

SHIRE OF MERREDIN



“Heart of the Wheatbelt”

MINUTES OF COUNCIL MEETING

19 AUGUST 2008

INDEX

1.0	OFFICIAL OPENING	4
2.0	PUBLIC QUESTION TIME.....	4
3.0	APOLOGIES AND LEAVE OF ABSENCE	4
4.0	DISCLOSURE OF INTEREST	4
5.0	PETITIONS AND PRESENTATIONS.....	4
6.0	CONFIRMATION OF MINUTES.....	5
6.1	Previous Council Meeting	5
7.0	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION.....	6
8.0	MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC	6
17.1	Merredin Regional Community and Leisure Centre – Liquor License	6
9.0	RECEIVAL OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL.....	6
9.1	Senior Staff Review Committee Meeting held on 7 July 2008	6
9.2	Merredin / Westonia Liquor Accord Meeting held on 14 July 2008.....	6
9.3	WE-ROC Executive Meeting held on 23 July 2008	6
9.4	WALGA Great Eastern Country Zone Teleconference Meeting held on 24 July 2008	6
9.5	Aquatic Facilities Committee Meeting held on 24 July 2008	6
9.6	Merredin Heritage Management Committee Meeting held on 24 July 2008	6
9.7	Merredin Regional Community and Leisure Centre Advisory Committee Meeting held on 28 July 2008	6
9.8	Merredin Local Emergency Management Committee Meeting held on 5 August 2008	6
10.0	COMMUNITY SERVICES	12
10.1	Executive Manager of Community Services – Monthly Report	12
10.2	Peter McDonald Donation Request	16
10.3	Merredin Senior High School Function Donation.....	18
11.0	DEVELOPMENT SERVICES	20
11.1	Building Statistics Return – July 2008	20
11.2	Town Planning Report.....	22
11.3	Town Planning – Application for Planning Consent – Windfarm – Collgar Windfarms - Locations	24
11.4	Local Planning Scheme No. 3 – Adoption and Referral to Western Australian Planning Commission	26
11.5	Town Planning – Subdivision – Creation of Homestead Lot – GL & SA Payne; Lot 21014 Last Road, Merredin	28
11.6	Carrington Way – Sale of Lots.....	30
16.1	Executive Manager of Development Services – Monthly Report.....	34
12.0	ENGINEERING SERVICES.....	39
12.1	Executive Manager of Engineering Services – Monthly Report.....	39
12.2	Recreation Ground Master Plan	41

11.0	DEVELOPMENT SERVICES CONTINUED	42
	16.3 Rubbish and Refuse Charges.....	42
12.0	ENGINEERING SERVICES CONTINUED	43
	12.2 Recreation Ground Master Plan	43
13.0	FINANCE AND ADMINISTRATION	45
	13.1 Executive Manager of Finance And Administration – Monthly Report	45
	13.2 Monthly Finance Report.....	47
	13.3 List Of Accounts Paid	48
	13.4 Accounts Receivable Recovery Policy.....	49
	13.5 Chief Executive Officer - Monthly Report.....	50
	13.6 Review of Delegations	54
	13.7 Community Forums.....	56
	16.2 Wheatbelt Country Health Strategic Plan.....	58
14.0	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	60
15.0	QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN	60
16.0	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION	60
17.0	MATTERS BEHIND CLOSED DOORS	60
	17.1 Merredin Regional Community and Leisure Centre – Liquor License	60
18.0	CLOSURE	60

Minutes for the Ordinary Meeting of the Merredin Shire Council held in the Council Chambers, Corner King and Barrack Streets, Merredin on Tuesday 19 August 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; J Townrow; W Wallace; M Young

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

- 1.0 OFFICIAL OPENING
The Presiding Member declared the meeting open at 1.03pm. Debbie Morris, Executive Manager of Community Services, was in attendance.
- 2.0 PUBLIC QUESTION TIME
Nil
- 3.0 APOLOGIES AND LEAVE OF ABSENCE
Nil
- 4.0 DISCLOSURE OF INTEREST
Cr Crees declared a Financial Interest in Agenda Item 11.3.
- 5.0 PETITIONS AND PRESENTATIONS
Nil

6.0 CONFIRMATION OF MINUTES

6.1 Previous Council Meeting

Confirmation of the Minutes of the previous Council Meeting held on 15 July 2008, subject to:

1. The removal of John Mitchell, Executive Manager of Development Services, from the attendance register;
2. The inclusion of Phillip Swain, Acting Executive Manager of Development Services in the attendance register;
3. The insertion of the words "for the" between "217" and "purposes" in **CMRef 29607**.

Cr A Hooper entered the meeting at 1.05pm.

Cr Morris left the meeting at 1.05pm and entered the meeting at 1.06pm.

Cr Young left the meeting at 1.05pm and entered the meeting at 1.07pm.

29635

Moved Cr Crees

Sec Cr Simmonds

That the minutes of the meeting of Council held on 15 July 2008 be confirmed as a true and correct record of proceedings subject to:

1. *The removal of John Mitchell, Executive Manager of Development Services, from the attendance register;*
2. *The inclusion of Phillip Swain, Acting Executive Manager of Development Services in the attendance register;*
3. *The insertion of the words "for the" between "217" and "purposes" in CMRef 29607;*
4. *The alteration on Page 36 of the Financial Interest by Cr Morris to be amended to Agenda Item 11.9 rather than 11.0.*

CARRIED 11/0

6.2 Special Meeting of Council

Confirmation of the Minutes of the Special Council Meeting held on 7 August 2008.

29636

Moved Cr Young

Sec Cr Elliott

That the minutes of the meeting of Special Council held on 7 August 2008 be confirmed as a true and correct record of proceedings.

CARRIED 11/0

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

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

17.1 Merredin Regional Community and Leisure Centre – Liquor License

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

9.1 Senior Staff Review Committee Meeting held on 7 July 2008

Attachment 9.1A

9.2 Merredin / Westonia Liquor Accord Meeting held on 14 July 2008

Attachment 9.2A

9.3 WE-ROC Executive Meeting held on 23 July 2008

Attachment 9.3A

9.4 WALGA Great Eastern Country Zone Teleconference Meeting held on 24 July 2008

Attachment 9.4A

9.5 Aquatic Facilities Committee Meeting held on 24 July 2008

Attachment 9.5A

9.6 Merredin Heritage Management Committee Meeting held on 24 July 2008

Attachment 9.6A

9.7 Merredin Regional Community and Leisure Centre Advisory Committee Meeting held on 28 July 2008

Attachment 9.7A

9.8 Merredin Local Emergency Management Committee Meeting held on 5 August 2008

Attachment 9.8A

29637

Moved Cr Young

Sec Cr Elliott

That Council receive the minutes of the Senior Staff Review Committee Meeting held on 7 July 2008 with the removal of Cr Townrow from the attendance register, the Merredin / Westonia Liquor Accord Meeting held on 14 July 2008, the WE-ROC Executive Meeting held on 23 July 2008, the WALGA Great Eastern Country Zone Teleconference Meeting held on 24 July 2008, the Aquatic Facilities Committee Meeting held on 24 July 2008, the Merredin Heritage Management Committee Meeting held on 24 July 2008, the Merredin Regional Community and Leisure Centre Advisory Committee Meeting held on 28 July 2008 and the Merredin Local Emergency Management Committee Meeting held on 5 August 2008

CARRIED 11/0

9.1 Senior Staff Review Committee

Nil Recommendations to Council

9.2 Merredin / Westonia Liquor Accord

Nil Recommendations to Council

9.3 WE-ROC Executive

Nil Recommendations to Council

9.4 WALGA Great Eastern Country Zone

Nil Recommendations to Council

9.5 Aquatic Facilities Committee

1. *That the Shire of Merredin Council resolve to retain the aquatic facility within Reserve 23036, reuse the existing pool bowl proper – subject to Structural Engineers advice and commence an upgrade of the facility within the 2010/2011 financial year.*
2. *That the Aquatic Facilities Committee meet regularly to: -*
 - a. *design new entry, ablution, kiosk, car park, concourse and first aid facilities;*
 - b. *Provide estimates of the costs of construction and improvements;*
 - c. *Provide a time frame for completion of the proposed works*
 - d. *Assess the Engineers report and provide further recommendation to Council on the expected life of the facility and in particular the pool bowl proper;*
 - e. *Prepare tender documentation to renovate the facility including hydraulics, plant room layout, sterilization techniques, cleaning methods, concourse and buildings;*
 - f. *Prepare documentation for Council consideration to appoint a Engineer consultant to oversee the renovations*
 - g. *Determine grant avenues and prepare grant submissions to assist with the expected cost of the construction and improvements.*

Moved Cr Townrow

Sec Cr Simmonds

1. *That Council resolve to retain the aquatic facility within Reserve 23036, reuse the existing pool bowl proper – subject to Structural Engineers advice and commence an upgrade of the facility within the 2010/2011 financial year.*
2. *That the Aquatic Facilities Committee meet regularly to: -*
 - a. *Design new entry, ablution, kiosk, car park, concourse and first aid facilities;*
 - b. *Provide estimates of the costs of construction and improvements;*
 - c. *Provide a time frame for completion of the proposed works;*
 - d. *Assess the Engineers report and provide further recommendation to Council on the expected life of the facility and in particular the pool bowl proper;*
 - e. *Prepare tender documentation to renovate the facility including hydraulics, plant room layout, sterilization techniques, cleaning methods, concourse and buildings;*
 - f. *Prepare documentation for Council consideration to appoint an Engineer consultant to oversee the renovations;*
 - g. *Determine grant avenues and prepare grant submissions to assist with the expected cost of the construction and improvements.*

Further debate of the above motion from the Aquatic Facilities Committee ensued.

29638

Moved Cr Young

Sec Cr Elliott

That the above Motion from the Aquatic Facilities Committee be now put.

