

**INDEX**

<b>1.0</b>	<b>OFFICIAL OPENING .....</b>	<b>3</b>
<b>2.0</b>	<b>PUBLIC QUESTION TIME.....</b>	<b>3</b>
<b>3.0</b>	<b>APOLOGIES AND LEAVE OF ABSENCE .....</b>	<b>3</b>
<b>4.0</b>	<b>DISCLOSURE OF INTEREST .....</b>	<b>3</b>
<b>5.0</b>	<b>PETITIONS &amp; PRESENTATIONS.....</b>	<b>3</b>
<b>6.0</b>	<b>CONFIRMATION OF MINUTES.....</b>	<b>4</b>
6.1	Previous Council Meeting .....	4
6.2	Previous Special Council Meeting .....	4
<b>7.0</b>	<b>ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION .....</b>	<b>4</b>
<b>8.0</b>	<b>MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC .....</b>	<b>4</b>
<b>9.0</b>	<b>RECEIVAL OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL .....</b>	<b>4</b>
9.1	Merredin Heritage Management Committee held on 25 October 2007. ....	4
9.2	Merredin Regional Community and Leisure Centre Advisory Committee held on 29 October 2007. ....	4
9.3	Merredin Business and Community Development Committee held on 7 November 2007. ....	4
<b>10.0</b>	<b>COMMUNITY SERVICES .....</b>	<b>14</b>
10.1	Manager of Community Services Report .....	14
10.2	Merredin Regional Community & Leisure Centre (MRC&LC) Computer Management and Point of Sale Equipment .....	18
16.1	Volunteer Management Policy .....	20
<b>11.0</b>	<b>COMMUNITY, HEALTH, BUILDING, TOWN PLANNING &amp; ENVIRONMENTAL SERVICES .....</b>	<b>22</b>
11.1	Subdivision Application – Lot 1 Totadgin Hall Road, .....	22
11.2	Lot 1 & 2 Hines Hill – Main Roads W.A. – Request for Portion of Land – Road Reserve.....	25
11.3	Town Planning Scheme – Draft Homestead Policy .....	26
11.4	Public Swimming Pool – Pool Rules, Aquatic Facilities Code of Practice – Operation of Water Slide.....	28
11.5	Town Planning Scheme – Commencement of Review .....	32
11.6	Mary Street Residence – Grant Application & Budget Documentation .....	35
11.7	Use Of 2,4-D – Permit to Use in Summer Months.....	37
11.8	Demolition Licence DA2-07 – Lot 63 Muntadgin – Demolition and Removal School Dwelling .....	38
11.9	Town Planning Report - Delegated Authority Use October and November 2007.....	40
11.10	Building Statistics Report – October 2007.....	42
11.11	Application for Home Occupation – Home Office – Mr Clinton Hunter, 2 Second Avenue, Merredin; Use - Draughtsperson .....	44
11.12	Stall Holders Application – Merredin Bowling Club – Lot 99, 100, 502 & 501 Coronation Street, Merredin – General Market Stall .....	46
11.13	Reserve 10359, Lot 1504 Barrack Street, Merredin – Public Transport Authority – Items Requiring Shire of Merredin Input.....	48

**MINUTES**

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11.14	Merredin Regional Community and Leisure Centre – Installation of Monitoring System.....	50
11.15	Application to Lease Civic Bowling Club – Merredin Church of Christ – Youth Group.....	52
11.16	Planning Application – Oversize Outbuilding – Lot 38, House No. 95 Bates Street, Merredin.....	54
<b>12.0</b>	<b>ENGINEERING SERVICES.....</b>	<b>57</b>
12.1	Manager of Engineering Services – Monthly Report.....	57
12.2	6x4 Tip Truck Tender No. 4-07/08 .....	59
12.3	Light Vehicle Change Over – 2007/2008.....	61
<b>13.0</b>	<b>FINANCE AND ADMINISTRATION .....</b>	<b>64</b>
13.1	Monthly Finance Report.....	64
13.2	List of Accounts Paid .....	65
13.3	Practical Completion of the Merredin Regional Community and Leisure Centre .....	66
16.2	Merredin Regional Community & Leisure Centre – Additional Works Proposed.....	67
13.4	Merredin Local Emergency Management Committee .....	68
13.5	Council Bi-Annual Dinner Function/Retirement of Councillors .....	73
13.6	Annual Christmas Function.....	75
13.7	Proposed Sale of Land – Lot 25289 Goomarin Road, Merredin.....	77
13.8	Eastern District Health Advisory Council (D.H.A.C.) Membership.....	79
13.9	2007/2008 Rates Objection – Convening of Electors Meeting .....	81
13.10	Acting Chief Executive Officer’s Report.....	83
<b>14.0</b>	<b>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN.....</b>	<b>85</b>
<b>15.0</b>	<b>QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN .....</b>	<b>85</b>
<b>16.0</b>	<b>URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION.....</b>	<b>85</b>
<b>17.0</b>	<b>MATTERS BEHIND CLOSED DOORS.....</b>	<b>85</b>
<b>18.0</b>	<b>CLOSURE .....</b>	<b>85</b>

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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 20 November 2007 at 1.00pm.**

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

Messrs G Parslow, A/Chief Executive Officer; J Mitchell, Manager of Development Services; J Garrett, Manager of Engineering Services; E Hooper, Manager of Finance and Administration; D Morris, Manager of Community Services; and V Green, Personal Assistant

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1.0 OFFICIAL OPENING

The Presiding Member declared the meeting open at 1.01pm.

2.0 PUBLIC QUESTION TIME

Nil

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr Young

Cr Forbes requested Leave of Absence for the ordinary Council meetings on 18 December 2007 and 15 January 2008.

**29195**

Moved Cr Crees sec Cr Townrow

*That Cr Forbes be granted Leave of Absence for the ordinary Council meetings on 18 December 2007 and 15 January 2008.*

**CARRIED 10/0**

4.0 DISCLOSURE OF INTEREST

Cr Forbes declared an Impartiality Interest in Item 11.12.

Cr Crees declared a Financial Interest in Item 11.16.

5.0 PETITIONS & PRESENTATIONS

Nil

6.0 CONFIRMATION OF MINUTES6.1 PREVIOUS COUNCIL MEETING

Confirmation of minutes of Council meeting held on 16 October 2007.

Page 63 **CMRef29178** No 1 should read "...for the provision of drop off areas...."

**29196**

Moved Cr Crees

Cr Morris

*That the minutes of Council Meeting held on 16 October 2007 be confirmed as a true and correct record of proceedings.*

**CARRIED 10/0**6.2 PREVIOUS SPECIAL COUNCIL MEETING

Confirmation of minutes of Special Council meeting held on 23 October 2007.

**29197**

Moved Cr Wallace

Sec Cr Townrow

*That the minutes of Special Council Meeting held on 23 October 2007 be confirmed as a true and correct record of proceedings.*

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

Nil

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

Nil

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

9.1 Merredin Heritage Management Committee held on 25 October 2007.

9.2 Merredin Regional Community and Leisure Centre Advisory Committee held on 29 October 2007.

9.3 Merredin Business and Community Development Committee held on 7 November 2007.

**29198**

Moved Cr Morris

Sec Cr Simmonds

*That the Merredin Shire Council receive the minutes of Merredin Heritage Management Committee held on 25 October 2007; Merredin Regional Community and Leisure Centre Advisory Committee held on 29 October 2007 and Merredin Business and Community Development Committee held on 7 November 2007.*

**CARRIED 10/0**9.1 Merredin Heritage Management Committee

## 8.7.1 Proposed Purpose of Committee

Moved Cr Hayden

Sec Cr Young

*That the Merredin Heritage Management Committee accept the “proposed purpose” for the Committee and recommend to Council that Council endorse the “proposed purpose” as outlined below as the Terms of Reference for the Merredin Heritage Management Committee.*

**CARRIED 5/0****29199**

Moved Cr Townrow

Sec Cr Morris

*That Council endorse the “proposed purpose” as outlined below as the Terms of Reference for the Merredin Heritage Management Committee.*

