

# SHIRE OF MERREDIN



*“Heart of the Wheatbelt”*

**MINUTES OF COUNCIL MEETING**

**16 SEPTEMBER 2008**

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**Minutes for the Ordinary Meeting of the Merredin Shire Council held in the Council Chambers, Corner King and Barrack Streets, Merredin on Tuesday 16 September 2008 commencing at 1.00pm.**

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

Messrs FB Ludovico, Chief Executive Officer; J Garrett, Executive Manager of Engineering Services; K Gault, Records 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

Pam Masters, Pioneers' Pathway

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1.0 OFFICIAL OPENING

The Presiding Member declared the meeting open at 1.03pm. Debbie Morris, Executive Manager of Community Services and Pam Masters, Pioneers' Pathway, were in attendance.

2.0 PUBLIC QUESTION TIME

Nil

Cr Young entered the meeting at 1.04pm.

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr A Hooper had previously advised of her apologies for this meeting.

4.0 DISCLOSURE OF INTEREST

Cr Morris declared an Impartiality Interest in Agenda Item 10.2.  
Cr Townrow declared a Financial Interest in Agenda Item 11.1.  
Cr Crees declared a Financial Interest in Agenda Item 16.1.

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**5.0 PETITIONS AND PRESENTATIONS**

Pam Masters, on behalf of Pioneers' Pathway Management Group and Tourism Train, addressed Council providing an overview of the activities and achievements of the Group.

The main points and items discussed as part of the presentation were:

1. The Group has been operating for approximately 4-5 years and is made up of representatives from each Local Government located along the Pathway;
2. There were various challenges the Group faced in its inception however these have been resolved creating benefit for all members;
3. As a whole, the Local Governments contribute approximately \$13,500.00 annually in funding to the Group, with the Shire of Merredin contributing \$2,500.00;
4. The funding is used to produce bi-annual brochures, advertising campaigns and to attend shows and expos around the State;
5. The Group has recognised that tourism within the Wheatbelt Region would not exist without the assistance of the Local Governments;
6. The ongoing focus of the Group is to continue in the current vein and to develop themed events to further promote the Pathway.

Pam Masters left the meeting at 1.25pm.

Frank Ludovico, Chief Executive Officer, left the meeting at 1.24pm.

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

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6.0 CONFIRMATION OF MINUTES6.1 Previous Council Meeting

Confirmation of the Minutes of the previous Council Meeting held on 19 August 2008.

**29676**

Moved Cr Creeves

Sec Cr Morris

*That the minutes of the meeting of Council held on 19 August 2008 be confirmed as a true and correct record of proceedings.*

**CARRIED 10/0**7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

8.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC17.1 Landfill Site – Direction

Refer to Page 33 for information on this Agenda Item.

17.2 Declaration of House Unfit for Human Habitation Pursuant to Section 135-140 of the Health Act 1911, Lot 885, 84 Caw Street, Merredin

Refer to Page 34 for information on this Agenda Item.

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

9.1 Merredin Regional Community and Leisure Centre Advisory Committee Meeting held on 25 August 2008

**Attachment 9.1A**

9.2 WE-ROC Council Meeting held on 26 August 2008

**Attachment 9.2A**

9.3 Merredin Heritage Management Committee Meeting held on 28 August 2008

**Attachment 9.3A**

9.4 Merredin Local Emergency Management Committee Meeting held on 2 September 2008

**Attachment 9.4A**

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- 9.5 Merredin Business and Community Development Committee Meeting held on 3 September 2008  
**Attachment 9.5A**
- 9.6 Central Wheatbelt Visitor Centre Think Tank Committee Meeting held on 4 September 2008  
**Attachment 9.6A**

**29677**

Moved Cr Townrow

Sec Cr Morris

*That Council receive the minutes of the Merredin Regional Community and Leisure Centre Advisory Committee Meeting held on 25 August 2008, the WE-ROC Council Meeting held on 26 August 2008, the Merredin Heritage Management Committee Meeting held on 28 August 2008, the Merredin Local Emergency Management Committee Meeting held on 2 September 2008, the Merredin Business and Community Development Committee Meeting held on 3 September 2008 and the Central Wheatbelt Visitor Centre Think Tank Committee Meeting held on 4 September 2008.*

**CARRIED 10/0**

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9.1 Merredin Regional Community and Leisure Centre Advisory Committee

## 9.3 Management Plan - Club Guidelines

Moved E Carlson

Sec D Atkins

*The MRC&LC Advisory Committee recommend to Council the endorsement of the Merredin Regional Community and Leisure Centre Club Guideline amendments.*

**CARRIED 6/0**

*Note: The Guidelines referred to in the above Recommendation are included as an appendix to the Merredin Regional Community and Leisure Centre Advisory Committee Minutes.*

**29678**

Moved Cr Morris

Sec Cr Wallace

*That Council endorse the Merredin Regional Community and Leisure Centre Club Guideline amendments.*

**CARRIED 10/0**

## 9.4 Annual Fee for Schools

Moved E Carlson

Sec Cr Wallace

*MRC&LC Advisory Committee recommend to Council that Council endorse that after payment of an annual school fee, the Recreation Centre Manager retains the ability to negotiate with the school their entitlements, within the scope of the set entitlements.*

CARRIED 5/1

**29679**

Moved Cr Townrow

Sec Cr Wallace

*That Council endorse, that after payment of an annual school fee, the Recreation Centre Manager retains the ability to negotiate with the school their entitlements, within the scope of the set entitlements.*

**CARRIED 10/0**

9.2 WE-ROC Council

Nil Recommendations to Council

9.3 Merredin Heritage Management Committee

## 8.1 Timeline/Budget

Moved John Rutherford

Seconded Cr Hayden

*That the Merredin Heritage Management Committee recommend that Council consider developing a policy to ensure Contractors, who are contracted by the Shire complete the work within Shire "guidelines".*

CARRIED 4/0

**29680**

Moved Cr Morris

Sec Cr Hayden

*That Council consider developing a policy to ensure Contractors, who are contracted by the Shire of Merredin complete the work within Shire of Merredin "Guidelines".*

**CARRIED 10/0**



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9.4 Merredin Local Emergency Management Committee

Nil Recommendations to Council

9.5 Merredin Business and Community Development Committee

## 7.4 Strategic Plan

Moved Cr Forbes

Seconded Cr Morris

*That the BCDC recommend to Council that Council endorse the Cummins Theatre be moved from a priority 7 under Environment on the Strategic Plan to priority 4 under Visitor Attractions.*

CARRIED 4/0

Moved Cr Morris

Seconded Cr Townrow

*That the BCDC recommend to Council that Council endorse re-roofing the Central Wheatbelt Visitor Centre in keeping with the new public toilets.*

CARRIED 4/0

Moved Cr Morris

Seconded Cr Forbes

*That the BCDC recommend to Council that Council endorse that those organisation that access Shire water be subject to the standard water restrictions.*

CARRIED 4/0

***Note:** The Strategic Plan referred to in the above Recommendation are included as an appendix to the Merredin Business and Community Development Committee Minutes.*

**29681**

Moved Cr Townrow

Sec Cr Forbes

1. *That Council endorse the Cummins Theatre be moved from a priority 7 under Environment on the Strategic Plan to priority 4 under Visitor Attractions.*
2. *That Council endorse re-roofing the Central Wheatbelt Visitor Centre in keeping with the new public toilets.*
3. *That Council endorse that those organisation that access Shire water be subject to the standard water restrictions.*

**CARRIED 6/4**

**MINUTES**

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9.6 Central Wheatbelt Visitor Centre Think Tank Committee

Moved Barbara Greaves

Seconded Michelle Murfit

*That the Tourism Advisory Group recommend to Council that Council consider replacing the tile roof on the Visitor Centre with custom orb roofing material so that it is in keeping with the adjacent toilet block.*

CARRIED

*Note:* This Recommendation 9.5.9.6 was dealt with at **CMRef 29681** Part 2 – Refer Page 9.

