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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 18 September 2007 at 9.00pm.

ATTENDANCE: Cr KA Hooper – Shire President
Cr RM Crees – Deputy Shire President
Crs JP Townrow; WR Wallace; G Astbury; J Simmonds,
J Jones (9.17am), N Hooper, S Marley (10.58am), M Morris &
D Morley.

Messrs FB Ludovico, Chief Executive Officer;
J Mitchell, Manager of Development Services;
J Garrett, Manager of Works; E Hooper, Manager of Finance
and Administration; S Price, Manager of Community Services;
and AM Peters, Personal Assistant

Usman Azad – Merredin Mercury
Maria Young

1.0 OFFICIAL OPENING

The Presiding Member declared the meeting open at 9.10am.

2.0 PUBLIC QUESTION TIME

Nil

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr Grant Astbury

Late attendances from Cr Jones and Cr Marley

4.0 DISCLOSURE OF INTEREST

Cr Crees declared a Financial Interest in discussions regarding the Skiljan update.

Cr Morris declared a Financial Interest in Item 11.5.

Cr Townrow declared an Impartiality Interest in Item 13.8.

5.0 PETITIONS & PRESENTATIONS

Nil

6.0 CONFIRMATION OF MINUTES**6.1** **SPECIAL COUNCIL MEETING**

Confirmation of minutes of Special Council meeting held on 14 August 2007 subject to the insertion of Motion 29065A :

“Moved Cr Townrow sec Cr Morley

10. Adoption of Budget

That the Merredin Shire Council in accordance with Section 6.2(1) of the Local Government Act 1995 adopt the Budget for the 2007/08 financial year.

CARRIED (6/2)
Absolute Majority”

29105

Moved Cr Townrow sec Cr Morley

That the minutes of the Special Council Meeting held on 14 August 2007 be confirmed as a true and correct record of proceedings subject to the insertion of Motion 29065A:

10. Adoption of Budget

That the Merredin Shire Council in accordance with Section 6.2(1) of the Local Government Act 1995 adopt the Budget for the 2007/08 financial year.

CARRIED (6/2)
ABSOLUTE MAJORITY

6.2 **PREVIOUS COUNCIL MEETING**

Confirmation of minutes of Council meeting held on the 21 August 2007.

29106

Moved Cr Morley sec Cr Townrow

That the minutes of Council Meeting held on 21 August 2007 be confirmed as a true and correct record of proceedings.

CARRIED 8/0

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

7.1 LGMA Symposium on the Future of Local Government

Shire President Ken Hooper reported on his attendance at the LGMA Meeting held in Perth on Tuesday 11th to Friday 14th September.

Issues discussed were projections into the future of the following:

- Fuel Supply – (will be depleted in 50 years and will effect tourism and agriculture)
- Power supply
- Global Warming
- Staff shortages
- Water
- Effect of Victorian Local Government amalgamations
- Structure of Local Governments in 2027.

7.2 Waste Management Conference

Janelle Jones entered the meeting at 9.17am.

Cr David Morley and John Mitchell, Manager of Development Services reported on the Waste Management Conference.

- Impost will come back to Council.
- Recycling more and more
- Regional tip – Bruce Rock, Quairading, Corrigin.
- Regional approach – more grants

- Minister advised that waste is state wide and not a local government issue.

- Not feasible to run your own tip.

- Department cannot agree whether it should recycle or bury.

- CO 2 emission effectiveness of recycling.

- \$200,000/ha to remediate contaminated farmland sites.

- Tyres

7.3 Skiljan Case

Cr Crees declared a Proximity Interest in the Skiljan update and left the meeting at 9.37am

CEO reported and read correspondence updating Council on the Skiljan case.

Cr Crees entered the meeting at 9.40pm.

Item 13.7 was brought forward.

13.7 REPORT TO COUNCIL ON THE 2007/2008 BUDGET - BUDGET REVIEW

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

Background:

On 14 August 2007 Council Adopted its 2007/2008 Budget (**CMRef 29065A**)

This document did not have all the required documentation, namely the Cashflow Statement, the Operating Statement by Function, Operation Statement by Nature and Type and a number of notes to the Budget (particularly Note 7 Current Position)

In order to enable staff to work on issuing of rates Consultant Yvonne Bowie was asked to complete these documents. Whilst working on the Cashflow Statement she discovered an error. This error was approximately \$500,000.

This error showed that proceeds from the sale of assets were counted twice.

In preparing the 2007/2008 Budget staff wanted to show in the program schedules capital expenditure and any income derived from the sale of assets. In previous budgets this was shown in a separate area and it was difficult monitoring these activities, as Capital budget figures were not incorporated into the Computer system but managed by separate spreadsheets.

The new computer system enabled direct input into the computer system from the Budget Spreadsheet so the data would not have to be re-entered. Computer reports could then be generated to report on variances.

The Rate Setting Statement required that we separately identify various amounts to Council, eg Depreciation, Infrastructure, Proceeds from loans, Transfers to and from of Reserves and Proceeds from the sale of assets.

In order to meet with the objective of everything being shown in the Schedules amounts for these items were shown in their appropriate schedule, with a small calculation occurring at the bottom of each Schedule to provide the correct information for each of the various reports required.

MINUTES

Whilst Staff correctly showed the expenditure figures such as Infrastructure, Proceeds from Loans, Transfers to and from Reserves etc. in the case of Proceeds from the Sale Assets this calculation did not occur.

When the various checks were undertaken expenditure was closely scrutinised but these income items were not.

With the advent of the new computers and the major staff changes not all Stock has been allocated to works or processed correctly.

Comment:**Reasons**

Part of the problem arises from the staffs ability to bed in and operate the new computer system. The new system has taken some time to learn and operate. Therefore a number of normal day to day weekly and monthly processes have not occurred in a timely manner.

There have been several staff changes in this area, and replacement staff did not have experience in the computer system or Local Government. This hampered normal functions being undertaken. On top of this the complexities of the preparation of a Budget was added.

Consultant Yvonne Bowey was engaged to assist and train but only limited time was available and was used to deal with matters such as Bank Reconciliations and Conversion problems. Little training occurred.

With the promotion of Holly Carlson to the Indoor Rec Centre and the need for that facility to become operational, finding replacement staff was difficult and it took some time for her replacement to commence with us. This meant that the Manager of Finance and Administration was dealing with creditor issues (which became intense because of End of Financial Year and the finalisation of the Indoor Recreation Centre construction).

Also the recruitment of a new Manger of Community Services and Manager of Development Services meant that developing the 2007/2008 Budget did not commence until mid to late June. This just added to the stress.

The CEO became heavily involved with the budgetary process in order to assist other staff with developing the document, but only limited time could be allocated.

SolutionsShort Term

UHY Haines Norton has reviewed our documents to ensure spreadsheets formulas and other Budget information to determine the nature and extent of the errors

This investigation has revealed the following:

- (a) The Stock on Hand account had been inflated.
- (b) The Stock on Hand account varied from the actual Stock Take figure. These two figures have now been reconciled.
- (c) A review of the Debtors outstanding has revealed that part of a previously raised invoice was receipted outside the Debtors System.
- (d) A number of outstanding Debtors at 30/6/2007 (\$85,000) had not been processed affecting the Closing Balance for 2006/2007 and therefore our Opening Balance for 2007/2008. These additions have now been incorporated into the 2007/2008 Budget.
- (e) The certain proceeds from the Sale of Assets were counted twice
- (f) Cash back restricted funds for Roadworks (\$152,000) set aside in the 2005/06 were not transferred to the Municipal Fund in 2006/2007. this has now occurred.
- (g) A cheque (\$50,000) for the purchase of the Old Shire Administration Centre 41 Barrack St was raised (CMRef 28732) in 2006/2007 however the transfer of funds from the Land Development Reserve did not occur.

In the 2007/2008 Budget \$50,000 was allocated to be transferred from the Land Development Reserve.

The funds have now been transferred and shown in 2006/2007.

The effect of the change is nil.
- (h) The Sale of Lot 533 Cohn St (\$50,000) was shown as Transfer to the Land Development Reserve however the Budget did not record the income being received.

The net effect of all these adjustments is that an amount of \$519,230 is required to balance the 2007/2008 Budget.

MINUTES

Detailed below are the areas that Staff believe Council could review the 2007/2008 Budget in order to bring it into balance.

Account	Description	Savings Amount
E119104	MR&CLC Carpark Number 2 – defer to 2008/2009	188,000
E049120	Admin Phone System – not proceed with	14,500
E042030 H01	CEO Pergola – not proceed with	10,000
E049120	Council Laptop Computes - Lease instead of buy	16,000
E122014	Water/Oil Separator – defer to 2008/2009	24,700
E042010	Finance & Records Officers Salary – full year costed but only portion of year required	14,850
E143010	Tech Officer – status changed to Clerical Officer and full year costed but only portion of year required	24,180
E121500	Bates St Footpath – Scope reduced from Duff St to MR&CLC entrance to Duff the Growden Streets	28,000
E122025	Clean out of Cohn Creek – full funded by grants	71,000
I074425	Additional income generated by MDS by providing assistance to Shire of Kellerberrin and Bruce Rock	5,000
I101450	Waste Recycling – additional income generated.	10,000
E114010	MR&CLC Cleaning full year costed but only portion of year required.	3,500
I109820	Sale of Lot 533 Cohn St - income not included in Budget	50,000
E116421	Gala Night/Awards Night – expenditure provided for in two areas of the budget	3,500
E106285	Town Planning Scheme – work to commence later in 2007/2008 Financial year	13,500

MINUTES

E113030	Refuse Bin collection in Parks & Gardens budgeted by both MDS and MW.	25,000
I164020	Transfer in from Annual Leave Reserve to cover some annual leave expenses	20,000
E113030	Parks & Gardens – program adjusted.	3,500
E163135	Increase Transfer to MR&CLC Reserve – to bring transfer up to budgeted income from memberships.	-6,000
	TOTAL	519,230

Long Term

Staff acknowledge that this episode has affected our creditability with Council. Staff sincerely apologises for this. We will work hard to restore this trust.

The recent additional resourcing in the Finance and Administration area will assist to ensure the normal daily, weekly and monthly functions take place - providing staff stability is maintained.

Additional training will be required to bring staff up to the appropriate level of expertise.

The Budget process will commence earlier (ie March) to ensure that it is developed in a considered and professional manner.

Haines Norton will be asked to “audit” the 2008/2009 Budget document (containing all documentation) prior to it being presented to Council for discussion/adoption.

Council considered the issues in the Review. The CEO tabled an email from the Merredin Senior High School regarding the Be Active Coordinator program.

Moved Cr Morris sec Cr Wallace

That funding for the Be Active Co-ordinator program be provided from A/C E106290 Business Enterprise Centre.

LOST 5/4

Cr Jones left the meeting at 10.35am.

Cr Jones entered the meeting at 10.37am.

Cr Marley entered the meeting at 10.58am.

Council were advised that funding for the Pathway in Roy Little Park had been received. The project grant submission had estimated the total cost as \$140,000. The grant received was \$45,000 and not \$50,000 as budgeted.

