on the new owners.

**Officer's Recommendation**

*That the prosecution of Mr Ian Wallace for an alleged breach of Section 218(C) of the Planning and Development Act 2005 be withdrawn providing Mr Gavin Townsend agrees in writing to remediate the gravel quarry site on Lot 15 Booran South Road, Merredin and comply with the rehabilitation plan submitted by Mr Ian Wallace in Planning Application PA11-03 by 30 June 2010.*

**29616**

Moved Cr Wallace

Sec Cr Morris

*That the prosecution of Mr Ian Wallace for an alleged breach of Section 218(C) of the Planning and Development Act 2005 be withdrawn providing Mr Gavin Townsend agrees in writing to remediate the gravel quarry site on Lot 15 Booran South Road, Merredin and comply with the rehabilitation plan submitted by Mr Ian Wallace in Planning Application PA11-03 by 30 June 2010.*

**CARRIED 9/0**

---

Cr Crees entered the meeting at 3.32pm.

Cr Morris declared a Financial Interest in this Agenda Item ~~11.0~~ 11.9 and left the meeting at 3.33pm. [Alteration to Agenda Item – Refer CMRef 29635 dated 19 August 2008.](#)

Cr A Hooper left the meeting at 3.33pm.

---

11.9 **TOWN PLANNING – ADOPTION OF INTERIM DEVELOPMENT ORDER – LOCAL PLANNING SCHEME NO.3**

**Reporting Department:** Development Services

**Reporting Officer:** John Mitchell – Executive Manager, Development Services

**Legislation:** Planning and Development Act 2005, Shire of Merredin Town Planning Scheme No.1 and Local Planning Scheme No.3

**File Reference:** LUP/5/1

---

**Background**

The Shire of Merredin is currently considering a Local Planning Scheme No.3 (LPS). As part of that review process Council, in workshops, has resolved to change zonings of land within the residential zone(s) of the town of Merredin.

These changes include:

1. Lutheran Church – South Street – “Civic and Cultural” – “Residential”;
2. 54 Bates Street – “Civic and Cultural” – “Residential”;
3. Lots 815 and 816 Cunningham Street – “Civic and Cultural” – “Residential”;
4. Town Centre zoning inclusion to replace the office and shop zonings – permits flexibility in development proposals;
5. Annexing a portion of Lot 684 Bates Street – Recreation Grounds, for residential development – aged;

The process for adoption of the LPS requires the Council to submit the draft LPS to the Western Australian Planning Commission (WAPC) and request the Minister’s consent to advertise and seek public comment. (e.g. the Shire of Bruce Rock submitted their draft text and maps in 2006 and is still waiting for approval to advertise the draft LPS).

It is anticipated that the process may take a further 18 months to resolve if the WAPC cannot replace staff and prioritise the consideration of local planning schemes and strategies.

**Statutory Implications**

Section 102(2) of the Planning and Development Act 2005 permits the Minister to make such local interim development orders as are necessary and in the public interest for regulating, restricting or prohibiting the development of land within the district or such part thereof.

The Town Planning Scheme No.1 prohibits the establishment of residential development within the “Civic and Cultural” zone. The implications are that as the use class “Residential” is listed within the Scheme but not in the zone, any application for residential construction must be refused. Applications to establish new businesses may be lost due to the current office and shop zonings in Barrack Street.

An IDO permits the Local Government to consider applications received in line with the proposed local planning scheme. An example would be the establishment of a dwelling within an exclusion zone or within land zoned permissible under the current scheme but will be prohibited under the new scheme.

A draft Local Interim Development Order is provided in **Attachment 11.9A**.

**Financial Implications**

There are limited financial implications of the gazettal of an Interim Development Order (IDO). The local government shall advertise the summary of the IDO three times within a newspaper circulating within the region. The local government may have to pay for the gazettal of the IDO. These costs are estimated at less than \$1,000.00.

**Comment**

The reasons for the IDO are: -

- 1) To permit residential development on lots previously zoned “Civic and Cultural”;
- 2) Due to historical delays in obtaining WAPC approval there exists a real possibility that the Shire of Merredin may lose potential development particularly within the existing shop and office zones;
- 3) To permit industrial development within zones proposed as light industrial or general industry;
- 4) To restrict development compliant with the existing scheme which may conflict with proposals within the proposed Local Planning Scheme – e.g. development within proposed buffer zones e.g. Abattoirs, Sewerage Farm;
- 5) To control residential development to a minimum standard and restrict the placement of alternative style housing development.