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**10.0 COMMUNITY SERVICES**

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**10.1 ADOPTION OF SEAT ADVISOR BOX OFFICE TICKETING SYSTEM FOR CUMMINS THEATRE**

**Reporting Department:** Community Services  
**Reporting Officer:** Jane Bandurski – Cummins Theatre Manager  
**Legislation:** Local Government Act 1995

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**Background**

Seat Advisor Box Office (SABO) is an online ticketing system which allows seats and tickets to be viewed and purchased live from any location with an internet connection. The service can be viewed by a simple link from the Cummins Theatre website. It is able to accommodate reserved and unreserved seating, and is tailored to suit individual venues seating plans and branding. Once a venue is mapped, customers are able to view available seats to pick exactly which tickets they would like to purchase. All sales are updated live, so there is no risk of double selling. The system also makes provisions for online donations, and collates market research pertaining to specific audiences.

The SABO system will dramatically reduce administrative hours relating to box office duties, and will provide a simpler, more professional service to the community and to hirers. It will also reduce double handling of revenue between the Theatre and the Shire, streamlining banking processes whilst improving the transparency of transactions.

Merredin Repertory Club productions constitute a significant proportion of attendances at Cummins Theatre each year, and the club has agreed to utilise the Theatre as its box office if the SABO system is adopted. This proposal will also increase the number of external hirers who choose to use Cummins Theatre as a box office location, thereby increasing revenue through ticket sales.

Please refer to **Attachment 10.1A** for the SABO proposal for Cummins Theatre. Please note that the deadline for accepting the proposal has been extended.

**Financial Implications**

The only upfront cost relating to SABO is for the creation of venue maps. Cummins Theatre would require three maps to be created, at a total cost of \$1,285.00. We would also eventually be required to purchase a ticket printer for \$2,194.50, bringing the total set-up fee to \$3,479.50. In addition to this, a fee of \$2.20 would apply to each ticket sold. This cost can be incorporated into ticket pricing strategy, to recover costs. It is anticipated that the ease and accessibility of the SABO system will increase ticket sales for Cummins Theatre events.

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Account *E116013* Cummins Theatre Operational Expenses has an allocation of \$27,693.00, which is fully committed. There is an allocation of \$30,000.00 for Cummins Theatre Performance Expenses in the 2008/2009 Budget (*E116014*). Although not a direct performance expense, the on line ticketing system will improve the efficiency of the ticket sales for performances.

Therefore, staff seek Councils permission to allocate \$3,500.00 from the Performance Expense Account to the Operational Expenses Account, so the SABO system can be purchased.

**Comment**

Given that a large number of Cummins Theatre's audience come from outside Merredin, previous box office practices have experienced difficulty employing an equitable system to satisfy these customers. This has proven costly for the Theatre, as ticket reservations have not been collected, resulting in loss of income, and prime seats remaining empty for the duration of performances. This system will allow customers to purchase tickets from home, where they are unable to come to the Theatre box office personally.

SABO also renders the Cummins Theatre box office open 24 hours a day, as tickets can be accessed online any time. The potential for collecting market research is also cost and time effective, and will enable streamlining of promotional strategies. Through increasing the traffic to the Cummins Theatre website the Theatre's profile will also gain a greater online presence. It is also anticipated that other venues in the Shire may adopt the system in the future, thereby creating a system which is consistent without the need for networking computers at numerous locations.

**Officer's Recommendation**

*That Council approve the transfer of \$3,500.00 from Account E116014 Cummins Theatre Performance Expenses to Account E116013 Cummins Theatre Operational Expense for the purchase of the Seat Advisor Box Office online ticketing system.*

ABSOLUTE MAJORITY REQUIRED

**29682**

Moved Cr Morris

Sec Cr Townrow

*That Council approve the transfer of \$3,500.00 from Account E116014 Cummins Theatre Performance Expenses to Account E116013 Cummins Theatre Operational Expense for the purchase of the Seat Advisor Box Office online ticketing system.*

**CARRIED 9/1  
ABSOLUTE MAJORITY**

John Mitchell, Executive Manager of Development Services, entered the meeting at 1.53pm.

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**10.2 Public Accessibility Forum (Cuppa with a Councillor)**

It was suggested different Councillors should make themselves available (on a roster system) to meet with electors on a regular basis. For example, morning tea at the Library every Thursday.

Moved Cr Morris

Sec Cr Townrow

*That Councillors participate in a public accessibility forum once a month at venues to be decided.*

**LOST 2/8**

**10.3 Key Access to Cummins Theatre**

Cr Morris declared an Impartiality Interest in this Agenda Item 10.3.

It was reported that visitors were not able to inspect the Cummins Theatre on the weekend as staff were not in attendance, and access should be made available.

**29683**

Moved Cr Simmonds

Sec Cr Forbes

*That Cr Morris be provided with a key to Cummins Theatre for the purpose of showing visitors through the Theatre whilst no staff member is present.*

**CARRIED 10/0**

Debbie Morris, Executive Manager of Community Services, left the meeting at 2.09pm.

**MINUTES**

Cr Townrow declared a Financial Interest in this Agenda Item 11.0 and left the meeting at 2.09pm.

Cr Young left the meeting at 2.09pm.

## 11.0 DEVELOPMENT SERVICES

### 11.1 TOWN PLANNING REPORT – DELEGATED AUTHORITY

**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 (as amended).

#### **Comment**

The following application was granted Town Planning consent: –

App No.	Applicant Details	Land Address/Usage	Value
PA16-08	K Townrow; Lot 140 Railway Ave, MD 6415	Lot 140 Railway Avenue, Merredin WA 6415, transportable office block class 6	\$25,000.00

The Chief Executive Officer acting under delegated authority conferred to him by Council Policy 6.2 granted planning consent to the above mentioned application.

