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Minutes for the Ordinary Meeting of the Merredin Shire Council held in the Council Chambers, Cnr King/Barrack Streets, Merredin on Tuesday 16 January 2007 at 1.00pm.

ATTENDANCE: Cr KA Hooper – Shire President
Cr RM Crees – Deputy Shire President
Crs JP Townrow; WR Wallace; ~~N Hooper~~; S Marley;
M Morris & D Morley, Cr Jones, Cr Simmonds.

CMRef 28797 20 February 2007 – alterations to Attendance Register

Messrs FB Ludovico, Chief Executive Officer;
JA McGovern, Deputy Chief Executive Officer;
WD Bow, Manager of Development Services;
AM Peters, Personal Assistant

Mr Tom Hunter

1.0 OFFICIAL OPENING

The Presiding Member declared the meeting open at 1.04pm.

2.0 PUBLIC QUESTION TIME

Mr Tom Hunter requested that Council consider selling the land at Lot 533 Cohn Street by private treaty directly to himself as he had initially applied to Council and advised his intention to build a residential dwelling.

Presiding Member advised that Council precedent is to sell either by tender or auction however Council would consider his request behind closed doors when dealing with Item 16.1.

Mr Tom Hunter left the meeting at 1.15pm.

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr G Astbury requested a leave of absence for meeting of 16 January 2007.
Apology received from Cr N Hooper.

4.0 DISCLOSURE OF INTEREST

Cr Morris declared an Impartiality Interest in Item 12.2.
Cr Morris declared an Impartiality Interest in Item 12.3A.
Cr Morris declared a Financial Interest in Item 12.3A (Recommendation 2).
Cr K Hooper declared an Impartiality Interest in Item 12.3B.
Cr Morris declared a Financial Interest in 12.3B

5.0 PETITIONS & PRESENTATIONS

Nil

6.0 CONFIRMATION OF MINUTES**6.1 PREVIOUS COUNCIL MEETING****28771**

Moved Cr Townrow sec Cr Morley

*That the Minutes of Council meeting held on the 19 December 2006 be confirmed as a true and correct record of proceedings.***CARRIED 9/0****7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION****8.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC**

16.1 Lot 533 Cohn Street, Merredin – T & K Hunter – Request to Purchase

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

9.1 Business & Community Development Committee meeting held 10th January 2007

28772

Moved Townrow sec Cr Crees

*That the Merredin Shire Council receive the minutes of the Business & Community Development Committee meeting held 10 January 2007.***CARRIED 9/0****7.5 Groundwater and Salinity Management**

Moved Cr Townrow sec Cr Morris

*A Working Party be formed to assess the ground water and salinity management options in the Shire of Merredin with a view to prioritising the challenges and opportunities arising.**Working party to consist of 3 councillors and appropriate staff as designated by the CEO.***CARRIED 4/0**

Cr Morris, Cr Townrow, Cr Morley and Cr Simmonds nominated to be part of this working party.

7.6 Underground Power Program

Moved Cr Townrow sec Cr Morris

That the BCDC recommend to Council that Council endorse the submission of an Expression of Interest Proposal for Round Four of the Underground Power Program which closes on February 2, 2007 for the portion of Barrack Street, from Queen Street to Fifth Street and the portion of Bates Street from Barrack Street to Mitchell Street Merredin.

CARRIED 4/0

28773

Moved Cr Townrow sec Cr Morris

That Council endorse the submission of an Expression of Interest Proposal for Round Four of the Underground Power Program which closes on February 2, 2007 for the portion of Barrack Street, from Queen Street to Fifth Street and the portion of Bates Street from Barrack Street to Mitchell Street Merredin.

CARRIED 9/0

J McGovern left the meeting at 1.22pm.

W Bow entered the meeting at 1.24pm.

J McGovern entered the meeting at 1.24pm.

10.0 COMMUNITY, HEALTH, BUILDING, TOWN PLANNING &
ENVIRONMENTAL SERVICES

10.1 MERREDIN AND DISTRICTS VISITOR CENTRE – REDEVELOPMENT
PROJECT

Reporting Department: Development Services
Reporting Officer: Warren Bow, Manager of Development Services
Legislation: Various
File Number: CP/8/4

Background:

Council have been successful in obtaining grant funding of \$50,000 as part of the Wheatbelt Regional Development Scheme (WRDS) from the Wheatbelt Development Commission (WDC) for the extension of the Merredin and Districts Visitor Centre (MDVC).

This project relates to the redevelopment of the MDVC as the “Central Wheatbelt Visitor Centre” to honour the commitment of the North East Wheatbelt Regional Organisation of Council’s (NEWROC), Wheatbelt East Regional Organisation of Council’s (WEROC), North Eastern Wheatbelt Travel Association and Roe Tourism Association to the Central East Wheatbelt Tourism Strategy 2004-2009.

Legal Implications:

Compliance with the conditions imposed by the finding authority, including commencement of the project by 1 June 2007.

All building work to comply with the Building Code of Australia 2006, including access for people with disabilities.

Budget Implications:

Total project budget is \$100,534 which includes project initiation, demolition of internal walls and existing façade, reconstruction of shop-front, internal service

delivery modifications, disabled access, minor internal refurnishing and external landscaping.

A grant of \$50,000 was applied for from the WRDS.

Co-location grant funding of \$16,000 has previously been obtained from Tourism WA to facilitate the incorporation of the relevant ROC's and travel associations into the redeveloped centre and to acknowledge the regional role the Visitor Centre plays in visitor servicing via its re-branding as the Central Wheatbelt Visitor Centre.

Council is requested to contribute to the project \$34,534, of which \$16,978 is in-kind works. A large proportion of this in-kind contribution has already been absorbed within the planning phase of the project in the normal duties of the Visitor Centre Manager.

Council's Building Project Manager's expertise and time has also been used previously in the development of cost estimates and basic specifications for the project.

The in-kind amounts are identified in the funding breakdown for the project which can be seen as **Attachment 10.1A** and are quantified to demonstrate Council's commitment to the project.

Council has allocated \$12,000 in its capital purchases budget for 2006/2007 for this project.

An overall allocation of \$17,556 is requested as Council's cash contribution to the project, thus 5,556 will be required in the 2007/2008 budget. Resolution from Council committing to this funding will be required to be presented to the WDC in January 2007 as part of finalisation of the Grant Agreement.

Other grant funding options to offset Council's financial contribution to the project are being sought.

Comment:

The redevelopment of the MDVC will provide for greater floor area for display of merchandise, occupancy of previously unused portion (former Gabbi's Coffee Lounge) of the building, increased service facility and improved access to comply with Building Code of Australia 2006.

The re-branding of the MDVC as the Central Wheatbelt Visitor Centre improves the visitor servicing capacity of the facility and acknowledges the role of the Merredin Shire in regional tourism promotion and the commitment to visitor servicing by our neighbouring Wheatbelt local governments.