Council was advised the pathway did not comply with Australian Standards and the cost to construct to standard level was approximately \$210,000.

29107

Moved Cr Jones sec Cr N Hooper

That Council amend its 2007/2008 budget by:

1. *Not providing for funds for the Pathway in Roy Little Park.*
2. *An additional \$14,000 be provided to A/C 121500 Footpath Construction for the construction of the Bates Street footpath, Duff Street to Golf Road.*
3. *An additional \$23,300 be provided to A/C 042316 Contractors to develop and strengthen Council's Financial management systems.*

**CARRIED 9/1
ABSOLUTE MAJORITY**

29108

Moved Cr Jones sec Cr N Hooper

That Council make the following amendments to the 2007/2008 Budget:

<i>Account</i>	<i>Description</i>	<i>Savings Amount</i>
<i>E119104</i>	<i>MR&CLC Carpark Number 2 – defer to 2008/2009</i>	<i>188,000</i>
<i>E049120</i>	<i>Admin Phone System – not proceed with</i>	<i>14,500</i>
<i>E042030 H01</i>	<i>CEO Pergola – not proceed with</i>	<i>10,000</i>
<i>E049120</i>	<i>Council Laptop Computes - Lease instead of buy</i>	<i>16,000</i>
<i>E042010</i>	<i>Finance & Records Officers Salary – full year costed but only portion of year required</i>	<i>14,850</i>
<i>E143010</i>	<i>Tech Officer – status changed to Clerical Officer and full year costed but only portion of year required</i>	<i>24,180</i>
<i>E122025</i>	<i>Clean out of Cohn Creek – full funded by grants</i>	<i>71,000</i>

<i>I074425</i>	<i>Additional income generated by MDS by providing assistance to Shire of Kellerberrin and Bruce Rock</i>	<i>5,000</i>
<i>I101450</i>	<i>Waste Recycling – additional income generated.</i>	<i>10,000</i>
<i>E114010</i>	<i>MR&CLC Cleaning full year costed but only portion of year required.</i>	<i>3,500</i>
<i>I109820</i>	<i>Sale of Lot 533 Cohn St - income not included in Budget</i>	<i>50,000</i>
<i>E116421</i>	<i>Gala Night/Awards Night – expenditure provided for in two areas of the budget</i>	<i>3,500</i>
<i>E106285</i>	<i>Town Planning Scheme – work to commence later in 2007/2008 Financial year</i>	<i>13,500</i>
<i>E113030</i>	<i>Refuse Bin collection in Parks & Gardens budgeted by both MDS and MW.</i>	<i>25,000</i>
<i>I164020</i>	<i>Transfer in from Annual Leave Reserve to cover some annual leave expenses</i>	<i>20,000</i>
<i>E113030</i>	<i>Parks & Gardens – program adjusted.</i>	<i>3,500</i>
<i>E163135</i>	<i>Increase Transfer to MR&CLC Reserve – to bring transfer up to budgeted income from memberships.</i>	<i>-6,000</i>
	TOTAL	466,530

**CARRIED 10/0
ABSOLUTE MAJORITY**

29109 Moved Cr Jones sec Cr Simmonds
That Council adjourn for morning tea and lunch.

CARRIED 10/0

Council adjourned for afternoon tea at 11.13am.

29110 Moved Cr Crees sec Cr Townrow
That Council reconvene the meeting.

CARRIED 9/0

Council meeting recommenced at 1.02pm.

Cr Jones was not in attendance.

Maria Young and Usman Azad – Merredin Mercury were not in attendance.

Cr Jones entered the meeting at 1.05pm.

29111 Moved Cr Wallace sec Cr Townrow
That Council commence the 2008/2009 Budget process in early February 2008.

CARRIED 6/4

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

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

- 9.1 Merredin Regional Community & Leisure Centre **Advisory** Committee held on 13 August, 2007;
- 9.2 Merredin Regional Community & Leisure Centre **Management** Committee held on 21 August, 2007;
- 9.3 Merredin Heritage Management Committee held 23 August 2007;
- 9.4 Merredin Regional Community & Leisure Centre **Advisory** Committee held on 3 September, 2007;
- 9.5 Business and Community Development Committee held on 5 September, 2007;

29112 Moved Cr Townrow sec Cr Morley
That the Merredin Shire Council receive the minutes of Merredin Regional Community & Leisure Centre Advisory Committee held on 13 August, 2007; Merredin Regional Community & Leisure Centre Management Committee held on 21 August, 2007; Merredin Heritage Management Committee held 23 August 2007; Merredin Regional Community & Leisure Centre Advisory Committee held on 3 September, 2007; and Business and Community Development Committee held on 5 September, 2007.

CARRIED 10/0

- 9.1 Merredin Regional Community & Leisure Centre Advisory Committee held on 13 August, 2007;

10.0 Meeting Room Facility Bookings

Moved E. Carlson sec Cr M. Morris

That the MRC&LC Advisory Committee recommend that Council provides the use of the sectioned off Grandstand bar area for the same cost of the meeting room when more than one booking is made in the same time slot.

CARRIED 6/0

This motion was previously determined at Council's Special Meeting held on 14 August 2007 (CMRef 29053).

- 9.2 Merredin Regional Community & Leisure Centre Management Committee held on 21 August, 2007;

Nil Recommendations.

- 9.3 Merredin Heritage Management Committee held 23 August 2007;

8.4 Merredin Museum and Historical Society – MOU

Moved: Pam Masters sec: Cr Astbury

That the Merredin Heritage Management Committee receive the Merredin Museum and Historical Society Constitution, Asset Register (Merredin Railway Museum and Fine Arts Society) and Memorandum of Understanding.

That the Merredin Heritage Management Committee recommend to Council that Council endorse the Memorandum of Understanding between Merredin Museum and Historical Society and Shire of Merredin as presented in Attachment 8.4B.

CARRIED 4/0

29113

Moved Cr Morris sec Cr Morley

That the Merredin Heritage Management Committee receive the Merredin Museum and Historical Society Constitution, Asset Register (Merredin Railway Museum and Fine Arts Society) and Memorandum of Understanding.

That Council endorse the Memorandum of Understanding between Merredin Museum and Historical Society and Shire of Merredin as presented in Attachment 8.4B.

CARRIED 10/0

9.4 Merredin Regional Community & Leisure Centre Advisory Committee held on 3 September, 2007;

Nil Recommendations.

9.5 Business and Community Development Committee held on 5 September, 2007;

7.1 Carrington Way Update

Moved Cr Morris sec Cr Townrow

That BCDC recommend to Council that Council:

1. *Endorse for the development of the Carrington Way subdivision*
2. *Acknowledge the estimated cost estimates provided by David Wills and Associates and GHD*
3. *Set as a policy the selling of lots in the Carrington Way subdivision "off the plan"*
4. *Endorse engaging an Engineer to prepare designs and tender preparations, including addressing the conditions in the Western Australian Planning Commission approval*
5. *Continue the planning process for Carrington Way subdivision*
6. *Prepare a Business Plan as required by the Local Government Act (1995) Section 3.59, for Council's consideration*
7. *Undertake Gross Realisation Valuation*

CARRIED 3/0

Moved Cr Townrow sec Cr Morris

That Council:

1. *Endorse for the development of the Carrington Way subdivision*
2. *Acknowledge the estimated cost estimates provided by David Wills and Associates and GHD*
3. *Set as a policy the selling of lots in the Carrington Way subdivision "off the plan"*
4. *Endorse engaging an Engineer to prepare designs and tender preparations, including addressing the conditions in the Western Australian Planning Commission approval*
5. *Continue the planning process for Carrington Way subdivision*
6. *Prepare a Business Plan as required by the Local Government Act (1995) Section 3.59, for Council's consideration*
7. *Undertake Gross Realisation Valuation*

AMENDMENT**29114**

Moved Cr Jones sec Cr N Hooper

That Council withdraw the following point No 3 from the motion.

3. *Set as a policy the selling of lots in the Carrington Way subdivision "off the plan".*

CARRIED 9/1**29115**

Moved Cr Townrow sec Cr Morris

That Council:

1. *Endorse for the development of the Carrington Way subdivision*
2. *Acknowledge the estimated cost estimates provided by David Wills and Associates and GHD*
3. *Endorse engaging an Engineer to prepare designs and tender preparations, including addressing the conditions in the Western Australian Planning Commission approval*
4. *Continue the planning process for Carrington Way subdivision*
5. *Prepare a Business Plan as required by the Local Government Act (1995) Section 3.59, for Council's consideration*
6. *Undertake Gross Realisation Valuation*

CARRIED 9/1**7.4 Strategic Plan**

Moved Cr Morris

sec Cr Townrow

That the BCDC endorse ATTACHMENT 7.4 "draft" Strategic Plan – Action Plan as the working document which will be included as a standard item in the BCDC agenda, with pertinent recommendations submitted to Council for endorsement to enable achievement of the identified priorities in the 2007-2012 Strategic Plan.

CARRIED 3/0**29116**

Moved Cr Morris sec Cr Townrow

That the BCDC endorse ATTACHMENT 7.4 "draft" Strategic Plan – Action Plan as the working document which will be included as a standard item in the BCDC agenda, with pertinent recommendations submitted to Council for endorsement to enable achievement of the identified priorities in the 2007-2012 Strategic Plan.

CARRIED 7/3

10.0 COMMUNITY SERVICES

10.1 MANAGER OF COMMUNITY SERVICES REPORT

Reporting Department: Community Services
Reporting Officer: Skye Price – Manager of Community Services
Legislation: Local Government Act 1995
File Number:

Background

The following report is provided for Council's information:

Cummins Theatre

Cummins Theatre Manager, Ms Jane Bandurski will conclude three months compulsory probation 18 September, 2007.

A full calendar of bookings for the Tivoli Room and main theatre is in place for members of the public, community groups and private bookings until the conclusion of 2007.

Merredin Regional Library

Since Farralee Clarke is not returning from maternity leave and casual Library Officer Wendy Davies has concluded work, an advertisement for a part time library officer has been placed in the Wheatbelt-Mercury newspaper, September 12, 2007.

Regional Manager Library Services, Ms Madeleine Carter attended the State Library of Western Australia from 29 August, until 31 August. This involved collection exchange responsibilities and networking with the Resources Reference Group, as well as the Country Librarians' Group.

National Simultaneous Storytime occurred Thursday 11 September. Students from Trayning Primary School, North Merredin Primary School; and St Mary's Primary School participated in a library activity. Other school visits have also been occurring.

Merredin Regional Community and Leisure Centre

The Department of Transport and Regional Services (DOTARS) policy officers have formally advised that Mr Barry Haase MP will be the Federal Government delegate at the formal opening of the Merredin Regional Community and Leisure Centre (MRC&LC), 20 October 2007.

During August 2007, Lotterywest advised that a grant application had been successful and \$9,531.00 has been awarded for directional signage associated with the Merredin Peak recreational trail.

MINUTES

Social and competition sports activities have been occurring within the MRC&LC facility without incident. Several scheduled corporate and community group meetings have occurred.