**CARRIED 10/0**

<b>Objective</b>	<b>Strategy</b>	<b>Action</b>
Recognise and conserve Merredin's history and heritage	Promote heritage conservation through Council's policies <b>(S1)</b>	Apply Shire of Merredin's Local Planning Strategy to facilitate the preservation and conservation of heritage. <b>(S1-A1)</b>
	Promote knowledge and appreciation of Merredin's past by collecting, conserving and providing access to Merredin's history in a range of media <b>(S2)</b>	Enhance the role of the Library and Museums in collecting, preserving and presenting Merredin's history and heritage: Local History Collection (written and photographic) Oral History Indigenous History Moveable heritage collections <b>(S2-A2)</b>
		Develop a strategy for an integrated network of heritage trails <b>(S2-A3)</b>
		Maintain an up to date Municipal Inventory <b>(S2-A4)</b>
		Ensure Conservation Plans and Interpretation Plans are developed for Heritage buildings, sites and moveable heritage collections <b>(S2-A5)</b>
	Support programs, events and other initiatives that celebrate Merredin's history and cultural heritage <b>(S3)</b>	Encourage and support cultural events <b>(S3-A6)</b>
		Maintain and enhance Merredin Heritage Precinct <b>(S3-A7)</b>
	Develop incentives that encourage heritage conservation as an economic advantage <b>(S4)</b>	Develop an Art Collection to record and enhance Merredin's artistic, social and cultural history <b>(S4-A8)</b>
	Undertake initiatives that will enhance history and heritage sites as economic assets <b>(S5)</b>	Increase access and amenities for visitors <b>(S5-A9)</b>
		Increase signage and promote historical sites <b>(S5-A10)</b>

9.2 Merredin Regional Community and Leisure Centre Advisory Committee

## 8.1 Till System in Grandstand Bar

Moved Cr Morris                      Sec E Carlson  
*That the MRC&LC Advisory Committee recommend Council purchase a second computer management system for the Grandstand Bar.*

CARRIED 6/1

ABSOLUTE MAJORITY REQUIRED

**29200**

Moved Cr Townrow                      Sec Cr Wallace  
*That Council purchase a second computer management system for the Grandstand Bar.*

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

## 9.0 MRC&amp;LC Administrative Policies

Moved Cr Crees                      Sec D Sutherland  
*That the MRC&LC Advisory Committee recommend Council endorse the following MRC&LC Administrative Policies;*

- *Supervision of children with the amendment made regarding liquor licence – excluding Grandstand Bar area*
- *Delivery of sport and recreation programs*
- *Lost property*

CARRIED 7/0

**29201**

Moved Cr Crees                      Sec Cr Wallace  
*That Council endorse the following MRC&LC Administrative Policies;*

- *Supervision of children with the amendment made regarding liquor licence – excluding Grandstand Bar area*
- *Delivery of sport and recreation programs*
- *Lost property*

**CARRIED 10/0**

## 10.1.2 Use of Old Clubrooms

Moved Cr Morris                      Sec Cr Wallace  
*That Council staff investigate the feasibility of providing contents insurance for items stored in the old clubrooms.*

CARRIED 7/0

**29202**

Moved Cr Wallace                      Sec Cr Morris  
*That Council staff investigate the feasibility of providing contents insurance for items stored in the old clubrooms.*

**CARRIED 10/0**

9.3 Merredin Business and Community Development Committee

## 6.2 PTA Houses on Great Eastern Highway

Moved Cr Townrow                      Sec Cr Forbes  
*That BCDC recommend to Council that Council endorse sending letters and photographs of the PTA houses that have been boarded up and fenced to all Government Ministers outlining the Shires disgust with the condition of this action and the relevant lack of respect shown to our community.*

CARRIED 4/1

**29203**

Moved Cr Townrow                      Sec Cr Forbes  
*That Council endorse sending letters and photographs of the PTA houses that have been boarded up and fenced to all Government Ministers outlining the Shires disgust with the condition of this action and the relevant lack of respect shown to our community.*

**CARRIED 10/0**

Moved Cr Forbes                      Sec Cr Young  
*That the BCDC recommend to Council that Council endorse informing the community of the background, current situation and what the Shire is doing in relation to the PTA houses on the highway by way of an advertisement in the Wheatbelt Mercury.*

CARRIED 4/0

**29204**

Moved Cr Townrow                      Sec Cr Forbes  
*That Council endorse informing the community of the background, current situation and what the Shire is doing in relation to the PTA houses on the highway by way of an advertisement in the Wheatbelt Mercury.*

**CARRIED 10/0**



## 7.3 Force 10 Homes

Moved Cr Morris                      Sec Cr Townrow  
*That the BCDC recommend to Council that Council endorse offering Lot 368 Todd Street, Merredin for sale to Force 10 Homes for the price identified in the valuation by Independent Valuers in January 2007.*

CARRIED 4/0

**29205**

Moved Cr Townrow                      Sec Cr Morris  
*That Council endorse offering Lot 368 Todd Street, Merredin for sale to Force 10 Homes for the price identified in the valuation by Independent Valuers in January 2007.*

**AMENDMENT****29206**

Moved Cr Wallace                      Sec Cr Forbes  
*That Council endorse offering Lot 368 Todd Street, Merredin for sale to Force 10 Homes for the price identified in a current valuation.*

**CARRIED 10/0**

[CMRef 29526](#) 18 December 2007 – Amendment to Motion endorsed by Council as shown below.

**29207**

Moved Cr Simmonds                      Sec Cr Hayden  
*That Council go behind closed doors to discuss ~~this motion~~ confidential matters (S5.23 (2) Local Government Act).*

**CARRIED 10/0**

Council discussed the sale of Lot 368 Todd Street, Merredin and agreed to a sale price of \$12,000.00+GST as a valuation from Council, an independent valuation/market appraisal to be obtained, with delegation to the CEO to advertise the property at the highest valuation.

**29208**

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

**CARRIED 10/0**

## 7.4 Whitfield Way

Moved Cr Morris                      Sec Cr Townrow  
*That staff initiate action through local government avenues of WEROC and Great Eastern Zone and government development bodies to address the issue of reduced amount of funding available to Wheatbelt residents from lending institutions for transportable housing.*

CARRIED 4/0

**29209**

Moved Cr Townrow Sec Cr Morris

*That staff initiate action through local government avenues of WEROC and Great Eastern Zone and government development bodies to address the issue of reduced amount of funding available to Wheatbelt residents from lending institutions for transportable housing.*

**CARRIED 10/0**

Moved Cr Townrow Sec Cr Morris

*That Shire staff investigate the acquisition and retention of skilled workers through employment agencies.*

**CARRIED 4/0****29210**

Moved Cr Townrow Sec Cr Morris

*That Shire staff investigate the acquisition and retention of skilled workers through employment agencies.*

**CARRIED 10/0**

#### 7.5 Terms of Reference / Purpose of Committee

Moved Cr Forbes Sec Cr Townrow

*That the BCDC recommend to Council that Council endorse the Proposed Purpose/Terms of Reference for the Business and Community Development Committee as outlined below-*

- *Actively encourage economic development and investment*
- *Encourage vibrant, diverse and sustainable economic activity*
- *Promote and foster a healthy and active community*
- *Plan and protect the built environment*
- *Build a strong sense of community*
- *Minimise waste and ensure its effective management*
- *Improve environmental management*
- *Market and promote Merredin and the region*
- *Develop strategic partnerships*
- *Recognise and conserve Merredin's history and heritage*
- *Maintain and enhance Merredin's status as a Regional Centre*
- *Encourage and support community participation*
- *Support and promote sustainable natural resource management.*

**CARRIED 5/0**

**29211**

Moved Cr Townrow                      Sec Cr Forbes

*That Council endorse the Proposed Purpose/Terms of Reference for the Business and Community Development Committee as outlined below-*

- *Actively encourage economic development and investment*
- *Encourage vibrant, diverse and sustainable economic activity*
- *Promote and foster a healthy and active community*
- *Plan and protect the built environment*
- *Build a strong sense of community*
- *Minimise waste and ensure its effective management*
- *Improve environmental management*
- *Market and promote Merredin and the region*
- *Develop strategic partnerships*
- *Recognise and conserve Merredin's history and heritage*
- *Maintain and enhance Merredin's status as a Regional Centre*
- *Encourage and support community participation*
- *Support and promote sustainable natural resource management.*

**CARRIED 10/0**

## 7.8 Railway Institute Hall

Moved Cr Townrow Sec Cr Young

- *Council Staff assess the malicious damage to the Railway Institute Hall and submit a request for Insurance Consideration.*
- *Council apply for funding through Lotterywest's Conservation of Cultural Heritage Grant scheme.*
- *In consultation with interested parties, develop a policy for the future use of the building*

CARRIED 4/1**29212**

Moved Cr Townrow Sec Cr Elliott

*That:*

- *Council Staff assess the malicious damage to the Railway Institute Hall and submit a request for Insurance Consideration.*
- *Council apply for funding through Lotterywest's Conservation of Cultural Heritage Grant scheme.*
- *In consultation with interested parties, develop a policy for the future use of the building*

**WITHDRAWN**

Debbie Morris left the meeting at 2.10pm.