The redevelopment of the MDVC is Project 1 of the overall proposed Town Centre Precinct Concept plan which can be seen as **Attachment 10.1B**. Further investigations into the aligned projects are being undertaken by staff, though Council's attention is drawn to the proposed cost of providing modernised public toilets in the precinct.

Further information and reports on this matter will be presented to Council at a later date.

Officer's Recommendation:

- 1. That Council accept the \$50,000 grant from the Wheatbelt Development Commission as part of the Wheatbelt Regional Development Scheme*
- 2. That Council allocate \$5,556 as a cash contribution to the redevelopment of the Merredin and Districts Visitor Centre in its 2007/2008 budget.*
- 3. That the Chief Executive Officer be instructed to allocate staff resources to meet Council's in-kind contribution to the project of \$16,978 in accordance with **Attachment 10.1A***

28774

Moved Cr Townrow sec Cr Morley

- 1. That Council accept the \$50,000 grant from the Wheatbelt Development Commission as part of the Wheatbelt Regional Development Scheme*
- 2. That Council allocate \$5,556 as a cash contribution to the redevelopment of the Merredin and Districts Visitor Centre in its 2007/2008 budget.*
- 3. That the Chief Executive Officer be instructed to allocate staff resources to meet Council's in-kind contribution to the project of \$16,978 in accordance with **Attachment 10.1A***

ENBLOC

CARRIED 9/0

10.2 CUMMINS THEATRE MERREDIN – CONSERVATION PLAN

Reporting Department:	Development Services
Reporting Officer:	Warren Bow, Manager of Development Services
Legislation:	Heritage of Western Australia Act 1990
File Number:	CP/8/3

Background:

A conservation plan for the Cummins Theatre was prepared for the Shire of Merredin by Kevin Palassis Architects in 1992 to comply with the requirements of the Heritage Council of WA and provide a reference document for future maintenance, development and use of the building.

In 2006 Council was successful in obtaining grant funding from Lotterywest for the revision of the conservation plan for the Cummins Theatre.

In December 2006 the *Cummins Theatre, Merredin Conservation Plan* (the Plan) by Palassis Architects was received.

The Plan covers a detailed history of the building and includes an assessment of documentary and physical evidence relating to the cultural significance of the Cummins Theatre. The Plan also details the level of significance of specific items of both the internal and external building fabric of the building.

A conservation policy and schedule of prioritised and annual maintenance works is also included in the Plan.

A full copy of the Plan may be obtained from staff upon request.

Legal Implications:

As the Cummins Theatre is on the Heritage Council of Western Australia *Register of Heritage Places* any proposals concerning the place must be referred to the Heritage Council.

The Cummins Theatre is not registered on the Australian Heritage Council's Register of the National Estate or National Heritage List.

The National Trust of Australia (WA) has classified the Cummins Theatre, recognising the cultural significance of the place; but this has no statutory implications.

Budget Implications:

Council allocated \$15,000 in its 2006/2007 budget for the preparation of the Cummins Theatre conservation plan.

A further \$14,800 has been allocated to general building maintenance at the Cummins Theatre and Tivoli Room.

Council will be aware of the significant allocation of budgetary funds to maintain the Cummins Theatre and Tivoli in recent times.

YEAR	MAINTENANCE BUDGET	ACTUAL EXPENDITURE
2001/2002	\$5,400	\$5,973
2002/2003	\$12,400	\$6,417
2003/2004	\$12,620	\$11,259
2004/2005	\$12,750	\$13,210
2005/2006	\$19,600	\$22,272
2006/2007	\$29,800	YTD - \$7,850

In addition to the \$22,272 spent on building maintenance in 2005/2006, Council also transferred \$17,000 from Reserve funds to facilitate electrical compliance works at the Cummins Theatre.

An extract from the Plan relating to Conservation Policy and Policy Implementation can be seen as **Attachment 10.2A**. Estimates of the value of relevant works are contained as **Attachment 10.2B**.

Council is advised that the cost of items such as structural repairs to the west wall of the Theatre, installation of electronic fire detection system, installation of the counter weight system and replacement of stage lighting can not be quantified at this time. It is likely however that pending assessment of the building by the structural Engineer, staff will request an allocation of \$50,000 - \$75,000 in the 2007/2008 to affect these works.

This is in addition to the estimated \$26,650 for the completion of other listed items derived from the Plan for completion in 2007/2008 and the annual allocation (~\$15,000) for general building maintenance.

Comment:

With regard to the "Urgent Action" items identified in the Plan (**Attachment 10.2A**), staff have developed their own priority schedule for the proposed works with an emphasis on public and occupational health and safety.

It is felt that items identified in the Plan such as installing counterweight to the fly tower and installing new stage lighting, notwithstanding their role in the complete operation of the Cummins Theatre, may not be considered urgent items, in the context of maintaining structural integrity of the building.

A structural Engineer has been engaged to inspect the west wall. The cost of this report will be borne from general building maintenance; however any major structural repair items are likely to be costly and will require allocation in Council's 2007/2008 budget. The Engineer, whilst in attendance will be asked to

assess the suitability of the roof space for the installation of insulation or devise alternative measures. The theatre was originally insulated with hessian sacking this being removed during a past refurbishment due to fire risk.

An on-site meeting with Council's electrical contractor has been arranged to obtain quotations for the installation of emergency exit lighting, stair nosing lighting, fire detection system and replacing existing heating facilities. Again, significant allocation of funding in Council's 2007/2008 will be required to complete these actions. It is noted that RCD's have previously been installed in all electrical control boxes in the Theatre.

All other identified items have been included into Councils' building maintenance program for the Cummins Theatre and Tivoli Room.

Officer's Recommendation:

1. *That Council receive the Cummins Theatre, Merredin Conservation Plan by Palassis Architects.*
2. *That Council receive the Officer's report and consider a costed financial allocation for the completion of building maintenance, capital and conservation work actions identified in the Cummins Theatre, Merredin Conservation Plan by Palassis Architects in its 2007/2008 budget.*

28775

Moved Cr Townrow sec Cr

1. *That Council receive the Cummins Theatre, Merredin Conservation Plan by Palassis Architects.*
2. *That Council receive the Officer's report and consider a costed financial allocation for the completion of building maintenance, capital and conservation work actions identified in the Cummins Theatre, Merredin Conservation Plan by Palassis Architects in its 2007/2008 budget.*

MOTION WITHDRAWN

Manager of Development Services commented that the Conservation Plan was only a draft at this stage. Staff are working on response to Palassis Architects and

preparation of final report. This report intended to inform Council of financial implications.

Late Item 15.1 was brought forward due to the attendance of W Bow, Manager of Development Services.