Pending the commencement of Ms Jess Irving as Bar Manager/ Functions Coordinator, Recreation Centre Manager Ms Tricia Martin has been ensuring that the bar area has been open for social drinks at the conclusion of sporting occasions during recent weeks. The MRC&LC team have enthusiastically accommodated bar patrons, with limited casual staffing and volunteer support.

Physical Activity Coordinator Ms Jamie-Lee White now has a range of social and physical activity engagement opportunities available for all community members. Programs to date have been extremely well received.

Natural Resource Management

Mr Tobias Vudzijena commenced employment 27 August, 2007. Tobias has commendably familiarised himself with the breadth of Natural Resource Management projects; and promptly endeavoured to progress projects. Tobias has also constructively networked with industry professionals during his time in the workplace.

Tobias also attended a WE-ROC Natural Resource Management meeting in Bruce Rock, 12 September, 2007 to introduce himself to colleagues and review the WE-ROC Natural Resource Management Strategic Plan and Management Group Plan.

Furthermore, Tobias has worked collaboratively with the Avon Catchment Council and GHD to organise and deliver a Landscape Water Workshop session, in Merredin, at the Merredin Regional Community and Leisure Centre, 24 September, 2007.

Visitor Services

During the majority of September 2007, Visitor Centre Manager, Ms Pam Masters is ensuring the Central Wheatbelt Visitor Centre is open during Sundays, from 10:00am until 2:00pm.

The *Welcome Visitors Week* from 21 until 24 August was an extremely successful marketing and promotional exercise with the Wheatbelt-Mercury newspaper wrap-around; Radio West advertising; *Discover the Wheatbelt* bus tours; and a tourism industry tour group attending Merredin, as part of a Prospector train journey from Perth.

Visitor Centre door count statistics and web site hits have been outstanding for recent months and continue to improve dramatically, in comparison to former years.

Community Planning and Economic Development

Review of project allocations is pending since Jeff Walker's departure and advice that differing staffing structures will occur, for the benefit of the broader organisation.

MINUTES

To date Mrs Debbie Morris, Community and Economic Development Project Officer has maintained her existing compliment of projects, with particular regard for the necessity to expediently progress land development undertakings.

The Natural Resource Management Officer, Mr Tobias Vudzijena has been briefed with regard to Jeff Walker's former water oriented projects including Solar Oasis, ground water, salinity management, and algae trials with the Merredin Senior High School.

Current Projects***Maintenance of Shire of Merredin webpage***

Regular updates of content including Ranger animal listings, public notices, Shire personnel details, employment vacancies; menu layout; and overview paragraphs pertaining to Community Services unit, as well as public venues.

Central Wheatbelt Visitor Centre expansion project

Liaison is currently occurring with Management Development Services, Mr John Mitchell in regard to a temporary relocation of the Central Wheatbelt Visitor Centre (CWVC), during the building expansion project.

It is proposed that the CWVC undertake operations from the former Telecentre facility, corner of Barrack Street and Queen Street.

Liaison with Mandra Secondary College

Arrangements for alternative education program students have been put in place (in consultation with Merredin Senior High School), with regard to a Merredin visit and stay in the community during October 2007.

Liaison with Freedom across Australia group

After arranging a visit and stay for Freedom Across Australia individuals with disabilities, in conjunction with the Merredin Lions Club during July 2007; participants had an enjoyable time and positive reception during 10 September, 2007.

Meetings/Seminars Attended

- Merredin Regional Community and Leisure Centre (MRC&LC) Management Committee, 21 August;
- Merredin Senior High School meeting related to Performing Arts Centre, 23 August;
- Heritage Management Committee meeting, 23 August;
- Central Wheatbelt Visitor Centre reception for tourism industry visitors, 24 August;
- Induction for Natural Resource Management Officer, Tobias Vudzijena, 27 August;
- Directions WA *Career paths in the Wheatbelt* employment options careers talk with Year 10 Merredin Senior High School students, 3 September;

-
- Merredin Regional Community and Leisure Centre (MRC&LC) Advisory Committee, 3 September;
 - Senior Staff meeting, 4 September;
 - Business and Community Development Committee, 5 September;
 - Tourism Advisory Group meeting, 6 September;
 - Annual Performance Development and Review session for Tricia Martin, 10 September;
 - Recreation Ground master plan meeting, 11 September.

Reports from individual Community Services areas:**Library Services**

Report is at **Attachment 10.1A**

Visitor services

Report is at **Attachment 10.1B**

Cummins Theatre

Report is at **Attachment 10.1C**

Community and Economic Development

Report is at **Attachment 10.1D**

Recreation & leisure services

Report is at **Attachment 10.1E**

Natural Resource Management

Report is at **Attachment 10.1F**

Status Report

The Action sheet detailing progress of Previous Council resolutions from March 2004 onwards is **Attachment 10.1G**

Legal Implications

Compliance with relevant Acts and Local Laws.

Officer's Recommendation

That Merredin Shire Council receive the Manager of Community Services report for September 2007.

29117

Moved Cr Morley sec Cr Townrow

That Merredin Shire Council receive the Manager of Community Services report for September 2007.

CARRIED 10/0

MINUTES

10.2 MERREDIN SENIOR HIGH SCHOOL PERFORMING ARTS CENTRE

Reporting Department: Community Services
Reporting Officer: Skye Price – Manager Community Services
Legislation: Local Government Act 1995
File Number:

Background

On 23 August 2007 Shire of Merredin personnel (including the Chief Executive Officer, Frank Ludovico, Manager Finance and Administration, Emma Hooper and Manager Community Services, Skye Price) met with Merredin Senior High School representatives (Principal Kath Ward, Tyson Walton-Cherrie, Nicole Newton, Thelma Motzel and Lorelee Mitchell-Smith).

The purpose of the meeting was to discuss matters related to the use and maintenance of the Merredin Senior High School Performing Arts Centre (PAC). Specifically hire conditions, privileges for regular user groups, ownership of equipment; as well as adequate upkeep of the facility was discussed.

Ms Kath Ward indicated that Merredin Senior High School would be satisfied if current arrangements were altered and streamlined, so that the High School is independently responsible for the facility.

Since the PAC facility is geographically located within the High School grounds and a part of the Department of Education and Training infrastructure, Shire of Merredin representatives agreed that the proposal was practical.

At present there are four regular evening user groups that make use of the PAC building including tae kwon do, dance, badminton and a musical band group. The facility is also utilised as alternative accommodation facility for commuting non-profit groups, including Lions Club members and secondary school students from further a-field.

The sum of \$22,150.04 was contained within a *Merredin Hall Gymnasium Management Committee* Commonwealth Bank savings account, at the conclusion of August 2007. The monies account for revenue related to booking fees. However, former Deputy Chief Executive Officer James McGovern was the only Shire signatory to the account.

Since the meeting during August 2007, arrangements have been put in place to ensure that Merredin Senior High School personnel have adequate signatories to gain access to the current savings account, in order to settle outstanding maintenance debts.

Strategic Implications

Nil

Legal Implications

The Performing Arts Centre is a community facility. It is not a local government owned property and the Shire of Merredin does not have financial responsibility for the facility. Subsequently, the Local Government Act is not applicable.

Budget Implications

Nil

Comment

The administrative practices associated with community use of the Merredin Senior High School Performing Arts Centre are an unnecessary burden for Shire of Merredin personnel.

Currently facility bookings are being received, confirmation that bookings do not clash with School activities are being made; and the processing of payments occurs. A key registry is maintained and keys for access to the facility are distributed, as required. Furthermore, the Shire has also typically undertaken all bookkeeping responsibilities associated with the facility's use, since the original arrangement was initiated during 1979.

The Shire of Merredin is also involved with the management of infrastructure maintenance associated with the facility; despite already maintaining responsibility for a significant number of community buildings.

An obligation now exists for the Shire of Merredin to ensure that the new Merredin Regional Community and Leisure Centre and the historical Cummins Theatre are the predominant facilities necessitating use of staff resources for liaison with community groups.

Officer's Recommendation

- 1. That the Merredin Shire Council grant Merredin Senior High School through the Department of Education and training full ownership of the Merredin Senior High School Gymnasium and Performing Arts Centre located on Department of Education and Training land, Woolgar Avenue, Merredin.*
- 2. That funds raised from hire of the Merredin Senior High School Gymnasium and Performing Arts Centre be expended on the maintenance and upkeep of the Performing Arts Centre.*

29118

Moved Cr Marley sec Cr N Hooper

1. *That the Merredin Shire Council grant Merredin Senior High School through the Department of Education and Training full ownership of the Merredin Senior High School Gymnasium and Performing Arts Centre located on Department of Education and Training land, Woolgar Avenue, Merredin.*
2. *That funds raised from hire of the Merredin Senior High School Gymnasium and Performing Arts Centre be expended on the maintenance and upkeep of the Merredin Senior High School Gymnasium and Performing Arts Centre.*

CARRIED 9/1

10.3 APPLICATION TO CLEAR NATIVE VEGETATION – LOT 684**BATES ST MERREDIN**

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

Background:

At Council 15 February 2005 meeting (**CMRef 27796**) Council agreed to the following:

That Merredin Shire Council agree in principle to the Merredin Golf Club Inc request dated 20th October 2004 as follows :

- a) The provision of suitable clubhouse facilities and amenities for Golf Club members;*
- b) Adequate provision being made to design and construct a realignment of the golf course to enable play to commence and finish in the vicinity of the Sports and Recreation Centre clubhouse; and*
- c) Provision for the Shire or Sports and Recreation facility, free of any charge or cost to the Golf Club, to carry out the required mowing of the course fairways.*

- 2 That the Merredin Regional Community and Leisure Centre Management Committee meet with Merredin Golf Club Inc to investigate the proposal to relocate to the new Centre.*

At Council's 21 June 2005 meeting (**CMRef 27990**) Council decided the following:

That Council inform the Merredin Golf Club (Inc) it agrees to :

- a) mow fairways during golf season, up to two (2) times per week;*
- b) as required out of season; and*
- c) at no cost to the Merredin Golf Club (Inc)*
- d)*

subject to the Merredin Golf Club (Inc) collocating to the Merredin Regional Community and Leisure Centre.

At Council's 16 August 2005 meeting the CEO reported that following a Special Meeting of the Merredin Golf Club it had decided to participate in the Merredin Regional & Community Leisure Centre project.

Subsequent to this, an application (23 April 2006) to clear native vegetation on lot 684 Bates St Merredin was submitted to the Department of Environment.

On 2 January 2007, Council was advised by the Department that additional information to support the application was required.

MINUTES

On the 29 January 2007 additional information was provided to the Department.

On 3 May 2007 a further letter from the Department of Conservation & Environment (DEC) was received requesting consideration in the following areas:

- a. Extensive clearing has already occurred in the area and it was necessary to minimise the area of disturbance.
- b. A survey for the Tree Stem Trap Door Spider was required

Subsequent to this advice a meeting was arranged with Mr Paul Blechynden District Manager of DEC to discuss the issues.

In respect to the clearing it was indicated that even though the overall application (Lot 684 Bates St and Reserve 23520) for clearing and rehabilitation related to the Golf Links redevelopment showed 1,000 square metres additional land would be revegetated, on Lot 684 Bates St, this was not the case.