Debbie Morris and John Mitchell entered the meeting at 2.11pm.

John Mitchell left the meeting at 2.11pm.

John Mitchell entered the meeting at 2.13pm.

**29213**

Moved Cr Morris Sec Cr Townrow

*That the Railway Institute Hall be recognised in any future building development on the site.***CARRIED 9/1**

John Mitchell left the meeting at 2.17pm

8.2 Platform at Railway Station

Moved Cr Morris

Sec Cr Forbes

*That the Shire pursue getting a platform on the south side of the railway track at Merredin.*

CARRIED 5/0

**29214**

Moved Cr Morris

Sec Cr Townrow

*That the Shire pursue getting a platform on the south side of the railway track at Merredin.*

**CARRIED 10/0**

**10.0 COMMUNITY SERVICES**

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**10.1 MANAGER OF COMMUNITY SERVICES REPORT**

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

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**Background**

The following report is provided for Council's information.

**Tourism Services**

Pam Masters attended the Visitor Centre Association Western Australia conference on 1 and 2 November 2007 in Esperance.

The 2007 GWN Top Tourism Town Awards were presented at the conference. The overall winner of the Top Tourism Town was Dunsborough. The applications were also assessed for Special Category Awards which included:

- Environment
- Heritage
- Cultural
- Website development
- Management and staff training
- Community Relations
- Special Events

The Shire of Merredin received the 2007 GWN Top Tourism Town Special Category Award for the Environment. It was awarded in recognition of the emphasis placed on the visitor interaction with the local environment through walk trails and information on the web site and elsewhere. The trails that the Department of Environment and Conservation has established at Totadgin Conservation Park and the work being undertaken at Tamma Parkland were perhaps important in us being successful in this category over seventeen (17) other towns. Pam Masters accepted the award on behalf of the Shire.

**Library Services**

Interviews were conducted on 18 October 2007 for the Library Officer position. Sonya Smith was the successful applicant for the position and commenced work on 30 October 2007.

Madeleine Carter's three month probationary review was conducted on 6 November 2007 with probation being extended for another three months.

**Recreation Services**

The Merredin Regional Community and Leisure Centre/Telecentre opening in conjunction with the Merredin Show on the 19 October 2007 was very successful. Staff at the Centre managed the event extremely well. Assistance from the Recreation Management and Advisory Committee members and some community volunteers was pleasing to see and greatly appreciated.

**Natural Resource Management**

The Lotterywest Interpretation of Cultural Heritage grant, which was utilised for the development of the Merredin Peak Interpretation Plan is currently being acquitted. (\$15,000.00)

**Community and Economic Development**

Applications for the Community and Economic Development Project Officer position closed on Friday 2 November 2007. One application was received and an interview will be conducted on 19 November 2007.

Priority projects and administrative duties associated with this position are currently being undertaken by the Manager of Community Services.

**Manager of Community Services Projects****BCDC***Land*

Reserve 25640 (Old Shire Administration Office)

Purchase of land, amalgamation of Lot 22 and Lot 41 and realignment of northern boundary completed on 17 September 2007. New Certificate of Title received 11 October 2007.

*Carrington Way Subdivision*

Gross Realisation Valuation has been received.

Business Plan advertised.

Western Power quotation extended.

Lot 1335 Whitfield Way, UCL Lots 710 and 715, Reserve 36065, Reserve 28563, Reserve 17767 and Reserve 44697

Geotechnical Site Investigations have been carried out by STRUCterre.

Reports received.

Reserve 29098 (Civic Bowling Club)

Purchase price requested from Department of Planning and Infrastructure.

On site meeting was held with Manager of Community Services, Manager of Development Services, President and member of Civic Bowling Club regarding termination of the lease.

*Strategic Plan – Action Plan*

An update presented to BCDC meetings.

Plan distributed to Community Services staff for updating.

*Old Shire Administration building*

Directions viewed the building on 30 October 2007 and have indicated they will be submitting a formal expression of interest.

*Terms of Reference/Purpose of Committee*

Developed new Terms of Reference/Purpose for the BCDC Committee.

**Merredin Heritage Management Projects***PTA Land*

Information is currently being collated on all PTA land that is causing concerns to the Shire – Billboard on Great Eastern Highway (Reserve 10359), PTA houses on Great Eastern Highway and Allbeury Street (Reserve 13267), purchase of East Barrack Street (Reserve 10359).

A report will be presented to the Heritage Management Committee in November 2007 for consideration - meeting with Mr Brendon Grylls MLA, Member for Merredin and appropriate recommendations to Council.

*Terms of Reference – Committee*

New Terms of Reference/Purpose for the Merredin Heritage Management Committee were developed and endorsed by the Heritage Management Committee at the October 2007 meeting.

*No 4 Pump Station – Desert Timbers Project*

Mr Alan Briggs from National Trust has advised that the funding application to Wheatbelt Development Commission was successful for a feasibility study.

**Other Projects/Activities***Funding Register*

Up to date register of all funding opportunities maintained.

*Seniors Luncheon*

Seniors Luncheon was held on Tuesday 30 October 2007 with around 120 seniors attending. The Shire has received positive feedback on the event.

*YMCA bus*

The YMCA bus came to Merredin Sunday 4 November 2007 and was stationed at the skate park.

**Staffing**

Staff rosters, timetables and leave have been reviewed for the Library, Visitor Centre, Cummins Theatre and Recreation Centre.

Budgets have been reviewed for the Visitor Centre, Cummins Theatre and Library in conjunction with the relevant Managers. Some budget discussions have occurred with Recreation Centre Manager.



A Volunteer Management Policy is being developed for the Shire of Merredin. This document will be utilised for the management of volunteers within the Shire. Managers of the Visitor Centre, Recreation Centre, Cummins Theatre and Library will develop specific information for their individual services and facilities that will accompany the general policy document.

**Meetings/Seminars Attended**

Community Services Team meeting held on Monday 15 October 2007.  
Hand over from Skye Price was conducted on Friday 12 October 2007.  
Merredin Regional Community & Leisure Centre Advisory Committee meeting held on 29 October 2007.  
Meeting with Bryan French regarding advertising packages for Cummins Theatre held on 1 November 2007.  
Gala Night meeting held on 5 November 2007.  
Senior Staff meeting held on 6 November 2007.  
Business and Community Development Committee meeting held on 7 November 2007.

Reports from individual Community Services areas:

**Central Wheatbelt Visitor Centre**

Report is at **Attachment 10.1**

**Library Services**

Report is at **Attachment 10.1A**

**Cummins Theatre**

Report is at **Attachment 10.1B**

**Merredin Regional Community & Leisure Centre**

Report is at **Attachment 10.1C**

**Natural Resource Management**

Report is at **Attachment 10.1D**

**Community and Economic Development**

Position Vacant

**Legal Implications**

Compliance with relevant Acts and Local Laws.

**Officer's Recommendation**

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

**29215**

Moved Cr Crees

Sec Cr Forbes

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

**CARRIED 10/0**

10.2 **MERREDIN REGIONAL COMMUNITY & LEISURE CENTRE  
(MRC&LC) COMPUTER MANAGEMENT AND POINT OF SALE  
EQUIPMENT**

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

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**Background**

Since the opening of the Grandstand Bar at the MRC&LC in July 2007, the patronage has increased to a level that a one till system cannot cater effectively.

The current till is a Centaman System, which includes a touch screen monitor, receipt printer, cash drawer and Pentium 4 computer system, which at the point of sale automatically adjusts the stock on hand.