There are no guarantees that the Minister will approve an IDO. The IDO would be submitted with the draft scheme text and maps.

There is no known impact of the IDO on any public authority or utility.

**Officer's Recommendation**

*That the Minister for Planning and Infrastructure be requested to approve an Interim Development Order over development within the Shire of Merredin to permit the local government to consider new planning applications to ensure conformity with the proposed Local Planning Scheme No.3.*

**29617**

Moved Cr Young                      Sec Cr Forbes

*That the Minister for Planning and Infrastructure be requested to approve an Interim Development Order over development within the Shire of Merredin to permit the Local Government to consider new planning applications to ensure conformity with the proposed Local Planning Scheme No.3.*

**CARRIED 8/0****29618**

Moved Cr Elliott                      Sec Cr Young

*That Council adjourn the meeting at 3.40pm for afternoon tea.*

**CARRIED 8/0**

Phil Swain, Acting Executive Manager of Development Services left the meeting at this juncture.

**29619**

Moved Cr Crees                      Sec Cr Elliott

*That Council reconvene the meeting at 3.55pm.*

**CARRIED 8/0**

Cr A Hooper, Cr Morris, Emma Hooper, Executive Manager of Finance and Administration and Jim Garrett, Executive Manager of Engineering Services were in attendance.

Cr Wallace and Cr Young entered the meeting at 3.56pm.

---

## 12.0 ENGINEERING SERVICES

---

### 12.1 EXECUTIVE MANAGER OF ENGINEERING SERVICES – MONTHLY REPORT

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

---

#### **Background**

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

#### **Comment**

##### Road Construction

The Solomon Street drainage works are near completion with the reinstatement of the road crossings yet to be carried out.

The concrete footpath on Bates Street has been completed with some tidy up work on the gravel verges still to be undertaken.

##### Road Maintenance

Annual maintenance grading started on 12 June 2008, 9 weeks behind schedule due to the dry weather conditions. The maintenance grading team is working a 10 hour day, six days a week to take advantage of the moisture on the roads. A map of the maintenance graders' progress can be seen on **Attachment 12.1A**.

Bitumen repairs have been carried out on Brissenden Road due to damage caused by a bushfire.

Weed spraying of footpaths and laneways has been completed. Rural road verges will be sprayed for weeds, if required, in the coming weeks.

The pruning of street trees on road verges is ongoing.

##### Parks and Gardens

Rose pruning is in progress and weeding of flower beds is ongoing.

##### Recreation Ground

The fire brigade running track sub base is complete with the drainage work to follow. The Fire Brigade will then install the electrical works and hydraulics prior to the base course being laid.

Traffic counts

Traffic counts for the previous 12 months are shown in **Attachment 12.1B** for Councils information.

Current dam water volume

Dam #1	49% Full	Capacity	74,455 kilolitres
Dam #2	31% Full	Capacity	71,675 kilolitres
Dam #3	27% Full	Capacity	46,000 kilolitres
Railway Dam	32% Full	Capacity	23,000 kilolitres

After recent rains, 17,234 kilolitres of water has been harvested from the main drain and 34,881 kilolitres has been received from the sewage farm, for the month of June 2008.

*Council commented that staff should develop plans to deal with having insufficient water for the forthcoming summer.*

**Officer's Recommendation**

*That Council receive the Executive Manager of Engineering Services' Report for July 2008.*

**29620**

Moved Cr Morris

Sec Cr Elliott

*That Council receive the Executive Manager of Engineering Services' Report for July 2008.*

**CARRIED 10/0**

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



---

## 13.0 FINANCE AND ADMINISTRATION

---

### 13.1 EXECUTIVE MANAGER OF FINANCE AND ADMINISTRATION – MONTHLY REPORT

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

---

#### **Background**

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

#### **Comment**

##### Staffing

Suzette Coetzee has successfully completed her probationary period as Administration Officer (Licensing) and officially been appointed in the full-time position.

##### Budget

A draft budget has been prepared. Following the second Budget Concept Forum further alterations have been made and the budget paperwork will now be finalised and forwarded to UHY Haines Norton for review. Once this review process has been completed, it will be brought back to Council for Adoption.

The Adoption Meeting is currently scheduled for Thursday 24 July 2008 at 6.00pm.

##### Rates Early Payment Incentive

Staff have written to numerous businesses regarding potential for sponsorship for the Rates Early Payment Incentive Prize. There has been one positive response to date and we are yet to hear from the majority of businesses. These are currently being followed up.

Staff are currently considering any alternative businesses that could be contacted with regards to the Incentive Prize as well as any suitable contributions that could be made by Council.