**MINUTES**

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**Officer's Recommendation**

*That Council receive the Town Planning Report for August 2008.*

**29684**

Moved Cr Morris

Sec Cr Forbes

*That Council receive the Town Planning Report for August 2008.*

**CARRIED 8/0**

**MINUTES**

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Cr Townrow entered the meeting at 2.10pm.

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11.2 **TOWN PLANNING – HOME OCCUPATION – PERTH HOME CARE SERVICES INC (OANDA) – APPROVAL IN PRINCIPLE**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell – Executive Manager,  
Development Services  
**Legislation:** Planning and Development Act 2005, Shire of  
Merredin Town Planning Scheme No.1  
**File Reference:** LUP/5/1, A225

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**Background**

Mr Tim Wills, Manager of Information, Communications & Asset Services with Perth Home Care Services Inc (PHCS) has corresponded (**Attachment 11.2A**) advising that existing accommodation at 108 Barrack Street is insufficient for the purposes that Oanda was formed.

The Organisation seeks Council support to relocate to residential premises and operate as a home occupation.

**Statutory Implications**

The provisions of the Shire of Merredin Town Planning Scheme No.1 are applicable. A Policy relating to home occupations has been adopted by Council.

A copy of the Home Occupation Policy appends (**Attachment 11.2B**). The use of the residence is outside the Home Occupation Policy requirement, in that the maximum size of a home occupation is limited to 20 square metres.

**Financial Implications**

No fees have been charged for this consideration. Annual fees of \$125.00 are applicable for a home occupation.

Council will lose rental fees associated with the rental of the building situated at 108 Barrack Street, Merredin of \$2,500.00 per annum.

**Comment**

PHCS provide a service to approximately 20 families within Merredin who have family members with disabilities, through art and craft activities at the current centre.



**MINUTES**

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The following comments in relation to the nine points of a home occupation definition are provided: -

1. The use of the land would not cause injury or be prejudicial to the amenity of the area;
2. The operation does involve the employment of non family members;
3. The occupation will exceed 20m<sup>2</sup> in area;
4. The Occupation does not require additional essential services;
5. Will not display signage in excess of 1/5m<sup>2</sup>;
6. The use is compatible with the general use of a residence;
7. Does not entail the use of a vehicle with a Gross Mass Weight of 2 Tonnes;
8. Does not entail the parking of more than one commercial vehicle or repairs or fuelling of vehicles on site;
9. Will not utilise more power than existing on site currently

Accordingly the application cannot be supported as it exceeds parameters in the use as a home occupation.

Section 6.7.1 of the Shire of Merredin Town Planning Scheme No.1 permits the Council to relax a standard where the Council is satisfied the approval will be consistent with orderly planning of the locality and the non compliance will not have an adverse effect on the occupiers and users of the adjoining properties or locality. This relaxation requires the absolute majority of Council.

However, without the identification of a particular property it may be difficult to provide a definitive response. The recommendation reflects this by suggesting Council “will consider an application” rather than providing unqualified support.

PHSC and the Disability Services Commission are the only service organisations within Merredin providing a service to families with disabilities.

**Officer’s Recommendation**

*That pursuant to Clause 6.7.1 of the Shire of Merredin Town Planning Scheme No.1, that Council will consider an application from Perth Home Care Services Inc to establish home care services from a residential premise within the townsite of Merredin, for the purposes of providing a mechanism for developing personal independence of persons with disabilities.*

**ABSOLUTE MAJORITY REQUIRED**

**29685**

Moved Cr Townrow                      Sec Cr Morris

*That pursuant to Clause 6.7.1 of the Shire of Merredin Town Planning Scheme No.1, that Council will consider an application from Perth Home Care Services Inc to establish home care services from a residential premises within the townsite of Merredin, for the purposes of providing a mechanism for developing personal independence of persons with disabilities.*

**CARRIED 9/0  
ABSOLUTE MAJORITY**

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11.3 **TOWN PLANNING – SUBDIVISION – CREATION OF HOMESTEAD LOT – ME AND TE TEASDALE; LOC 26046 KORBRELKULLING ROAD, MERREDIN**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	John Mitchell – Executive Manager, Development Services
<b>Legislation:</b>	Town Planning Scheme No.1, WAPC DC3.4, Shire of Merredin Homestead Subdivision Policy
<b>File Reference:</b>	A7162

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**Background**

An application to create a homestead lot has been received from the Western Australian Planning Commission (WAPC) on behalf of ME & TE Teasdale of Loc 26046 Korbrelkulling Road, Merredin. The application including a map is contained in **Attachment 11.3A**.

**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. Reasons for the special consideration have been provided and include storm water run off control, horse paddocks 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 26046 Korbrelkulling 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.*

Cr Young entered the meeting at 2.15pm.

**29686**

Moved Cr Morris

Sec Cr Hayden

*That the application to establish a homestead lot within Location 26046 Korbrelkulling 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 9/1**

**MINUTES**

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**11.4 REVIEW OF COUNCIL POLICIES – SWIMMING POOL**

<b>Reporting Department:</b>	Administration
<b>Reporting Officer:</b>	Frank Ludovico - Chief Executive Officer and John Mitchell – Executive Manager of Development Services
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	Policy Manual

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**Background**

Councils' current Policies have been in place since September 2000 and staff have undertaken a review of these Policies to consider their appropriateness, their effectiveness and the need to be updated.

**Attachment 11.4A** details Policies associated with Merredin District Olympic Pool.

**Comment**

Staff believe that Policy 5.1 and Policy 5.2 are still appropriate. Policy 5.3 was adopted in November 2007 and remains current. Policy 5.4 appears redundant and staff recommend that it should be deleted.

**Officer's Recommendation**

*That Council:*

- 1. adopt Policy 5.1 Swimming Pool Entrance Fee – Disability Exemptions;*
- 2. adopt Policy 5.2 Swimming Pool – Operational Hours Variation;*
- 3. delete Policy 5.4 Fees and Charges for Swimming Complex.*

**29687**

Moved Cr Townrow

Sec Cr Hayden

***That Council:***

- 1. Adopt Policy 5.1 Swimming Pool Entrance Fee – Disability Exemptions;***
- 2. Adopt Policy 5.2 Swimming Pool – Operational Hours Variation;***
- 3. Delete Policy 5.4 Fees and Charges for Swimming Complex.***

**CARRIED 10/0**

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

Cr Crees declared a Financial Interest in this Agenda Item 16.1 and left the meeting at 2.21pm.

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16.1 **LOCAL PLANNING SCHEME – APPLICATION FOR PLANNING CONSENT – PA15-08, WINDFARM – POWER GENERATION; VARIOUS FARM LOCATIONS**

**Reporting Department:** Development Services

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

**Legislation:** Local Government Act 1995

**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 Giraudo - 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

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*This report was written 15 September 2008 commencing at 8.00am.*

**Background**

An application to establish a wind-farm valued at \$600,000,000.00 on various locations within the Burracoppin regional area and in particular the above locations have been received from Collgar Windfarms Pty Ltd.

Councillors received a copy of the submission to erect the Windfarm at the August 2008 meeting.