Frank Ludovico, Chief Executive Officer, left the meeting at 1.20pm and entered the meeting at 1.22pm.

CARRIED 6/5**29639**

Moved Cr Townrow

Sec Cr Simmonds

1. *That Council resolve to retain the aquatic facility within Reserve 23036, reuse the existing pool bowl proper – subject to Structural Engineers advice and commence an upgrade of the facility within the 2010/2011 financial year.*
2. *That the Aquatic Facilities Committee meet regularly to:-*
 - a. *Design new entry, ablution, kiosk, car park, concourse and first aid facilities;*
 - b. *Provide estimates of the costs of construction and improvements;*
 - c. *Provide a time frame for completion of the proposed works;*
 - d. *Assess the Engineers report and provide further recommendation to Council on the expected life of the facility and in particular the pool bowl proper;*
 - e. *Prepare tender documentation to renovate the facility including hydraulics, plant room layout, sterilization techniques, cleaning methods, concourse and buildings;*
 - f. *Prepare documentation for Council consideration to appoint an Engineer consultant to oversee the renovations;*
 - g. *Determine grant avenues and prepare grant submissions to assist with the expected cost of the construction and improvements.*

CARRIED 8/3

INTENT OF MOTION: *If it is determined that the bowl is sound the pool will remain located on Reserve 23036, if it is determined that the bowl is not sound the matter needs to be bought back to Council for further consideration.*

9.6 Merredin Heritage Management Committee

8.3 Application for new Committee Member

Moved Cr Hayden Sec John Rutherford
That the Merredin Heritage Management Committee recommend to Council that Council endorse the request made by Avril Parker to become a member of the Merredin Heritage Management Committee from the date of the next meeting 28th August 2008.

CARRIED 3/0

29640

Moved Cr Morris Sec Cr Hayden
That Council endorse the request made by Ms Avril Parker to become a member of the Merredin Heritage Management Committee effective from the date of the next meeting being 28 August 2008.

CARRIED 11/0

9.7 Merredin Regional Community and Leisure Centre Advisory Committee

9.1 Merredin Agricultural Society Memorandum of Understanding.

Moved D Atkins Sec Cr W Wallace
The MRC&LC Advisory Committee recommend to Council that the Memorandum of Understanding between the Shire of Merredin and Merredin Agricultural Society be endorsed, with the inclusion of "Use of court area to be in consultation with the Recreation Centre Manager" in the Special Terms of Agreement.

CARRIED 6/0

29641

Moved Cr Morris Sec Cr Wallace
That Council endorse the Memorandum of Understanding between the Shire of Merredin and the Merredin Agricultural Society, with the inclusion of "Use of court area to be in consultation with the Recreation Centre Manager" in the Special Terms of Agreement.

CARRIED 10/1

9.2 Shire of Merredin Donations Policy

Moved E Carlson

Sec D Atkins

The MRC&LC Advisory Committee recommend to Council that the MRC&LC Donations Policy be endorsed.

CARRIED 6/0

Note: The Policy referred to above is included as an appendix to the Merredin Regional Community and Leisure Centre Advisory Committee Meeting Minutes.

29642

Moved Cr Crees

Sec Cr Wallace

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

CARRIED 10/1

9.8 Merredin Local Emergency Management Committee

Nil Recommendations to Council

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

Additional information was requested by Museums Australia for the Lotterywest Interpretation of Cultural Heritage application. This information was submitted by the due date of 8 August 2008.

Staff

Performance Reviews were conducted for Jane Bandurski, Manager Cummins Theatre and Pam Masters, Visitor Centre Manager.

Library Officer Sonya Smith has resigned, effective 19 August 2008.

Project Officer Rachael Gearing has resigned, effective 5 August 2008.

Six members of the Community Services Team undertook training sessions with the Wheatbelt Area Consultative Committee in Project Planning and Grant Writing on 31 July and 1 August 2008.

Equal Opportunity Commission

Formal notification has been received from the Equal Opportunity Commission (EOC) advising that Mrs Madeleine Carter has withdrawn her complaint and the Commissioner has dismissed the complaint from Mrs Carter due to “lack of substance”. Mrs Carter has 21 days to submit an application to the State Administrative Tribunal (SAT).

Budget

Extensive time this month has been spent on the draft 2008/2009 Budget. Relevant budget reports will be distributed to Community Services Team for their monitoring.

Land and Reserves

Currently developing an up to date report of Shire owned land, Reserves vested to the Shire and other Reserves located within the Shire.

Volunteer Management Program

The Merredin Volunteer Management Program (VMP) has been updated including the information and advice from Local Government Insurance Services (LGIS). This process highlighted the need to update other Shire of Merredin staff documents which are referenced in the VMP and this is currently being addressed.

Once this is completed, it is proposed to host an induction for all volunteers. Currently we have received 16 volunteer registrations.

Volunteering WA

The Shire of Merredin is working in partnership with Volunteering WA to:

1. Research the factors that encourage “newcomers” to become involved in volunteer activities or what prevents them from becoming involved;
2. Work with volunteer reliant community organisations in the Merredin region to gain a greater understanding of the extent of issues surrounding volunteer recruitment and retention.

Public meetings were held on 23 and 24 July 2008. Community organisations and government agencies were invited to attend and also sent relevant surveys which are required to be completed by 31 August 2008.

Volunteering WA will collate the surveys with the intention of working with the Shire to develop and implement strategies to make positive changes to attract and retain volunteers.

Tourism Services

The Visitor Centre Officer position was advertised and closed on 1 August 2008, however no applications were received. Marika Hayden is currently employed on a casual basis for two days a week.

Natural Resource Management

Flood Mitigation funding is being investigated for the Cohn Creek Project.

Library Services

Julie Turner was inducted and commenced in the role of Manager of Library Services on Monday 4 August 2008.

Recreation Services

With the Recreation Centre Manager on leave for the majority of July, day to day operations of the Centre over that period were well managed by the Centre staff. However a number of actions required the Executive Manager of Community Services to undertake, such as the Recreation Ground Master Plan, Liquor Licence, MRC&LC Budget, Kitchen lease and schools fees.

MINUTES

The Recreation Centre Manager returned from leave on 21 July 2008 and met with the Executive Manager of Community Services and was updated on activities.

Community and Economic Development

Casual employee Donna Crook commenced in the role of Project Officer on Monday 11 August 2008.

The Executive Manager of Community Services and Project Officer Taya Fritsch liaise regularly regarding projects and Committees, in particular this month – the Adam Brand Concert and Merredin Community Awards.

Cummins Theatre

A letter of support was provided to Manager of Cummins Theatre for the application for funding to attend the Art at the Heart National Conference in Alice Springs in October 2008 - which was successful.

The Executive Manager of Community Services and Theatre Manager have been finalising the outstanding Lotterywest acquittal for 2005/2006.

Meetings/Seminars/Workshops Attended

Council Meeting held on 15 July 2008

Australia's Golden Outback Seminar held on 15 July 2008

Community Services Team Meeting held on 17 July 2008

Occupational Safety and Health Induction held on 21 July 2008

Merrittville/Department of Housing & Works Meeting held on 21 July 2008

Department of Housing & Works Meeting held on 22 July 2008

Volunteering WA Seminar held on 23 July 2008

LGIS (Ron Meechin) Meeting held on 24 July 2008

Merredin Heritage Management Committee Meeting held on 24 July 2008

Budget Review Meeting held on 28 July 2008

Merredin Interagency Group Meeting held on 30 July 2008

MSSH Principal Meeting held on 4 August 2008

Senior Staff Meeting held on 5 August 2008

Cummins Theatre Working Group (staff) Meeting held on 6 August 2008

Budget Adoption Meeting held on 7 August 2008

Wheatbelt Forum – RDA in Wyalkatchem held on 8 August 2008

Recreation Ground Master Plan Meeting held on 11 August 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
Report is **Attachment 10.1F**

Statutory Implications

Compliance with relevant Acts and Local Laws.

Officer's Recommendation

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

29643 Moved Cr Morris Sec Cr Simmonds
That Council receive the Executive Manager of Community Services' Report for August 2008.

CARRIED 11/0

29644 Moved Cr Morris Sec Cr Simmonds
That all Executive Manager's Monthly Reports be removed from the Council Agenda and be instead provided to Council during the Discussion Period.

CARRIED 6/5

10.2 PETER McDONALD DONATION REQUEST

Reporting Department:	Community Services
Reporting Officer:	Nicole Newton – Recreation Centre Manager
Legislation:	Liquor Control Act 1988
File Reference:	RCS/13/01

Background

Mr Peter McDonald first contacted the Shire of Merredin in October 2007 regarding the opportunity to lease the commercial kitchen at the Merredin Regional Community and Leisure Centre (MRC&LC) for the purpose of conducting a restaurant. Mr McDonald's intention was to commence operations as soon as possible to take advantage of the summer months, however a number of Local Government processes were required to be completed prior to any definite arrangement commencing.

Council endorsed Tendering for the Lease of the Kitchen in February 2008. With no successful tenders, negotiations commenced with Mr McDonald with the intention of a lease agreement for a period of six months from June 2008 – December 2008, which was much later than Mr McDonald had hoped. It was agreed that charges for the hire of the kitchen would be \$80.00 per day and Mr McDonald would use the kitchen to conduct his business 2 nights per week – Thursday and Friday.

As expected the patronage over the winter weeks were relatively low, however Mr McDonald continued to operate until late July, when unforeseen circumstances relating to Profit Sharing and Liquor Licensing placed more restrictions on the venture, including not being able to advertise or promote the restaurant. These issues, along with other contributing factors have resulted in Mr McDonald making a substantial loss.

In late July, Mr McDonald advised the Shire that the restaurant at the Recreation Centre was not a viable venture and he would therefore be ceasing operation on 25 July 2008.