##### End of Year Process and Audit

The End of Year Process is progressing, currently staff are waiting on receipt of any further 30 June 2008 invoices prior to officially closing off the year end process.

We have received confirmation of our audit date from UHY Haines Norton as 20 October 2008.

**Officer's Recommendation**

*That Council receive the Executive Manager of Finance and Administration's Report for July 2008.*

**29621**

Moved Cr Crees

Sec Cr Morris

*That Council receive the Executive Manager of Finance and Administration's Report for July 2008.*

**CARRIED 10/0**

Vanessa Green, Executive Assistant, left the meeting at 4.13pm.

Vanessa Green, Executive Assistant, entered the meeting at 4.14pm.

**13.2 MONTHLY FINANCE REPORT**

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

---

---

**Comment**

The preliminary monthly financial report as at 29 June 2008 will be provided at the meeting for Council information. There will be a need for further end of year changes and the Annual Report, once completed, will be provided to Council for adoption

**Officer's Recommendation**

*That Council receive the Monthly Finance Report as at 29 June 2008.*

**29622**

Moved Cr Crees

Sec Cr Young

*That Council receive the Monthly Finance Report as at 29 June 2008 as shown in Attachment 13.2A.*

**CARRIED 10/0**

**13.3 LIST OF ACCOUNTS PAID**

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

---

**Background**

The attached list of accounts paid during the month under delegated authority is provided for Council information. (**Attachment 13.3A**)

**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 \$278,162.25 and amounts directly debited from Councils Municipal Fund Bank Account BSB 066-518 Account No. 000-000-10 totalling \$87,150.51 and outstanding creditors totalling \$421,331.76.*

**29623**

Moved Cr Young                      Sec Cr Forbes

*That Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$278,162.25 and amounts directly debited from Councils Municipal Fund Bank Account BSB 066-518 Account No. 000-000-10 totalling \$87,150.51 and outstanding creditors totalling \$421,331.76.*

**CARRIED 10/0**

**13.4 2007/2008 INTERIM AUDIT REPORT**

<b>Reporting Department:</b>	Finance and Administration
<b>Reporting Officer:</b>	Emma Hooper – Executive Manager, Finance and Administration
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	FM/2/3

---

**Background**

Each year, UHY Haines Norton attend the Shire of Merredin to perform an 'Interim Audit' in which they review finance processes and procedures against 'best practice models'. A compliance review against various statutory obligations is also performed.

**Comment**

The Interim Audit Report listed a number of issues relating to Statutory Compliance and general practices in the Shire. UHY Haines Norton have also included recommendations relating to each issue. (**Attachment 13.4A**) Additional comments by staff are listed below detailing and appropriate complementary information.

Issue 1: Audit Report

Adequate staffing levels and therefore better preparation for the 2007/2008 year end is in place to ensure this does not reoccur.

Issue 2: Public Notices

This issue has been discussed with Council.

Issue 3: Annual Report

Adequate staffing levels and therefore better preparation for the 2007/2008 year end is in place to ensure this does not reoccur.

Issue 4: Delegations Register

The Delegations Register has since been reviewed and updated to incorporate sub-delegations by the Chief Executive Officer.

Issue 5/6: Financial Interest Register

All Councillors and staff will be advised that no sections in the Primary and Annual Returns can be left incomplete. This will be reviewed by staff to ensure that this compliance issue does not re-occur.

Primary and Annual Returns have been circulated following 1 July 2008, therefore no returns will be able to be completed in advance.

Issue 7: Monthly Statement of Financial Activity

Staff will ensure that, going forward, the Monthly Statement of Financial Activity includes written explanations of material variances.

Issue 8: Personnel Files

In a support role for all Executive Managers, the Payroll Officer will now complete a schedule listing those employees whose reviews are outstanding. These will be supplied to Executive Managers to ensure that all Executive Managers are aware of staff in their area still requiring an Annual Performance Review. It is the ultimate responsibility of the Executive Manager involved to ensure that the review is performed.

Issue 9: Payroll Reports

The reason for the error has been identified and the reconciling item has since been corrected in the system.

Issue 10: Payroll Reports

Payroll reconciliations now include a section for the officer to sign that the reconciliation is complete and for the Executive Manager to sign giving evidence that a review of the document has taken place.

Issue 11: Budget

Budget was not submitted within the correct timeframe. Staff will ensure that this does not reoccur.