It would be necessary to re-examine the proposal and ensure that the land disturbed on Lot 684 was kept to a minimum and revegetation work occurred on existing disturbed areas (ie unused golf links).

Secondly as the managers of Lot 684, Council would need to ensure that the revegetation occurs and if unsuccessful to institute measures to ensure this activity continues.

A meeting was arranged with representatives of the Merredin Golf Club to discuss these issues. They agreed to resurvey the proposed golf links on Lot 684 and to participate in an on ground survey for the Tree Stem Trap Door Spider.

The resurvey of the Golf Links occurred and sent to Council on 4 July 2007.

Using exiting cleared areas the total area required to be cleared is 1.32ha and the total area to be revegetated is 3.0ha (**Attachment 10.3**).

The survey for the spider occurred on 2 August 2007 and there was no evidence of the spider.

Legal Implications:**Budget Implications:**

Golf Club volunteers would be used in all phases of this project and costs will be kept to a minimum.

Comment:

A commitment to revegetate the proposed golf links is critical to this project proceeding.

The process used to revegetate gravel pits could be used in this area.

Seeds from the bush in the area to be disturbed can be collected during this season to serve as a backup.

Then the bush mulch resulting from the clearing could be placed on the current cleared areas that have been deep ripped.

The activity of weeds would need to be monitored with control activities instituted, if necessary.

Mulched areas would need monitoring during a 3 to 4 year period to ascertain the success of the treatment. If it is unsuccessful, then the seeds previously collected will need to be propagated and seedlings planted out.

If Council is agreeable to this proposal the additional information will then be forwarded to DEC for consideration.

Officer's Recommendation:

The Council commit to revegetate the land previously used for golf links on Lot 684 Bates St as described on Attachment 10.3.

Skye Price left the meeting at 2.05pm.

John Mitchell entered the meeting at 2.07pm.

29119

Moved Cr Morris sec Cr Townrow

The Council commit to revegetate the land previously used for golf links on Lot 684 Bates St as described on Attachment 10.3.

CARRIED 9/1

MINUTES

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

11.1 RECYCLING ACTIVITIES – USED OIL COLLECTION

Reporting Department: Development Services
Reporting Officer: John Mitchell, Manager - Development Services
Legislation:
File Number: WM/3/3

Background:

Wren Oil have corresponded (**Attachment 11.1A**) advising that effective immediately that a charge of 15c/litre + GST of used oil has been placed against the removal of used oil from the collection tanks.

Wren Oil advises: -

“The Minister acknowledged our recommendation and said it would seem that Government intervention of this kind would not be required if oil collectors were effectively passing on to their customers the cost of shipping used oil to markets.”

The Shire of Merredin installed the facilities at the Chandler Road landfill facility with Federal Government grant assistance and has acted as a central collection agency for used oils.

Legal Implications:

Nil

Budget Implications:

The costs of disposal are estimated at \$1,650 per load out. It is likely that \$3,300 will be required to continue the project for a further twelve months.

There has been no budget allocation for the removal of used oil from the facility. Original arrangements were for Wren Oil to service at no cost to Council.

The sites are unmanned and the implementation of a fee may not be a positive reinforcement of the project and will be difficult to administer.

An option is to use the waste management levies to offset the costs of collection and recycling. This will require an absolute majority of Council to utilise the funds.

For information at the August 2007 meeting (**CMRef 29078**) Council allocated \$2,000 from the reserve for the preparation of the contour maps.

Council proposed to place \$72,000 into reserve this financial year making a total reserve of approximately \$92,000.00.

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Comment:

Used oil facilities are provided at Muntadgin and Merredin.

The Department of Environment and Conservation are placing obligations on local government to minimise waste to landfills. The Federal Government provided the funds to install the used oil facilities to alleviate illegal disposal and to create a Biofuel Diversity Project.

The alleged comments of the Minister may jeopardise the operations of the used oil facilities. The administration has emailed the Western Australian Local Government Association for comment.

The existing facilities are nearly full and will require emptying. It is estimated that there is 10,000l of used oil between the two facilities.

There are several options: -

- 1) Accept the fee proposal and budget by absolute majority to take funds from the Waste Management Reserve to fund the used oil collection program;
- 2) Empty the existing facilities and close the program. Wren Oil will provide a service direct to farmers where more than 1,000l are stored. This will ensure that the producer of the waste has extended liability for the product.
- 3) Introduce the levy at the delivery sites which are manned and close the Muntadgin facility with the relocation to the Chandler Road site.

The service is provided to assist locals recover and recycle products. Whilst the views conveyed in the correspondence indicate/suggest that the Government will not assist the program, it would be in Council's best interest to continue to provide the program.

Any objections to the introduction of the levy should be addressed to the Department of Environment.

Officer's Recommendation

1. *That Council acknowledge the correspondence of Wren Oil and arrange to get the used oil facilities emptied using funds from the Waste Management Levy at a cost of 16.5c per litre.*

Absolute majority required.

2. *That Council strongly object to the Minister for Environment and the Western Australian Local Government Association for the introduction of the levy.*

29120

Moved Cr Morris sec Cr Townrow

1. *That Council acknowledge the correspondence of Wren Oil and arrange to get the used oil facilities emptied using funds from the Waste Management Levy at a cost of 16.5c per litre.*
2. *That Council strongly object to the Minister for Environment and the Western Australian Local Government Association for the introduction of the levy.*

**CARRIED 10/0
ABSOLUTE MAJORITY**

11.2 APPLICATION FOR PLANNING CONSENT – WAREHOUSE STORAGE FACILITY, LOT 1, HOUSE NO. 37 BATES STREET, MERREDIN

Reporting Department: Development Services
Reporting Officer: John Mitchell, Manager - Development Services
Legislation: Shire of Merredin Town Planning Scheme No.1
File Number: P321, PA16 - 07

Background

Application PA16-07 (**Attachment 11.2A**), to erect a colorbond steel framed storage facility (warehouse) on the rear of lot 1, House No. 37 Bates Street, Merredin has been received from Mr. Gordon Nelson (the applicant/owner) of 37 Bates Street, Merredin (Lildon Pty Ltd, PO Box 588, Merredin WA 6415).

Legal Implications

The land is zoned “Showroom” pursuant to the Shire of Merredin Town Planning Scheme No.1. A warehouse is a permitted use under the scheme. Maximum site coverage ratio is 50%. The existing building is 17m x 24m inclusive of carports and service entry. The lot size is 1209m². The percentage of site cover is within the allowable for the area. No further buildings can be constructed within the boundaries. The building is a Class 7 by classification of the Building Code of Australia and requires a 3.0m setback without fire resistance levels and 1.5m setback with fire resistance level of 60/60/60. The setback to Coronation Street is 5m in line with the existing setbacks of the main building. The Building is to be used for storage of new materials and goods for repair or service.

Section 3.8 of the scheme text determines: -

“That a person shall not in a Showroom, Light Industry or General Industry zone erect or use a building or part of a building unless the building is externally clad in new building materials, being brick, concrete, masonry or other material approved by the Council.”

There are no policies relevant to other materials approved by the Council. There are various examples of the use of steel sheeting within the show room, light industry and General Industry zones.

The applicant’s proposal is to provide a colorbond storage facility of Crème and highlights “iron stone”, repaint the external of the existing showroom to crème with ironstone highlights, provide new entry doors and window frames to the external and provide an office refit to the reception area.

The application is otherwise compliant with the provisions of the Town Planning Scheme No.1. The applicant seeks a boundary concession to permit the establishment of the warehouse.

Budget Implications

Town Planning application fees of \$123 have been paid.

Comment

The building is classified pursuant to the Building Code of Australia as a Class 7 warehouse and can be placed within 1.5m of side and rear boundaries with proper fire resistance levels.

The front boundary to Coronation Street is correct. The 1.5m concession to the rear of the lot does not require fire separation as the laneway can be used for fire separation calculations.

The photographs provided with the application are indicative of current storage issues.

Officer's Recommendation:

That the application from Lildon Pty Ltd to establish a colorbond and clad storage facility on the rear of lot 1, House No.37 Bates Street, Merredin be approved with a side boundary concession of 1.5m with appropriate fire resistance level protection in accordance with the Building Code of Australia 2007.

29121

Moved Cr Morris sec Cr Townrow

That the application from Lildon Pty Ltd to establish a colorbond and clad storage facility on the rear of lot 1, House No.37 Bates Street, Merredin be approved with a side boundary concession of 1.5m with appropriate fire resistance level protection in accordance with the Building Code of Australia 2007.

CARRIED 10/0

MINUTES**11.3 BUILDING STATISTICS REPORT – AUGUST 2007**

Reporting Department: Development Services
Reporting Officer: John Mitchell, Manager- Development Services
Legislation: Local Government (Miscellaneous Provisions) Act 1960, Local Government Act 1995, Building Regulations 1989

File Number:

Background:

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

Legal Implications:

Various

Budget Implications:

Building fees are levied for Class 1 and Class 10 (residential) buildings at 0.3182% of the construction value of the work. Building fees are levied for Class 2 – 9 (commercial) buildings at 0.182% of the construction value of the work.

In all cases a minimum fee of \$40.00 is levied. In addition a levy is applied by the Builders Registration Board - \$37.00

Applications/Approvals:

Building Licence No.	Licence issued to	Address of proposed building	Owner of property	Class of Building Type of Construction
BA56-07	Transhomes Pty Ltd, PO Box 303 Kalamunda 6926	Lot 1342 Whitfield Way , Merredin WA 6415	B & J Lane	Class 1(a)
BA57-07	T&R Homes, 105 Kelvin Rd, Maddington WA 6109	Lot 1343 Whitfield Way, Merredin WA 6415	A Cooper and E Musca	Class 1(a)
BA58-07	Merredin Outdoor Centre, PO Box 792 Merredin WA 6415	Lot 1032 Pollock Ave, Merredin WA 6415	H Philips	Class 10(a)
BA59-07	Coastline Sheds, Lot 101 Byron Road, Armadale WA 6112	Lot 420 Haig Rd, Merredin WA 6415	GM & LS Green	Class 10(a)
BA60-07*		Lot 1 Goldfields Rd, Hines Hill	R & I Lea	Class 10(a) conversion to Class 1(a)
BA61-07*		18 Cummings Rd, Merredin WA 6415	Aaron Dale	Class 1(a) Adds
BA62-07*		Lot 1480 Kitchener Rd, Merredin 6415	Brian Bill	Class 10(a)

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

Valuation: \$655,464

Fees: \$ 2134.70

Progressive: **\$2,706,613.59**

Progressive: **\$10,929.47**

Comment:

BA60-07 and BA62-07 have been referred to Council for resolution. BA61-07 requires more information to be submitted prior to issue of building licence.

Officers Recommendation:

That the Merredin Shire Council receive the August 2007 statistics for building licences issued by the Building Surveyor.

29122

Moved Cr Townrow sec Cr Morley

That the Merredin Shire Council receive the August 2007 statistics for building licences issued by the Building Surveyor.