15.1 APPLICATION FOR AMALGAMATION – COMPLEX LAND SOLUTIONS FOR RAINDAY PTY LTD – LOT 22-25 COGHILL STREET, LOT 1497 BARRACK STREET, MERREDIN

Reporting Department: Development Services
Reporting Officer: Warren Bow, Manager of Development Services
Legislation: Local Government Act 1995, Planning and Development Act 2005
File Number: P/3553

Background:

Council has received correspondence from the West Australian Planning Commission (WAPC) who have received an application from Complex Land Solutions (“the applicant”) on behalf of the Rainday Pty Ltd (“the owner”) for the amalgamation of Lots 22-25 Coghill Street and Lot 1497 Barrack St, Merredin (“the property”).

The accompanying plan of this application can be seen as **Attachment 15.1A**.

Lots 22-24 were previously subject to an amalgamation application that was referred to Council in April 2006. Council raised no objection to the previous amalgamation (**CMRef 28385**) subject to the owner assuming responsibility for storm water management.

A commercial storage building has recently been constructed on Lot 25 Coghill St, Merredin, with the owner wishing to service such building with amenities located within the existing Ag Implements Merredin (AIM) at Lot 1497 Barrack Street, Merredin. Conditional on the construction of the commercial building at Lot 25 Coghill Street was the amalgamation of such lot into Lot 1497.

Lots 22-24 are unimproved and used predominantly for storage and agricultural machinery and equipment.

The land is zoned “Light Industry” in accordance with the Shire of Merredin’s Town Planning Scheme No.1 (the Scheme).

The applicant is proposing to create one overall lot of size 2.6216 hectares.

A plan of the property taken from the Landgate System can be seen as **Attachment 15.1B**.

Legal Implications:

With all applications for subdivision the WAPC seeks comments and feedback from Council in relation to –

- Local Authority zoning
- Local laws in relation to the application
- General comments, conditions that Council may wish to impose as part of the approval

Budget Implications:

Various

Comment:

The creation of a single lot of 2.6216 hectares (26,216m²) in the light industry zone is not in keeping with the existing lot sizes of the zone. However the scheme specifies only a minimum lot size, effective frontage and setbacks; with no reference to maximum lot sizes.

Conditional approval of the previous amalgamation application (Lots 22-24) was issued in May 2006. This has not been progressed by the owner.

The owner had also previously intended to make application amalgamate Lots 25 and 1497, subsequent to advice from the Shire of Merredin. This application has not been pursued by the owner. The owner now intends to amalgamate all above mentioned property into one lot via this application.

Discussions with the owner indicate that problems with power supply, or lack thereof, to the existing Lot 1497 Barrack St have been experienced over the years and have impacted on the business.

It appears that Lot 25 Coghill St was not serviced with power as part of the subdivision; the owner confirmed that this property was purchased directly from Landcorp.

Lots 22-24 Coghill St are serviced by the standard commercial universal pillars.

The owner advises that the purpose of the amalgamation is to enable the upgrade of power to supply to the created single lot. This will be done as a capital work by Western Power, from the transformer installed as part of the Coghill St subdivision, at the owners cost.

The existing inadequate supply servicing Lot 1497 would then be removed.

This has been confirmed by Western Power. Western Power also advise that the owner would be required to separately fence each individual lot, should the existing combined land use of the Lots 22-24 continue, given each are furnished with their own power supply.

Stormwater management has previously been identified as a potential problem on this property. The owner should be advised of their responsibility to ensure that stormwater be contained on site or measures taken to ensure that it does not adversely impact on adjoining property.

Officer's Recommendation:

That Council advise the West Australian Planning Commission that it has no objection to the amalgamation of Lots 22, 23, 24 and 25 Coghill St, Merredin and Lot 1497 Barrack St, Merredin to create one lot of area 2.6216 hectares in accordance with WAPC Application No. 133340 submitted by applicant Complex Land Solutions for Rainday Pty Ltd.

28776

Moved Cr Marley sec Cr Townrow

That Council advise the West Australian Planning Commission that it has no objection to the amalgamation of Lots 22, 23, 24 and 25 Coghill St, Merredin and Lot 1497 Barrack St, Merredin to create one lot of area 2.6216 hectares in accordance with WAPC Application No. 133340 submitted by applicant Complex Land Solutions for Rainday Pty Ltd.

CARRIED 9/0

W Bow left the meeting at 1.55pm.

12.0 ADMINISTRATION, FINANCE & COMMUNITY DEVELOPMENT

12.1 CHIEF EXECUTIVE OFFICER'S REPORT

Reporting Department: Administration
Reporting Officer: Frank Ludovico, CEO
Legislation: Local Government Act 1995
File Number:

Opening of Desalination Plant – Aline East

Attended opening of the Aline East – Desalination plant on 19 December 2006 with Minister for Wheatbelt Hon Kim Chance MLC officiating.

It is pleasing to see the culmination of so much work producing such a positive outcome.

Medical Centre

New contracts have been developed and signed by Dr Herma Inverarity and Dr Sola Freeman.

CEO Review

A reminder that Anne Lake will be undertaking the CEO Review on the 19 February 2007.

Officer's Recommendation

That the Chief Executive Officer's report for January 2007 be received.

28777

Moved Cr Crees sec Cr Townrow

That the Chief Executive Officer's report for January 2007 be received.

CARRIED 9/0

Cr Morris declared an Impartiality Interest in Item 12.2.

12.2 RELOCATION OF THE WHEATBELT ACC ADMINISTRATION

Reporting Department:	Administration
Reporting Councillor:	Frank Ludovico, Chief Executive Officer
Legislation:	Local Government Act 1995
File Number:	GR/5/1

Background:

At Council's December 2006 meeting Council were informally advised that the Wheatbelt ACC would be relocating the Merredin Administration office to Gingin.

The Wheatbelt ACC has formally written to Council explaining the circumstances. A copy of their original email and subsequent letter is attached (Attachment 12.2)

The Wheatbelt ACC has been leasing the old Post Office Masters House for several years

Council at its June 2006 meeting (CMRef 28530) decided to sell the property by tender. Advertising of this property will be occurring by the end of January 2007.

Legal Implications:

Budget Implications:

Council was receiving \$100 per week in rental income.

Comment:

The removal of any Government office from any town should be resisted.

The Wheatbelt ACC should be encouraged to establish a commitment to the Wheatbelt by establishing a permanent office (and residence) in a Wheatbelt Regional Centre and incorporating this in its package for its Executive Officer position.

Officer's Recommendation:

1 That Council advise the Wheatbelt ACC that it is disappointed with the withdrawal of its office from Merredin.

2 That Council encourage the Wheatbelt ACC establish a commitment to the Wheatbelt by establishing a permanent office in a Wheatbelt Regional Centre and incorporating this in package for its Executive Officer position.