Mr McDonald has made a formal request for the Shire of Merredin to waive all hire fees for the period of operation of the restaurant. **Attachment 10.2A**

Statutory Implications

Mr McDonald could not continue to operate a restaurant from the MRC&LC Commercial Kitchen until the issue of Profit Sharing was rectified.

Financial Implications

\$1,200.00 hire fees for the MRC&LC Kitchen for a period of 15 nights (Thursday 12 June 2008 to Friday 25 July 2008 inclusive) are currently due by Mr McDonald.

No specific donation allocation has been made in the 2008/2009 Budget for this requested donation, however \$10,000.00 has been allocated for sponsorships (\$8,000.00) and other donations (\$2,000.00).

Comments

The commencement of the restaurant saw the increase of bar patronage throughout the time of operation. The availability of meals not only gave credibility to *Responsible Service of Alcohol*, but also contributed to patrons accessing the Grandstand Bar for a prolonged period of time on any visit.

Because of the shortness of the term of operation caused by unforeseen circumstances and the low patronage due to the delay in opening the restaurant, neither of which were created by Mr McDonald the request to waive the hire fees is plausible.

Mr McDonald was aware however, of the delayed starting date and the relevant fees associated with the venture prior to commencing. The patronage was a quantity not known to anyone.

Taking all issues into consideration, it would appear reasonable to waive 50% of the MRC&LC Kitchen hire fees (\$600.00).

Officer's Recommendation

That Council endorse waiving 50% of the \$1,200.00 Merredin Regional Community & Leisure Centre Kitchen hire fees payable by Mr Peter McDonald for the period of 12 June 2008 to 25 July 2008 whilst operating the Restaurant.

ABSOLUTE MAJORITY REQUIRED

29645

Moved Cr Morris

Sec Cr Forbes

That Council endorse waiving 50% of the \$1,200.00 Merredin Regional Community and Leisure Centre Kitchen hire fees payable by Mr Peter McDonald for the period of 12 June 2008 to 25 July 2008 whilst operating the Restaurant.

**CARRIED 7/4
ABSOLUTE MAJORITY**

MINUTES

John Mitchell, Executive Manager of Development Services, entered the meeting at 1.56pm.

10.3 MERREDIN SENIOR HIGH SCHOOL FUNCTION DONATION

Reporting Department:	Community Services
Reporting Officer:	Nicole Newton – Recreation Centre Manager
Legislation:	Local Government Act 1995
File Reference:	CS/16/05

Background

Each year Merredin Senior High School fundraise in order to be able to maintain the position of their school chaplain. In past years a radio auction has been undertaken for the purpose of raising these funds, however this year, they are seeking an alternative function in order to maximise profits.

The School group is enlisting the help of Western Australian sporting celebrities to encourage community members to attend their function. The sporting celebrities will be guest speakers on the night. The function will also include an auction to be held within the licensed area. Tickets to the event will be sold prior to the night and monies will be collected on the night from the sale of donated sports memorabilia via an auction.

All organisation of the event will be conducted by Merredin Senior High School Staff and all profits made through ticket sales and sale of items will be retained by the School in order to fund their chaplaincy. The Licensed Bar will be in operation on the night of the event, with all profits from the sale of alcohol to be retained by the Shire of Merredin.

The Chaplaincy provided by the school offers much support to the students and families that attend Merredin Senior High School. Without the ability to raise funds for this service, the school face the prospect of losing their Chaplaincy.

Merredin Senior High School has made a formal request for the Shire of Merredin to waive all hire fees for the Chaplaincy Function to be held at the Merredin Regional Community and Leisure Centre (MRC&LC) on Wednesday 10 September 2008. **Attachment 10.3A.**

Financial Implications

\$200.00 in hire fees for the MRC&LC Kitchen and Function Room for 5 hours on Wednesday 10 September 2008.

No specific donation allocation has been made in the 2008/2009 Budget for this request, however \$10,000.00 has been allocated for sponsorships (\$8,000.00) and other donations (\$2,000.00).

Comments

At its July 2008 meeting, Council endorsed the annual MRC&LC fee for Schools (**CMRef 29598** & **CMRef 29599**), which included two free uses of the Function Room. Schools have only recently been advised of this decision and therefore have not had the time to consider the fee or advise the Shire of their responses. Therefore this request has been submitted to accommodate their request, should the schools not commit to the annual fee.

Officer's Recommendation

1. *That Council endorse waiving the Merredin Regional Community and Leisure Centre Kitchen and Function Room hire fees of \$200.00 in support of the Merredin Senior High School Chaplaincy function to be held on Wednesday 10 September 2008.*
2. *That Council allocate this function as one of the two free functions endorsed as part of the Merredin Senior High School Annual MRC&LC Fee of \$1,500.00 should they agree to pay the Annual Fee.*

ABSOLUTE MAJORITY REQUIRED

29646

Moved Cr Townrow

Sec Cr Forbes

1. *That Council endorse waiving the Merredin Regional Community and Leisure Centre Kitchen and Function Room hire fees of \$200.00 in support of the Merredin Senior High School Chaplaincy function to be held on Wednesday 10 September 2008.*
2. *That Council allocate this function as one of the two free functions endorsed as part of the Merredin Senior High School Annual Merredin Regional Community and Leisure Centre Fee of \$1,500.00 should they agree to pay the Annual Fee.*

CARRIED 9/2**ABSOLUTE MAJORITY**

Debbie Morris, Executive Manager of Community Services, left the meeting at 2.04pm.

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

Reporting Department: Development Services
Reporting Officer: John Mitchell – Executive Manager,
 Development Services
Legislation: Building Regulations 1989, Building Code of
 Australia 2008

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 \$85.00 is levied. In addition a levy is applied by the Builders Registration Board - \$39.00.

Applications/Approvals

Building Licence No.	Licence issued to	Address of proposed building, Description of works	Owner of property	Class of Building
BA50/08	Bulkwest Engineering, 30 Delhi St, West Perth 6005*	Lot 23 Gamenya Avenue, MD, new silos, gantrys, conveyor belts, towers, \$6,887,054	CBH Pty Ltd, 30 Delhi St, West Perth WA 6005	10(a)
BA51/08	Broadcast Australia, L10 99 Pacific Highway, Chatswood, NSW 2067*	Reserve 23739 O'Connor St, Merredin WA 6415, \$19,500.00	Shire of Merredin PO Box 42 Merredin WA 6415	10(b)
BA52/08	James Fletcher, PO Box 570 Merredin WA 6415	Lot 21 Coghill St, MD, 6415, \$25,000.00	D.E.C. 33 Bates St, MD	10(a)
BA53/08	Neil Bill, PO Box 469 MD 6415	Lot 1343 Whitfield Way, MD 6415, \$19,200.00	Ashley Cooper Lot 1343 Whitfield Way MD 6415	10(a)
BA54/08	Trevor Caldow, 15 Princess Street, MD 6415	Lot 11, HN 15 Princess St, MD, \$6,000.00	T Caldow, 15 Princess St, MD 6415	10(a)
BA55/08	Kevin Joss PO Box 374 MD WA 6415*	Lot 1347 Whitfield Way, MD WA 6415, \$300,000.00	Kevin Joss PO Box 374 MD 6415	1(a)

* - indicates licence not yet issued, hence no name included. Note that value of CBH works not provided yet.

Valuation: \$ 7,256,754

Fees: \$ 1,390.00
(CBH Fees not set)

Progressive: \$10,355,653.00

Progressive: \$10,596.86

Comment

There are ten applications awaiting approval by the Building Surveyor. Other duties have prevented their issue at this time.

Officer's Recommendation

That Council receive the July 2008 statistics for Building Licences issued (BA50-08 to BA55-08) by the Building Surveyor.

29647

Moved Cr Townrow

Sec Cr A Hooper

That Council receive the July 2008 statistics for Building Licences issued (BA50-08 to BA55-08) by the Building Surveyor.

CARRIED 11/0

11.2 **TOWN PLANNING REPORT**

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 (the Scheme)

Background

The monthly report on the statutory planning activities for the previous month is provided below for Council information.

Statutory Implications

It is an offence under the Planning and Development Act 2005 (as amended) for any person to use any land or any building or structure thereon contrary to or otherwise than in accordance with the provisions of the Scheme.

Financial Implications

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

Comment

The following applications were recently granted Town Planning consent: –

App No.	Applicant Details	Land Address/Usage	Value
PA11-08	Bulkwest Engineering, 30 Delhi Street, West Perth 6008	Lot 23 Gamenya Avenue MD, new silos, garner bins, conveyors, elevator, earthworks	\$6,887,054.00
PA12-08	Broadcast Australia, L10 799 Pacific Highway, Chatswood NSW 2067	Lot 970 Reserve 23739 O'Connor St, MD, New satellite dish – digital TV Services ABC	\$19,500.00
PA13-08	Department of Environment and Conservation, 33 Bates Street, MD	Lot 21 Coghill Street, MD, Class 10 – fire truck parking garage	\$25,000.00
PA14-08	Merredin Outdoor Centre, PO Box 792 MD	Lot 463, HN 5 Throssell Rd, carport in front setback area	\$3,526.00

The Chief Executive Officer, acting under delegated authority conferred to him by Council Policy 6.2, granted planning consent to the above mentioned applications. The carport within the front setback area was approved using delegated authority pursuant to resolution **CMRef 29350** dated 19 February 2008.

Officer's Recommendation:

That Council receive the Town Planning Report for July 2008.

29648

Moved Cr Forbes

Sec Cr Townrow

That Council receive the Town Planning Report for July 2008.

CARRIED 11/0

Cr Crees declared a Financial Interest in this Agenda Item 11.3 and left the meeting at 2.05pm.