Issue 12: Sundry Debtors

As at 30 June 2008, the amount of Sundry Debtors in excess of 90 days outstanding has been reduced to 33%. Of these long outstanding debtors 60% of this balance refers to previous doctors outstanding invoices which have now been referred to debt collection.

Issue 13: Bank Reconciliations

Bank Reconciliations now have a section for the officer to sign as evidence of preparation and for the manager to sign as evidence of review.

Issue 14: Trust Reconciliations

The Trust Reconciliation will be prepared for each month.

Issue 15: Long Outstanding Creditors

The ATO reconciliation has been prepared for review at the Final Audit. The Department of Agriculture invoice is being held until appropriate reports are presented as per the initial agreement.

Issue 16: Rate Debtors

Rates Debtors are now a priority for staff to review and minimise. Following the change in staffing and new staff receiving appropriate training, current staff are now in a position to increase time and efforts spent upon following up rates debtors. The implementation of a Rates Incentive Scheme may also improve some of the smaller long outstanding debtors.

Issue 17: Road Depreciation

This issue was outstanding at the time of the Interim Audit due to the need to further discuss the issue with the Auditors. This has now occurred and road depreciation has been posted as per the 'Roman Roads' program in line with Auditors instructions. Roman Roads will now be the program on which all Road Depreciation will be based. It is noted that verbal correspondence has been received concerning the long term viability of the Roman Roads system which had led to the reluctance to base the depreciation calculation upon this system.

Issue 18: Public Works Overhead and Plant Operating Costs

This matter is currently being resolved. In line with this, Public Works Overhead percentages have been altered in the budget process and Plant Operating Costs will be reviewed with the Executive Manager of Engineering Services.

Issue 19: Municipal Bank Account Reconciliation

A stale cheque review is currently being performed.

Issue 20: EFT Payment

Whilst staff recognise the reason for raising this issue, currently there is only one officer responsible for creditors and therefore extensive segregation of duties is not possible. It is noted however, and was communicated to the Auditors, that as we currently prepare minimal EFT payments all bank details are checked by the Executive Manager prior to processing. This will be an issue that becomes more prominent as we move towards increased processing of EFT payments. Staff are investigating the possibility of a system generated report detailing any alterations to Creditor EFT details which could be reviewed by the Executive Manager.

Issue 21: Manual Rolling Reconciliation

When investigated the Manual Rolling Reconciliation between the VGO roll and the rate ledger had not been reconciled since approximately June 2005. Current staff are currently bringing the reconciliation up-to-date and will continue on with this process on a monthly basis.

Issue 22: Investment Policy

This policy is currently being put to Council. Staff have aligned the policy with the Local Government Operational Guideline 19 "Investment Policy". Refer to Agenda Item 13.5.

**Officer's Recommendation**

*That Council receive the 2007/2008 Interim Audit Report.*

**29624**

Moved Cr A Hooper

Sec Cr Young

***That Council receive the 2007/2008 Interim Audit Report.*****CARRIED 10/0**

**13.5 INVESTMENT POLICY**

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

---

**Background**

As a result of the Interim Audit, UHY Haines Norton made a recommendation that Council adopt an Investment Policy based upon Local Government Operational Guideline 19 ‘Investment Policy’ specifically tailored for the Shire of Merredin.

**Statutory Implications**

Local Government Act and Financial Management Regulations.

It is a requirement of Financial Management Regulation 19 that:

1. *A local government is to establish and document internal control procedures to be followed by employees to ensure control over investments.*
2. *The control procedures are to enable the identification of:*
  - a. *The nature and location of all investments; and*
  - b. *The transactions related to each investment.*

**Comment**

Staff have tailored the requirements within the Financial Management Regulations to include investment procedures, protocol and guidelines they believe to be appropriate to the Shire of Merredin.

Investments in self-managed funds have specifically been listed as ‘Prohibited Investments’ as, at the present time, it is not believed to be in the best interests of the Shire of Merredin to be exposed to that level of risk.

**Officer’s Recommendation**

*That Council adopt the ‘Investment Policy’ as detailed at Attachment 13.5A.*

**29625**

Moved Cr Simmonds

Sec Cr Forbes

*That Council adopt the ‘Investment Policy’ as detailed at Attachment 13.5A.*

**CARRIED 10/0**



This Agenda Item was brought forward due to the attendance of Emma Hooper, Executive Manager of Finance and Administration.

---

16.2 **WRITE OFF OF LAND & BUILDINGS – ASSET REGISTER REVIEW**

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

---

**Background**

In preparing the 2007/2008 Financial Statements a review of the Land & Buildings programme of the Asset Register was performed. This highlighted that the Shire of Merredin is still holding values for several buildings that over the past 5-10 years have been demolished or removed.