28778 Moved Cr Townrow sec Cr Simmonds
That the Officer's Report be received.

CARRIED 7/2

Moved Cr Wallace sec Cr Marley

- 1. That Council advise the Wheatbelt ACC that it is disappointed with the withdrawal of its office from Merredin.*

- 2. That Council encourage the Wheatbelt ACC to establish a commitment to the Wheatbelt by establishing a permanent office in a Wheatbelt Regional Centre and incorporating this in it's package for its Executive Officer position.*

LOST 3/6

Reason: Council requested a meeting with the Wheatbelt ACC Executive Officer to discuss their presence in Merredin.

28779 Moved Cr Townrow sec Cr Jones
That Council move behind closed doors to discuss confidential staff matters (S 5.23(2) Local Government Act).

CARRIED 6/3

Council went behind closed doors at 2.23pm.

J McGovern and AM Peters left the meeting at 2.23pm.

Cr Morris declared an Impartiality Interest in Item 12.3A.

Cr Morris declared a Financial Interest in Item 12.3A (Recommendation 2).

12.3A RESIGNATION DEPUTY CEO – ORGANISATIONAL RESTRUCTURE

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

Background:

Council's Deputy CEO Mr James McGovern has submitted his resignation from the Shire of Merredin.

This provides an opportunity to consider the organisational structure of the Shire and better align it with Council's goals and activities.

Legal Implications:

The appointment of Senior Employees is governed by Section 5.37 of the Local Government Act 1995.

The CEO is to inform the Council of each proposal to employ a Senior Employee. (Council has designated the Deputy CEO as a Senior Employee under Council Policy 1.2).

Local Government (Administration) Regulations 18A also indicates that when a Senior Employee position becomes vacant it must be advertised specifying, remuneration and other benefits, duration of contract, place to submit applications, closing date and contact details of a person who can provide information on the position.

Regulation 18A also specifies if a Senior Employee position is vacant and is filled in an Acting capacity for less than 12 months in must be advertised "on a notice board exhibited to the public at the local government's offices".

Budget Implications:

Comment:

Attached is the current organisation structure of the Shire (**Attachment 12.3A**)

Also Attached is a proposed organisation structure of the Shire (**Attachment 12.3B**)

The principle difference between the two structures is the splitting of the Finance and Administration and Community Development Teams under the D/CEO in to two separate divisions with their own Manager reporting to the CEO directly.

I make the following comments about structures:

- Two separate divisions enable the appointment of appropriately skilled staff to manage each division.
- The span of control of the existing D/CEO position is too large with 8 managers and officers directly reporting to him. These officers cover many different aspects of Council operations adding complexity to the position.
- The proposed new structure does not increase the cost to Council. As we are reducing the duties undertaken by the existing D/CEO the remuneration of a new Manger of Community Services may be lower.
- The motor vehicle previously provided to the D/CEO could become the “Office” car allowing for its dedicated use fro staff and Council travel, training and events. Removing the fully maintained/full private use status of the vehicle will reduce on-going and associated changeover costs.
- Retaining the existing structure creates an opportunity for a suitably qualified person, preferably with local government experience, to make application for the D/CEO position. This may bring into the organisation detailed local government knowledge that will ensure the continuation of management and service delivery requirements of the position.
- The emergency services function (Bush Fires and Emergency Service Act) currently in the D/CEO function does not easily transfer to a Manager of Community Services or a Manager of Finance & Administration.

I consider Council has two options.

Option 1. Advertise the D/CEO position as is. The consequence of this action will be developing a remuneration package and advertising the position.

Option 2. Restructure the organisation and create a Manager of Community Services develop a remuneration package and advertise the position, with the Shire Accountant assuming the role of Manager of Finance and Administration.

An alternative to Option 2 is to restructure and make a temporary appointment from within existing staff for 6 to 9 months.

If it is successful, Option 2 would be enacted, with both the Manager of Community Services and Manager of Finance and Administration not being designated as Senior Employees.

If it is not successful we re-consider our options.

Attracting prospective employees with appropriate skills and experience to fulfil senior employee duties has proven difficult. Council should be mindful of the extensive range of duties currently performed by the D/CEO. An improved and attractive remuneration package must be developed to recruit a person with similar skills and experience. This may have implications across the overall salary structure of the organisation.

The following package is suggested for the D/CEO position. Other conditions of employment are as described in the standard D/CEO contract.

Option 1**D/CEO Remuneration Package**

	Range	
Salary	65,000	70,000
Long Service Leave	1,625	1,750
Motor Vehicle less FBT 35%	6,500	6,500
Clothing	400	400
Housing and Rental Equivalent	10,400	10,400
Utilities	3,000	3,000
Superannuation 12%	7,800	8,400
Phone	1,500	1,500
Memberships	300	300
Salary Package Range	96,525	102,250
Contract period 3 – 5 years		

The following package is suggested for the Manager of Community Service position. Other conditions of employment are as described in the standard senior staff contract.

Option 2**Manager of Community Service
Remuneration Package**

	Range	
Salary	50,000	57,000
Long Service Leave	1,250	1,425
Motor Vehicle less FBT 35%	0	0
Clothing	400	400
Housing and Rental Equivalent	10,400	10,400
Utilities	3,000	3,000
Superannuation 12%	6,000	6,840
Phone	1,500	1,500
Memberships	300	300

Salary Package Range	72,850	80,865
Contract period 3 – 5 years		

My preference is Option 2. This will enable appropriately skilled staff to concentrate in their particular field of expertise. It will enable the Finance & Administration area to concentrate on that area without the distraction of managing diverse Council operations and project work.

Conversely the new Manager of Community Services will not be bogged down with the Finance compliance issues allowing them to manage and develop Council services and progress project work.

Officer's Recommendation:

1. *That Council adopt the proposed administration staff structure seen as Attachment 12.3 B.*
2. *That Council endorse the advertising of the position of Manager of Community Services in accordance with the following remuneration package:*

**Manager of Community Service
Remuneration Package**

	Range	
Salary	50,000	57,000
Long Service Leave	1,250	1,425
Motor Vehicle less FBT 35%	0	0
Clothing	400	400
Housing and Rental Equivalent	10,400	10,400
Utilities	3,000	3,000
Superannuation 12%	6,000	6,840
Phone	1,500	1,500
Memberships	300	300

Salary Package Range	72,850	80,865
Contract period 3 – 5 years		

3. *That Council establish a selection panel consisting of Shire President, Deputy Shire President, and the Chief Executive Officer to consider applications and make an appointment to the position of Manager of Community Services*

Voting Requirements: Absolute Majority

- 28780** Moved Cr Townrow sec Cr Simmonds
That Council come out from behind closed doors.

CARRIED 9/0

Council came out from behind closed doors at 3.00pm.

RECOMMENDATION 1

- 28781** Moved Cr Townrow sec Cr Jones
1. That Council adopt the proposed administration staff structure seen as Attachment 12.3B.

CARRIED 8/1

Cr Morris declared a Financial Interest in Item 12.3A (Recommendation 2) and a Financial Interest in Item 12.3B and left the meeting at 3.10pm.