The Civic Bowling Club donated a standard cash till to the Shire, however it does not have the capacity to record details of purchase and cannot be connected to the Centaman System which is already installed in the Centre.

The need for a second computer management system was raised at the October 2007 MRC&LC Advisory Committee meeting with a recommendation to Council to purchase a second computer management system for the Grandstand Bar.

The cost of the current Centaman System was \$7,000.00 (excl GST), which included Hardware \$4,500.00 and Software Licence \$2,500.00.

There is no allocation in the 2007/08 Shire of Merredin budget for the purchase of a second Centaman System, however \$10,000 has been allocated to MRC&LC Construction - Indoor Play Equipment installation/maintenance (*E119104*).

At the October meeting of the MRC&LC Advisory Committee, the Committee were informed that representatives from Playground Solutions in Perth conducted an audit on the current playground equipment that was purchased by MADCAPS.

Playground Solutions advised they are unable to be involved in the reinstalling of the second hand material as compliance with 2007 Australian Standards and the condition of Public Liability Insurance would exclude them from reassembly. Playground Solutions quoted \$41,654.00 (excl GST) to supply and install Mega Play Systems which includes utilising some of the current materials.

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The installation of indoor playground equipment will be investigated as part of the 2008/2009 financial year budget and the \$10,000.00 currently budgeted for Indoor Play Equipment installation/maintenance (E119104) will not be expended in the 2007/2008 financial year.

**Legal Implications**

Local Government Act 1995. Section 6.8 – Expenditure from municipal fund not included in annual budget.

**Budget Implications**

Refer to Officer's Recommendation.

**Comment**

To enable the Grandstand Bar at the MRCLC to operate more efficiently there is an urgent need for a second Centaman System.

With installation of the indoor playground equipment being deferred until the 2008/2009 financial year, the \$10,000.00 currently allocated for this item can be reallocated to the purchase of a Centaman System.

**Officer's Recommendation**

*That the Merredin Shire Council endorse reallocation of \$10,000.00 from MRC&LC Construction Indoor Play Equipment installation/maintenance (E119104) to MRC&LC Operating Expenses (E114040) for the purpose of purchasing computer management and point of sale equipment – Centaman System in the Shire of Merredin 2007/2008 budget.*

**ABSOLUTE MAJORITY REQUIRED****29216**

Moved Cr Crees

Sec Cr Townrow

*That the Merredin Shire Council endorse reallocation of \$10,000.00 from MRC&LC Construction Indoor Play Equipment installation/maintenance (E119104) to MRC&LC Operating Expenses (E114040) for the purpose of purchasing computer management and point of sale equipment – Centaman System in the Shire of Merredin 2007/2008 budget.*

**CARRIED 10/0  
ABSOLUTE MAJORITY**

**MINUTES**

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

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**16.1 VOLUNTEER MANAGEMENT POLICY**

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

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**Background**

The Shire of Merredin has a number of facilities that are not being utilised to their maximum capacity because of the lack of personnel. These facilities include the Merredin Regional Community and Leisure Centre, Cummins Theatre, Merredin Regional Library and the Central Wheatbelt Visitor Centre.

As well as venues there are projects and events that, with the assistance and involvement of volunteers, could be progressed.

Merredin has many community members who are willing to assist with venues, committees, projects and activities in a voluntary capacity.

The Shire of Merredin's 2007-2012 Strategic Plan identifies under the Key Result Area Community -

*Objective:* Encourage and support community participation.

*Strategy:* Increase and strengthen the volunteer base within the community.

*Action:* Support and encourage volunteers through-

- A Skills Register
- Training
- Succession Planning

**Legal Implications**

Volunteers (Protection from Liability) Act 2002

Civil Liability Act 2002 (amended 2003)

Working with Children (Criminal Record Checking) Act 2004

**Budget Implications**

Nil

**Comment**

The Shire of Merredin Volunteer Management Policy (**Attachment 16.1**) is necessary to enable volunteers to work for the Shire of Merredin. The Policy will provide the direction for staff to develop a Volunteer's Handbook in accordance with the policy. The Volunteer's Handbook will be a holistic document for the Shire, with individual volunteer information and instruction packages developed for specific venues, events and projects.

**Officer's Recommendation**

*That the Merredin Shire Council adopt the Volunteer Management Policy Attachment 16.1*

**29217**

Moved Cr Morris

Sec Cr Wallace

*That the Merredin Shire Council adopt the Volunteer Management Policy Attachment 16.1*

**CARRIED 9/1**

Debbie Morris left the meeting at 2.33pm.

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

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**11.1 SUBDIVISION APPLICATION – LOT 1 TOTADGIN HALL ROAD, MERREDIN – MS K SMITH – CREATE 9 RURAL LOTS FOR SMALL SCALE FARMING/AGRICULTURAL**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	John Mitchell – Manager, Development Services
<b>Legislation:</b>	Planning & Development Act 2005, Shire of Merredin Local Planning Strategy, Shire of Merredin Town Planning Scheme
<b>File Number:</b>	P7112

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**Background**

A submission has been received (**Attachment 11.1**) from the Western Australian Planning Commission (WAPC) relating to an application from Ms K Smith to subdivide Lot 1 Totadgin Road, Merredin into 9 rural lots for the purpose of small scale farming and agriculture. Lot sizes range from 20ha – 23.5ha.

The land is zoned general farming zone in accordance with the Shire of Merredin Town Planning Scheme No.1.

**Legal Implications**

The provisions of the Shire of Merredin Town Planning Scheme No.1 (TPS1), the 2007 local planning strategy and WAPC Development Control Policy 2.5 are applicable.

TPS1 states as a policy that the zone embraces the broad acre farming areas of Council. It is intended to protect the economic viability of those areas generally and to preserve the economic viability of those areas generally and to preserve the rural character and appearance of the area. The lot sizes shall be at the discretion of Council based on what is locally accepted as a viable farm unit, or where a non farming use is proposed on the amount of land required for that purpose. Council may restrict the use of any general farming activity, and in particular piggeries, which cause obnoxious odours detrimental to the amenity of residents of the Merredin townsite.

The local planning strategy completed and adopted in 2007, Section 6.1 – Economy and Employment states as an aim within the rural economy to protect productive agricultural land and encourage opportunities for new and innovative agricultural industries and as an action to discourage subdivision of broad acre productive agriculture land.

The provisions of the WAPC Policy DC 2.5 four key objectives states: -

1. Protect agricultural land resources wherever possible by—
  - a) discouraging land uses unrelated to agriculture from locating on agricultural land;
  - b) minimising the ad hoc fragmentation of rural land; and
  - c) improving resource and investment security for agricultural and allied industry production.
2. Plan and provide for rural settlement where it can—
  - a) benefit and support existing communities, and
  - b) have access to appropriate community services and infrastructure.
3. Minimise the potential for land use conflict by—
  - a) providing adequate separation distance between potential conflicting land uses;
  - b) introducing management requirements that protect existing agricultural land uses;
  - c) identify areas that are suitable and capable for intensive agricultural pursuits as agricultural priority areas; and
  - d) avoid locating new rural settlements in areas that are likely to create conflict with established or proposed agricultural priority areas.
4. Carefully manage natural resources by—
  - a) discouraging development and/or subdivision that may result in land or environmental degradation;
  - b) integrating land, catchment and water resource management requirements with land use planning controls;
  - c) assisting in the wise use of resources including energy, minerals and basic raw materials;
  - d) preventing land and environmental degradation during the extraction of minerals and basic raw materials; and
  - e) incorporating land management standards and sequential land use change in the land use planning and development process.

### **Budget Implications**

There are no budget implications.

### **Comment**

In preparing the 2007 strategy Council considered the need for rural/residential land and provided a substantial area of land on the south and east of the town of Merredin to provide/cater for the increased demand.

The proposed subdivision is outside the proposed rural residential area within general farming zone.

The continued development of small rural farm holdings may lead to other issues including enforcement of fire break requirements, more areas of potential unsightly storage and a further diminishment of general farming land.

The lot sizes created do not support general farming principles and are in keeping with homestead lot subdivision proposals without the dwelling existing on site.

Support for this subdivision proposal is not recommended.