These building currently are listed on the Asset Register resulting in an overstatement of assets. It is proposed that the following listing is written off:

1. Caravan Park Buildings	\$ 7,346.55	Asset: 2029
2. Community Health Building	\$29,233.54	Asset: 2078
3. Exhibition Building	\$ 630.99	Asset: 2129
4. Pig Pens (Rec Ground)	\$ 458.91	Asset: 2130
5. Sheep Pens (Rec Ground)	\$ 8,604.28	Asset: 2135
6. Cattle Pens (Rec Ground)	\$ 342.53	Asset: 2141
7. Pavilion – Netball – Pottery	\$ 6,849.13	Asset: 2151

**Statutory Implications**

Local Government Act 1995 and Financial Management Regulations.

**Financial Implications**

The write off of these amounts will result in a decrease in the Asset account 'Land & Buildings' for the amount of \$53,465.93.

**Officer's Recommendation**

*That Council write off Assets 2029, 2078, 2129, 2130, 2141, and 2151 from the Asset Register as at 30 June 2008.*

ABSOLUTE MAJORITY REQUIRED

**29626**

Moved Cr Simmonds Sec Cr Elliott

*That Council write off Assets 2029, 2078, 2129, 2130, 2141, and 2151 from the Asset Register as at 30 June 2008.*

**CARRIED 10/0**  
**ABSOLUTE MAJORITY**

Emma Hooper, Executive Manager of Finance and Administration left the meeting at 4.44pm.

**13.6 CHIEF EXECUTIVE OFFICER'S MONTHLY REPORT**

<b>Reporting Department:</b>	Administration
<b>Reporting Officer:</b>	Frank Ludovico - Chief Executive Officer
<b>Legislation:</b>	Local Government Act 1995

---

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

The Action Sheet detailing progress of previous Council resolutions from March 2004 onwards is **Attachment 13.6A**.

Merredin Medical Centre

The Merredin Medical Centre Occasional Committee met to discuss submissions received in respect to the sale of business to Dr. Gabriel Adeniyi on 30 June 2008. That Committee analysed the submissions and determined to sell the business to Dr. Gabriel Adeniyi. Dr. Adeniyi commenced operating the Merredin Medical Practice from 1 July 2008.

Dr. Herma Inverarity has resigned from the Merredin Medical Practice effective from 1 October 2008 and will be proceeding on annual leave from 19 September 2008.

I have formally responded to Dr. Herma Inverarity thanking her for her services to the Merredin community and hoping that sometime in the future she may wish to work in the Merredin community again.

Aboriginal Police Liaison

As reported at Councils last meeting, members of the Aboriginal community, WA Police Service and Local Government met at the Merredin Aboriginal Centre on 23 June 2008 to discuss the incident that had occurred on 13/14 June 2008.

A number of issues were aired. I believe the resolution of that meeting was that an Aboriginal Police Liaison Committee be established so the issues can be dealt with in a formal way.

Emergency Management

The Chief Executive Officer, in his role as the Chairman of the Local Emergency Management Committee (LEMC), participated in "Exercise GROB 2008" on Saturday 21 June 2008. The Exercise dealt with an aircraft fuel spill and aircraft crash at the Merredin Airfield.

The five recommendations coming from that Exercise are detailed below:

1. Set of Exercise Tabards be obtained by the local SES and held for such exercises.
2. All agencies be trained in AIIMS (Australasian Inter-service Incident Management System), at all levels, and then the structure is exercised at first desktop then field exercise during the next 2 years.
3. Whatever the exercise is all agencies, including those involved in recovery, should be included in the exercise. This can be achieved through the “Notational” input from those agencies.
4. Communications: whether an exercise or actual event each agency should supply a liaison officer with a radio or means of communication to their respective agency to a command post. Whilst it is the Hazard Management Authority’s responsibility to set up this post, common sense in a real situation will mean the first agency on site will set a forward command post, even if it is only their vehicle, and all should take direction from the Hazard Combat Authority.
5. SES to be part of all exercises. This can assist in all volunteer agencies attracting further membership, and field Exercises may need to be advertised in the local media so that again there is something to attract membership for volunteer agencies.

In addition, the LEMC Committee has prepared an Annual Report for the 2007/2008 year (**Attachment 13.6B**).

For Council information the August 2008 of the LEMC Committee will commence the process of developing necessary disaster and recovery plans required by the Emergency Management Act.