RECOMMENDATION 2

- 28782** Moved Cr Morley sec Cr Simmonds
2. That Council endorse the advertising of the position of Manager of Community Services in accordance with the following remuneration package:

**Manager of Community Service
Remuneration Package**

	Range	
Salary	50,000	57,000
Long Service Leave	1,250	1,425
Motor Vehicle less FBT 35%	0	0
Clothing	400	400
Housing and Rental Equivalent	10,400	10,400
Utilities	3,000	3,000
Superannuation 12%	6,000	6,840
Phone	1,500	1,500
Memberships	300	300
Salary Package Range	72,850	80,865
Contract period 3 – 5 years		

RECOMMENDATION 3

- 3. That Council's Senior Staff Review Committee and the Chief Executive Officer consider applications and make an appointment to the position of Manager of Community Services*

**CARRIED 8/0
ABSOLUTE MAJORITY**

Cr Morris previously declared a Financial Interest in Item 12.3B and was not in attendance.

Cr K Hooper declared an Impartiality Interest in Item 12.3B and left the room at 3.40pm.

Cr Mark Crees assumed the Chair.

12.3B RESIGNATION DEPUTY CEO – ORGANISATIONAL RESTRUCTURE

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

Background:

At item 12.3A Council considered a restructure of the Administration & Community Services Division of the Council.

If Council agreed with the proposed restructure suggested by staff then a number of consequential actions need to occur.

Comment:

I believe the appropriate course of action is to make the following appointment and following temporary appointment so the organisation can continue to function effectively.

Officer's Recommendation:

- 1. That Council endorse the appointment of Miss Emma Hooper as the Manager of Finance and Administration, effective upon the departure of the D/Chief Executive Officer*
- 2. That Council endorse the temporary appointment of Mrs Debbie Morris as Acting Manager of Community Services until a permanent appointment is made to the position, effective upon the departure of the D/Chief Executive Officer.*

28783

Moved Cr Townrow sec Cr Jones

- 1. That Council retitle the Shire Accountant to Manager of Finance and Administration effective upon the departure of the D/Chief Executive Officer.*
- 2. That Council endorse the temporary appointment of Mrs Debbie Morris as Acting Manager of Community Services until a permanent*

appointment is made to the position, effective upon the departure of the D/Chief Executive Officer.

CARRIED 7/0

28784 Moved Cr Simmonds sec Cr Morley
That Council adjourn for afternoon tea.

CARRIED 7/0

Council adjourned for afternoon tea at 3.30pm.

28785 Moved Cr Crees sec Cr Morris
That Council reconvene the meeting.

CARRIED 9/0

Council recommenced the meeting at 3.50pm. Crs K Hooper and Morris were in attendance.

W Bow was not in attendance.

12.4 DEPUTY CHIEF EXECUTIVE OFFICER'S REPORT

Reporting Department: Administration
Reporting Officer: James McGovern, DCEO
Legislation: Local Government Act 1995
File Number:

Visitor Centre Manager's Report

Report is at **Attachment 12.4A**

Cummins Theatre A/Manager

Report is at **Attachment 12.4B**

Community and Economic Development Project Officer's Report

Report is at **Attachment 12.4C**

Recreation Centre Manager's Report

Report is at **Attachment 12.4D**

Merredin Regional Community and Leisure Centre

Financial Expenditure is at **Attachment 12.4E**

Natural Resource Management Officer's Report

Report is at **Attachment 12.4F**

Records Management Report

Statistics (From 14 Dec to 10 Jan 2007)

Total Mail In	341
Accounts Received	30
Invoices	145
General	166
Appreciations	1
Complaints	0
Total Mail Out	247

Status Report:

The Action sheet detailing progress of Previous Council Resolutions from March 2004 is **Attachment 12.4G**

Cummins Theatre - Repertory Club Costume Hire

The Repertory Club has acquired the services of Ms Jill Steward who is performing the function of wardrobe caretaker. This role came about when Ms Steward approached the Shire to volunteer her services to the Cummins Theatre at the time Repertory was forming. The Repertory Club identified the need for the costume and wardrobe store at the Theatre to be properly cleared out of old costumes, categorised and stored in an orderly fashion - a project Ms Steward has performed in a highly effective manner.

The orderly state of the costume room presents the opportunity to hire out costumes to the general public; this was occurring on an informal basis in the past under the direction of the Cummins Theatre Manager, though no fees were charged. The store of costumes is the property of the Repertory Club with the Shire acting as the custodian.

The Repertory Club is arranging through the wardrobe caretaker, to hire costume to the public on a formal fee paying basis. The display window at the Theatre is currently being utilised to promote and advertise this service. It is planned that all hiring will be directly through the Repertory Club/wardrobe caretaker with no involvement or cash-handling by the Theatre Manager. All receipts will be banked directly by the Repertory Club and will provide a source of revenue for their future activities.

28786

Moved Cr Crees sec Cr Simmonds

That the Deputy Chief Executive Officer's report for December 2006 be received.

CARRIED 9/0

12.5 CENTRAL WHEATBELT VISITOR CENTRE – TERMS OF REFERENCE UNDER MOU WITH NEWROC

Reporting Department: Community Services
Reporting Officer: James McGovern, D/Chief Executive Officer
Legislation: Local Government Act 1995
File Number:

Background:

In July 2006, Council resolved to support an approach from the North Eastern Wheatbelt Regional Organisation of Council's (NEWROC) to sponsor and support the operations of the Merredin and Districts Visitor Centre (CM Ref 28576) :

That Council will :

- a) Inform the North Eastern Wheatbelt Regional Organisation of Councils that the draft Merredin and Districts Visitor Centre / NEWROC Memorandum of Understanding is acceptable;*
- b) Request suitable Terms of Reference for the proposed Advisory Committee be referred for acceptance; and*
- c) On deeming the Terms of Reference acceptable, adopt the Memorandum of Understanding and establish the Advisory Committee in accordance with S5.9 2 (e) of the Local Government Act.*

Draft Terms of Reference have been developed in conjunction with the establishment guidelines for the proposed Advisory Board (**Attachment 12.5A**).

Comment:

Recent contact with NEWROC suggests there is less likelihood the Advisory Board needs to be established as a formal Committee under the Local Government Act 1995. The proposed Board will meet on two or three occasions per year and will assist the Visitor Centre Manager develop regionally productive promotional activities.

In addition to the Terms of Reference, a draft Partnership Document is also under development (**Attachment 12.5B**), the purpose of which is to set out the role of parties to the Memorandum of Understanding in more detail and with a focus on the strategic objectives of this partnership.

These documents remain in draft form and will subject to further negotiation with NEWROC. The final documents will be presented to Council for formal endorsement and a major launch of the regional partnership and re-branding of the

Visitor Centre to a name reflective of the region. It is recommended Council accept this report as information.