**Officer's Recommendation**

*That the Western Australian Planning Commission be advised that the Shire of Merredin does not support the subdivision of Lot 1 Totadgin Hall Road, Merredin into 9 new lots.*

John Mitchell left the meeting at 2.38pm.

John Mitchell entered the meeting at 2.39pm.

**29218**

Moved Cr Townrow                      Sec Cr Simmonds

*That the Western Australian Planning Commission be advised that the Shire of Merredin does not support the subdivision of Lot 1 Totadgin Hall Road, Merredin into 9 new lots.*

**CARRIED 10/0**



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**11.2 LOT 1 & 2 HINES HILL – MAIN ROADS W.A. – REQUEST FOR PORTION OF LAND – ROAD RESERVE**

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

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**Background**

Council has requested transfer of the above lands for unpaid rates. The land has been earmarked for the erection of the new fire brigade garage.

Correspondence has been received from the Department for Planning & Infrastructure (**Attachment 11.2**) seeking Council comment regarding Main Roads request to acquire a portion of the land for widening of the Great Eastern Highway.

The Manager of Works advises that the works have already been commenced after discussions with the Shire of Merredin, Brierty's and Main Roads.

**Legal Implications**

There are no legal implications.

**Budget Implications**

There are no budget implications.

**Comment**

The lot has been earmarked by Council for the location for the new fire station. The proposed location of the structure within the lot is not affected by the road widening request.

The Shire of Merredin has requested the land be transferred to a reserve vested in the Shire of Merredin for a fire station.

**Officer's Recommendation**

*That the Shire of Merredin advise the Department for Planning & Infrastructure that it has no objection to the request of Main Roads WA to acquire a portion of Lot 1 & 2 Hines Hill in accordance with the Main Roads Drawing No. 200610-409.*

**29219**

Moved Cr Simmonds Sec Cr Townrow

*That the Shire of Merredin advise the Department for Planning & Infrastructure that it has no objection to the request of Main Roads WA to acquire a portion of Lot 1 & 2 Hines Hill in accordance with the Main Roads Drawing No. 200610-409.*

**CARRIED 10/0**

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**11.3 TOWN PLANNING SCHEME – DRAFT HOMESTEAD POLICY**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	John Mitchell – Manager, Development Services
<b>Legislation:</b>	Shire of Merredin Town Planning Scheme No. 1
<b>File Number:</b>	LUP/5/1

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**Background**

At the Business and Community Development Committee Meeting held on 6 June 2007 the Committee resolved for the Administration to progress a homestead policy to permit the subdivision of existing dwellings from farms.

A draft policy has been prepared and is contained in **Attachment 11.3**.

**Legal Implications**

The Shire of Merredin Town Planning Scheme No.1 does not contain a specific section permitting the establishment of policies for the operation of the Town Planning Scheme. There is however no legal impediment to formulating a policy for the implementation of the scheme text. The provisions of the Planning and Development Act 2005 permit the formulation of a policy.

The proposed Local Planning Scheme No.3 will include a section that specifically permits the local government to prepare policies.

**Budget Implications**

Advertising costs of \$500.00 will be incurred. No budget for the advertising has been provided, however there are funds of \$2,500.00 (E106285) for advertising the Local Planning Strategy which has now been completed and further advertising is limited to an adoption advertisement with a value of approximately \$750.00 once the signed copies are returned to the Shire of Merredin.

**Comment**

The proposed policy supports subdivision of farming land providing: -

- Both lots created have street existing frontage;
- The lot containing the dwelling retains the power and water infrastructure;
- A refuse collection service must be provided to the dwelling to the satisfaction of the Environmental Health Officer;
- Homestead Lot sizes of between 4 and 10 hectares are acceptable;
- No dwelling has already been subdivided from the location.

**Officer's Recommendation**

*That the draft policy – Homesteads - be advertised for public comment for a period of 60 days and be brought back to Council at the completion of the advertising period.*

**29220**

Moved Cr Morris

Sec Cr Simmonds

*That the draft policy – Homesteads - be advertised for public comment for a period of 60 days and be brought back to Council at the completion of the advertising period.*

**CARRIED 10/0**

**11.4 PUBLIC SWIMMING POOL – POOL RULES, AQUATIC FACILITIES  
CODE OF PRACTICE – OPERATION OF WATER SLIDE**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	John Mitchell – Manager, Development Services
<b>Legislation:</b>	Health (Aquatic Facilities) Regulations 2007, May 2007 Code of Practice for the design, construction, operation, management and maintenance of Aquatic facilities (COP)
<b>File Number:</b>	CP/8/6

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**Background**

The report seeks Council input into the proposed rules “Encouraging Cooperative Behaviour”, school based hours and the operation of the slide pursuant to the 2007 Regulations.

A copy of the legislation and Code of Practice (COP) shall be available at the meeting. Alternatively Councillors can access the documents at the State Law Publisher website – Health (Aquatic Facilities) Regulations 2007, and [www.health.wa.gov.au/envirohealth/water/swimmingpools.cfm](http://www.health.wa.gov.au/envirohealth/water/swimmingpools.cfm) for the Code.

A copy of the proposed behaviour policy is contained in **Attachment 11.5**.

For information:

The administration of the Shire of Merredin, and many other local governments, have provided views and comment to the Health Department regarding the onerous nature of the regulations since 2004. These views have been declined and the COP remains substantially unchanged from the initial comment period of 2004.

**Legal Implications**

The provisions of the Health (Aquatic Facilities) Regulations 2007 and the May 2007 Code of Practice are applicable.

Appendix two of the COP requires that Council provide safety signage and usage signage for advice to patrons. The proposed policy has been expanded to include suggested penalties for anti social behaviour. It is proposed to display the requirements within the entry area of the Complex.

Clause 6.2.3 of the COP requires that a competent person holding emergency care qualifications supervise the water slide flume entrance when in use. In addition clause 7.10 requires that a Supervisor must supervise the patrons and can not be assigned duties that would distract them from providing immediate assistance to patrons in distress.

**MINUTES**

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The supervisor and “competent person” are two distinct persons.

Regulation 2 of the Regulations advises of a commencement day of 1 October 2007. Regulation 38(1) & (2) requires (by this officer’s interpretation) that the Shire of Merredin comply with the requirements to supervise the slide within 6 months of commencement day, i.e. for the 2008/2009 season as the Pool closes prior to the 1 April 2008.

**Budget Implications**

Funds have not been provided within the 2007/2008 budget to provide a competent person at the slide flume for all hours of operation. There are limited funds (\$2,000.00) for the engagement of a life guard (a competent person) in the 2007/2008 budget. A further \$3,000.00 is provided for Relief Pool Manager operations.

**Comment**

**SCHOOL BASED HOURS:** An issue at the Centre is that children not attending school are present at the facility, unattended by adults, during school hours. The Swimming Pool Manager has enforced a policy of school based hours. The Administration seeks to formalise this policy.

School based and endorsed functions are not included within the above policy request.

The policy would read: -

*“That the Shire of Merredin supports the education of children and adopts a policy whereby children are not permitted at the Swimming Pool, Throssell Rd, Merredin, during school hours, unless the event is a school based activity.”*

**BEHAVIOUR POLICY:** is proposed to advise all users of the facility the penalties for anti-social behaviour and for the failure to comply with the requirements of the legislation applicable to patron usage of the facility.

Council endorsement of the Behaviour Policy is requested.

**SLIDE:** Whilst there is no requirement for the Shire of Merredin to comply with the regulations relating to the operation of the slide until the 2008 season, it is considered appropriate for Council to consider the matter now.

The slide is used mainly over the weekends and public holidays and is currently available for use whenever the facility is open.

Operational costs for the 2008/2009 year operating it open at all times is estimated to cost in the vicinity of \$15,500.00 based on wages component of \$14.92/hr for a lifeguard position. A further overheads component of 100% is also required.

To operate the slide facility over the weekends for a twenty week season are estimated at \$5,800.00 including 20% casual allowance based on an 8 hour day.

A daily rate (8hr) for a competent person on casual employment is \$143.28.

The known issues with the slide are: -

- Delamination of the internal slide surface is occurring. It has not been possible to date to acquire a quotation to rectify the surface;
- The fibreglass external of the tube is failing;
- The ladder approach is not in conformity with the Access and Mobility requirements of AS1428 and Section D2 of the Building Code of Australia relating to construction of stairways – D2.13 – D2.15.
- All metal surfaces require repainting.