11.3 **TOWN PLANNING – APPLICATION FOR PLANNING CONSENT – WINDFARM – COLLGAR WINDFARMS - LOCATIONS**

Reporting Department: Development Services

Reporting Officer: John Mitchell – Executive Manager,
Development Services

Legislation: Shire of Merredin Town Planning Scheme No.1

File References: A8068 + Davies - Loc 25271, Rodney Mark Crees - Loc 20724, Peter Crees 20727, RM and PG Crees - Loc 20725, PG Crees - Loc 20726, G Girauda - Loc 20753, 28125,20750, 20751, 24768, 20218; JC & PJ Lambert - Loc20762, NM Edgecombe - Locs 20771 & 20772, NM & M Edgecombe - L2, BC Pascoe - Loc 25278, JS & RM Meharry - Loc 19112, Janmar Holdings - Loc 20729, BJ Johnston - Loc 20723, P Lynch - Locs 20754 & 27467, S&T Higgins - Loc 27137, MJ Giles - Locs 25298, 20211, 26665, J & K Ward - Loc 18258, P Sutherland - Loc 20730

Background

An application to establish a windfarm valued at \$500,000,000.00 on various locations within the Burracoppin regional area and in particular the above locations has been received from Collgar Windfarms Pty Ltd. The application will be tabled at the meeting.

For Council information the project in summary is: -

1. The establishment of three wind monitoring stations that will prove that the site is suitable for the establishment of a windfarm. These applications were received in 2007 and June 2008. The sites chosen within South Burracoppin were considered acceptable;
2. The establishment of 127 wind generation electricity towers of 80m height and 40m turbine blades on a base of 340m³ of concrete or piled into solid rock on various locations within South Burracoppin within a 126km² project area spread over 16 farms producing approximately 267MV of electricity;
3. The creation of an electricity substation on site to provide power back to the grid;
4. The establishment of an internal road system to service the towers.

The project will employ up to 150 persons during construction and ten people for ongoing maintenance. The proponents of the project are the land owners.

The application must address Planning Bulletin 67 – Guidelines for Wind Farm development.

A locality map is contained in **Attachment 11.3A**.

Statutory Implications

The provisions of the Shire of Merredin Town Planning Scheme No.1 are applicable. The land is zoned "general farming". The use as "electricity generation" is a "PS" use (advertising for 21 days required). Advertising of the application will commence shortly.

Financial Implications

Statutory fees of \$30,769.00 have not been paid.

Comment

The application is being assessed by Council's Consultant Planner Mr Paul Bashall to ensure compliance with the relevant planning notes and to avoid any implication of impropriety.

A public meeting called by Investec/Collgar Windfarms Pty Ltd to discuss the Windfarm is proposed for 30 August 2008 at the Recreation Centre.

Delegated authority is sought from Council to consider the application after completion of the public submission period to approve the application providing no negative comment is received. An absolute majority of Council is required.

Officer's Recommendation

1. *That Council receive the information regarding PA15-08 - Collgar Windfarms Pty Ltd application to establish a Windfarm on various locations within the Burracoppin area.*
2. *That the Chief Executive Officer be delegated authority to approve the application PA15-08 – Collgar Windfarms Pty Ltd, providing no negative comment is received.*

ABSOLUTE MAJORITY REQUIRED

29649

Moved Cr Young

Sec Cr Wallace

1. *That Council receive the information regarding PA15-08 - Collgar Windfarms Pty Ltd application to establish a Windfarm on various locations within the Burracoppin area.*
2. *That the Chief Executive Officer be delegated authority to approve the application PA15-08 – Collgar Windfarms Pty Ltd, providing no negative comment is received.*

CARRIED 10/0
ABSOLUTE MAJORITY

Cr Crees entered the meeting at 2.10pm.

11.4 **LOCAL PLANNING SCHEME No. 3 – ADOPTION AND REFERRAL TO WESTERN AUSTRALIAN PLANNING COMMISSION**

Reporting Department: Development Services
Reporting Officer: John Mitchell – Executive Manager,
Development Services
Legislation: Planning and Development Act 2005

Background

From 2002 – 2007 Council prepared and submitted a local planning strategy to the Western Australian Planning Commission as the precursor to a local planning scheme.

From August 2007 until July 2008 Council has considered a draft Local Planning Scheme No. 3.

Council met on 4 and 17 June 2008 to discuss the draft document. The relevant amended document and maps are contained in **Attachment 11.4A**.

Statutory Implications

The process of adoption is contained within the Planning and Development Act 2005. The process includes a Scheme Examination Report (SER) commenting on the effectiveness of the current scheme and the objectives of any proposed scheme. This is contained within the scheme text document.

The SER recommends a new scheme due to the age of the old scheme and modernisation of planning aspects. This has been achieved through the proposed Local Planning Scheme No. 3.

Financial Implications

The costs of publishing and preparing the scheme text are estimated at \$32,000.00. Budget provision has been made within the 2007/2008 and 2008/2009 years. Expenditure for the 2008/2009 year is estimated at \$8,000.00 gazettal and publishing costs of \$4,000.00. The Consultant has been paid \$13,500.00 to date.

Comment

Attachment 11.4B contains the notes of the workshops held for the proposed Local Planning Scheme No. 3. Council endorsement of these notes is requested.

The required amendments as requested from the meetings of 4 and 17 June 2008 have been incorporated into the document.

Officer's Recommendation

1. *That Council adopt the Scheme Examination Report and the Scheme text and maps (Attachment No. 11.4A) for the Local Planning Scheme No.3 and that the Shire President and the Chief Executive Officer be authorised to sign the adoption clause of the text.*
2. *That Council forward a copy of the Local Planning Scheme No. 3 text and maps to the Environmental Protection Authority for consideration.*
3. *That Council request the Western Australian Planning Commission permission to advertise the draft Local Planning Scheme No. 3.*

Cr A Hooper left the meeting at 2.12pm and entered the meeting at 2.15pm.

Cr Young left the meeting at 2.17pm and entered the meeting at 2.25pm.

29650

Moved Cr Wallace

Sec Cr Elliott

That Council retain the zoning on Lot 503 (P57179) Goldfields Road, Merredin as "general farming".

CARRIED 8/3

REASON: *The current owner of the land does not wish the land to become an Industrial Zone but retain the existing Agricultural Zoning.*

29651

Moved Cr Young

Sec Cr Elliott

That Council amend Attachment 11.4B, Workshop Notes of Town Planning Scheme / Local Planning Strategy Page 1 Item 2 in relation to the exclusion zone for the abattoir to delete the word "remove" and insert the word "leave".

CARRIED 11/0**29652**

Moved Cr Townrow

Sec Cr Wallace

1. *That Council adopt the Scheme Examination Report and the Scheme text and maps (Attachment No. 11.4A) with the amendment to Page 24 of the Scheme Text, Schedule 4 Item 5 stating "Crown Reserve 44697" only and that the Shire President and the Chief Executive Officer be authorised to sign the adoption clause of the text.*
2. *That Council forward a copy of the Local Planning Scheme No. 3 text and maps to the Environmental Protection Authority for consideration.*
3. *That Council request the Western Australian Planning Commission permission to advertise the draft Local Planning Scheme No. 3.*

CARRIED 11/0

REASON (1): *To correct a typographical error.*

11.5 TOWN PLANNING – SUBDIVISION – CREATION OF HOMESTEAD LOT – GL & SA PAYNE; LOT 21014 LAST ROAD, MERREDIN

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Town Planning Scheme No.1, WAPC DC3.4, Shire of Merredin Homestead Subdivision Policy
File Reference:	A5124

Background

An application to create a homestead lot has been received from the Western Australian Planning Commission (WAPC) on behalf of GL & SA Payne of Lot 21014 Last Road, Merredin. The application and map is contained in **Attachment 11.5A**.

Statutory Implications

The provisions of the Shire of Merredin Town Planning Scheme No.1, WAPC Development Control (DC) 3.4, and the Shire of Merredin Homestead Policy are applicable.

The Policy supports the creation of a homestead lot where criteria are met. In this instance the size of the lot created is above normal parameters for approval.

Comment

The proposed lot is above the normal parameters of approval. No reasons for the special consideration have been provided however a review of the plan shows that the location of the buildings and power supply may well have been the reasons for the size of the lot created and to prevent a dead end on the east side of the lot.

A dwelling and outbuildings are located within the homestead proposed lot.

The application should be supported with the following conditions: -

1. Provide a household waste disposal service to the satisfaction of the Environmental Health Officer. The system shall comprise a licenced trailer, or utility provided with two 240l mobile garbage bins;
2. Provide a minimum boundary clearance of the dwelling and outbuildings of 20m;
3. Provide potable water supply to the dwelling.

Officer's Recommendation

That the application to establish a homestead lot within Location 21014 Last Road, Merredin be supported with the following conditions: -

- 1. Provide a household waste disposal service to the satisfaction of the Environmental Health Officer. The system shall comprise a licenced trailer, or utility provided with two 240l mobile garbage bins;*
- 2. Provide a minimum boundary clearance of the dwelling and outbuildings of 20m;*
- 3. Provide potable water supply to the dwelling.*

29653

Moved Cr Morris

Sec Cr Elliott

That the application to establish a homestead lot within Location 21014 Last Road, Merredin be supported with the following conditions: -

- 1. Provide a household waste disposal service to the satisfaction of the Environmental Health Officer. The system shall comprise a licenced trailer, or utility provided with two 240l mobile garbage bins;*
- 2. Provide a minimum boundary clearance of the dwelling and outbuildings of 20m;*
- 3. Provide potable water supply to the dwelling.*

CARRIED 10/1

11.6 CARRINGTON WAY – SALE 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

For Council information, Prestige Contractors have been awarded the contract to construct sewers and water mains and install underground power and telecommunications cabling for a cost of \$400,905.00. This favourably compares to the budget figure of \$421,850.00. It is anticipated this work will commence in the next few weeks.