At that meeting Council resolved (**CMRef 29649**): -

- 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.*

The report is provided back to Council as negative comment was received from an adjoining land owner.

**MINUTES**

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For Council's 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 by the developers;
2. The subsequent application for town planning consent to establish up to 127 wind generation electricity towers of 80m height and 40m turbine blades on a base of 340m<sup>3</sup> of concrete or piled into solid rock on various locations within South Burracoppin within a 126km<sup>2</sup> 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 application must address Planning Bulletin 67 – Guidelines for Wind Farm Development (PB67). In the opinion of the Executive Manager of Development Services a detailed submission addressing the criteria of PB67 was received.

To ensure independence of objectivity towards the development potential the application was referred to Council's Planning Consultant – Planwest, Mr Paul Bashall for application consideration. Mr Bashall's comments are contained in **Attachment 16.1A**.

**Statutory Implications**

In accordance with Clause 6.2 of the Shire of Merredin Town Planning Scheme No.1 the application was advertised in the Merredin Mercury on 20 August 2008 with a closure date of 12 September 2008 - a period of 23 days.

Notice of the proposed use was sent by post to the owners and occupiers of adjoining land. The list and correspondence is contained in **Attachment 16.1B**.

Notices were placed on the site (fence line) on 20 August 2008 by the Executive Manager of Development Services, particularly adjacent to the existing wind monitoring sites.

The provisions of the Shire of Merredin Town Planning Scheme No.1 gazetted 1983 are applicable. The land is zoned "general farming". The use as "electricity generation" is a "PS" use.

The provisions of Planning Bulletin 67 are also applicable.

**MINUTES****Financial Implications**

Application fees of \$30,769.00 have not been paid at the time of writing this report. An invoice for the amount has been sent to the applicant's representative (Investec) seeking payment.

**Comment**

Shire of Merredin correspondence and a copy of the submission received were sent to the affected land owners and the required contact departments in accordance with Planning Bulletin 67. A minimum of twenty three copies of the submission were made and on posted to affected parties.

The applicant's representative submitted an advice of referral to the Environmental Protection Authority (EPA) pursuant to Section 38(1) of the Environmental Protection Act 1986 at the time of submission. Subsequent advice from the EPA to the Shire of Merredin advises that the EPA public submission period closes on 22 September 2008.

As at 15 September 2008, Council had received the following submissions. Where there is no comment or positive comment a brief explanation is provided: -

<b>Submitter</b>	<b>Comment</b>
Department for Planning and Infrastructure (State Land Services)	Land Reserves fall within jurisdiction of Department of Environment and Conservation. No other comment is provided
Environmental Protection Authority	Proposal raises number of Environmental issues, decided not to subject to formal environmental impact assessment subject to public advice period expiring 22 September 2008
Main Roads Western Australia	Acknowledges the application notes there is no direct impact on main roads controlled areas
Department of Defence	Comments to be provided to meeting – part submission received 8/9/2008
Water Corporation	No objection to proposal
Mrs Ward (Ph number provided)	Farm on market, request that the advice be provided to Council
David White – at Counter – requested by MDS to prepare written submission	Submission received in opposition to the proposed Windfarm – submission discussed in detail separately to this table
Any further applications received will be presented to Council at the September 2008 meeting	



**MINUTES**

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Mr White advises of the following concerns as listed within the email received on 11 September 2008 at 10.30pm (**Attachment 16.1C**): -

1. Offer of compensation from Investec insufficient for the effect caused and will cause to them – Answer: -The proposed windfarm, subject to the proposed conditions, may have a minor visual impact upon the two locations owned by Mr White – **Attachment 16.1D** contains a map of the expected impact upon the White property comprising locations 25299 and 25295. The Suzlon S88 turbine generator is the generator chosen to base the noise contours on. A condition of approval includes that the generator must be rated to the same rating as the Suzlon S88 generator or better. It is tested case law that a land owner does not own the right to any view that may exist at the time of purchase. Certainly there will be no other impact on the property ;
2. Visual Pollution – surrounded to the north east and the south by... 40 turbines... able to see 80 turbines.... 40 within 1.5km to 4km distant – Answer: - A visual simulation was prepared by Parsons Brinckerhoff and is contained in Appendix E. There are photographs of the intrusion levels taken at various distances from 1km to 5km. The visual impact assessment is a subjective assessment and it is the view of the Officer that the visual impact is minimal. No approval condition relating to this objection is proposed. It is noted that there are 23 turbines within 4km of the White property – not 40 as stated. Collgar Wind Farms has offered to prepare specific photomontages from the property to give an indication of the impact of the project. The offer was declined.
3. The report does not state the actual location of the wind generation towers – Answer: – Mr White is correct, however a condition suggested by Mr Bashall includes the general condition that the noise, flicker, shadow and visual impact of the towers shall not exceed those levels contained within the submission as presented to the Shire of Merredin. In the event that turbines have to be relocated they will still occur within the development envelope and have no worse impact on adjoining land owners or occupiers.
4. Mr White provides comment that the levels of power generation provided within the report are erroneous and unproven and seeks that they be justified. In addition he provides comment on the operation of the towers and that they produce electricity for only 30% of their lifetime – Answer: – The level of power generation is accepted based on the performance of the turbines which are by manufacturer are rated at 2.1MW. 127 towers can therefore produce up to 267MW. Mr White's comments regarding the life of the towers and that they must be backed by fossil fuel generation cannot be substantiated and no comment is provided. If the project was not viable the applicants would not be proposing the expenditure of 0.6 Billion dollars;
5. The fossil fuel back up power station will produce greenhouse gases – Answer: - No application to establish a fossil fuel powered back up power generation has been received at this office and no evidence of this fact can be verified or disputed at this stage.

**MINUTES**

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6. How much greenhouse gas is produced by the construction and transportation of the turbines – *Answer*: - No application received at Local Government is required to justify itself against the production of greenhouse gases. The comments provided by Mr White are considered to be outside scope of the approval process and are not considered;
7. General comments regarding the lack of financial benefit to the community – *Answer*: - The ongoing farming activities will not be affected by the project. Any added employment benefits will be in addition to those currently provided by farming activities. Advice received from Sustainability Victoria, a state government department, indicates that there have been no reports of decreased production from farms as a result of having wind turbines on the land. In addition animals graze normally around the towers without any discernable impact.
8. Nesting wedge tailed eagles and damage to native fauna is considered a grave issue by Mr White – *Answer*: - The risk to native birds has been considered and is a low risk impact. Studies in Victoria have shown that the mortality rate is 1.2 birds per tower per year. A 2001 study in the USA estimates that bird deaths from wind farms are less than 0.02 percent of the total bird deaths caused by collision with man made structures.
9. Internal road systems not determined and compound locations not determined – impossible to assess environmental impact – *Answer*: - road construction and for farmers the removal of bush is already controlled by legislation and requires statutory approvals to remove native bush under certain conditions. As the clearing of bush is governed by legislation a condition to ensure protection of the bush is not required.