Costings to undertake the above works have not been completed. The Pool Manager has been requested to seek further quotations to complete the works.

It is suggested that the water slide be supervised for the 2007/2008 season using the Pool Manager and during the December 07 and January 08 holiday period that the Manager of Development Services be authorised to engage, within existing budget constraints, a competent person to supervise the slide when the Pool Manager is of the opinion additional supervision is required. In addition, that further investigations in to the cost of upgrading and maintaining the slide be completed and the matter presented to Council.

The reasons are that if an incident occurs it is very likely that the investigating officers of government will take notice of the proposed legislation commencement date and place liability to Council as a result of the incident. In addition it provides better supervision of local children. The slow approach to this process will educate the users to the new system that must be commenced.

During the 2006/2007 season there were two incidents where children were injured as a result of the slide operation.

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

*That the Shire of Merredin adopts the following policy relating to use of the Public Swimming Pool by school aged children: -*

*That the Shire of Merredin supports the education of children and adopts a policy whereby children are not permitted at the Swimming Pool, Throssell Rd, Merredin, during school hours, unless the event is a school based activity.*

*That the Public Swimming Pool Behaviour Policy appended incorporating 3 verbal warnings and penalties for offences contained within the Health (Aquatic Facilities) Regulations 2007 be adopted and displayed prominently at the Public Swimming Pool.*

*That the Administration is authorised to provide additional supervision over December 07 and January 08 holiday period, for the water slide feature at the Public Swimming Pool when patron numbers are such that the Pool Manager is of the opinion that additional supervision is required. Existing wages budget is not to be exceeded.*

**29221**

Moved Cr Townrow Sec Cr Hayden

*That the Shire of Merredin adopts the following policy relating to use of the Public Swimming Pool by school aged children: -*

*That the Shire of Merredin supports the education of children and adopts a policy whereby children are not permitted at the Swimming Pool, Throssell Rd, Merredin, during school hours, unless the event is a school based activity.*

*That the Public Swimming Pool Behaviour Policy appended incorporating 3 verbal warnings and penalties for offences contained within the Health (Aquatic Facilities) Regulations 2007 be adopted and displayed prominently at the Public Swimming Pool.*

*That the Administration is authorised to provide additional supervision over December 07 and January 08 holiday period, for the water slide feature at the Public Swimming Pool when patron numbers are such that the Pool Manager is of the opinion that additional supervision is required. Existing wages budget is not to be exceeded.*

**CARRIED 10/0**

**11.5 TOWN PLANNING SCHEME – COMMENCEMENT OF REVIEW**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	John Mitchell, Manager – Development Services
<b>Legislation:</b>	Planning & Development Act 2005, Shire of Merredin Local Planning Strategy 2007
<b>File Number:</b>	LUP/5/1

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**Background**

The Planning and Development Act 2005 requires that a local government review the town planning scheme (Now called a local planning scheme – lps) every five years. Council adopted Town Planning Scheme No.1 in 1983. Council commenced the required review of the Local Planning Strategy (LPS) in 2002. Final approval of the LPS occurred in August/September 2007. The documents are currently with the Commission for signing and endorsement. Recent amendments to the Planning and Development Regulations 1999 (MST – Model Scheme Text) have enabled local governments to adopt definitions and other minor components by reference to the MST. This represents an \$8,000.00 - \$12,000.00 saving on printing and consultants costs.

**Legal Implications**

The provisions of Section 88 of the Planning and Development Act 2005 apply. Local government is required to review and consolidate the local planning scheme during the fifth year of operation.

The consolidation addresses all known issues with the existing local planning scheme, amendments undertaken and summarises the effectiveness of the existing local planning scheme.

Policy 3.19 requires that the Manager obtain 3 written quotations for the expenditure.

**Budget Implications**

Council has budgeted \$21,000.00 (*E106285*), for the commencement of the new local planning scheme and \$2,500.00 for the advertising of the Local Planning Strategy Adoption and advertising of the lps.

**Comment**

Quotations for the expenditure were requested from Whelans, Planwest and Gray & Lewis. Quotations have been received from Whelans and Planwest.

In addition to the local planning scheme text the Shire of Merredin must also obtain from the Department for Planning & Infrastructure the scheme maps amended. This program is called the scheme capture program. Costs are estimated at \$1,500.00 - \$2,000.00.



The required changes and issues with the current scheme text are: -

1. The scheme was gazetted in 1983 and is no longer current with changes to the planning legislation.
2. Whilst there is a generally accepted policy of the Commission that local government can prepare policies for the enforcement of the town planning scheme, the Shire of Merredin Town Planning Scheme does not provide a section dealing with policy adoption and the authority of the local government to prepare policies relevant to the planning scheme.
3. There are several properties that require rezoning. These lots include Lutheran Church, 54 Bates Street, Reserve 22036 Kitchener Road – for private development as motel/accommodation.
4. Various amendments to reflect the 2007 local planning strategy and recommended land use planning designations for the future development of the town – i.e. South and East of town – rezone to rural residential.
5. Address the Abattoir issue which has closed and no longer has a “non conforming use”. Landowners around the abattoirs seek to place houses within the 500m exclusion zone. Where a non conforming use has not been utilised for a six month period the local government can remove the non conforming use. The impact of removing the exclusion zone is that the abattoirs cannot re-establish within that area.

Two quotations were received and are contained in **Attachment 11.6**. The Policy 3.19 summary is contained in **Attachment 11.6A**.

Planwest provided the lower quotation at \$20,000.00.

The Manager of Development Services met with Mr David Gray on Wednesday 7 November 2007 to further discuss the Railway land and Western Power requirements and the proposed new local planning scheme and submission of quotation. Mr Gray believes Council may wish to consider the preparation of a scheme consolidation omnibus amendment rather than a new scheme text due to the delays in obtaining approval of the Western Australian Planning Commission. The Omnibus amendment would include zoning amendments, definitions and the referencing of the scheme to the model scheme text provisions.

The major issue, as seen by the officer, is that the scheme text was written in the early 1980's and is not in keeping with the models scheme text provisions brought into legislation in the 1990's. The omnibus amendment will be substantial and require a substantial component of the Manager's time. Mr Gray has declined to provide a quotation for the preparation of the scheme text.

The process of preparation should be complete by August 2008.

Mr Fred McCall (9041 1220) is keen to progress development of the rural residential lots on the south of town. He is seeking comment from Council and its Consultant as to whether to proceed now or wait for the finalisation of the local planning scheme.

**Officer's Recommendation**

*That the quotation from Planwest to prepare a new compliant local planning scheme at a cost of \$20,000.00, in accordance with Council's letter and the quotation received on 24 October 2007 be accepted.*

*That Planwest be advised that the draft scheme must be presented to Council at the June 2008 meeting.*

**29222**

Moved Cr Townrow

Sec Cr A Hooper

*That the quotation from Planwest to prepare a new compliant local planning scheme at a cost of \$20,000.00, in accordance with Council's letter and the quotation received on 24 October 2007 be accepted.*

*That Planwest be advised that the draft scheme must be presented to Council at the June 2008 meeting.*

**CARRIED 10/0**

**11.6 MARY STREET RESIDENCE – GRANT APPLICATION & BUDGET DOCUMENTATION**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	John Mitchell, Manager – Development Services
<b>Legislation:</b>	Local Government Act 1995
<b>File Number:</b>	A728

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**Background**

At the budget meetings held in August 2007 Council was advised by the Manager of Development Services that whilst the budget for the Mary Street (Lot 77 Coronation) residence was the best guestimate that the Manager and Builder could provide that works would not commence until Council was assured the project could be completed within budget parameters.

**Legal Implications**

There are no legal implications.

**Budget Implications**

Council has provided a budget of \$226,000.00 + GST. Mr John Gearing is to supervise the construction.

The spreadsheet contained in **Attachment 11.7** shows that the project should cost in the vicinity of \$190,000.00 which includes \$5,000.00 of landscaping. It is therefore unlikely the budget will exceed \$200,000.00.

Subject to successful completion the project should return to Council \$26,000.00 minimum this year.