CARRIED 10/0

11.4 TOWN PLANNING SCHEME – APPLICATION OF MINIMUM HOUSING STANDARDS POLICY & PROPOSED NEW HOUSING POLICY

Reporting Department:	Development Services
Reporting Officer:	John Mitchell, Manager - Development Services
Legislation:	Planning & Development Act 2005, Shire of Merredin Town Planning Scheme No.1
File Number:	LUP/5/1

Background:

The Shire of Merredin has a Policy 9.10 which requires that new dwellings in new subdivisions be constructed of external brick veneer with an iron clad roof. The policy continues to prohibit transportable homes and permits kit homes where it is proven the minimum standard is maintained.

The Policy is not enforceable and should be rescinded.

Examples of building policies are contained in **Attachment 11.4A**.

Legal Implications:

The Shire of Merredin Town Planning Scheme No. 1, Part 6 – Finance and Administration, clause 6.1.3(e) states that it is not necessary for a person to make application for planning consent in respect of the erection of a dwelling house upon a lot upon which no other dwelling house has been or is in the course of being erected if the use of the lot for the purposes of a dwelling house is permitted by the scheme.

Whilst Clause 6.1.3 exempts a dwelling from planning requirements the Building Surveyor is required by law to ignore the applicable town planning policies.

Therefore in any application to erect the first house on a residential, semi rural, stable zone, rural residential or farming lot, the provisions of the Scheme do not always apply. Council cannot currently control the minimum standard of housing within the townships.

Budget Implications:

The costs to amend the Shire of Merredin Town Planning Scheme No.1 are estimated at \$2,500 and will take approximately one year to address. There have been no funds allocated to achieve this outcome.

Any proposed new local planning scheme should ensure that dwellings require planning approval. This is generally resolved by determining a policy which permits the compliant “normal” housing to proceed directly to building application stage and any non conforming application to proceed through the planning processes.

Comment:

Many new Local Planning Schemes have removed the clause exempting dwelling houses from the requirements of local planning consent and introduced policies for the approvals of dwellings.

Until the clause is removed the Building Surveyor must approve the plans if the plans are compliant with the Building Code of Australia 2007.

At this time it is not possible for the Administration to comply with the policy of Council due to the reasons provided within this report.

Council is considering the inclusion of a budget for preparation of the local planning scheme required by the Western Australian Planning Commission, within the 07/08 budget.

Officer's Recommendation:

1. *That Policy 9.10 – Approval of Transportable Houses and Kit Home Applications is rescinded.*

Absolute Majority Required.

2. *That the proposed Local Planning Scheme No.3 includes the requirement for dwellings to obtain planning consent.*
3. *That a minimum standard for dwellings policy be prepared by the administration for consideration by Council.*

29123

Moved Cr Townrow sec Cr Jones

1. *That Policy 9.10 – Approval of Transportable Houses and Kit Home Applications is rescinded.*

Refer CMRef25929 5 September 2000

**CARRIED 10/0
ABSOLUTE MAJORITY**

29124

Moved Cr Jones sec Cr Townrow

2. *That the proposed Local Planning Scheme No.3 includes the requirement for dwellings to obtain planning consent.*
3. *That a minimum standard for dwellings policy be prepared by the administration for consideration by Council.*

CARRIED 10/0

Cr Morris declared a Financial Interest in Item 11.5 and left the room at 2.30pm.

11.5 RAILWAY INSTITUTE BUILDING LOT 3000 TODD STREET, MERREDIN

Reporting Department: Development Services
Reporting Officer: John Mitchell, Manager - Development Services
Legislation: Local Government (Miscellaneous Provisions) Act 1960
File Number: P3190

Background:

Mrs Jacque Moses has written (**Attachment 11.5A**) registering her interest in the Railway Institute Hall and seeks to know whether Council will be interested in negotiating a price for its sale.

The issues with the Railway Institute Building have been raised with Council in 2003, 2004, 2005 and 2006.

At the Ordinary Council meeting held on 16 September 2003 Council resolved:

- 27197 *That the Merredin Shire Council demolish the former Railway Institute hall as soon as practicable on the following basis:-*
- *all salvageable material and items are removed from the site and either relocated or stored by the Shire or sold to private individuals via written public submission ie: gas stove, fridge, etc;*
 - *the salvage stripper is called in to remove salvageable materials and any remaining salvageable material is then offered for sale;*
 - *a licensed demolition person be engaged to collapse the building; and*
 - *the site is cleared of all remaining material and any funds remaining after deducting all Council and other expenditure are transferred into the General Building Reserve, with the Chief Executive Officer to have delegated authority to accept material sale submission offers, subject to Council obtaining appropriate legal advice confirming the action could occur.*

CARRIED 6/5

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This was last discussed at the Ordinary Meeting of Council held on 17 January 2006 and Council resolved: -

28269 That staff research funding opportunities for extensions to the Merredin Medical Centre extensions with a view to developing concept plans incorporating the Railway Institute Hall.

CARRIED 7/2

In May 2003 Ms Murfit submitted an expression of interest to utilise the Hall. In August 2007 Ms Murfit reiterated her offer to take the building down and relocate the building to another site for reconstruction.

The Hall is located on Lot 3000 Todd Street, Merredin adjacent to the Medical Centre. The individual lots were amalgamated into Lot 3000 in 2005.

A copy of the report to Council on 16 September 2003 and photographs of the building taken in August 2007 are contained in attachment xx.

A summary of reports and actions to date is detailed below: -

Minute Number/File Reference	Date	Resolutions	Comments
26875	Jan03	That Council not proceed with the demolition pending further investigation	Calls for public meetings to determine the future of the hall.
26876	Jan03	Declare the building a dangerous building	Closed to the public declared dangerous pursuant to Sec408 Miscellaneous Provisions.
26890	Feb03	EOI be called for potential future uses including detailed business plans; & If no EOI's bring back to Council for consideration of use as a Wheatbelt Embassy	EOI open for two months
	May03		Ms M Murfit submitted proposal for "Artist in Residence"
27071	May03	Approach M Murfit for views on leasing options and freehold sale of land	Meeting with CEO and Murfit – banks not prepared to lend on this basis.
27099	June03	That Council investigate the matter further with the appropriate agencies in regard to the costs of possibly subdividing the railway Institute hall of Reserve 20169	Minute 27165 – August 2003 – Cost to purchase land \$13,920, resolution – Receive the report.
27197	Sept03	That the building be demolished and salvaged	Tomczak Consulting report - \$70,000 to relocate, report of EHO costs to comply >\$100,000. National Trust advises to seek Lotterywest funding.

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27340	Jan04	That the matter of the proposed heritage listing of the former Railway Institute Hall be referred to the Health Building and Environmental Services Committee to formulate a response opposing the listing by the Register Committee of the Heritage Council of WA.	
27403	Mar04	That the Building be offered for free of charge to the community groups to relocate as a whole building. Period – one month	Heritage Council advised the Shire of Merredin that the Railway Institute Hall does not have sufficient heritage significance at the State level for inclusion in the State Register of Heritage Places.
	Apr04	22/04/04 Special Electors Meeting – That Council consider investigating costs of utilising the internal area of the Railway Institute Building for the future needs of the Merredin Medical Centre.	
27505	May 04	That motion 27197 be rescinded, & that the administration make application for lotteries funding and Tourism development grants	Applications for funding made. There are no funds available for the project.
June04 – May 05		Applications for funding made – all applications unsuccessful.	
	Apr05		Land amalgamated into Lot 3000 Todd Street.
28188	Nov05	That Council call for expressions of interest for the removal of the Merredin Railway Institute Hall	

Legal Implications:

The upgrade of the building either to class 5 (office) or class 9 (public building) will require compliance with the Building Code of Australia 2007 (BCA07), Health (Public Building) Regulations 1993, Occupational Safety & Health Act 1986 and the Health Local Laws 1999.

The provisions of the BCA07 state that for the buildings to be located on individual titles the buildings must be separated from the boundary by 3m. There is only 5.4m. Both buildings contain external openings on the side boundary which then requires that all openings and walls have a fire resistance level of 60/60/60.

The building will also be required to have access and mobility in accordance with the BCA07 which requires for an office or public building ramped or electronic accessed doors to the internal from the primary entry point.

The Building is listed on the Municipal Inventory of the Shire of Merredin. Comments state that the Hall should be recognised and protected through the

MINUTES

Town Planning Scheme and to photographically document prior to any modifications.

The building is in a state of neglect that detracts from the amenity of the area. In addition the deteriorated condition has resulted in increasing vandalism. On 6 August 2007 the Police were notified of a break-in and attempted fire setting within the building. Cans of paint were lit to commence a fire which could not take hold.

Budget Implications:

On 22nd April 2004 Council held a public meeting to discuss the future of the Railway Institute Building. At that meeting the Manager of Development Services provided costings to upgrade the hall to meet the requirements of the current legislation.

ITEM	COST (\$)	
<u>GENERAL</u>	As at 22/4/2004	
Undertake survey by practising structural Engineer to determine adequacy of building	3000	
Storm water drainage	2750	
Front entry path and paving of surrounds to front portico	2250	
Rear fence along laneway	1790	
Fence between hall and Merredin Medical Centre	4480	
Removal of two "railway cabins" at rear	Nil	
Demolition of rear female ablution block	2120	
Parking (minimum 1 bay designated for disabled access)	2000	
<u>EXTERNAL WORKS</u>		
Paint exterior of building including window and door frames, fascias, barge boards, eaves, flashings, some stumps (scaffold cost incorporated)	23500	
Refix roof sheeting	1800	
Guttering (inspect and replace where required)	2650	
Downpipes (inspect and replace where required)	900	
External steps	600	*
External balustrades	900	*
External lighting of property, esp required exits	2500	*
Windows with security screens (various types)	7500	
Doors (replace as required)	1050	
<u>INTERNAL WORKS</u>		
Paint interior of building including window and door frames, walls, ceilings, cornices, window frames	8000	
Walls (repair/replace as required)	2250	
Ceiling (remove existing and replace – scaffold cost incorporated)	9500	
Lighting	750	

Insulation	1280	
Flooring (repair/replace and treat/polish)	2500	
Certificate of electrical compliance (including upgrading of existing wiring and switchboard)	(E)	*
Exit doors and furniture	1340	*
Emergency exit signs	900	*
Fire extinguishers	1200	*
Air conditioning (Reverse cycle) or Air conditioning (Evaporative) and heating	(A) 9500	*
<u>ABLUTION FACILITIES</u>		
Free standing, accessible for persons with disabilities Male – 1x WC, 1x urinal, 2x hand basins Female – 2x WC, 2x hand basins	30000	*
Upgrade existing soil waste water plumbing	2500	
<u>ACCESS FOR PEOPLE WITH DISABILITIES</u>		*
External signage	450	
Kerb crossover	75	
Front entry ramp, landing and railing	1150	
Tactile ground surface indicators	350	
Front entry doors and threshold access	(5500)	
Accessible ablution facilities	Allowance within construction of ablutions	
Internal ramps	400	
Carparking space	Allowance within construction of carpark	
<u>SUB TOTAL</u>	131935	
<u>CONTINGENCIES</u>		
Margin (10%)	13193.50	
Local allowance (5%)	7256.42	
<u>TOTAL</u>	152384.92	

* = Public Building requirements

Whilst the indicative costs are \$160,000 a more realistic costing for four years later would be a minimum of \$250,000 + engineering and architectural fees of a further \$10,000 - \$15,000.