There is no impact to Mr White in the use of his land. Mr White's comments should be noted and advice provided to him concerning conditions placed on the town planning consent form. A response to Mr White's concerns from Collgar Windfarms appends in **Attachment 16.1E**.

A response was also received (**Attachment 16.1F**) from the Department of Defence (DOD) which requires comment. DOD advises that the towers fall within the definition of a tall structure and the RAAF Aeronautical Information Service I responsible for recording the location and height of all tall structures. DOD seeks that the proponent supply technical information including height on the turbine generators prior to construction and to provide GPS information on all towers immediately after construction. A website is provided for the proponent to enter the information.

The information sought by the DOD is reasonable and fair and should form a condition of approval.

**MINUTES**

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Sustainability Victoria has provided a pamphlet – Wind Energy – The Myths and Facts. (**Attachment 16.1G**) In addition AusWind have produced a pamphlet Why Wind Energy Works (**Attachment 16.1H**). They are useful to provide information such as turbines are productive up to 45% of the time; coal fossil fuels are 30% efficient.

During discussions with Investec representatives the issues of road damage, road traffic, harvesting and seeding was discussed. In addition the placement of a viewing platform was suggested due to the expected tourism potential of the site. It is appropriate for the Shire of Merredin to condition a road inspection and improvement regime and to consider the placement of a viewing area over the site.

**Officer's Recommendation**

*That the Application to erect a wind farm on 16 farming locations within the Bullshead Norpa Road region for Planning Consent be approved subject to the following conditions:*

1. *Implementation of the 16 measures outlined in Part 5 of the Application Report as follows;*
  - a. *Collgar Wind Farms will avoid, as much as practically possible, the clearing of native vegetation in the construction of the wind farm and ancillary facilities.*
  - b. *Where vegetation clearance is unavoidable, Collgar Wind Farms will minimise the area affected and will position the clearing based on detailed on-site surveys so as to avoid disturbance where possible to mature trees and significant flora.*
  - c. *The turbine towers will be fully enclosed, with no sites for perching or nesting.*
  - d. *Collgar Wind Farms to obtain a Clearing Permit from the DEC prior to commencing any onsite or roadside clearance works.*
  - e. *The turbines will be unlit (except perhaps for nacelle-mounted LED safety lights for aircraft, depending on the recommendations of CASA), to avoid attracting owls and bats.*
  - f. *The Collgar Wind Farms will consult with farmers to discourage the holding of lambing sheep in paddocks within 200m of the turbines, so as not to attract birds of prey and scavengers.*
  - g. *No tall buildings, poles or other structures that could provide perching sites for birds of prey will be constructed within 200m of the turbines.*
  - h. *Vehicles travelling on internal access roads will be limited to a maximum speed of 40km/h at all times in order to minimise the risk of collisions with fauna.*
  - i. *Collgar Wind Farms will arrange monitoring, by an expert fauna consultant, of Mallee fowl nesting activity in the early breeding season months of August and September. If nesting activity is detected, all site works (including construction, earthworks and vehicle traffic) within 250m of the nesting site will be carefully managed according to a plan that will be established with the consultant in consultation with the DEC.*

**MINUTES**

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- j. *This development application contemplates a development envelope within which the final detailed design and turbine siting will be undertaken. The final siting will only allow turbines to be sited such that relevant noise criteria will be complied with. The Shire's proposed Restricted Use zone will ensure no new dwellings can be built within the area where noise levels exceed the EPASA guidelines. In any case the EPASA guidelines will be complied with at all existing non-participant dwellings.*
        - k. *Collgar Wind Farms will carry out a pre-construction survey of the public roads to be used by construction traffic and will maintain and, if necessary, repair or upgrade the roads throughout the construction program to ensure that they are left in at least the same condition as they were prior to construction to the satisfaction of the Shire.*
        - l. *Collgar Wind Farms will ensure, through supply contract conditions, that all fill imported into the project area is obtained from weed-free sources.*
        - m. *Collgar Wind Farms will consult with landowners before the commencement of site works on the location of known weed infestations and will implement measures, including inspection and/or cleaning by water or compressed air, of vehicles leaving infested areas, to ensure that weeds are not spread within the project area.*
        - n. *If new weed infestations are discovered in the project that is attributable to construction activities, Collgar Wind Farms will arrange treatment using accepted methods.*
        - o. *Collgar Wind Farms will prepare and implement a Traffic Management Plan for the construction phase in consultation with the local landowners, Shire Council and Police. The Traffic Management Plan will address haulage routes to the wind farm, scheduling of heavy vehicle movements, speed limits, provision of escorts and other relevant matters.*
        - p. *Collgar Wind Farms will offer nearby residents that may be affected by electromagnetic interference a pre-wind farm and post-wind farm assessment of television reception and will remedy any reception problems attributable to the presence of the wind farm.*
2. *Removal of all footings to a depth of at least 1 metre below the natural ground surface at the decommissioning stage of the project.*
3. *The Shire be advised of all complaints received by the Applicants and the measure put in place to respond to these complaints.*
4. *Collgar Wind Farms will provide to the Department of Defence all technical information regarding the Wind Towers including tower heights, fitout – lights, blade height and other technical information prior to commencement of construction.*
5. *Collgar Wind Farms shall provide to the Department of Defence GPS and ASL information within one month of the completion of the towers and the completion of the project.*

**MINUTES**

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6. *Collgar Windfarms shall provide to the Executive Manager of Engineering Services a detailed road route for delivery of equipment and assess the road conditions with the EMES and pay for any required improvements to those roads to ensure public safety and safe transport of equipment. In addition Collgar Wind Farms shall reimburse the Shire of Merredin for the cost of grading and rehabilitation of roads damaged by transport of equipment to the Wind farm site at the completion of the project and during the construction period.*
7. *Collgar Wind Farms shall provide a viewing platform area comprising under cover viewing area, signage, statistical information for visitors to the project situated at a location acceptable to the Shire of Merredin.*
8. *The location of wind turbines shall not impact further than shown within the PA15-08 submission for shadow flicker and noise on adjacent properties for which no agreement for compensation has been obtained.*
9. *The choice of turbine generator is unknown. Collgar Wind Farms shall ensure that any generator installed meets the same noise level restrictions as that for the S88 generator and where the noise levels exceed the ratings provided for the S88 generators the location of the tower shall be adjusted to not increase the impact of the tower on adjoining land owners.*

*Notes to Applicant*

- i. *The Applicant is advised that the proposed Scheme (at the time of this assessment) provides for a Wind Farm as an 'A' use in a General Farming zone ('A' means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4).*
- ii. *Reference in the Application report to 'new non-compliant dwellings' in Part 4.4 (Page 25) and Part 5 (Page 33) should be amended to remove the words 'non-compliant'.*
- iii. *This approval should not be construed as an exemption to comply with any other Act, Regulation or Statute.*