#### WALGA Visit

On 2 July 2008 Councillor Bill Mitchell, President of WALGA and Ms Michelle Mackenzie, Executive Manager Infrastructure, met with the Shire President, Deputy Shire President and the Chief Executive Officer to discuss issues affecting the Shire of Merredin.

The issues covered were:

1. Medical – many Local Governments are involved in obtaining and managing doctors and this should be the responsibility of State or Federal Government. Perhaps WALGA could provide a service to assist Local Governments in this situation;
2. The SSS Report;
3. Todd Street Railway Houses – Councils’ inability to move State Government in the matter;
4. Seasonal Conditions;
5. Roads – the continuation of R2R funding post 2008/2009, grain infrastructure rescue package;
6. Access to various WALGA meetings/seminars etc via web conferencing.

Christmas / New Year Administration Office Closure

The following days are public holidays for Local Government; Christmas Day, Boxing Day and New Years Day.

Staff surveys and activities during previous breaks have noted that there are very few customers coming into the Shire Offices. In the past we have remained open, as smaller local governments are closed during this period and so taking on a regional role, we have accepted the responsibility of staying open.

In reviewing this process, Executive Managers have determined that the Administration office will remain open on 22 and 23 December 2008 and also 29 and 30 December 2008 with the rest of the days being closed either for public holidays or an office shutdown. Staff will take a mixture of public holidays annual leave or time in lieu to account for the 2 extra days that the office will be closed.

**Officer's Recommendation**

1. *That Council receive the Chief Executive Officer's Report for July 2008.*
2. *That Council receive the 2007/2008 Merredin Local Emergency Management Committee Annual Report.*

**29627**

Moved Cr Simmonds                      Sec Cr Young

1. *That Council receive the Chief Executive Officer's Report for July 2008.*
2. *That Council receive the 2007/2008 Merredin Local Emergency Management Committee Annual Report.*

**CARRIED 10/0**

**13.7 COMPULSORY VOTING IN LOCAL GOVERNMENT ELECTIONS****Reporting Department:** Administration**Reporting Officer:** Frank Ludovico - Chief Executive Officer**Background**

Attached is a Survey and Background Paper regarding Compulsory Voting in Local Government Elections. (**Attachment 13.7A**)

WALGA seeks Councils comments in respect to the issue of Compulsory Voting.

**Comment**

WALGA ask four questions:

1. Does Council support the principle of compulsory voting in Local Government elections – all other things being equal?
2. Does Council support the introduction of compulsory voting in Local Government elections under current electoral arrangements?
3. If Council supports the introduction of compulsory voting under current electoral arrangements, what changes to the electoral arrangements would see Council withdraw their support?
4. Would Council support the introduction of optional preferential voting in Local Government elections as an alternative to proportional preferential voting?

**Officer's Recommendation**

*That Council advise WALGA of its response to the Survey "Compulsory Voting in Local Government" as follows:*

<i>Question</i>	<i>Yes / No</i>	<i>Comment</i>
<i>Does Council support the principle of compulsory voting in Local Government elections – all other things being equal?</i>		
<i>Does Council support the introduction of compulsory voting in Local Government elections under current electoral arrangements?</i>		
<i>If Council supports the introduction of compulsory voting under current electoral arrangements, what changes to the electoral arrangements would see Council withdraw their support?</i>		
<i>Would Council support the introduction of optional preferential voting in Local Government elections as an alternative to proportional preferential voting?</i>		

**29628**

Moved Cr Elliott

Sec Cr Young

*That Council advise WALGA of its response to the Survey  
“Compulsory Voting in Local Government” as follows:*

<i>Question</i>	<i>Yes / No</i>	<i>Comment</i>
<i>Does Council support the principle of compulsory voting in Local Government elections – all other things being equal?</i>	<i>No</i>	
<i>Does Council support the introduction of compulsory voting in Local Government elections under current electoral arrangements?</i>	<i>No</i>	
<i>If Council supports the introduction of compulsory voting under current electoral arrangements, what changes to the electoral arrangements would see Council withdraw their support?</i>	<i>N/A</i>	
<i>Would Council support the introduction of optional preferential voting in Local Government elections as an alternative to proportional preferential voting?</i>	<i>Yes</i>	

**CARRIED 9/1**

---

**14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**

---

**14.1 TAPING OF COUNCIL MEETINGS****Reporting Department:** Councillor**Reporting Councillor:** Martin Morris

---

**Background**

Over time, the level of scrutiny that all levels of government are subject to has increased significantly.