As a minimum the windows will need to be boarded, the rear door replaced and the front doors secured to prohibit entry. In addition the stored materials must be removed and stored somewhere else. These costs are estimated at \$1,000.

Comment:

Photographs of the building were taken on 7 August 2007. **Attachment 11.5B.**

The inspection of 7 August 2007 determined: -

- a) The secondary ceiling installed under the plasterboard ceiling has collapsed and pulled the anodised aluminium supports with it. The ceiling will continue to collapse out due to vibration, moisture intrusion and lack of maintenance.
- b) The timber supports to the ceiling and support mechanisms have separated which may cause a concertina effect of collapsing the remaining ceiling;
- c) Weatherboards are flaking, crazed and cracked and timber work is severely weathered and rotting.
- d) Railway iron has been used as stumps contrary to the Building Code of Australia;
- e) All windows are broken and incapable of working;
- f) Roofing iron is rusted and loosing integrity of protection;
- g) The outbuildings have had no maintenance for a long period of time.

The provisions of Section C Specification C1.1 – 5 of the Building code of Australia 2007 are applicable. These sections require that class 6 and 7 buildings of a Type C fire resisting construction must be separated by 3m or more to common boundaries to achieve the FRL (structural adequacy/integrity/insulation) of Building Elements. Closer distances such as 1.5 – 3.0m separation require a FRL of 60/60/60. With a 5.4m clearance there is a failure to meet the requirements of the BCA07.

In discussions with Ms Murfit in August 2007 she acknowledged the extent of works required to operate as a public or commercial building and advised that if Council was to gift the Hall to her that she would arrange for the relocation of the building within 6 months of Council's resolution.

Ms Murfit did suggest removal of the added on kitchen to the Hall which then ensures that the buildings meet the setbacks required without modification. This can be achieved as Ms Laura Gray of the Heritage Council advises that the kitchen is not part of the original structure.

The cost of subdivision of the land is estimated at \$4,000. Note that if the land is to be subdivided, the three lots may as well be created to permit future development. Council amalgamated the land in 2005.

The matter has been the subject of several public meetings and has been referred to Council on at least three occasions for resolution. Potentially interested persons can relocate the building to another location. Estimates provided to Council in 2003 suggested \$70,000 to relocate the hall to a block within Merredin.

The rear area is used for storage of "Merredin Show" materials and is not secure or dry.

The demolition of the building will require a registered Demolition Contractor to oversee the works as the Occupational Safety and Health Regulations require that demolition works not being a residence be carried out by qualified and experienced tradespersons. It is estimated that the demolition costs will be in the vicinity of \$10,000. The reasons are that a plan of demolition must be prepared for WorkSafe before works can commence.

Heritage Council of WA & National Trust of Australia

On 29 September 2003 the National Trust of Australia corresponded expressing concern at Council's intentions to demolish the building and sought for Council to apply for Lotterywest funds for the improvements to the building

On 12 March 2004 the Heritage Council of WA wrote and advised that the Railway Institute Hall does not have sufficient cultural significance at the State level for inclusion in the State Register of Heritage Places. The Heritage Council encouraged Council to explore avenues for funding.

The Community Development Officer completed applications for grant assistance funding and was refused by LotteryWest and other sources. Laura Gray of the Heritage Council was contacted and she advised that there were no funds for the relocation of the building.

LotteryWest – Faye Overheu advised that it may be possible to obtain funding for the relocation of the building but was unlikely due to the extent of submissions received.

The Heritage Council of WA does not support the relocation of the building into the Railway Museum site.

Officer's Recommendation:

That the timber framed, clad, iron roofed building on Lot 3000 Todd Street, and commonly referred to as the Railway Institute Building be offered for sale and removal from Lot 3000 Todd Street, Merredin within 6 months of the acceptance of an offer and that failing any offers being received the Railway Institute Hall be demolished.

Moved Cr Crees sec Cr Jones

That the timber framed, clad, iron roofed building on Lot 3000 Todd Street, and commonly referred to as the Railway Institute Hall be offered for sale and removal from Lot 3000 Todd Street, Merredin within 6 months of the acceptance of an offer and that failing any offers being received the Railway Institute Hall be demolished.

AMENDMENT

Moved Cr Townrow sec Cr Morley

That the words “and removal from Lot 3000 Todd Street, Merredin within 6 months of the acceptance of an offer” be removed from the motion.

The President did not accept the amendment because the Railway Institute Hall could not be sold separately as it was on the lot in which the Medical Centre was located.

29125

Moved Cr Crees sec Cr Jones

That the timber framed, clad, iron roofed building on Lot 3000 Todd Street, and commonly referred to as the Railway Institute Hall be offered for sale and removal from Lot 3000 Todd Street, Merredin within 6 months of the acceptance of an offer and that failing any offers being received the Railway Institute Hall be demolished.

CARRIED 7/2

Cr Townrow voted against the motion.

Cr Morris entered the meeting at 2.49pm.

**11.6 APPLICATION TO CONVERT OUTBUILDING TO DWELLING;
LOT 1 GOLDFIELDS ROAD, HINES HILL FOR R. & I. LEA**

Reporting Department: Development Services
Reporting Officer: John Mitchell, Manager - Development Services
Legislation: Health Act 1911, Section 144
File Number: P7059

Background:

An application to erect and convert a Quaker style barn to a dwelling on Lot 1 Goldfields Road, Hines Hill has been received from Mr R & Mrs I Lea of PO Box 92 Waroona, WA 6215. The application is contained in **Attachment 11.6A.**

In September 2006 the owners were written to when the Manager, Development Services alleged that the existing class 10 on site was being converted to a dwelling without Council consent.

Legal Implications:

The provisions of the Shire of Merredin Town Planning Scheme No. 1 state that a dwelling house is a permitted use within the general farming zone. Lot 1 Goldfields Road, Hines Hill is within the general farming zone.

Clause 6.1.3 states that a dwelling within a lot on which no other dwelling has been erected does not require the planning consent of the Shire of Merredin. Therefore an application for town planning consent is not required in this instance.

Section 144 of the Health Act 1911 requires that a building not originally constructed as a dwelling may not be converted to a dwelling without the written approval of the local government. The Local Government may impose conditions. Any construction must comply with the Building Code of Australia 2007 and the Health Act 1911 – 1979 as amended.

Budget Implications:

There are no budget implications.

Comment:

The proposal is to erect a gabled roof centre section with two skillion roofs connected into the gabled roofed portion. The dwelling will comprise two bedrooms, storeroom and all necessary Health fixtures required by legislation. All materials are new.

Officer's Recommendation:

That the application from Mr Robert Lea to convert a outbuilding to a dwelling on Lot 1 Goldfields Road, Hines Hill be approved subject to compliance with the Building Code of Australia 2007.

29126

Moved Cr Marley sec Cr Morris

That the application from Mr Robert Lea to convert a outbuilding to a dwelling on Lot 1 Goldfields Road, Hines Hill be approved subject to compliance with the Building Code of Australia 2007.

CARRIED 10/0

11.7 LOCAL PLANNING STRATEGY – ENDORSEMENT OF WESTERN AUSTRALIAN PLANNING COMMISSION – WITH CONDITIONS

Reporting Department: Development Services
Reporting Officer: John Mitchell, Manager - Development Services
Legislation: Planning & Development Act 2005
File Number: LUP/5/3

Background:

Correspondence has been received from the Western Australian Planning Commission advising that the Commission is prepared to endorse the strategy as being consistent with regulation 12A(3) of the Town Planning and Development Regulations 1967 with modifications.

The strategy was prepared by Whelans WA Pty Ltd of 133 Scarborough Beach Road, Mt Hawthorn WA.

Legal Implications:

There are 39 modifications and a further schedule of modifications which are contained within **Attachment 11.7A**.

The 39 modifications have been incorporated into the Local Planning Strategy document labelled April 2007. The Commission also seeks for the four pages of modifications to be included. Colin Connors of Whelans advises the modifications do not change the intent of the document and pay further service to the policies of the Commission.

Budget Implications:

\$2,500 has been allocated within the 2007/08 budget – Ref E106285 2007/08 budget. To date \$210 has been allocated to meetings between Whelans and the Commission.

Comment:

Council endorsement of the modifications is sought.

A copy of the Local Planning Strategy document labelled April 2007 will be tabled at the meeting.

Officer's Recommendation:

That the Local Planning Strategy April 2007 document be adopted by Council as consistent with Regulation 12A(3) of the Town Planning and Development Regulations 1967 and that the document be submitted to the Western Australian Planning Commission for endorsement.

29127

Moved Cr Simmonds sec Cr Marley

That the Local Planning Strategy April 2007 document be adopted by Council as consistent with Regulation 12A(3) of the Town Planning and Development Regulations 1967 and that the document be submitted to the Western Australian Planning Commission for endorsement.

CARRIED 10/0

**11.8 TOWN PLANNING APPLICATION- BOUNDARY RELAXATION –
LOT 1480, HOUSE NO. 31 KITCHENER ROAD, MERREDIN –
FRONT VERANDA**

Reporting Department: Development Services
Reporting Officer: John Mitchell, Manager - Development Services
Legislation: Shire of Merredin Town Planning Scheme No.1,
Residential Design Codes 2002
File Number: P/2302

Background:

An application to construct a replacement new full length veranda and new carport to Lot 1480, House No. 31 Kitchener Road, Merredin has been received from Mr Brian Bill. The application is contained in **Attachment 11.8A**.

Legal Implications:

The dwelling is located within the Residential 1 Zone (Single Residential) of the Shire of Merredin Town Planning Scheme No.1 and requires a front setback of 7.5m. The application is requesting a reduced setback to 7.1m

The Residential Design Codes 2002 permit an encroachment into the front setback areas providing the provisions of Clause 3.2.1, 3.2.2 and 3.2.3 and table one are met including “offset areas” behind the required setback lines.

The application has been assessed as meeting the acceptable development criteria of the code.

At the time of writing this report the application fees and forms had not been completed. Correspondence has been sent to the owner seeking completion of the forms and payment of the prescribed fees.

Budget Implications:

Planning application fees of \$123.00 are applicable.

Comment:

The original veranda encroached into the front setback area by 400mm and was justified by the previous residential design codes that permitted a one half building length encroachment into the front setback area. The replacement veranda is to be located in the same position. The encroachment comprises 7.9m² and extends 400mm into the front setback.

Clause 3.2.1 A1 of the Code states that the application can be approved providing the encroachment area is offset by at least an equal area of contiguous open space between the setback line and a line drawn parallel to it at twice the setback distance. The area A2 comprises 9.75m² and can be used as the offset area.

Officer's Recommendation:

That the application to construct a veranda and carport into the front setback area of Lot 1480, 31 Kitchener Road, Merredin by 400mm be approved subject to an equal open space contiguous area (A2 on approved plans) being retained as contiguous open space and the applicant completing all necessary forms and paying the required fees.