**Comment**

For new Councillors a copy of the floor plans and elevations of the project are contained in **Attachment 11.7A**.

The highlighted amounts are the Manager's and Builder's best guestimates and experience has shown that the amounts should not be exceeded.

The main concern has been that the trades are stretched and obtaining quotations has been difficult.

At the October 2007 meeting Council requested that the Administration consider and apply for grant funding of the project. An application to the Country Housing Authority has been prepared and appends. The grant application has been submitted to the Authority for consideration. Council endorsement of that action is requested. A copy of the grant submission appends in **Attachment 11.7B**. The grant is called the Cummins Theatre Manager House.

**Officer's Recommendation**

*That Council note the proposed expenditure of \$200,000.00 and permit the construction of the 2 bedroom Mary Street frontage unit to proceed.*

*That Council note the grant application to the Country Housing Authority for grant assistance towards the construction of the 2 bedroom unit on Lot 77 Coronation Street, Merredin.*

**29223**

Moved Cr Townrow

Sec Cr Forbes

*That Council note the proposed expenditure of \$200,000.00 and permit the construction of the 2 bedroom Mary Street frontage unit to proceed.*

*That Council note the grant application to the Country Housing Authority for grant assistance towards the construction of the 2 bedroom unit on Lot 77 Coronation Street, Merredin.*

**CARRIED 10/0**

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**11.7 USE OF 2,4-D – PERMIT TO USE IN SUMMER MONTHS**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell, Manager – Development Services  
**Legislation:** Enforced via AgWest  
**File Number:**

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**Background**

An email has been received from Mr David Jeffries of the CBH group and is contained in **Attachment 11.8**.

The email seeks for Council to write to the Australian Pesticides and Veterinary Medicines Authority (AVPMA) and seek to be included within the permit application to use 2, 4-D ester during the summer months.

**Legal Implications**

The Administration is unaware of any legal implications from providing the request.

**Budget Implications**

There are no budget implications.

**Comment**

The Administration is advised that the Shire of Merredin was included within the permit application for 2006/2007.

**Officer's Recommendation**

*That the Shire of Merredin correspond with the Australian Pesticides and Veterinary Medicines Authority and seek for the farming locations within the Shire of Merredin to be included within the permit application to use 2, 4-D esters for the 2007/2008 summer period.*

**29224**

Moved Cr Townrow Sec Cr Simmonds

*That the Shire of Merredin correspond with the Australian Pesticides and Veterinary Medicines Authority and seek for the farming locations within the Shire of Merredin to be included within the permit application to use 2, 4-D esters for the 2007/2008 summer period.*

**CARRIED 10/0**

**11.8 DEMOLITION LICENCE DA2-07 – LOT 63 MUNTADGIN –  
DEMOLITION AND REMOVAL SCHOOL DWELLING**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell, Manager – Development Services  
**Legislation:** Building Regulations 1989  
**File Number:** Lot 63 Reserve 31681 Crossland St, Muntadgin

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**Background**

In February 2007 the Shire of Merredin Building Surveyor received an application to demolish and relocate the dwelling situated on Lot 63 Crossland Street, Muntadgin from Ideal Transport Homes of PO Box 2070 Midland WA.

On 21 February 2007 a licence to demolish (DA2-07) was issued by the Building Surveyor – Mr Warren Bow.

An inspection on 9 November 2007 has shown that the conditions of the licence have not been complied with.

**Legal Implications**

Regulation 31 of the Building Regulations 1989 requires that any person demolishing or removing any building or part thereof shall ensure that ... (a – n);

*The list is extensive and includes the requirement under clause 31(g) & 31(h) to empty, collapse and fill with clean sand any septic system on site. Clause 31 (l) requires that the site be left in a clean condition to the satisfaction of the Building Surveyor.*

It is the opinion of the Building Surveyor that the site has not been cleaned satisfactorily.

**Budget Implications**

A prosecution is expected to cost in the vicinity of \$5,000.00.

Account *E042306* – legal expenses contains \$12,200.00 as a budget for the 2007/2008 year. \$5,000.00 has been expended as at 30 October 2007.

**Comment**

Ideal Homes were written to on 20 July 2007 requesting that the site be cleaned and the septic system demolished and backfilled. As a result the applicant visited the site and met with the Building Surveyor and advised that the heavy plant was onsite and would be resolved shortly.

On 30 October 2007 the Building Surveyor again wrote to Ideal Transport Homes and advised that the matter would be referred to Council for a decision to instigate legal action. No response has been received.

The matter is considered an issue by the local progress association and has been referred to the Building Surveyor regularly to ensure the site is cleaned.

A copy of the licence and correspondence are contained in **Attachment 11.9**.

For information on 23 January 2007 Council was advised by the Department for Planning and Infrastructure that the land had been vested as reserve 31681 for the purpose of public open space issued in favour of the Shire of Merredin.

**Officer's Recommendation**

*That the matter of Demolition Licence DA2-07 be referred to Council's Solicitors with a request to commence legal action against the Directors of Ideal Transport Homes for the failure to comply with Regulation 31 of the Building Regulations 1989 in relation to the dwelling located on Lot 63 Crossland Street, Muntadgin.*

**29225**

Moved Cr Townrow

Sec Cr Simmonds

*That the matter of Demolition Licence DA2-07 be referred to Council's Solicitors with a request to commence legal action against the Directors of Ideal Transport Homes for the failure to comply with Regulation 31 of the Building Regulations 1989 in relation to the dwelling located on Lot 63 Crossland Street, Muntadgin.*

**CARRIED 10/0**

11.9 **TOWN PLANNING REPORT - DELEGATED AUTHORITY USE  
OCTOBER AND NOVEMBER 2007**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell, Manager – Development Services  
**Legislation:** Planning and Development Act 2005, Shire of Merredin Town Planning Scheme No.1 (the Scheme)  
**File Number:**

**Background**

To outline the statutory planning activities of the Development Services section to Councillors of the Shire of Merredin for the previous month.

**Legal Implications**

It is an offence under the Town Planning and Development Act 1928 (as amended) for any person to use any land or any building or structure thereon contrary to or otherwise than in accordance with the provisions of the Scheme.

**Budget Implications**

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

<b>DETERMINATION OF DEVELOPMENT APPLICATION WHERE THE ESTIMATED COST OF THE DEVELOPMENT (other than for an extractive industry)</b>	<b>FEE (\$)</b>
Not more than \$50,000.00	\$123.00
More than \$50,000.00 but not more than \$500,000.00	0.23% of the estimated cost of development
More than \$500,000.00 but not more than \$2.5 million	\$1,415.00 + 0.18% for every \$1.00 in excess of \$500,000.00
Extractive Industry	\$615.00

**Comment**

The following applications were recently granted Town Planning consent –

PA23-07; Neil Bill for Lynne Bill – application to establish a butchers shop at Lot 61, 13 Bates Street, Merredin. Land zoned Shop Zone – use as a food premise “P” – Value \$100,000.00.



PA24-07; McGrath Homes for D & T Geier, Application to establish a dwelling on Lot 1349 Whitfield Way, Merredin. Land zoned “Stables, use “IP” as a dwelling, August 2007 Meeting - **CMRef29086** which provided the CEO with authority to waive the application fees and process the applications as building applications for Lots 1336 – 1350 Whitfield Way inclusive.

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

**Officer’s Recommendation**

*That the Merredin Shire Council receive the Town Planning report for November 2007.*

**29226**

Moved Cr Townrow

Sec Cr Simmonds

*That the Merredin Shire Council receive the Town Planning report for November 2007.*

**CARRIED 10/0**

**11.10 BUILDING STATISTICS REPORT – OCTOBER 2007**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell, Manager – Development Services  
**Legislation:** Building Regulations 1989,  
 Building Code of Australia 2006  
**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 0.2% of the construction value of the work.