In order to progress the project a number of issues need to be resolved. These include determining the sale price for the lots, sale dates etc.

At its meeting of 16 October 2007 Council resolved (**CMRef 29160**) to sell the lots “off the plan”. Staff consider that there may be a more appropriate method of selling the lots.

In respect to sale price, because of the interest by a number of Councillors and staff, Council should consider delegating a Committee to make this determination.

Lastly, Council needs to determine whether it wishes to impose development conditions, such as a five year building requirement.

Statutory Implications

Pursuant to Section 3.58 of the Local Government Act 1995 Council may dispose of property three ways – by auction, tender, or; by private treaty having obtained a valuation of the disposition and advertising the proposed disposition seeking public comment.

Financial Implications

Council has allowed \$1,468,977.00 in the 2008/2009 Budget for this project which will be funded by Land Sales (\$700,000.00), Roads to Recovery (\$250,000.00), Reserve Funds (\$218,977.00) and Borrowings (\$300,000.00).

Council will need to determine whether it wishes to maximise returns or whether it is simply happy to recoup costs when determining lot prices.

Maximising returns is riskier however, it does provide for greater potential profit that can be utilised in other projects.

Recouping costs is less risky but there is less potential for profit.

CommentLand Sale

Staff believe there is significant demand for the land at Carrington Way and this provides Council with an opportunity to maximise its return on investment.

Council has a number of projects that could benefit from the profit on the subdivision.

There are a number of ways this could be achieved, however Council is restricted. Both auction and tender methods create a competitive condition that potentially maximise returns. An auction creates a greater competitive environment and therefore greater potential profit.

The third method is by private treaty. Council could build in a desired profit margin and then proceed to sell the lots. The major disadvantage of this method is the process of advertising the transaction for public comment after the offer and acceptance is signed.

This process was used in the sale of Whitfield Way land. Most purchasers were surprised the sale needed to be advertised and anxiety was created over whether a submission would terminate the transaction.

Whilst discussing Whitfield Way, it is interesting to note that recent sales in the subdivision shows there was a greater potential return than anticipated by Council.

In terms of costs an Auction has the greater cost (approximately \$3,000.00), however if staff time was considered, Private Treaty creates the greater costs, simply because each sale has to be dealt with on several occasions before it is finalised.

In terms of equity, sales by Private Treaty means the person who is able to be first when the doors open get the block they desire. In a tender situation all submissions are opened at the same time and the person that has offered the highest price wins the deal. In an auction a person can adjust their lot preference and the amount they wish to pay during the proceedings allowing them to consider the outcome that best suits their circumstance.

An auction will also reduce the perception of bias, particularly if Councillors or Staff purchase any lots. The process is open and transparent.

According to the Functions & General Regulation 30(2a), once a property has been offered for sale by public auction or public tender and it has not been sold, Council can, within six months of the auction or tender, sell the lot by private treaty without the need to comply with the advertising requirements.

Staff believe that Council should sell the lots at Carrington Way by auction. The process will potentially maximise returns, reduce costs and generate a greater interest in the sale.

In order to sell this land by auction, Council will be required to rescind its previous motion and either delegate the power of setting the reserve prices to the Chief Executive Officer or to a Committee with the power to do so.

Development Conditions

As has been the experience at Whitfield Way, it can be difficult to create development conditions that deters speculators, however it can be a useful tool.

Council may also consider offering incentives such as providing up to \$3,000.00 in fencing materials (from a local supplier) if the house pad is constructed within 12 months from the sale of the lot.

Perhaps these issues could be considered by a Committee.

Auction

In respect to the auction, a situation may arise where a reserve price may not be reached, and a buyer may be extremely keen. The Land Sale Committee (if appointed) will need to consider a price for these lots in this eventuality.

It would be appropriate for the Chief Executive Officer to be given the power to determine whether a sale should occur.

Officer's Recommendation

1. *That Council rescind Council decision (CMRef 29160):*

“1. That the Merredin Shire Council endorse selling the lots in the proposed Lot 301 & Lot 504 Cummings Street Merredin subdivision “off the plan”.

“2. That the Merredin Shire Council seek legal advise on the preparation of the relevant contract agreements for selling “off the plan”.”

ABSOLUTE MAJORITY REQUIRED

2. *That Council sell the land in the Carrington Way subdivision by auction.*
3. *That Council establish the Carrington Way Land Sale Committee comprising of Councillors _____, _____ and _____ with the power to determine reserve prices and development conditions for the Carrington Way Subdivision.*

ABSOLUTE MAJORITY REQUIRED

4. *That Council delegate to the Chief Executive Officer the power of selling the lots in the Carrington Way subdivision that are passed in at auction and offers of purchase are made within six months of the auction date.*
ABSOLUTE MAJORITY REQUIRED

Cr Townrow, Cr Wallace, Cr Morris and Cr A Hooper indicated support for the rescission motion.

29654 Moved Cr Townrow Sec Cr Wallace

That Council rescind Council decision (CMRef 29160):

- “1. That the Merredin Shire Council endorse selling the lots in the proposed Lot 301 & Lot 504 Cummings Street Merredin subdivision “off the plan”.*
- “2. That the Merredin Shire Council seek legal advise on the preparation of the relevant contract agreements for selling “off the plan”.”.*

CARRIED 11/0
ABSOLUTE MAJORITY

29655 Moved Cr Wallace Sec Cr Young
That Council sell the land in the Carrington Way subdivision by auction.

CARRIED 10/1

29656 Moved Cr Morris Sec Cr Simmonds
That Council authorise the Merredin Business and Community Development Committee with the power to determine reserve prices and development conditions for the Carrington Way Subdivision.

CARRIED 9/2
ABSOLUTE MAJORITY

REASON: *The Merredin Business and Community Development Committee (BCDC) have been progressing this Project and it would be appropriate for BCDC to consider this issue.*

Moved Cr Townrow Sec Cr Young
That Council delegate to the Chief Executive Officer the power of selling the lots in the Carrington Way subdivision that are passed in at auction and offers of purchase are made within six months of the auction date.

WITHDRAWN

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

16.1 **EXECUTIVE MANAGER OF DEVELOPMENT SERVICES – MONTHLY REPORT**

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

Position Executive Manager of Development Services

In June 2008 the Local Government (Building Surveyors) Regulations 2008 were gazetted with a commencement date of 1 July 2008. The legislation requires that local government appoint a certified building surveyor to the position with a minimum of a technician's certification.

Previously approvals required the local government to approve plans. Generally the works were undertaken by the Environmental Health Officer and occasionally by the Chief Executive Officer. The 2008 regulations require that the local government appoint a person with a level 2 or technician's certification.

To obtain a L1 or L2 certification the building surveyor must hold: -

1. A degree in Municipal Building (L1); or
2. Obtained six years experience prior to the transition period as the building surveyor for local government AND have held the delegation for approval of building plans (L2);
3. Have two years experience with the Building Code of Australia (technician – single storey and 500m²).

There are approximately 20 persons within WA that will receive a L2 certificate which limits the person to approving three storey and 2000m² maximum building sizes. The Executive Manager of Development Services is fortunate to be one of those persons.

The impact for regional local government is that attracting and retaining sole operators with both health and building qualifications and certificates will be difficult. Head hunting of staff is ongoing throughout the health and building industry.

Waste & Recycle Conference

The annual conference is to be held on 9-12 September 2008. Councilor Morley and the Manager of Development Services attended the 2007 conference. My opinion is that I have heard the same rhetoric for three years and no decisions have been made.

The Manager proposes to attend the Building Conference this year to obtain points towards continuing professional development of the building surveyor qualifications level two certification.

Unit 2/69 Coronation Street, Merredin

Works on the second unit are nearing completion. Internal works are complete with the exception of a blind and Western Power inspection. Externally landscaping is required. The dwelling will be occupied by the Ranger who will move in during the week commencing 18 August 2008.

Expenditure as at 30 July 2008 was \$163,103.41.

The project will be completed under budget.

Apex Park Toilets/Visitor Centre Toilets

Works on the VC ablutions are nearing completion with the electrics connected 12 August 2008. The plumber will fit-out during the week commencing 18 August 2008. Site works will be completed once the Engineering Section has completed kerbing and car-park reinstatement. Footpaths will be provided to the building from the carpark, front street and visitors centre. There have been no cost overruns to date.

Works on the Apex Park toilets have commenced with brickwork, trussed roof and sheeting installed. Door frames and internal finishes have commenced. There have been no adverse costs reported to date.

Maintenance Person

Mr Colin Chamberlain has resigned his position with the Shire of Merredin effective from 11 September 2008. The position description form is being redrafted with the occupational health consultant and Mr John Gearing. It is the Manager's intention to make the position report to the Building Project Manager.

Lot 15 Booran South Road, Merredin – Prosecution

Recent inspections of the property have shown that with the exception of tree plantings of the gravel site and completion of the contouring of the gravel site the works are nearing completion. The remediation works have provided additional cropping land and the inert materials are also being used to infill the old gravel site at the front of the lot. The mounds of earth and bitumen have been removed. The new owners are using the gravel to provide a driveway to the residence and to provide a level area to the east of the dwelling under construction.

The timber residence that burnt has been buried in the front gravel site and the area cleaned up. The local fire brigade allegedly received the benefit of the metal waste which was taken by Sims Metals.

Substantial tree plantings with reticulation have occurred on the northern, central building area, west of buildings for buffer zone and western boundaries of the property. I am advised that the new owners have received 4kg of tree seeds representing 15,000 trees from a local mining company. These plants are to be installed once rain permits.

The Executive Manager of Development Services has advised the Solicitors – McLeod’s to withdraw the prosecution as the works are 75% complete.