29128

Moved Cr Simmonds sec Cr Morris

That the application to construct a veranda and carport into the front setback area of Lot 1480, 31 Kitchener Road, Merredin by 400mm be approved subject to an equal open space contiguous area (A2 on approved plans) being retained as contiguous open space and the applicant completing all necessary forms and paying the required fees.

CARRIED 10/0

John Mitchell left the meeting at 2.52pm

Anne-Marie Peters left the meeting at 2.55pm

Anne-Marie Peters entered the meeting at 2.56pm.

J Garrett entered the meeting at 2.56pm.

12.0 ENGINEERING SERVICES

12.1 MANAGER OF WORKS – MONTHLY REPORT

Reporting Department: Engineering
Reporting Officer: James Garrett, Manager of Works
Legislation: Local Government Act 1995
File Number:

Background:

Monthly report on operations.

Legal Implications:

Nil

Budget Implications:

Nil

Comment:**Road Construction**

Construction work has commenced on Chandler Road.
Gravel sheeting of Baandee South Road and intersection improvement completed.

Road Maintenance

Annual Maintenance grading is near completion.
Road verge and footpath weed spraying in progress.
Bitumen patching progressing

Recreation Centre

Tidy up of construction site ongoing.

Parks And Gardens

Weed spraying of parks in progress.
Summer mowing program started.

Staff

Outside staff training course completed.(Elevated platform, Basic Traffic Management Traffic Control and Working near powerlines)

Water

Sprinkler inspections and maintenance of reticulation system in progress.
Annual pump maintenance near completed.

Current dam water volume

Dam #1	80% Full	Capacity	74,455 kilolitres
Dam #2	50% Full	Capacity	71,675 kilolitres
Dam #3	20% Full	Capacity	46,000 kilolitres
Railway Dam	70% Full	Capacity	23,000 kilolitres

Water volume for August 2006 by comparison

Dam1	95% Full
Dam 2	75% Full
Dam 3	100% Full
Railway Dam	100% Full

Officer's Recommendation:

That the Merredin Shire Council receive the Manager of Works report for September 2007.

29129

Moved Cr Crees sec Cr Morris

That the Merredin Shire Council receive the Manager of Works report for September 2007.

CARRIED 10/0

12.2 SHIRE OF MERREDIN – INDEPENDANT WATERING SCHEME

Reporting Department: Engineering
Reporting Officer: James Garrett, Manager of Works
Legislation: Local Government Act 1995
File Number:

Background:

As there has been a below average rainfall this season our total dam water holding capacity level is 50% lower than it was at this time in 2006.

In March 2007 our water supply was that low we stopped watering some of our parks and gardens to conserve water. When the dam levels are low the salt content rises which is not suitable for turf or gardens.

To conserve our water supply it is felt that some water restrictions will need to be implemented.

We have looked at the Shires watering practises of recent years and have drawn up some changes that we feel should conserve our water supply through our drier months.

On **Attachment 12.2A** is the watering program drafted by staff. This watering program may need to be altered at times, depending on dam levels

Legal Implications:

Nil

Budget Implications:

Council income will decrease.

Comment

It is felt unless we receive significant rainfall over the next two months, water may run out before January 2008 if current watering practises should be changed.

Officer's Recommendation:

1. *That Council staff implement the draft watering program on Attachment 12.2A.*
2. *That Council advise users of the Independent Watering Scheme of the present situation and the 2007/2008 Watering Program.*

- 29130** Moved Cr Simmonds sec Cr Morley
1. *That Council staff implement the draft watering program on Attachment 12.2A.*
 2. *That Council advise users of the Independent Watering Scheme of the present situation and the 2007/2008 Watering Program.*

CARRIED 9/1

- 29131** Moved Cr Morris sec Cr Townrow
That Council staff investigate desalinisation plant and water saving options for the Shire of Merredin.

CARRIED 10/0

Jim Garrett left the meeting at 3.19pm.

- 29132** Moved Cr Simmonds sec Cr Morley
That Council adjourn for afternoon tea.

CARRIED 10/0

Council adjourned for afternoon tea at 3.20pm.

- 29133** Moved Cr Simmonds sec Cr N Hooper
That Council reconvene the meeting.

CARRIED 10/0

Council recommenced at 3.55pm .

Emma Hooper, Manager of Finance and Administration was in attendance.

13.0 FINANCE AND ADMINISTRATION

13.1 MONTHLY FINANCE REPORT

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

Background

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

Officer's Recommendation:

That the Merredin Shire Council receive the Monthly Finance Report for August 2007.

29134

Moved Cr Simmonds sec Cr N Hooper

That the Merredin Shire Council receive the Monthly Finance Report for August 2007.

CARRIED 10/0

13.2 LIST OF ACCOUNTS PAID

Reporting Department: Finance and Administration
Reporting Officer: Emma Hooper, Manager Finance & Administration
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 13.2A**.

Legal Implications:

Local Government Act and Financial Management Regulations.

Budget Implications:

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

Officer's Recommendation:

That the Merredin Shire Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$399,717.58 and amounts directly debited from Councils Municipal Fund Bank Account BSB 066-518 000 000 10 totalling \$49,612.98 and outstanding creditors totalling \$233,643.65.

29135

Moved Cr N Hooper sec Cr Crees

That the Merredin Shire Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$399,717.58 and amounts directly debited from Councils Municipal Fund Bank Account BSB 066-518 000 000 10 totalling \$49,612.98 and outstanding creditors totalling \$233,643.65.

CARRIED 10/0

Items 13.8, 13.9 and 13.10 were brought forward.

Cr Townrow declared an Impartiality Interest in Item 13.8

13.8 REQUEST FOR FINANCIAL ASSISTANCE – MERREDIN CHAPTER OF THE RED HATS SOCIETY – CUMMINS THEATRE

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

Background

Attached is a letter from the Merredin chapter of the Red Hats Society seeking financial assistance for the use of the facilities at the Cummins Theatre.

Financial Implications

The cost for the use of the Theatre and the Tivoli Room is \$363.00 and for the Tivoli Room \$85.00 per day totalling \$448.00.

In Council's 2007/2008 Budget at Account EO41170 (Public Relations and Donations) – Council allowed \$1,000 as unspecified donations. To date no allocations have been made from this area.

Officer's Recommendation

That Council donate to the Merredin chapter of the Red Hats Society \$448.00 for use of the facilities at the Cummins Theatre and Tivoli Room on the 05 and 06 October, 2007.

Absolute Majority Required.

29136

Moved Cr Marley sec Cr Morley

That Council donate to the Merredin chapter of the Red Hats Society \$448.00 for use of the facilities at the Cummins Theatre and Tivoli Room on the 05 and 06 October, 2007.

**CARRIED 9/1
ABSOLUTE MAJORITY**

13.9 REQUEST FOR FINANCIAL ASSISTANCE – MERREDIN SENIOR HIGH SCHOOL - SPONSORSHIP

Reporting Department: Administration
Reporting Officer: Ms Emma Hooper, MFA
Legislation: Local Government Act 1995
File Number:

Background

Attached is a letter from the Merredin Senior High School Awards Committee requesting sponsorship of a Year 12 Academic Award.

Financial Implications

The Sponsorship amount request is \$70, which includes the prize and a medallion. An invitation to attend the awards as a sponsor and to present the award is also extended.

In Council's 2007/2008 Budget at Account EO41170 (Public Relations and Donations) – Council allowed \$1,000 as unspecified donations. To date no allocations have been made from this area.

Officer's Recommendation

That Council sponsor the amount of \$70 for the Merredin Senior High School Awards Day.

Absolute Majority Required.

29137

Moved Cr Jones sec Cr Morley

That Council sponsor the amount of \$70 for the Merredin Senior High School Awards Day.

**CARRIED 10/0
ABSOLUTE MAJORITY**

**13.10 REQUEST FOR FINANCIAL ASSISTANCE – MANGOWINE
CONCERT - SPONSORSHIP**

Reporting Department: Administration
Reporting Officer: Ms Emma Hooper, MFA
Legislation: Local Government Act 1995
File Number:

Background

Attached is a letter from the Mangowine Concert Committee seeking sponsorship for the 2007 Mangowine Concert to be held on 6th October 2007.

Financial Implications

The Sponsorship amount requested is \$150 and, as a Sponsor, Council receives two VIP Tickets, a picnic hamper, preferential seating and parking, and acknowledgement as a Sponsor

In Council's 2007/2008 Budget at Account EO41170 (Public Relations and Donations) – Council allowed \$1,000 as unspecified donations. To date no allocations have been made from this area.

Officer's Recommendation

That Council sponsor the Mangowine Concert Committee the amount of \$150 for the 2007 Mangowine Concert.

Absolute Majority Required.

29138

Moved Cr N Hooper sec Cr Morley

That Council sponsor the Mangowine Concert Committee the amount of \$150 for the 2007 Mangowine Concert.

**CARRIED 10/0
ABSOLUTE MAJORITY**

Emma Hooper left the meeting at 4.15pm.

13.3 CHIEF EXECUTIVE OFFICER'S REPORT

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

The CEO report for September 2007 is presented below:

Governor's Visit

The visit by Governor Ken Michael on the 22 August 2007 was very successful with approximately 30 members of local community organisations attending the reception at the Recreation Centre. In particular the Governor commented on how vibrant the town was.

Thanks go to Discover the Wheatbelt for organising the tour.

Shire of Merredin / WA Country Health Service MOU

A meeting was held with Allison Cooke, Regional Director of WA Country Health Service, HSM Merredin Hospital, the Shire President, Doctors Adeniyi and Freeman, Practice Manager of myself on the 23 August 2007.

A separate agenda item has been prepared.

Wind Farm

On 28 August 2007 the Manager of Development Services, John Mitchell and myself met with a representative from Windlab Systems to discuss the wind farm project south of Burracoppin.

Dr Steggle indicated that the results were promising and they would be commencing negotiations with Western Power and financiers to gain access to the power grid and finance for the project. He indicated that if everything went according to plan the first turbines would be installed in 2011.

Wongan Tourism Group

The CEO was asked to speak to a tour group organised through the Wongan Tourist Bureau who were undertaking a three day tour of the Wheatbelt passing through Dowerin, Merredin and Southern Cross. There were approximately 40 participants. They were impressed with the initiatives Council was progressing in terms of land development, re-use of saline water, recreation centre and maintenance of our heritage buildings.

District Health Advisory Committee Meeting.

The CEO has been attending these meetings regularly for the last two (2) years. I am questioning the value of Council participation in this committee. The committee is not funded, lacks leadership and does not appear to be progressing any concrete initiatives.

It may be more appropriate for Council resources to be used in a more productive fashion.

29139

Moved Cr Jones sec Cr Townrow

That Council withdraw the Chief Executive Officer from his position as delegate to the District Health Advisory Committee.

CARRIED 10/0

Long Term Accommodation Strategy – WALGA

At the WALGA AGM on the 5 August 2007 a briefing was provided to local government delegates in relation to the current accommodation difficulties being experienced by WALGA and Local Government Insurance Services which will restrict the long term growth of both organisations.