Legal Implications:

Nil

Budget Implications:

NEWROC agree to contribute an amount of \$7,000 per annum toward the operational costs of Visitor Servicing under the terms of the Memorandum of Understanding.

Officer's Recommendation:

That Council receive the report entitled 'Central Wheatbelt Visitor Centre – Terms of Reference under MoU with NEWROC'

28787

Moved Cr Jones sec Cr Townrow

That Council receive the report entitled 'Central Wheatbelt Visitor Centre – Terms of Reference under MoU with NEWROC'

CARRIED 9/0

12.6 RECREATION CENTRE MANAGEMENT ADVISORY COMMITTEE - APPOINTMENTS

Reporting Department: Recreation Services
Reporting Officers: James McGovern, D/Chief Executive Officer
Tricia Martin, Recreation Centre Manager
Legislation: Local Government Act 1995
File Number:

Background:

At its Ordinary meeting on 19th July 2005, Council agreed to adopt the first draft of the Merredin Regional Community and Leisure Centre Management Plan outlining the objectives, role and aims of the proposed Merredin Regional Community and Leisure Centre Advisory Committee. (**Attachment 12.6**)

The role of the Advisory Committee will be to provide guidance to the Recreation Centre Manager in all affairs of the Merredin Regional Community and Leisure Centre, subject to budget constraints, excluding the following areas which will be the responsibility of the Council:

- Staffing
- Liquor Licence
- Capital Expenditure Purchases
- Sale of Assets
- Waiving of Hire Charges

As indicated in the Management Plan, the Advisory Committee will consist of 7 members including:

- Chief Executive Officer
- 3 Councillors
- 3 Merredin Sports Council Representatives
- Centre Manager – (*ex officio* – non voting)

On 5th October 2006, the Merredin Sports Council was invited to start the process for nominating three representatives for this committee. To conclude this process, Daina Sutherland, Judy Jefferys and Erica Carlson were nominated to represent the Merredin Sports Council on the Advisory Committee.

Legal Implications:

The Advisory Committee will be established as a Council Committee under S5.8 of the Local Government Act 1995 with delegated authority determined as

required by Council under S5.16 of the Local Government Act 1995. Absolute Majority required.

Budget Implications:

Nil

Comments:

The Advisory Committee will operate in much the same way at the existing Merredin Regional Community and Leisure Centre Management Committee. It is anticipated the existing Management Committee will disband upon completion of its established purpose of constructing the Recreation Centre.

The initial role of the Advisory Committee will consist of providing recommendations or viewing of the following key points:

- Staffing Structure
- Fees and Charges
- Club Memorandums of Understanding
- Programming
- Bar Volunteer Scheme
- Honour Boards and Memorabilia

In the lead up of opening the Merredin Regional Community and Leisure Centre, meetings may need to occur on a fortnightly basis to ensure all items and issues are concluded in an adequate time frame. It is anticipated that once the Centre is operational, the Advisory Committee meetings will only be required on a monthly basis.

Officer's Recommendation:

That Council establish the Merredin Regional Community and Leisure Centre Advisory Committee in accordance with S5.8 of the Local Government Act 1995 as follows :

Councillor Representatives :

Cr _____

Cr _____

Cr _____

Community representatives :

Daina Sutherland

Judy Jefferys

Erica Carlson

Shire of Merredin representatives :

Chief Executive Officer

Recreation Centre Manager (Ex Officio)

Quorum - At least 50% of the members.

Meeting Cycle - Monthly or as required

Purpose :

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

28788

Moved Cr Simmonds sec Cr Jones

That Council establish the Merredin Regional Community and Leisure Centre Advisory Committee in accordance with S5.8 of the Local Government Act 1995 as follows :

Councillor Representatives :

Shire President: Cr Ken Hooper

Cr Crees

Cr Wallace

Cr Morris

Community representatives :

Daina Sutherland

Judy Jefferys

Erica Carlson

Shire of Merredin representatives :

Chief Executive Officer (Ex Officio – non voting)

Recreation Centre Manager (Ex Officio – non voting)

Quorum - At least 50% of the members.

Meeting Cycle - Monthly or as required

Purpose :

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

**CARRIED 9/0
ABSOLUTE MAJORITY**

Note: The inclusion of the Shire President as a committee member was deemed necessary due to the importance of such a large project undertaken by the Shire of Merredin.

Cr Marley left the meeting at 4.20pm.
Cr Marley entered the meeting at 4.23pm.

12.7 CUMMINS THEATRE MANAGER

Reporting Department: Community Services
Reporting Officer: James McGovern, D/Chief Executive Officer
Legislation: Local Government Act 1995
File Number:

Background:

The Cummins Theatre has been under management of a Shire employee since 1996, with the appointment of Mr Richard Salisbury Sexton to the role. The facility was actively managed under an agreement with the Cummins Theatre Board until November 2004 (CM Ref 27640) when the Shire assumed all management responsibilities.

A recent initiative of Council was to place a trainee with the Cummins Theatre Manager as a succession planning activity (CM Ref 28547). The resignation of the Cummins Theatre Manager in October 2006 resulted in the trainee, Mr Jonathan Robartson assuming additional responsibilities until such time as a decision is made for future management of the facility.

This report is presented to provide Council with information for the best management of this important community facility.

The current Position Description for the Cummins Theatre Manager was re-written following the change to Theatre management responsibility in 2004.

The Position Objectives of the Cummins Theatre Manager are :

- 1. Effectively and efficiently manage the operations of the Merredin Cummins Theatre.*
- 2. Ensure effective management and strategic planning is undertaken to enable the smooth operation of the venue within allocated resources and corporate objectives.*
- 3. Monitor community needs towards developing future performance for the Theatre.*
- 4. Develop positive reporting relationship with Senior Staff having responsibility for applying resources and maintenance at the Cummins Theatre.*

It is clear from functional activities of the Cummins Theatre that the role of the Manager requires specialist performing arts skills (to assist performers and users

prepare and perform shows), facility management skills (to ensure the heritage listed Theatre is properly maintained) and time management skills (to ensure the Manager effectively employs available working hours).

Although an intangible asset, it is also a benefit if the Manager has good networks within the performing arts field to assist attract performers to the region, thus increasing the community's exposure to a variety of performances and entertainment. In essence, the Cummins Theatre Manager's position is one of a cultural events and facility coordinator.

It is proposed the Position Description be re-written to reflect the cultural events and facility coordination role expected of the Theatre Manager's role, to clarify the expectations of this position to prospective applicants.

Comment:

In recent times, the community has shown a willingness to utilise the Theatre to it's full extent exemplified by the reformation of the Repertory Club. A Music Club is in the process of forming and Shire management will soon have the ability to encourage the community to form a representative Performing Arts Group to act as the peak body for cultural activities in much the same way the Merredin Sports Council acts as a peak body on behalf of recreational groups.