Cummins Theatre Committee

Time will not permit the EMDS and Building Project Manager to address the maintenance list and forward program by September 2008. The Building Project Manager (BPM) has been instructed to complete the Mary Street residence, complete and acquit the visitors centre ablution block and grant monies.

The next priority for the BPM upon completion of the ablution block is to assess the Cummins Theatre reports and prepare a forward program and costings of known building and maintenance issues. It is hoped this can be achieved by late October 2008.

Other tasks have been addressed with quotations for various issues being received. The works to ensure public safety are 90% complete including an upgraded switch board under the seating area and the worm has been placed from the stage to the bottom of the tiered seating.

Occupational Safety and Health

The OHS manual has been revamped and made easier to read. CD versions will be provided to outlying workplaces.

Recycling Bins

The Administration has received as at 14 August 2008 nine (9) requests to remove the yellow bins from properties. Correspondence has been sent to those individuals advising that the service was provided in accordance with the Health Act and that the service would not be withdrawn. No exceptions have been permitted as a difficult precedent is set.

The Administration has also received a similar number of enquires requesting a service or an additional recycling service.

The majority of comments are:

- 1) We are taking from the lions club facility – no support of locals;
- 2) Too expensive and don’t want;
- 3) I cant even fill the current bin;
- 4) Great now I can stop spending my money carting it to Lions;
- 5) About time the Council did something positive for the community;
- 6) We live out of town on the GEH can we get both refuse services please;
- 7) You missed my property WHY?

Avon Waste representatives advise that the response has been positive to them.

Outstanding Duties

To date Council has received \$46,000.00 in income from planning applications and a further \$24,982.00 in building applications from January – July 2008. This compares with \$24,000.00 for planning applications and \$17,500.00 in building applications for the entire 2007 year.

There are currently 10 building applications awaiting approval, including further development of two houses in Whitfield Way.

Food Shop inspections and water sampling is currently not being performed and I have requested Mr Phil Swain to attend Merredin and assist with the normal statutory duties. Limited building inspections are being undertaken – mainly footings, and there are approximately 100 sites requiring inspection or finalization.

It is acknowledged that the Council provides manpower assistance via budget (\$35,000.00 for 2008/2009) and this is much appreciated. Other outstanding duties are: -

1. review of Health Local Laws;
2. half completed review and excel listing of all known leases;
3. Pool committee – assessing quotations and awaiting Council response to first meeting;
4. Landfill Site review – report to Council September 2008;
5. Aquatic facility Working Group – Ministerial Committee representing Wheatbelt and regional local government;
6. Building Regulations Advisory Committee – Ministerial Committee representing regional local government;
7. Shire of Nungarin building, health duties and; orders and agenda's
8. BCITF and BRB levy returns – June 2008 onwards;
9. Professional development – reading of new legislation, codes of practice, amendments to procedures applicable to the industry worked in;
10. MSDS survey of workplaces and update of registers;
11. 25 emails and phone calls to return in computer and a further 14 calls to return from the mobile phone.
12. Lease of WDC and Directions WA of old Administration Centre. Drafts have been circulated for consideration;
13. Leases for Military Museum sent as draft to committee for consideration;
14. Update and review of all public buildings as required by part 6 of the Health Act 1911-1979 as amended;
15. Review of the disability service plan – statutory return required;
16. Licencing of the chlorine gas facility at the Swimming Pool. The licence has lapsed, been rescinded and a further licence applied for;
17. Windfarm DA;
18. In-tray correspondence – unknown quantity of mail to respond too;

Merredin Railway Station – Southern Platform

The EMDS has made contact with Mr Kim Stone of Public Transport Authority to discuss the above situation.

Mr Stone has advised that TransWA and Westnet Rail are putting in place arrangements to ensure that the patrons disembark and enter trains from a suitable high level platform.

Mr Stone advises there is insufficient room on the southern side to provide a suitable platform. At this time the proposal is to switch tracks to alight on the current high level platform.

Officer's Recommendation

That Council receive the Executive Manager of Development Services' Report for August 2008.

Rubbish and Refuse Charges

Cr Elliott indicated that Section 106 of the Health Act 1911-1979 (as amended) had been amended by removing the power to impose Rubbish and Refuse charges. This had implications over whether the Shire could make the charge and undertake its collection.

The Executive Manager of Development Services undertook to investigate the matter.

29657 Moved Cr Townrow Sec Cr Young
That Council receive the Executive Manager of Development Services' Report for August 2008.
CARRIED 11/0

John Mitchell, Executive Manager of Development Services, left the meeting at 2.59pm.

29658 Moved Cr Young Sec Cr Elliott
That Council adjourn the meeting for afternoon tea at 3.00pm.
CARRIED 10/1

29659 Moved Cr Crees Sec Cr Elliott
That Council reconvene meeting at 3.10pm.
CARRIED 11/0

12.0 ENGINEERING SERVICES

12.1 EXECUTIVE MANAGER OF ENGINEERING SERVICES – MONTHLY REPORT

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

Background

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

Recreation Ground

The construction of the Fire Brigade Training Track and second carpark is under way. The Eastern Districts Football League Grand Final will be held at the Recreation Ground on Sunday 7 September 2008.

Road Maintenance

Maintenance grading is progressing with the northern side of Shire completed although one week of grading was lost due to rain. A map of the maintenance graders progress can be seen on **Attachment 12.1A**.

The lakes section of Giles Road has been gravel sheeted, as the road was slippery and becoming a traffic hazard. Trees were also cleared on the intersection of Giles Road and Pustkuchen Road to improve sight distance.

Cleaning out of the drains along Todd Street, to improve water flow, has been undertaken.

A contractor is currently pruning trees under powerlines as per Western Power regulations.

The weed spaying of road verges and town footpaths is ongoing.

Deep Drainage

Mr Jason Lette, Department of Water, held a meeting with the Shire President, Chief Executive Officer, Executive Manager of Engineering Services and Natural Resource Management Officer to discuss the Shire's view on the Department of Water improving the drainage system which was constructed near the Nangeenan North Road in 2004/2005 and other sites on Neening and Caghey Roads.

Mr Lette advised that Department of Water will be calling tenders for suitably experienced providers to gather and report on the data for the total catchment water flows in the Nokaning Catchment, to design several innovative and practical water retention features at various sites along the discharge waterway and to design culverts and floodway structures at three road crossings within the catchment.

Parks and Gardens

The spraying of broad leaf weeds in our park lawns has been completed.

Ground covers have been planted near the new bowling green at the Recreation Ground to reduce dust in the summer months.

The pruning of trees in Apex Park has been undertaken to improve the visibility around the park.

Gravel Pit Rehabilitation

The rehabilitation of the gravel pits on Talgomine Reserve Road, Goomarin Road and West Nokaning Road has been completed. The pits were leveled and deep ripped by a dozer with a total of 15,000 trees planted.

Current Dam Water Volume

After recent rains, and an improved water harvesting system installed in the main drain, Dams 1 and 2 are near full capacity.

An inspection by staff of the Merredin Peak's catchment drains has found no breakages in walls or other issues that may restrict water flow.

Dam #1	85% Full	Capacity	74,455 kilolitres
Dam #2	96% Full	Capacity	71,675 kilolitres
Dam #3	98% Full	Capacity	46,000 kilolitres
Railway Dam	55% Full	Capacity	23,000 kilolitres

Officer's Recommendation

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

Cr Young left the meeting at 3.23pm.

29660

Moved Cr Townrow

Sec Cr Morris

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

CARRIED 10/0

Vanessa Green, Executive Assistant, left the meeting at 3.24pm.

Cr Young and Vanessa Green, Executive Assistant, entered the meeting at 3.25pm.

12.2 RECREATION GROUND MASTER PLAN

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

Background

To assist with any future developments of the Merredin Recreation Ground a Master Plan is needed for the purpose to identify the future configuration of the Recreation Ground and the actions required to achieve this configuration.

The Draft Recreation Ground Master Plan was presented to the Merredin Regional Community and Leisure Centre Advisory Committee at their meeting held on 2 June 2008 for comment, and presented to Council at its meeting held on 17 June 2008 for consideration. The Draft Master Plan was amended to include Council's recommendations (**CMRef 29568 & CMRef 29569**) (**Attachment 12.2A**) before being advertised seeking public comment. The closing date for submissions was 1 August 2008.

Three submissions, from the Merredin Sports Council (**Attachment 12.2B**), the Merredin District Lawn Tennis Club (**Attachment 12.2C**) and the Merredin Golf Club (**Attachment 12.2D**) were received.

The new Draft Recreation Ground Master Plan (**Attachment 12.2E**) has been developed by staff which considers the requests from the three submissions.

Significant variations from the Draft are:

1. Third Bowling Green at the northern end of existing Greens
2. Storage Shed to the eastern side of the Bowling Greens
3. Golf access to the east side of the Bowling Greens
4. Football oval bought back to original size
5. Greater separation between cricket fields
6. Gravel access road south of Fire Brigade Running Track onto the oval
7. Playground relocation

Comments

The Recreation Ground Master Plan will assist staff in the development of budgets and grant applications for future upgrades at the Recreation Ground.

Officer's Recommendation

That Council adopt the Recreation Ground Master Plan August 2008 as shown in Attachment 12.2E.

Emma Hooper, Executive Manager of Finance and Administration, entered the meeting at 3.27pm.

John Mitchell, Executive Manager of Development Services, entered the meeting at 3.40pm.

11.0 DEVELOPMENT SERVICES CONTINUED

16.3 **RUBBISH AND REFUSE CHARGES**

Reporting Department: Development Services
Reporting Officer: John Mitchell – Executive Manager,
Development Services
Legislation: Waste Avoidance and Resource Recovery Act
2007

Further to the comments made by Cr Elliott (Refer Page 38), the Executive Manager of Development Services advised that the power to provide a refuse service and to raise charges had been removed from the Health Act 1911-1979 (as amended) to Section 67 of the Waste Avoidance and Resource Recovery Act 2007.