As a result of that meeting a facts sheet has been prepared for Council information. (**See Attachment 13.3A**).

Resignation of Manager of Community Services

I wish to formally advise Council that Ms Skye Price has resigned from the Manager of Community Services position effective 03 December 2007.

Candidate Information Night

On the 5 September 2007 Councillor Morris, Bree Forsythe (Returning Officer) and myself conducted a briefing session for prospective new candidates for the Shire of Merredin. I am pleased to advise that four (4) people attended the information session.

Mukinbudin 1950's Farm Shed

On the 6 September 2007 Pam Masters, Debbie Morris and myself represented the Shire of Merredin at the opening of the 1950's Farm Shed. This building was funded to provide members of the Mukinbudin community interest in restoring and operating vintage farm machinery. The facility is also designed to provide a venue for arts and crafts, TAFE studies and other community activities.

Merredin Medical Practice Accreditation

The Medical Practice was audited on 3 and 4 September 2007 in order to receive accreditation.

Administratively the Practice was functioning effectively. There was a requirement for improvement clinically. A detailed report is being prepared by the auditor and when this is received, issues will be dealt with.

Whitfield Way Subdivision

The matter with Leeway Group has been determined.

Previously they had claimed \$35,000 (gst inc) in compensation of the work they had carried out.

After much negotiation and aided by an arithmetical error by the Consulting Engineers a payment of \$32,628 (gst inc) was negotiated.

Cr Morris left the meeting at 4.22pm.

Lot 533 Cohn Street, Merredin

CEO reported receiving a letter from Mr Tom Hunter regarding the sale of Lot 533 Cohn Street, Merredin.

Officer's Recommendation.

Council receive the Chief Executive Officer's report for September 2007.

29140

Moved Cr Crees sec Cr Simmonds

Council receive the Chief Executive Officer's report for September 2007.

CARRIED 9/0

13.4 MERREDIN MEDICAL CENTRE – BUDGET CONSIDERATION

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

Background

I wish to advise that the server at the Merredin Medical Centre has come to the end of its useful life.

Council allowed \$2,500 in its December 2006 meeting (**CMRef 28771**) and carried this into the 2007/2008 Budget.

The estimate to obtain a new server is \$8,000. The major difference between the previous estimates prepared by Consultant – Janine Herndl was that her quotation was for the hardware only and not for software, installation or transfer of data and software.

As the server is the records management system for the Medical Practice I have authorised the purchase of a new machine.

Associated with the Medical Centre is a cheque account where Medical Centre revenue is deposited. The opening balance of this account at July 2007 was \$32,000. In order to get an accurate picture of the income for the Practice, this amount is reconciled to when calculating monthly earnings for the Practice.

Giving the tightness of the funds in Council's 2007/2008 budget it is recommended funding for this purchase comes from this account.

Comment

The server is the records and financial management system for the Merredin Medical Practice and it is imperative that the server is replaced.

Officer's Recommendation

That Council allocate \$8,000 from the Medical Practice Bank Account for the purchase and installation of a new server at the Merredin Medical Practice.

Absolute Majority Required.

29141

Moved Cr Simmonds sec Cr Wallace

That Council allocate \$8,000 from the Medical Practice Bank Account for the purchase and installation of a new server at the Merredin Medical Practice.

**CARRIED 9/0
ABSOLUTE MAJORITY**

**13.5 MEMORANDUM OF UNDERSTANDING – SHIRE OF MERREDIN
AND WA COUNTRY HEALTH SERVICE – WHEATBELT REGION –
PROVISION OF DOCTOR SERVICES**

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

Background

At Council's 19 June 2007 meeting (**CMRef 29011**) it was agreed that the Shire President, Deputy President, Councillor Townrow and Chief Executive Officer meet with the representative of the WA Country Health Service along with the doctors and staff of the Merredin Medical Practice to discuss the WACHS / Shire of Merredin Provision of Doctor Services MOU.

This meeting was arranged for the 23 August 2007. Unfortunately Councillor Townrow was unable to attend so Councillor Jones deputized for her.

Ms Allison Cooke, Regional Director, Wheatbelt Region, WA Country Health Service and Ms Linda Branley HSM, Merredin Hospital were in attendance along with Dr Sola Freeman, Dr Gabriel Adeniyi, Mrs Josie Duffield from the Merredin Medical Practice and Councillor Ken Hooper, Cr Mark Crees, Cr Janelle Jones and myself representing the Shire of Merredin.

The following points emerged from the discussion:

- Council is concerned with the provision of the third doctor as it will affect the expenses at the Merredin Medical Practice and therefore increasing the loss being incurred by Council at the Practice.
- The Medical Practice has lost \$116,000 in 2006/2007 and budgeted to lose over \$200,000 in 2007/2008 and this is unacceptable to Council.
- The current practice of doctors spending more and more time at the hospital is reducing their time at the Medical Practice is creating losses of income for Council.
- The original intention of the MOU was that doctors would continue to provide ten (10) sessions at the Merredin Medical Practice and that WACHS would employ doctors to cover the after hours and weekend work.
- WACHS believe that they are employing each doctor to the equivalent of 0.5FTE and seek to have the doctors available at the hospital to treat hospital patients including case management activities for elderly and other patients.

MINUTES

-
- The effect of this rostering is lowering the income being generated by the Medical Practice which is affecting the profitability of the Practice and also the remuneration provided to the doctors.
 - Rostered between the Medical Practice and the hospital has been erratic as doctors have changed rosters without reference to the Practice Manager. This makes it difficult for staff to make patient/doctor appointments.
 - Dr Caleb Chow has been appointed as the third doctor for the hospital and as such his rostering will not affect the Medical Practice. It should provide for more hours in the surgery.
 - Doctor Gabriel Adeniyi pointed out that the information provided at his interview was not documented in his contract and this was affecting his remuneration.
 - Extra resources were obtained by WACHS to initiate this arrangement and additional financial resources were unavailable.

At this point the Shire President and the Regional Director met to discuss the issues.

Points emerging from this discussion was the need to identify an alternative management structure for the staffing of doctors at the Medical Practice and the hospital as the present system is unable to deal with the issues that have arisen.

Comment

Since that meeting with the Regional Director I have made contact with her and am currently analysing a number of different proposals on the provision of medical services at the Merredin Medical Practice and the hospital.

Officer's Recommendation

That Council receive the report on the Shire of Merredin/WA Country Health Service – Wheatbelt Region – Provision of Doctor Services MOU.

29142

Moved Cr Morley sec Cr Townrow

That Council receive the report on the Shire of Merredin/WA Country Health Service – Wheatbelt Region – Provision of Doctor Services MOU.

CARRIED 9/0

13.6 REVIEW OF DELEGATIONS

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

Background:

The purpose of the Delegations Manual is to delegate some of the functions of Council to Council staff so they can be administered without reference to Council. This means that decisions can be made quickly and not consume the time of Council and Council meetings, in other words, it smoothes out some of the administrative processes involving the running a Local Government.

Statutory Environment:

Local Government Act 1995 section 5.18 indicates a Local Government must review the delegations it has made at least once in every financial year. Council adopted the current set of delegations at its 21 November 2006 meeting (**CMRef 28710**).

Comments:

Council undertook extensive review of the delegations register in 2004 which was adopted at its 16 March 2004 meeting (**CMRef 27406**).

During the year Council has delegated one off authority to deal with specific issues, these are detailed in the table below.

Council Minute Meeting Date	Council Minute Reference	Details
19 December 2006	28737	510 Army Cadet Unit – Merredin – Use of Lot 1180 on Reserve 23036. CEO to ensure that the perimeter fence and hardstand area is maintained and that health regulations are complied with prior to occupation of the building.
16 January 2007	28796	CEO to engage an auctioneer and advertise the auction of Lot 533 Cohn Street, Merredin.
20 February 2007	28823	The Senior Staff Review Committee be given power to advertise, interview and appoint the Manager of Development Services.

MINUTES

17 April 2007	28874	CEO be granted delegated authority to approve planning application PA0407 subject to no objections received on town planning grounds.
19 June 2007	28988	The CEO be given delegated authority to approve a planning application to establish a recycling depot on Lot 59, 60 & 61 Railway Avenue, Merredin if no negative comments are received.
21 August 2007	29086	That Council delegate authority to the CEO to process a single, residential development planning applications for current Whitfield Way lots numbered 1336 to 1350 inclusive.

In addition, Council has established the Merredin Regional Community & Leisure Centre Advisory Committee at it's 16 January 2007 meeting (**CMRef 28788**) and added additional responsibilities to that committee at its 17 April 2007 meeting (**CMRef 28877**). These have been incorporated into the Delegation Manual at Item 8.1.

A number of committees have also ceased their activities, namely the Merredin Regional Community & Leisure Centre Management Committee, previously 8.1; the Merredin Regional Community & Leisure Centre Committee – Technical Committee, previously Delegation 8.3 and the Lee Kernaghan Promotion Committee – previous delegation 8.4.

These delegations have been removed from the Register as these Committees completed the tasks that were allocated to them and have ceased meeting.

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

In respect to the other issues contained in the Delegation Register staff believe that they are functioning well.

Voting requirements:

Absolute majority required.

Officer's Recommendation:

That Council adopt the Delegation Register presented as Attachment 13.6A.

29143

Moved Cr Jones sec Cr Crees

That Council adopt the Delegation Register presented as Attachment 13.6A.

**CARRIED 9/0
ABSOLUTE MAJORITY**

Item 13.7 was moved forward to page 6.

Item 13.8, 13.9 and 13.10 were moved forward to page 56.

29144 Moved Cr Crees sec Cr Wallace
That Council move behind closed doors to discuss confidential matters (S 5.23(2) Local Government Act).

CARRIED 9/0

Cr Jones left the meeting at 4.56pm.

Council went behind closed doors at 4.56pm.

Cr Jones entered the meeting at 4.59pm.

Anne-Marie Peters left the meeting at 5.20pm.

Cr Morley left the meeting at 5.45pm.

Cr Morley entered the meeting at 5.47.

29145 Moved Cr Crees sec Cr Morley
That Council come out from behind closed doors.

CARRIED 9/0

Council came out from behind closed doors at 6.00pm.

17.0 MATTERS BEHIND CLOSED DOORS

17.1 REMUNERATION OF DOCTORS

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

29146 Moved Cr Townrow sec Cr Morley
That Item 17.1 lay on the table until outstanding debts are paid.
CARRIED 9/0

29147 Moved Cr Simmonds sec Cr Morley
That a letter be written to the Minister for Health, the Premier of Western Australia and the local member indicating that operating of the Merredin Medical Practice is not the core business of Local Government and the subsidies required to provide this State Government service is unsustainable.
CARRIED 9/0

14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN**15.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN****16.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION****17.0 MATTERS BEHIND CLOSED DOORS**

The President noted that this was the last meeting of Cr S Marley and thanked him for his service to the community over the last ten (10) years.

18.0 CLOSURE

There being no further business the Presiding Member declared the meeting closed at 6.09pm.