**29688**

Moved Cr Morris

Sec Cr Townrow

*That the Application to erect a wind farm on 16 farming locations within the Bullshead Norpa Road region for Planning Consent be approved subject to the following conditions:*

1. *Implementation of the 16 measures outlined in Part 5 of the Application Report as follows;*
  - a. *Collgar Wind Farms will avoid, as much as practically possible, the clearing of native vegetation in the construction of the wind farm and ancillary facilities.*
  - b. *Where vegetation clearance is unavoidable, Collgar Wind Farms will minimise the area affected and will position the clearing based on detailed on-site surveys so as to avoid disturbance where possible to mature trees and significant flora.*
  - c. *The turbine towers will be fully enclosed, with no sites for perching or nesting.*
  - d. *Collgar Wind Farms to obtain a Clearing Permit from the DEC prior to commencing any onsite or roadside clearance works.*
  - e. *The turbines will be unlit (except perhaps for nacelle-mounted LED safety lights for aircraft, depending on the recommendations of CASA), to avoid attracting owls and bats.*
  - f. *The Collgar Wind Farms will consult with farmers to discourage the holding of lambing sheep in paddocks within 200m of the turbines, so as not to attract birds of prey and scavengers.*
  - g. *No tall buildings, poles or other structures that could provide perching sites for birds of prey will be constructed within 200m of the turbines.*
  - h. *Vehicles travelling on internal access roads will be limited to a maximum speed of 40km/h at all times in order to minimise the risk of collisions with fauna.*
  - i. *Collgar Wind Farms will arrange monitoring, by an expert fauna consultant, of Mallee fowl nesting activity in the early breeding season months of August and September. If nesting activity is detected, all site works (including construction, earthworks and vehicle traffic) within 250m of the nesting site will be carefully managed according to a plan that will be established with the consultant in consultation with the DEC.*

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- j. This development application contemplates a development envelope within which the final detailed design and turbine siting will be undertaken. The final siting will only allow turbines to be sited such that relevant noise criteria will be complied with. The Shire's proposed Restricted Use zone will ensure no new dwellings can be built within the area where noise levels exceed the EPASA guidelines. In any case the EPASA guidelines will be complied with at all existing non-participant dwellings.*
    - k. Collgar Wind Farms will carry out a pre-construction survey of the public roads to be used by construction traffic and will maintain and, if necessary, repair or upgrade the roads throughout the construction program to ensure that they are left in at least the same condition as they were prior to construction to the satisfaction of the Shire.*
    - l. Collgar Wind Farms will ensure, through supply contract conditions, that all fill imported into the project area is obtained from weed-free sources.*
    - m. Collgar Wind Farms will consult with landowners before the commencement of site works on the location of known weed infestations and will implement measures, including inspection and/or cleaning by water or compressed air, of vehicles leaving infested areas, to ensure that weeds are not spread within the project area.*
    - n. If new weed infestations are discovered in the project that is attributable to construction activities, Collgar Wind Farms will arrange treatment using accepted methods.*
    - o. Collgar Wind Farms will prepare and implement a Traffic Management Plan for the construction phase in consultation with the local landowners, Shire Council and Police. The Traffic Management Plan will address haulage routes to the wind farm, scheduling of heavy vehicle movements, speed limits, provision of escorts and other relevant matters.*
    - p. Collgar Wind Farms will offer nearby residents that may be affected by electromagnetic interference a pre-wind farm and post-wind farm assessment of television reception and will remedy any reception problems attributable to the presence of the wind farm.*
  - 2. Removal of all footings to a depth of at least 1 metre below the natural ground surface at the decommissioning stage of the project.*
  - 3. The Shire be advised of all complaints received by the Applicants and the measure put in place to respond to these complaints.*

4. *Collgar Wind Farms will provide to the Department of Defence all technical information regarding the Wind Towers including tower heights, fitout – lights, blade height and other technical information prior to commencement of construction.*
5. *Collgar Wind Farms will provide to the Department of Defence all technical information regarding the Wind Towers as required by the Department of Defence for the purposes of complying with the RAAF Aeronautical Information Service requirements and will provide evidence of this transfer of information to the Shire of Merredin.*
6. *Collgar Wind Farms shall provide a viewing platform area comprising under cover viewing area, signage, statistical information for visitors to the project situated at a location acceptable to the Shire of Merredin.*
7. *The location of wind turbines shall not impact further than shown within the PA15-08 submission for shadow flicker and noise on adjacent properties for which no agreement for compensation has been obtained.*
8. *The choice of turbine generator is unknown. Collgar Wind Farms shall ensure that any generator installed meets the same noise level restrictions as that for the S88 generator and where the noise levels exceed the ratings provided for the S88 generators the location of the tower shall be adjusted to not increase the impact of the tower on adjoining land owners.*
9. *That all persons and organisations (including Mr D White and Department of Defence) who prepared submissions be advised of the decision of Council.*

*Notes to Applicant:*

- i. *The Applicant is advised that the proposed Scheme (at the time of this assessment) provides for a Wind Farm as an ‘A’ use in a General Farming zone (‘A’ means that the use is not permitted unless the local government has exercised its discretion by granting planning approval after giving special notice in accordance with clause 9.4).*
- ii. *Reference in the Application report to ‘new non-compliant dwellings’ in Part 4.4 (Page 25) and Part 5 (Page 33) should be amended to remove the words ‘non-compliant’.*
- iii. *This approval should not be construed as an exemption to comply with any other Act, Regulation or Statute.*

**CARRIED 9/0**



Cr Crees entered the meeting at 2.37pm.

These Agenda Items 17.1 and 17.2 were brought forward due to the attendance of John Mitchell, Executive Manager of Development Services.

**29689** Moved Cr Simmonds Sec Cr Young  
*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 2.38pm.

**29690** Moved Cr Simmonds Sec Cr Elliott  
*That Council come out from behind closed doors.*

**CARRIED 10/0**

Council came out from behind closed doors at 2.54pm.

17.1 Landfill Site – Direction

**29691** Moved Cr Townrow Sec Cr Young  
*That Council pursue the acquisition of the adjacent farm land (Location 20462) to the existing Chandler Road land fill site.*

**CARRIED 10/0**

**MINUTES**

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- 17.2 Declaration of House Unfit for Human Habitation Pursuant to Section 135-140 of the Health Act 1911, Lot 885, 84 Caw Street, Merredin.

**29692**

Moved Cr Townrow                      Sec Cr Elliott

1. *That Council declare the timber framed, tile roofed, asbestos cement clad, timber floor board building, with timber framed internal walls, windows and doors at 84 Caw St, Merredin unfit for human habitation in accordance with Section 135 of the Health Act 1911 (as amended).*
2. *That Council serve notices pursuant to Sections 135, 136 and 139 of the Health Act 1911 (as amended) on the owner of Lot 885, 84 Caw St, Merredin.*
3. *That Council, subject to the appeal provisions and expiry of any specified time frames contained within any order served on the owner of Lot 885, 84 Caw St, Merredin, invoke the provisions of Section 140 of the Health Act 1911 (as amended) and undertake to repair the dwelling house located at Lot 885, 84 Caw St, Merredin and recover all costs from the owner.*

**CARRIED 10/0**

John Mitchell, Executive Manager of Development Services, left the meeting at 2.50pm.