The level of record keeping required by law under the State Records Act 2000 has also escalated. This is even to the extent that if you have any hand written notes made at meetings etc, they must be kept.

A natural progression of this obligation of accountability is the recording of council meetings.

In the past, the Merredin Shire Council has voted to record Council meetings on 2 occasions. Both times it was a decision of Council to record their meetings. Unfortunately for some inexplicable reason those motions have not been acted upon.

*Council Meeting 19 November 1996 (CMRef 24470)*

*Moved Cr Atkinson*

*Sec Cr Chapman*

*That all meetings called by the Shire Council be audio taped, excluding meetings that are in camera.*

*Amendment to Motion*

*Moved Cr Walker*

*Sec Cr Gethin*

*That all Ordinary Special Meetings of Council and Public Meetings be audio taped, subject to the costs associated with the provision of audio taping be investigated, further that if acceptable that this be budgeted for in the 1997/1998 financial year.*

**CARRIED**

*The amendment became the motion and was passed and carried.*

*Council Meeting 5 December 2000*

*9.1 Cr Morris*

*That Merredin Shire Council purchase the applicable audio recording equipment so that meetings of Council may be recorded.*

*We as a Council voted to record our meetings some time ago. As yet we have not done anything about implementing that direction.*

*In recent times there have been a number of instances where we have relied heavily upon our combined memories to verify some very important issues, we all suffer from differing degrees of memory loss, be it selective or otherwise.*

*The cost to purchase recording equipment is not great, but the benefits are immense.*

*The compiling of minutes would be much easier for our staff and we can be seen as accountable if any questions are asked regarding our activities or the intent behind the decision.*

**CMRef 26072**

*Moved Cr Morris*

*Sec Cr Townrow*

*That Merredin Shire Council purchase the applicable audio recording equipment so that meetings of Council may be recorded.*

*Amendment*

**CMRef 26073**

*Moved Cr Marley*

*Sec Cr Pitt*

*That Merredin Shire Council purchase the applicable audio recording equipment so that meetings of Council may be recorded, further that the recordings of the meetings be destroyed after the relevant minutes are confirmed by Council.*

*LOST 8/3*

*THE ORIGINAL MOTION WAS PUT AND CARRIED 6/5*

At the last Council meeting, Councillor Young requested that a comment made by her, be included in the previous minutes. Whilst I agree with comments being included, it does open a can of worms as to what comments should be included, and which ones should not.

Minutes of Council meetings in the format we use are not a true record of the meeting, they are a true record of the **outcomes** of the meeting. There is no indication as to why a decision was made, or who voted for what. Recording of meetings not only ensures the accuracy of our minutes, but also allows the recordings to be kept for future reference. This would enable clarification of the reasons behind the decisions.



Too often, Councillors are “quoted” as making certain comments during a Council meeting. Where these “quotes” come from I have no idea, but if the meetings were recorded, a transcript could be obtained so that the correct information can be given.

Council meetings are a public forum and anyone could sit in the gallery and listen to all debates. In fact this has happened in the past. They could take notes and distribute the information to anyone. This method of distribution may not always be accurate. Therefore there should be no problem in recording the meetings and having the recordings available for those who cannot attend to witness them first hand.

As a Councillor, I welcome the extra scrutiny as I stand by any of my comments. They are made in a public forum so the public are entitled to hear them. I don't mind if I am quoted as saying something. What does concern me is when people are misquoted.

Council must be seen as being open, accountable and transparent. There would be no better way than recording our meetings and allowing anyone to purchase a transcript.

Many other organisations already do so.

Some research has been done as regarding the cost of audio recording equipment. Prices vary greatly, from cheap basic versions (\$500.00) to the very complex hardware (\$20,000.00). A more than acceptable system valued at much less than \$3,000.00 would more than suffice.

Obviously there would be an applicable fee for the provision of a transcript, or for someone to listen to the recording. The transcript could also be made available by way of a CD.

The fees for these should be on a cost recovery basis.