The vacancy of the Theatre Manager comes at a time when the Recreation Centre will soon adopt it's own management structure and has within it's draft framework allowance for a similar 'events and facility coordinator' position to manage the Function and Bar Area.

The Cummins Theatre Manager's Position Description has been amended to align with common events and facility coordination activities that will be the role of the new Function and Bar Area Manager (Attachment 12.7A). This alignment will present Shire management with the opportunity to apply any potential scope that may arise for these human resources to work in a mutually cooperative way.

Some examples of a cooperative approach is the attraction of conventions and exhibitions, management of large scale events, whether indoor at either venue or outdoors at the Merredin Recreation Ground.

The Shire was fortunate in that the previous Manager had a vast range of skills and experiences. It is not expected a person with this range of skills will be available within the industry should the position be re-advertised under it's present job description.

Isolated management of the Cummins Theatre has presented some human resource issues, mainly excessive working hours during heavily booked periods of Theatre use. Some of the perceived barriers to attracting interest for the Theatre Manager's position (as currently structured) include :

-
- limited range of performing arts venues gives rise to concern there is an equally limited range of suitably experienced individuals within the industry;
 - lifestyle constraints due to unsociable working hours with the Theatre's predominant use by hirers being evenings and weekends;
 - combination of heritage significance, regional centrality and multi-faceted capability of the Theatre provides for complex challenges to the Theatre Manager's role.

Some advantages of aligning the Position Description, and consequently providing potential to overcome the issues describes above, include :

- Provides multi-skilling of staff in the management of these important community facilities;
- Provides Council with an events management and coordination 'team' that may apply their collective skills, knowledge, experience and energy to attract and manage larger activities to one or either venue e.g. conventions, exhibitions, outdoor concerts, Community Show, Gala Night etc.
- Provides opportunity for share a mix of hours and roles during busy periods and absence on leave. This will relieve the need for each Manager, if dedicated to one just facility, from their extensive management responsibilities and need to be physically present at times when a facility is in use.
- Working cooperatively to make the best use of each facility, not necessarily restricted to managing activities under 'recreational' or 'cultural' banners at these venues.

For this concept to work effectively, Shire management will remain mindful of the need for a common management reporting structure insofar as 'team' oriented activities are concerned. It is anticipated the respective Manager's will operate independently for approximately 80% of their allocated time, working the balance of hours cooperatively to coordinate events that 'grow' the business of both facilities.

This report does not suggest the Cummins Theatre traineeship/succession planning initiative is not a success. Local government has an obligation to principles of fairness and equity when employing staff and the incumbent trainee will have the opportunity to apply for any advertised vacancy/ies arising in the near future.

It is recommended Council endorse incorporating common events management outcomes within the Cummins Theatre Manager's Position Description, to allow Shire management the opportunity consider this concept and if in agreement, progress to a suitable working group for further consideration.

Legal Implications:

Nil

Budget Implications:

Presently, the Cummins Theatre Manager is classed as a Level 5 under the Local Government Officer's (WA) Award 1999, a salary range of \$40,881 to \$42,911. There will be no additional impact upon the operating budget adopted to manage the facilities under this aligned position description concept. This proposal is based upon providing Shire management with scope to apply human resources in a team capacity.

Officer's Recommendation:

That Council endorse the amended Cummins Theatre Manager Position Description with the Chief Executive Officer to advertise the vacancy accordingly.

28789

Moved Cr Crees sec Cr Simmonds

That Council endorse the amended Cummins Theatre Manager Position Description with the Chief Executive Officer to advertise the vacancy accordingly.

CARRIED 5/4

12.8 MONTHLY FINANCE REPORT

Reporting Department: Finance
Reporting Officer: Mr James McGovern, DCEO
Legislation: Local Government Act 1995
File Number:

Background

Each month attached to the Agenda is the Monthly Financial Report prepared for Council.

Officer's Recommendation:

That the Merredin Shire Council receive the Monthly Finance Report for December 2006.

28790

Moved Cr Morris sec Cr Morley

That the Merredin Shire Council receive the Monthly Finance Report for December 2006.

CARRIED 9/0

12.9 LIST OF ACCOUNTS PAID

Reporting Department: Finance
Reporting Officer: Mr James McGovern, D/Chief Executive Officer
Legislation: Local Government Act & Financial Management Regulations
File Number:

Background:

A list of accounts paid during the month under delegated authority is presented to Council each month. Refer to **Attachment 12.9**.

Legal Implications:

Local Government Act and Financial Management Regulations.

Budget Implications:

All liabilities settled have been in accordance with the Annual Budget provisions.

Comment:

The process of the accounts for payment has now been finalized with cheques being processed on a fortnightly basis and the main signatories being the Chief Executive Officer and Deputy Chief Executive Officer, with the Shire President and Deputy President also being signatories in the case of the Chief Executive or Deputy being absent.

Officer's Recommendation:

That the Merredin Shire Council receive the schedule of accounts as listed, covering cheques as numbered and totaling \$374,811.46 and amount directly debited from Councils Municipal Fund Bank Account BSB 066-518 000 000 10 totaling \$149,488.80 endorse trust cheques totaling \$0.00 and outstanding creditors totaling \$79,524.21.

28791

Moved Cr Crees sec Cr Morley

That the Merredin Shire Council receive the schedule of accounts as listed, covering cheques as numbered and totaling \$374,811.46 and amount directly debited from Councils Municipal Fund Bank Account BSB 066-518 000 000 10 totaling \$149,488.80 endorse trust cheques totaling \$0.00 and outstanding creditors totaling \$79,524.21.

CARRIED 9/013.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN14.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN15.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

15.2 PROVISION OF SERVICES TO WHITFIELD WAY TENDER 08 – 06/07

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

Background:

At Council's December 2006 meeting (CM Ref 28753) Council provided up to an additional \$50,000 to complete the servicing of the land at Whitfield Way.

As the total price for the contract exceeded the tender threshold a tender was advertised in the West Australian on 23 December 2006. The tender period closed on 9 January 2007 at 12noon.

The following Tenders were received from:

	TENDERER	PRICE (exc GST)
A	Geographe Excavations	\$ 92,630.00
B	Complete Underground Power Installations	\$ 101,915.00

The evaluation by Council's consulting Engineer David Wills & Assoc is attached for Council consideration (**Attachment 15.2 A**).

Budget Implications:

Budget Particulars	Amount
Loan Funds	\$ 300,000.00
Land Development Reserve Fund	\$ 32,000.00
Additional Funding 15 November 2005 (CMRef 28189)	\$ 10,000.00
Additional Funding 19 December 2006 (CMRef	\$ 50,000.00

28753)	
Total	\$ 392,000.00

Expenditure Particulars	Amount(exc GST)
Expenditure to date	\$ 262,271.00
Outstanding Claim by Leeway Contractor (worst case sill being negotiated)	\$ 37,320.00
Construction of fencing	\$ 2,000.00
Total	\$ 301,591.00

Based on the above figures approximately \$90,409 are available to meet this contract.