**29693**

Moved Cr Townrow                      Sec Cr Elliott

*That Council adjourn the meeting at 2.50pm.***CARRIED 10/0****29694**

Moved Cr Elliott                      Sec Cr Hayden

*That Council reconvene the meeting at 3.11pm.***CARRIED 8/0**

Jim Garrett, Executive Manager of Engineering Services, was in attendance.

**MINUTES**

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**12.0 ENGINEERING SERVICES**

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**12.1 DRAFT RECREATION GROUND MASTER PLAN**

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

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**Background**

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

The Draft Recreation Ground Master Plan was presented to Council at its August 2008 meeting (**Attachment 12.1A**). Due to the absence of the Executive Manager of Engineering Services and Council's wish to discuss various issues with him Council resolved (**CMRef 29661**) to adopt a portion of the plan, relating to the main oval design, so that reticulation works could proceed prior to the commencement of the cricket season.

The remainder of the Draft Recreation Ground Master Plan has been represented to Council for its consideration.

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 12.1B**) before being advertised seeking public comment. The closing date for submissions was 1 August 2008.

Three submissions, from the Merredin Sports Council, the Merredin District Lawn Tennis Club and the Merredin Golf Club were received (**Attachment 12.1C**).

The new Draft Recreation Ground Master Plan (**Attachment 12.1A**) 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

**Comment**

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 endorse the Draft Recreation Ground Master Plan as shown in Attachment 12.1A and publish the plan seeking public comment.*

Cr Morris entered the meeting at 3.14pm.

Cr Young entered the meeting at 3.19pm.

Cr Crees & Vanessa Green, Executive Assistant, left the meeting at 3.20pm and re-entered the meeting at 3.21pm.

**29695**

Moved Cr Crees Sec Cr Hayden

*That Council endorse the Draft Recreation Ground Master Plan with the following adjustments:*

- 1. Shed and car park located north of proposed third bowling green;*
- 2. Playground located in the vicinity of the south western light tower;*
- 3. Softball located in the vicinity of the north western light tower.*

**CARRIED 10/0**

Moved Cr Townrow Sec Cr Wallace

*That the shed be placed at the northern end of the proposed third bowling green.*

**WITHDRAWN**

**MINUTES**

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**12.2 MAIN ROADS LAND ACQUISITION ALONG GREAT EASTERN HIGHWAY FROM SLK 263 TO SLK 285**

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

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**Background**

As part of the Great Eastern Highway upgrade from Hines Hill to Walgoolan some realignment of the Great Eastern Highway from Booran to Burracoppin was needed, which required land acquisition for the road reserve.

Correspondence has been received on 12 August 2008 from Main Roads W.A. (**Attachment 12.2A**) asking if Council concur with the taking of the land for it be included in the road reserve.

**Comment**

Construction of the Great Eastern Highway has been completed and Main Roads W.A. are required to have the realigned sections of highway dedicated as road reserve.

**Officer's Recommendation**

*That Council write to Main Roads W.A. stating that they concur with the amalgamation of land as shown in Attachment 12.2A.*

**29696**

Moved Cr Morris

Sec Cr Townrow

*That Council write to Main Roads W.A. stating that they concur with the amalgamation of land as shown in Attachment 12.2A.*

**CARRIED 10/0**

**MINUTES**

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**12.3 REVIEW OF COUNCIL POLICIES - ENGINEERING**

<b>Reporting Department:</b>	Administration
<b>Reporting Officer:</b>	Frank Ludovico - Chief Executive Officer and Jim Garrett – Executive Manager, Engineering Services
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	Policy Manual

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**Background**

Councils' current Policies have been in place since September 2000 and staff have undertaken a review of these Policies to consider their appropriateness, their effectiveness and the need to be updated.

**Comment**

Appended to this report (**Attachment 12.3A**) is a review of the Policies, some dating back to September 2000.

Staff have shown the proposed amendments in Red ink.

In the main, these Policies only involve minor updates to the existing Policies.

**Officer's Recommendation**

*That Council adopt the Policies shown as Attachment 12.3A as amended.*

**29697**

Moved Cr Crees

Sec Cr Young

*That Council adopt the Policies, excluding Policy 7.6, as shown in Attachment 12.3A, as amended.*

**CARRIED 10/0**

**MINUTES**

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**13.0 FINANCE AND ADMINISTRATION**

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

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**Comment**

The attached monthly financial report is provided for Council information.  
**(Attachment 13.1A)**

**Officer's Recommendation**

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

**29698**

Moved Cr Morris

Sec Cr Townrow

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

**CARRIED 10/0**

Jim Garrett, Executive Manager of Development Services, left the meeting at 4.11pm.

Emma Hooper, Executive Manager of Finance and Administration, entered the meeting at 4.12pm.

**MINUTES**

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**13.2 LIST OF ACCOUNTS PAID**

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

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**Background**

The attached list of accounts paid during the month under delegated authority is provided for Council information. (**Attachment 13.2A**)

**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 \$476,340.98 and amounts directly debited from Councils Municipal Fund Bank Account BSB 066-518 Account No. 000-000-10 totalling \$188,218.04 and outstanding creditors totalling \$168,178.72.*

**29699**

Moved Cr Townrow                      Sec Cr Forbes

*That Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$476,340.98 and amounts directly debited from Councils Municipal Fund Bank Account BSB 066-518 Account No. 000-000-10 totalling \$188,218.04 and outstanding creditors totalling \$168,178.72.*

This Item Lay on the Table until such time as the correct Attachment 13.2A was obtained and distributed to Councillors. Refer to Page 42 for the resolution of this Agenda Item 13.2.

Karen Gault, Records Officer, left the meeting at 4.16pm.



**MINUTES**

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**13.3 REVIEW OF COUNCIL POLICIES – SHIRE ADMINISTRATION CENTRE - SECURITY**

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

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**Background**

At its January 2008 meeting, Council reviewed a number of Policies pertaining to the Administration area.

One policy, Policy 2.14 (**Attachment 13.3A**) was not passed and staff were asked to investigate how to deal with Shire Administration Centre security and Shire President /Councillor access.

Staff were asked to investigate whether showers and toilets could be made available to Councillors and how independent access by Councillors to the Chamber Wing could be achieved.

**Comment**

A number of options were examined to provide Councillor access to showers:

Option One

Install a new lock system on the southern wing of the Administration Centre to allow Councillor access to the existing shower and kitchen facilities. And install a new door and keypad for access into Administration area.

This cost is relatively expensive, amounting to approximately \$2,000.00.

Due to lack of storage the existing shower is used as a cleaner storeroom.

Option Two

Renovate the disabled toilet by installing a shower in that area -approximate cost is \$7,500.00 - \$10,000.00.