This Act came into effect on 1 July 2008.

Transitional provisions allowed charges to be made under the Health Act 1911-1979 (as amended) to be enforceable.

John Mitchell, Executive Manager of Development Services, left the meeting at 3.42pm.

12.0 ENGINEERING SERVICES CONTINUED

12.2 RECREATION GROUND MASTER PLAN**Reporting Department:** Engineering Services**Reporting Officer:** Jim Garrett – Executive Manager, Engineering Services**Legislation:** Local Government Act 1995

Background

To assist with any future developments of the Merredin Recreation Ground a Master Plan is needed for the purpose to identify the future configuration of the Recreation Ground and the actions required to achieve this configuration.

The Draft Recreation Ground Master Plan was presented to the Merredin Regional Community and Leisure Centre Advisory Committee at their meeting held on 2 June 2008 for comment, and presented to Council at its meeting held on 17 June 2008 for consideration. The Draft Master Plan was amended to include Council's recommendations (**CMRef 29568 & CMRef 29569**) (**Attachment 12.2A**) before being advertised seeking public comment. The closing date for submissions was 1 August 2008.

Three submissions, from the Merredin Sports Council (**Attachment 12.2B**), the Merredin District Lawn Tennis Club (**Attachment 12.2C**) and the Merredin Golf Club (**Attachment 12.2D**) were received.

The new Draft Recreation Ground Master Plan (**Attachment 12.2E**) has been developed by staff which considers the requests from the three submissions.

Significant variations from the Draft are:

8. Third Bowling Green at the northern end of existing Greens
9. Storage Shed to the eastern side of the Bowling Greens
10. Golf access to the east side of the Bowling Greens
11. Football oval bought back to original size
12. Greater separation between cricket fields
13. Gravel access road south of Fire Brigade Running Track onto the oval
14. Playground relocation

Comments

The Recreation Ground Master Plan will assist staff in the development of budgets and grant applications for future upgrades at the Recreation Ground.

Officer's Recommendation

That Council adopt the Recreation Ground Master Plan August 2008 as shown in Attachment 12.2E.

29661

Moved Cr Morris

Sec Cr Townrow

That Council adopt the oval design as shown in the Recreation Ground Master Plan August 2008 (Attachment 12.2E) to enable the reticulation of the oval to commence, with the other matters in the Recreation Ground Master Plan to be considered at the next Council meeting to be held on 16 September 2008.

CARRIED 11/0**REASONS:**

- 1. The Oval design required approval so that reticulation can be installed before summer;*
- 2. The Executive Manager of Engineering Services was not at the meeting to discuss various issues.*

13.0 FINANCE AND ADMINISTRATION

13.1 EXECUTIVE MANAGER OF FINANCE AND ADMINISTRATION – MONTHLY REPORT

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

Background

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

Comment**Budget**

The 2008/2009 Budget was adopted on 7 August 2008 with rates being raised on Friday 15 August 2008. All rates notices have been sent out with accompanying material including the Rates Early Payment Incentive details, Emergency Services Levy Information and information regarding the new electronic payment method, BPoint.

Rates Payment Incentive

Staff received several prizes for the Rates Payment Incentive prize and have included these sponsors on a flyer detailing information on the Prize Draw. The winners of the prize pool will be drawn by those that have paid by the due date of 22 September 2008.

End of Year Process & Audit

The End of Year Process is continuing to progress. Draft Financials are currently being prepared in preparation for UHY Haines Norton's Final Audit Visit in October.

Records Management

Review and revision of the Shire of Merredin Records Management Policy is occurring in line with the requirements of the State Records Commission.

Officer's Recommendation

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

29662

Moved Cr Morris

Sec Cr Young

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

CARRIED 11/0

29663

Moved Cr Forbes

Sec Cr Crees

That Council endorse the extension of the deadline of the Merredin Mens Hockey Club formal payment arrangement for Maintenance Contributions to the Merredin Recreation Ground to 30 June 2010.

**CARRIED 11/0
ABSOLUTE MAJORITY**

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 attached monthly financial report is provided for Council information.
(Attachment 13.2A)

Officer's Recommendation

That Council receive the Monthly Finance Report for July 2008.

29664

Moved Cr Morris

Sec Cr Townrow

That Council receive the Monthly Finance Report for July 2008.**CARRIED 11/0**

13.3 LIST OF ACCOUNTS PAID

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

Background

The attached list of accounts paid 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 \$467,104.24 and amounts directly debited from Councils Municipal Fund Bank Account BSB 066-518 Account No. 000-000-10 totalling \$160,373.40 and outstanding creditors totalling \$335,518.90.

29665

Moved Cr Elliott

Sec Cr Young

That Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$467,104.24 and amounts directly debited from Councils Municipal Fund Bank Account BSB 066-518 Account No. 000-000-10 totalling \$160,373.40 and outstanding creditors totalling \$335,518.90.

CARRIED 11/0

13.4 ACCOUNTS RECEIVABLE RECOVERY POLICY

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

Background

Staff have performed a review of the current Policy Manual and have proposed amendments where deemed necessary.

Statutory Implications

Local Government Act and Financial Management Regulations.

Comment

Staff have reviewed the current ‘Accounts Receivable Recovery Policy’ and updated the Recovery Action Schedule in line with current practice (**Attachment 13.4A**).

Officer’s Recommendation

That Council adopt the ‘Accounts Receivable Recovery Policy and Management Plan’ as detailed in Attachment 13.4A.

29666

Moved Cr Elliott

Sec Cr Forbes

That Council adopt the ‘Accounts Receivable Recovery Policy and Management Plan’ as detailed in Attachment 13.4A.

CARRIED 11/0

Cr Morris left the meeting at 4.00pm.

Emma Hooper, Executive Manager of Finance and Administration, left the meeting at 4.03pm.

13.5 CHIEF EXECUTIVE OFFICER - MONTHLY REPORT

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

Comment

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 13.5A**.

Gamenya Avenue Light Tower

In April 2006 (CMRef 28402) Council decided to advertise the tender for sale or removal of the light tower adjacent to Gamenya Avenue and the Nungarin Railway Spur.

I wish to advise Council that the demolition of the light tower occurred on 18 & 19 July 2008 by the Public Transport Authority (PTA). We have requested the PTA, to remove the concrete footings also.

I understand the Light Tower is destined to be used by the Department of Conversation and Environment in the forest areas of the south west.

The Executive Manager of Engineering Services has been requested to arrange a meeting with CBH, PTA and Main Roads WA in order to discuss the safety of the railway crossing with the Nungarin Railway Spur.

Tamma Park – Spider Blitz

I wish to advise Council that I have approved the survey of spiders in Tamma Park on 29 August 2008 under the auspices of the World Wildlife Fund and Department of Environment and Conservation.

Weather Radar

I have made several enquiries in respect to the prospect to the provision of a weather radar in the Wheatbelt area. The Bureau of Meteorology indicates that they have made submissions into the next Federal Budget to include a weather radar in the Wheatbelt region. Proposals of \$50-70 million has been forwarded to Federal Treasury for other weather radars in other areas.

Essentially, each site will cost approximately \$1 million however before any station is approved, the Federal Treasury will be required to include any new station on their Maintenance and Asset Replacement Plan. If this does not occur, then the station will not be built.

Progressing our “way up the batting order” can be achieved by lobbying Federal politicians.

Drought Assistance

On 17 July 2008 the Productivity Commission conducted hearings in Merredin in respect to what economic measures the Government can make to provide drought assistance. Some points emerging from the discussion were:

1. Tax Equalisation should be allowed for businesses in the same way as rural producers;
2. Payroll Tax should be abolished for apprentices being employed by rural businesses;
3. Consideration should occur in respect to multi-peril insurance;
4. Weather radar station should be provided in the Wheatbelt so that better business decisions can be made;
5. When assessing off-farm assets in any applications for financial assistance, they are recognised on the basis of one holding. This holding may have three generations of primary producers earning income from one holding and this aggregation is affecting the assistance applicable to each generation. It was suggested that each generation should be assessed independently and off-farm assets divided amongst the individual concerned rather than on a holding basis.

On 30 July 2008 the Drought Policy Review – Expert Social Panel also conducted a forum to consider the social affects of drought and what social assistance can be provided in these circumstances. Unfortunately I was unable to attend this meeting and I have not received any feedback regarding the forum.

Assistance to the Shire of Westonia

I wish to advise Council that on 7 and 8 July 2008, the Shire of Merredin trucks travelled to Perth to pick up two different size aggregates for the Westonia Recreation Ground Project. Shire trucks transported Lions Club recycling material to Perth.

No charge was made to the Shire of Westonia to recognise the assistance they provided with the Merredin Regional Community and Leisure Centre Project.

Trade Training Centre – Merredin

I wish to advise that the Merredin Senior High School (MSHS) has been successful in obtaining \$3.91 million for a facility for metal fabrication and welding, automotive building and building and construction trades training. This project will be administered by the MSHS.

As a follow on from this, the MSHS was also made aware of a Local Schools Working Together Project, where up to \$2 million was available to provide an upgrade to the Performing Arts Centre with a technological component that will service School of Isolated Distance Education students.

A meeting with the Principal, Kath Ward, occurred on Monday 4 August 2008 with the Shire President, Executive Manager of Community Services and the Chief Executive Officer.

Essentially, the proposal was the co-location of the School and Shire Library with the Performing Arts Centre. The advantages to Council would be significant funding to assist in the development of the infrastructure and assistance in the operational costs in the future. From the MSHS's point of view, the co-location will provide a community component to the project and create a bigger facility to attract students from neighbouring District High Schools to study at the MSHS.

It was felt at this stage that the redevelopment of the Shire Library was not as high a priority as other activities that Council was undertaking.