The tender prices include a \$ 20,000 contingency figure which could effectively reduce the total cost paid out by Council by \$ 20,000. However my expectation is that some of this will be used, the question is how much.

Complete Underground Power Installations indicate that their price does not include the provision of sand, with the Shire being required to provide it. The tender also does not include the installation of the sand bedding, being charged on a per metre rate. These additional costs are expected to be about \$ 35,000.

Assuming worst case scenario, with all of the Contingency being used and including provision and laying of sand the total cost of the Complete Underground Power Installations tender is \$ 136,915.00. The price by Geographe Excavations including the contingency is \$ 92,630.00.

Current sales have yielded an income of \$385,600. If we add the previous sale of Lot 1350 Whitfield Way for \$32,500, Council's total income for the project is \$418,100.

Total costs (worst case) are expected to be \$ 438,506.00 leaving a shortfall of \$20,406.00.

In order to meet these additional costs funding will be required from the Land Development Reserve.

Comments:

At Council's 19 December 2006 meeting it was indicated that the engagement of a new electrical contractor to complete the job would cost approximately \$85,000.00. The tenders received vary significantly from this figure.

I believe that before any works commence an onsite "Start-up" meeting with all the parties involved (especially Western Power and Water Corporation) is required. A number of issues could have been resolved if this had occurred prior to the last contract commencing.

Secondly we need to ensure that any contract has a legally defensible finishing date. Geographe Excavation indicates they will be able to complete the works by 31 March 2007; whereas Complete Underground Power Installations indicate that they will negotiate a commence date and take 6 weeks to complete the works.

Subsequent to the Consulting Engineers Report I have gathered additional information for Council to consider.

Complete Underground Power Installations indicate that they are accredited cable layers and joiners meaning that the lots would be energised faster.

We chose to undertake the servicing of the Whitfield subdivision using Western Powers Option A (CMRef 28190 15 November 2005). Under Option A:

- a) Council pays for Western Power to supply the cables and carry out jointing
- b) Western Power supply the cables
- c) Your contractor lays the cables and tests them, then hands over to Western Power
- d) Western Power will then joint the cables, test and energize. They usually contract this work out. This can take up to 12 weeks to complete.

Geographe are unable to join the cables.

Discussions with Complete Underground Power Installations indicate that trenching could commence as soon as next week if awarded the tender.

I consider the timeliness is the essence of this tender and completing this work in the next month or so would certainly be advantageous.

Officer's Recommendation:

1. *That Council provide up to an additional \$50,000 from the Land Development Reserve to complete the servicing of land in the Whitfield Way subdivision with funding coming from the Land Development Reserve*
2. *That Council award Tender 8 - 05/06 Provision of Services to Whitfield Way Subdivision to Complete Underground Power Installations indicated) for the tendered price of \$101,915 (exc GST) plus installation of sand bedding subject to:*
 - a. *An onsite "Start-up" meeting with all the parties involved (especially Western Power and Water Corporation) and,*
 - b. *the works specified in the Tender are able to be completed by 31 March 2007.*

ABSOLUTE MAJORITY required for recommendation 1.

28792

Moved Cr Marley sec Cr Crees

1. *That Council provide up to an additional \$50,000 from the Land Development Reserve to complete the servicing of land in the Whitfield Way subdivision with funding coming from the Land Development Reserve*
2. *That Council award Tender 8 - 05/06 Provision of Services to Whitfield Way Subdivision to Complete Underground Power Installations indicated) for the tendered price of \$101,915 (exc GST) plus installation of sand bedding subject to:*
 - a. *An onsite "Start-up" meeting with all the parties involved (especially Western Power and Water Corporation) and,*
 - b. *the works specified in the Tender are able to be completed by 31 March 2007.*

CARRIED 9/0
ABSOLUTE MAJORITY

15.3 BURRACOPPIN PULL-OFF BAY - GREAT EASTERN HIGHWAY.

The Deputy President commented that the proposed new pull off bay west of Burracoppin on the Great Eastern Highway was in the wrong location.

An existing pull-off bay on the southern side nearly opposite the new bay should be developed.

This existing site had trees and would provide shade and amenity to travellers.

The new site was cleared land and would require significant landscaping.

28793

Moved Cr Crees sec Cr Morris

That Council recommend to Aline East that the planned Burracoppin Pull-in Bay be relocated to opposite (south) side of Great Eastern Highway.

CARRIED 9/0

Cr Jones left the meeting at 4.55pm.
Cr Jones entered the meeting at 4.57pm.

16.0 MATTERS BEHIND CLOSED DOORS

28794 Moved Cr Simmonds sec Cr Townrow
*That Council move behind closed doors to discuss commercial matters
(S 5.23(2) Local Government Act).*

CARRIED 9/0

Council went behind closed doors at 4.59pm.

16.1 LOT 533 COHN STREET, MERREDIN – T & K HUNTER – REQUEST
TO PURCHASE

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

Background

Attached is a copy of a letter from Tom and Kerry Hunter (**Attachment 16.1A**), expressing an interest in the purchase of Lot 533 Cohn Street, Merredin. (Map at **Attachment 16.2 B**).

At Council's December 2006 meeting Council did not make a decision on their request as a valuation for the property was not available.

A valuation has now been received. This information will be tabled at the Council meeting.

Town Planning Implications

Lot 533 Cohn Street, Merredin is owned as freehold title by the Shire of Merredin. The land is currently zoned Residential 1 (R12.5/20) which allows for construction of single dwelling house or group dwelling. The draft Local Planning Strategy designates it as Residential 1.

Lot 533 Cohn Street is serviced by water but not by power. Sewerage disposal can be undertaken onsite due to the size of the block.

Financial Implications

Any funds derived from this sale could be utilised to offset any development costs associated with Carrington Way or East Barrack Street.

Statutory Implications

Under Section 3.58 Council is only able to dispose of land in three ways. By public auction, by public tender or by private treaty. Apart from the Whitfield Way land sales Council has opted to sell land by public tender.

Staff Recommendation

That Council advertise the sale of Lot 533 Cohn Street , Merredin by Public Tender and any funds received be allocated to the Land Development Reserve.

Absolute Majority Required.

28795

Moved Cr Simmonds sec Cr Morley

That Council come out from behind closed doors.

CARRIED 9/0

Council came out from behind closed doors at 5.14pm.

28796

Moved Cr Townrow sec Cr Morley

That Council sell Lot 533 Cohn Street, Merredin by public auction and authorise the Chief Executive Officer to engage an auctioneer to advertise and auction Lot 533 Cohn Street , Merredin at the agreed reserve or above with any funds received being allocated to the Land Development Reserve.

**CARRIED 7/2
ABSOLUTE MAJORITY**

17.0 CLOSURE

There being no further business the Presiding Member closed the meeting at 5.21pm.