Option Three

Install a shower in each of the male and female ablutions in the northern wing of the Administration Centre - cost is between \$5,000.00 - \$7,000.00 per area. This will reduce the amount of chemicals by one in each of the toilets.

Funds for any of this work has not been provided for in Council's 2008/2009 Budget

**MINUTES**

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In considering this issue, staff are unable to recall when the use of the shower was requested by either a staff member or a Councillor. It is also worthwhile to note that the new Rec Centre has shower facilities. An option maybe to utilise those facilities instead of undertaking renovations at the Shire Offices. A further option could be to incorporate a facility when the major renovations that have been discussed at the Shire Administration Centre are planned and progressed.

In respect to making the northern wing of the Administration Centre available to Councillors all times, this can be achieved by changing locks and security codes to allow Councillors to utilise this facility.

The cost is relatively minor, in the order of \$300.00 - \$400.00, however it is considered that it would be appropriate for a staff member to continue with the current practice of being responsible for the opening and closing of the Shire Administration Centre.

**Officers' Recommendation**

*That Council adopt the amended Policy 2.14 as shown in Attachment 13.3A.*

Karen Gault, Records Officer, entered the meeting at 4.20pm.

**29700** Moved Cr Townrow Sec Cr Young  
*That Council adopt the amended Policy 2.14 as shown in Attachment 13.3A, with the removal of Item One from the Shire Administration Centre.*

**CARRIED 10/0**

Cr Morris left the meeting at 4.25pm.

This Agenda Item 13.2 was Lifted from the Table.

13.2 List of Accounts Paid

**29701** Moved Cr Townrow Sec Cr Forbes  
*That Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$476,340.98 and amounts directly debited from Councils Municipal Fund Bank Account BSB 066-518 Account No. 000-000-10 totalling \$188,218.04 and outstanding creditors totaling \$168,178.72.*

**CARRIED 9/0**

Emma Hooper, Executive Manager of Finance and Administration, left the meeting at 4.28pm.

Cr Young left the meeting at 4.28pm.

**MINUTES**

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**13.4 MERREDIN REGIONAL COMMUNITY AND LEISURE CENTRE – LIQUOR LICENCE**

<b>Reporting Department:</b>	Administration
<b>Reporting Officer:</b>	Frank Ludovico - Chief Executive Officer
<b>Legislation:</b>	Liquor Control Act 1988
<b>File Reference:</b>	RCS/13/03

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**Background**

At Council's 19 August 2008 meeting (**CMRef 29675**) Council decided to obtain a Tavern Licence for the Merredin Regional Community and Leisure Centre (MRC&LC).

In developing the application for a Liquor Licence for the MRC&LC Council needs to develop a House Management Policy, Code of Conduct and a Management Policy in order to progress the Liquor Licence application.

Staff have purchased pro-forma documents from Levan Legal, a company that has extensive experience in liquor licensing and provides legal advice to Clubs WA. These documents are attached (**Attachment 13.4A**).

**Statutory Implications**

Under Section 5(1)(b) of the Liquor Control Act 1988, the primary objects of the Act are to minimise harm or ill-health caused to people or any group of people due to the use of liquor.

This has led the Director of Liquor Licensing to develop a Harm Minimization Policy to ensure that each establishment selling liquor has a House Management Policy, a Code of Conduct and a Management Policy.

**Comment**

It would be appropriate for Council to adopt these policies so the Liquor Licensing Application can progress.

Council has previously adopted these documents in September 2006 (**CMRef 28649**), however there is a substantial difference between a Special Facilities Licence and a Tavern Licence and so new Policies will need to be adopted.

**Officer's Recommendation**

*That Council adopt the House Management Policy, Code of Conduct and Management Policy as shown in Attachment 13.4A in respect to a Tavern Licence for the Merredin Regional Community and Leisure Centre.*

Cr Young entered the meeting at 4.31pm.

**29702**

Moved Cr Townrow

Sec Cr Elliott

*That Council adopt the House Management Policy, Code of Conduct and Management Policy as shown in Attachment 13.4A in respect to a Tavern Licence for the Merredin Regional Community and Leisure Centre.*

**CARRIED 9/0**

**MINUTES**

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14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN15.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN16.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION16.1 Local Planning Scheme – Application for Planning Consent – PA15-08, Windfarm – Power Generation; Various Farm Locations

Refer to Page 22 for information on this Agenda Item.

16.2 Shire of Merredin Art Acquisition Prize**29703**

Moved Cr Elliott

Sec Cr Hayden

*That the judging panel for the Shire of Merredin Art Acquisition Prize be comprised of Cr Forbes, Cr Simmonds and Cr Townrow.*

**CARRIED 9/0**16.3 Merredin Regional Community and Leisure Centre Use of Kitchen Tender**29704**

Moved Cr Elliott

Sec Cr Wallace

*That Council advertise the Tender for the use of the kitchen at the Merredin Regional Community and Leisure Centre.*

**CARRIED 8/1**17.0 MATTERS BEHIND CLOSED DOORS17.1 Landfill Site – Direction

Refer to Page 33 for information on this Agenda Item.

17.2 Declaration of House Unfit for Human Habitation Pursuant to Sections 135-140 of the Health Act 1911, Lot 885, 84 Caw Street, Merredin

Refer to Page 34 for information on this Agenda Item.

**MINUTES**

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- 29705** Moved Cr Young Sec Cr Townrow  
*That Council go behind closed doors to discuss Staffing Issues and the Merredin Medical Practice in accordance with Section 5.23 2(c) and (e) of the Local Government Act 1995.*

**CARRIED 9/0**

Council went behind closed doors at 4.45pm.

Karen Gault, Records Officer, and Vanessa Green, Executive Assistant, left the meeting at 4.45pm and did not return.

Frank Ludovico, Chief Executive Officer, left the meeting at 5.10pm and did not return.

- 29706** Moved Cr Townrow Sec Cr Elliott  
*That Council come out from behind closed doors.*

**CARRIED 9/0**

Council came out from behind closed doors at 5.15pm.

- 29707** Moved Cr Young Sec Cr Elliott  
*That Council adjourn the meeting at 5.15pm.*

**CARRIED 9/0**

- 29708** Moved Cr Elliott Sec Cr Townrow  
*That Council reconvene the meeting at 5.45pm.*

**CARRIED 9/0**

- 29709** Moved Cr Elliott Sec Cr Townrow  
*That Council go behind closed doors to discuss staffing issues and the Merredin Medical Practice in accordance with Section 5.23 2(c) and (e) of the Local Government Act 1995.*

**CARRIED 9/0**

Council went behind closed doors at 5.45pm.

- 29710** Moved Cr Elliott Sec Cr Wallace  
*That Council come out from behind closed doors.*

**CARRIED 9/0**

Council came out from behind closed doors at 6.45pm.

18.0 CLOSURE

There being no further business the Presiding Member declared the meeting closed at 6.45pm.