#### **Staff Comment**

*The General Disposal Authority for Local Government Records stipulates that tape recordings of Council meetings are required to be kept for 30 years after date of last action.*

#### **Councillor's Recommendation**

1. *That Council audio record Council Meetings.*
2. *That funds be allocated in the 2008/2009 Budget.*
3. *That the Council meetings be recorded commencing on or before the September Council meeting.*
4. *That the recordings be kept for a period of time as per the State Records Act.*
5. *That a fee be set for the production of meeting transcripts in the various formats available.*

**29629**

Moved Cr Morris                      Sec Cr Elliott

1. *That Council audio record Council Meetings.*
2. *That funds be allocated in the 2008/2009 Budget.*
3. *That the Council meetings be recorded commencing on or before the September Council meeting.*
4. *That the recordings be kept for a period of time as per the State Records Act.*
5. *That a fee be set for the production of meeting transcripts in the various formats available.*

LOST 4/6

**29630**

Moved Cr Morris                      Sec Cr Young

1. *That Council audio record Council Meetings.*
2. *That funds be allocated.*
3. *That the recordings be kept for a period of time as per the State Records Act.*
4. *That a fee be set for the production of meeting transcripts in the various formats available.*

5/5

The Presiding Member exercised his casting vote and voted against the motion

LOST 5/6

**29631**

Moved Cr Simmonds                      Sec Cr Forbes

*That Council investigate costings of audio equipment to record Council Meetings for the 2009/2010 Budget*

CARRIED 8/2

---

---

**14.2 COMMUNITY MEETINGS**

**Reporting Department:** Councillor  
**Reporting Councillor:** Martin Morris

---

**Background**

The subject of Council meeting with the community has been raised on several occasions. We need to be pro-active and keep in touch with the wants, needs, concerns and opinions of our community. Simply being elected does not necessarily give us as Councillors a mandate to make decisions without knowing how the community feel about issues.

Many Local Government authorities, including Kalgoorlie, Ravensthorpe and Toodyay hold Council Meetings at locations other than their Council Chambers in order to better connect with the electors.

On 21 March 2000, this matter was raised with the concept of having a Council meeting in the rural localities followed by an informal forum to discuss local issues in conjunction with a BBQ or similar.

**8. COUNCILLORS ITEMS****8:1 CR MORRIS****CMRef 25686***Moved Cr Morris**Sec Cr Broomhall*

*That Merredin Shire Council conduct at least one Ordinary Meeting of Council per year at each of these locations: Muntadgin, Burracoppin and Hines Hill.*

*LOST***CMRef 25687***Moved Cr Wallace**Sec Cr Caridi*

*That Council investigate holding public forums at least once a year in Muntadgin, Burracoppin and Hines Hill.*

*CARRIED*

I do not believe that this matter has been actioned.

**CMRef 29468 15 April 2008**

*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*

The unanimous passing of this motion indicates that this Council wishes to link to the community much more in regard to the future of Merredin.

The need to consult with the community more often has been highlighted with our recent trip around the rural areas, culminating with an informal gathering at the home of Matthew and Beth Smith. Not only did it give those present an opportunity to air some issues, but it showed a public face of us as Councillors and staff and confirmed our interest in the views of the electors.

Talking to those residents who attended, and even many of those from the area who did not, the visit was greatly appreciated.

The attendance of two Burracoppin residents at the June Council meeting, who spoke on recycling also indicated the need to consult the community,.

The concept of taking a bus, with Councillors and staff, to different venues around the Shire to meet with electors from those areas was discussed by a number of people after that visit. An added idea was to tow a trailer mounted BBQ so that there could be an informal meal as well. These ideas were received very well.

This also addresses **CMRef 25687** which was passed on 21 March 2000.

#### **Councillor's Recommendation**

1. *That Councillors visit locations within the following areas to conduct informal community forums with the residents, Muntadgin, Hines Hill and Burracoppin at least once per year.*
2. *That Council hold two public forums per year to encourage community participation in Council planning and direction. This includes the forum set in CMRef 29468.*

**29632**

Moved Cr Morris

Sec Cr Crees

*That Councillors visit locations within the following areas to conduct informal community forums with the residents, Muntadgin, Hines Hill and Burracoppin at least once per year.*

**CARRIED 9/1**

**29633**

Moved Cr Morris

Sec Cr Elliott

*That Council hold two public forums per year to encourage community participation in Council planning and direction. This includes the forum set in CMRef 29468.*

**5/5**

The Presiding Member exercised his casting vote and voted against the motion

**LOST 5/6**

15.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

Nil

16.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

16.1 Merredin Senior Centre

Cr Young advised the meeting that she had received a letter from the Merredin Senior Centre in relation to items they wished be considered as part of Council's Budget deliberations.

16.2 WALGA Annual General Meeting

Frank Ludovico advised the meeting that the Agenda for the WALGA Annual General Meeting 2008 had been received and would be distributed to Councillors.

17.0 MATTERS BEHIND CLOSED DOORS

Nil

18.0 CLOSURE

There being no further business the Presiding Member declared the meeting closed at 5.35pm.