Adam Brand Concert

I wish to advise Council that as a result of further negotiations, staff have formally decided to embark on the community concert on Saturday 22 November 2008 with Adam Brand being the main performer (**CMRef 29605**).

Council staff are seeking volunteers to form a committee to organise and manage this event. The committee would come under the auspices of the Chief Executive Officer who has the authority to implement the project because it is a part of Council's Budget.

Great Eastern Country Zone of WALGA

I wish to advise that the next meeting of the Great Eastern Country Zone of WALGA will be held in Trayning on 25 September 2008.

If Council wishes to submit any agenda items they are required to be forwarded to the Secretariat by 15 September 2008.

Systemic Sustainability Study

At the West Australian Local Government Association Annual Conference it was decided that a Special Forum would be held to discuss the Systemic Sustainability Study (SSS) 10 year plan for the future.

This Special Forum has been organised for Monday 15 September 2008 commencing at 10.00am at the City of Stirling.

The amended final report and appropriate supporting documentation will be distributed to all Local Governments shortly.

The purpose of this item is to ask Council whether they wish to reconsider the revised SSS report prior to the forum (please note any items that Council wishes to discuss must be forwarded to WALGA prior to 8 September 2008); to determine the delegates who will carry voting rights and thirdly, to determine the number of Councillors who wish to attend the forum so the appropriate arrangements can be made.

State Underground Power Program

Staff have received a letter from the Mayor of the City of Bayswater (**Attachment 13.5B**) regarding the provision of underground power. Point 8 of his letter applies to the Shire of Merredin.

Requesting the State Government to fund underground power programs is appropriate and justified.

At this present stage, limited funds are made available for projects and each Local Government needs to make submissions providing at least half the costs for underground power. This is clearly an exercise of cost-shifting to Local Governments.

My understanding is that underground power will improve safety and will also reduce power loss from transmission lines. In effect, the program would increase safety and increase efficiency.

Officer's Recommendation

1. *That Council receive the Chief Executive Officer's Report for August 2008.*
2. *That the Council delegates to the Special Forum of WALGA to discuss the Systemic Sustainability Report be Cr Ken Hooper and Cr Mark Crees.*
3. *That Council write to the Premier and Leader of the Opposition supporting an underground power program fully funded by the State Government.*

29667

Moved Cr Forbes

Sec Cr Young

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

CARRIED 10/0**29668**

Moved Cr Townrow

Sec Cr Young

That the Council delegates to the Special Forum of WALGA to discuss the Systemic Sustainability Report be Cr Ken Hooper and Cr Mark Crees.

CARRIED 10/0**29669**

Moved Cr Townrow

Sec Cr A Hooper

That Council write to the Premier and Leader of the Opposition supporting an underground power program fully funded by the State Government.

CARRIED 10/0

13.6 REVIEW OF DELEGATIONS

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

Background

The purpose of the Delegations Manual is to delegate some of the functions of Council to Council staff so that they can be administered without reference to Council. This means that decisions can be made quickly and not consume the time of the Council in the Council meetings.

At the request of Council at its 17 June 2008 meeting (**CMRef 29575**) the Senior Staff Review Committee undertook a review of Council's delegations.

The Senior Staff Review Committee minutes are contained in this Agenda for receipt.

Statutory Implications

The Local Government Act 1995 Section 5.18 indicates a Local Government must review the delegations made at least once every financial year. Council adopted the current set of Delegations at its 18 September 2007 meeting (**CMRef 29143**).

Comments

The Senior Staff Review Committee felt that the following Delegations should be altered:

1. Delegation 4.2 Tenders – The limit should be increased to \$50,000.00;
2. Delegation 4.1 Property Acquisition and Disposal – The limits should be increased to \$50,000.00;
3. Item 4.10 Write off of Debts - The limit should be increased to \$500.00;
4. Delegation 8.2 Merredin Medical Board – To be removed;
5. Delegation 8.1 Merredin Regional Community and Leisure Centre Advisory Committee – Delegation should be altered to reflect the current status of the Committee (as amended at February 2008 (**CMRef 29339**));
6. A Delegation to be developed to the Chief Executive Officer for the provision for small community donations up to the limit of \$500.00.

In respect to Point 6, a new delegation has been added in the Finance Section entitled "4.11 Donations to Community Groups". This delegation will be tied to any Policy that Council develops in respect to making donations to Community Groups.

If the proposed Merredin Regional Community and Leisure Centre Donation of Hire Fees Policy is adopted then this Policy can be added to the Delegations.

Lastly as the Merredin Medical Practice is no longer owned or managed by Council a delegation (item 8.2) for a Merredin Medical Centre Board is no longer required.

The amended Delegations Register is attached for Council at **Attachment 13.6A.**

Officer's Recommendation

That Council adopt the Delegations Register presented as Attachment 13.6A.
ABSOLUTE MAJORITY REQUIRED

29670

Moved Cr Crees

Sec Cr Hayden

That Council adopt the Delegations Register presented as Attachment 13.6A with the addition of the Merredin Regional Community and Leisure Centre Donations Policy referred to in Agenda Item 9.7.9.2 to Delegation 4.11 Donations to Community Groups.

CARRIED 10/0
ABSOLUTE MAJORITY

13.7 **COMMUNITY FORUMS**

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

Background

At Councils 15 July 2008 meeting, Council resolved (**CMRef 29632**) *“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.”*

The purpose of this Agenda Item is to develop a calendar so staff can arrange these community forums. It may be worthwhile to develop typical agendas for each of the forums.

Comment

In considering the dates of these community forums, staff have considered seasonal factors and periods of intense Council activity (i.e. Budget deliberations and known events such as Local Government Week and Council elections).

It is suggested that the forums occur in the last weeks of March, May and August and be undertaken on alphabetical order, commencing in 2009.

In respect to the agenda, this should remain flexible in order to deal with topical issues that may occur, however items for discussion could be Council’s Strategic Plan, Asset Management issues such as roads, buildings and parks, or Heritage issues. It would be appreciated if Council could provide staff with some guidance in this matter.

In respect to Merredin, Council decided at its April 2008 meeting (CMRef 29468) to conduct that community forum in conjunction with the Annual Electors Meeting. The date of the Annual Electors Meeting is flexible depending on when the Annual Audit is completed and can range between November and March.

Officer's Recommendation

That Council conduct community forums in Burracoppin in late March, in Hines Hill in late April and in Muntadgin in late August of each year, commencing in 2009.

29671

Moved Cr A Hooper

Sec Cr Elliott

That Council conduct community forums in Burracoppin in late March, in Hines Hill in mid April and in Muntadgin in late August of each year, commencing in 2009.

Cr A Hooper left the meeting at 4.10pm.

CARRIED 9/0

MINUTES

This Agenda Item 16.2 was brought forward due to the attendance of Frank Ludovico, Chief Executive Officer.

16.2 WHEATBELT COUNTRY HEALTH STRATEGIC PLAN

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

Background

Approximately 2 years ago the Great Eastern Country Zone, the Central Country Zone and the Avon Midland Zone of WALGA formed the Wheatbelt Health Memorandum of Understanding (MoU) Group to address concerns with the WA Country Health Service (WACHS) over the provision of health services in the Wheatbelt area. Also part of this group is the Wheatbelt Development Commission (WDC) and the Wheatbelt GP Network.

Over this time it has been working with the Regional Director of WACHS to develop a Strategic Plan for Health Services in the Wheatbelt.

In late 2007 the Group was successful in attracting a grant for \$100,000.00 to engage a consultant to analyse, report and audit current health service issues in the Wheatbelt, utilising the Comparative Advantage Concept and to review other working health service delivery models that can be adopted to suit the Wheatbelt region.

The MoU Group has written to Council seeking a nomination for the Steering Group to oversee the management of these funds. The Steering Group will comprise of a local government representative from each of the three WALGA Zones. The Zone representative will be selected by the Zone.

Comment

Cr Eileen OConnell (President of the Shire of Nungarin and WALGA Zone President) and Mr Steve O'Halloran (Chief Executive Officer of the Shire of Bruce Rock) have been representatives of the Zone on the Wheatbelt Health MoU Group since its inception and it would seem practical that the level of expertise and understanding that they have gained over the 2 year life of the Group would be invaluable on the Steering Group.

Mr O'Halloran has provided regular feedback concerning the Group through the WE-ROC organisation and it would be appropriate to recommend Mr O'Halloran to the Group.

Officer's Recommendation

That Council nominate Mr Steve O'Halloran to the Wheatbelt Health Memorandum of Understanding Steering Group to oversee the management of the \$100,000.00 grant to develop the Wheatbelt Health Strategic Plan.

Cr A Hooper entered the meeting at 4.14pm.

29672

Moved Cr Townrow Sec Cr Simmonds

That Council nominate Mr Steve O'Halloran to the Wheatbelt Health Memorandum of Understanding Steering Group to oversee the management of the \$100,000.00 grant to develop the Wheatbelt Health Strategic Plan.

Cr Young left the meeting at 4.16pm.

Cr Young entered the meeting at 4.19pm.

CARRIED 10/0

14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

15.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

Nil

16.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

17.0 MATTERS BEHIND CLOSED DOORS**29673**

Moved Cr Young

Sec Cr Wallace

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

CARRIED 10/0

Council went behind closed doors at 4.22pm.

29674

Moved Cr Crees

Sec Cr Townrow

That Council come out from behind closed doors.

CARRIED 10/0

Council came out from behind closed doors at 4.45pm.

17.1 Merredin Regional Community and Leisure Centre – Liquor License

29675

Moved Cr Simmonds

Sec Cr Townrow

That Council obtain a Tavern License for the Merredin Regional Community and Leisure Centre.

CARRIED 9/118.0 CLOSURE

There being no further business the Presiding Member declared the meeting closed at 4.50pm.