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

**Applications/Approvals**

Building Licence No.	Licence issued to	Address of proposed building	Owner of property	Class of Building
BA71-07*	T&R Homes, 105 Kelvin Rd, Maddington WA 6109	Location 19102 Brissenden Road, Muntadgin WA 6420	KJ & RF Liebeck, PO Box 217 Merredin WA 6415	Class 1(a)
BA72-07	Tim Newton, 76 Barrack St, Merredin WA 6415	Lot 15, House No. 19 Dobson Ave, Merredin WA 6415	Newton Enterprises Pty Ltd, 76 Barrack St, Merredin WA 6415	Class 10(a)
BA73-07	Neil Bill, PO Box 469 Merredin WA 6415	Lot 1036, House No. 7 Lefroy St, Merredin WA 6415	DJ Wyatt, 7 Lefroy St, Merredin	Class 10(a)
BA74-07	Kevin Joss, PO Box 374 Merredin WA 6415	Lot 1347 Whitfield Way, Merredin WA 6415	Kevin & Tricia Joss, PO Box 374	Class 10(a)

**MINUTES**

			Merredin WA 6415	
BA75-07	McGrath Homes, 31 Challenge Boulevard, Wangara 6065	Lot 1349 Whitfield Way, Merredin WA 6415	D & T Geier, PO Box 415 Merredin WA 6415	Class 1 (a)
BA76-07	Neil Bill, PO Box 469 Merredin WA 6415	Lot 61, House No 13 Bates Street, Merredin	Lynne Bill, PO Box 469 Merredin WA 6415	Class 6 Butche r Shop & Coffee Loug e
BA77-07	Dean Mark Truglio, 71 Haig Rd, Merredin WA 6415	Lot 696, House No. 71 Haig Rd, Merredin WA 6415	DM Truglio, 71 Haig Rd, Merredin WA 6415	Class 10(a)
BA78-07	John Van Delan, 35 South Ave, Merredin WA 6415	Lot 704/1, House No. 35 South Ave, Merredin WA 6415	J Van Delan, 35 South Ave, Merredin WA 6415	Class 10(a)

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

Valuation: \$879,766.00  
Progressive: \$4,512,748.19

Fees: \$ 2,846.49  
Progressive: \$16,827.78

**Comment**

BA76-07 was issued to Neil Bill with a construction value of \$16,000.00 Note that the planning valuation is \$100,000.00, however for the purposes of a building licence the improvements are valued at \$16,000.00

**Officer's Recommendation**

*That the Merredin Shire Council receive the October and November 2007 statistics for building licences issued by the Building Surveyor.*

**29227**

Moved Cr Townrow

Sec Cr A Hooper

*That the Merredin Shire Council receive the October and November 2007 statistics for building licences issued by the Building Surveyor.*

**CARRIED 10/0**

11.11 **APPLICATION FOR HOME OCCUPATION – HOME OFFICE – MR CLINTON HUNTER, 2 SECOND AVENUE, MERREDIN; USE - DRAUGHTSPERSON**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	John Mitchell – Manager, Development Services
<b>Legislation:</b>	Shire of Merredin Town Planning Scheme No.1, Home Occupation Policy; Health Act 1911
<b>File Number:</b>	P2980

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**Background**

An application to establish a home office comprising drafting services has been received from Mr Clinton Hunter of 2 Second Avenue, Merredin and is contained in **Attachment 11.12**.

Mr Hunter seeks to establish a business similar to that operated by Mr Wayne Bill of 3 Ellis Road, Merredin. Mr Hunter seeks to convert the class 10 garage on the lot to a habitable room with an office attachment.

**Legal Implications**

The provisions of the Shire of Merredin Town Planning Scheme No. 1, Policy 9.12 (Home Occupation Policy) and Policy No.6.2 are applicable. Policy 9.12 and 6.2 appear to be in conflict.

Policy 9.12 states that a home office is deemed to comply and does not require the submission of a Home Occupation application. Policy 6.2 states that where the Home Occupation is an “IP” use the application must be submitted to Council, and that the use must be advertised.

The application is not contentious. The application has not been advertised.

A home occupation within the residential zone is an “IP” use.

**Budget Implications**

There are no budget implications. There are no fees applicable as the Policy 9.12 states: -

*Approval for a Mobile Business/Home Office is deemed to comply with the provisions of this policy and does not require submission of a Home Occupation application. However persons wishing to carry on a Mobile Business/Home Office are required to register details of the business activity with the Council.*

**Comment**

There is precedence for this type of home occupation.

The application is in conformity with the policy relating to home occupation:

- The business should only attract one client at a time – there should be no major increase in traffic flow;
- There are no additional vehicles proposed with this use;
- The business should not create noise as the business involves the use of computers and CAD work;
- There are no safety issues;
- The operation of the business should not adversely affect neighbours;
- The proposal will not reduce the standard of living within the area;
- The proposal includes renovation of an existing garage;
- There are no additional infrastructure requirements.

The conversion of the outbuilding to a habitable premise requires Council approval pursuant to Section 144 of the Health Act 1911. The proposal includes the provision of facilities to comply with the requirements of the Health Act 1911 and associated regulations and local laws.

Does Council seek to advertise the application?

**Officer's Recommendation**

*That the application from Clinton Hunter of 2 Second Avenue, Merredin to convert a garage located on Lot 39, 2 Second Avenue, Merredin, to a habitable room be approved.*

*That the application from Mr Clinton Hunter to establish a Home Occupation – Draughtsperson, at 2 Second Avenue, Merredin be approved subject to compliance with the provisions of Policy 9.12 of the Shire of Merredin Policies.*

**29228**

Moved Cr Townrow

Sec Cr Simmonds

*That the application from Clinton Hunter of 2 Second Avenue, Merredin to convert a garage located on Lot 39, 2 Second Avenue, Merredin, to a habitable room be approved.*

*That the application from Mr Clinton Hunter to establish a Home Occupation – Draughtsperson, at 2 Second Avenue, Merredin be approved subject to compliance with the provisions of Policy 9.12 of the Shire of Merredin Policies.*

**CARRIED 10/0**

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Cr Forbes declared an Impartiality Interest in this Item 11.12.

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11.12 **STALL HOLDERS APPLICATION – MERREDIN BOWLING CLUB – LOT 99, 100, 502 & 501 CORONATION STREET, MERREDIN – GENERAL MARKET STALL**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell – Manager, Development Services  
**Legislation:** Shire of Merredin Local Law No.3 – Activities in Thoroughfares and Public Places and trading  
**File Number:** CUS/09/03 & P/667

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**Background**

An application to hold a general market stall on Lots 99, 100, 502 & 501 Coronation Street, Merredin has been received from the Merredin Bowling Club.

The application, correspondence and aerial map are contained in **Attachment 11.13**.

**Legal Implications**

The provisions of the Shire of Merredin Local Law No.3 – Activities in Thoroughfares and Public Places and trading local law apply (the local law).

**Budget Implications**

There are no budget implications.

**Comment**

Council has provided delegation to the Manager of Development Services under Health 6.1 and to the CEO under 3.9 of the delegations register. The Manager believes the intent of that delegation was for small stalls operated by one person within the central business district of Merredin.

The Club has advised: -

- Public Liability insurance already exists over the site and has been extended to include the general markets;
- The Club seeks to hold one event and if successful operate the general markets on a monthly basis over the summer months.

Clause 6.5 and 6.6 of the local law permits the local government to approve with conditions or refuse the application on one or more of defined grounds contained in Clause 6.5.2.

The conditions of approval would be: -

- Provide sufficient waste receptacles for the disposal of litter created during the event;
- Provide public liability proof of insurance over the event;
- Provide traffic wardens to guide and control traffic during the event;
- Hours of event limited to 8.00am – 4.00pm.

In addition it is recommended that the Club engage their Insurer to inspect the site to ensure that all known hazards to the public have been removed.

The club seeks to hold the first event on 17 November 2007 with monthly markets held over the summer months. Approval to operate the first event has been given by the Manager of Development Services. Endorsement of that action is sought as is Council input into future events.

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

*That Council note the use of delegated authority to approve the general market stall held on 17 November 2007 by the Merredin Bowling Club held at Lots 99, 100, 502 and 501 Coronation Street, Merredin.*

*That Council approve the use of the old tennis courts on Lots 99 and 100 Coronation Street, Merredin by the Merredin Bowling Club for general market stalls to be held on the third Saturday of the month over the summer months with the following conditions: -*

- *Provide sufficient waste receptacles for the disposal of litter created during the event;*
- *Provide public liability proof of insurance over the event;*
- *Provide traffic wardens to guide and control traffic during the event;*
- *Hours of event limited to 8.00am – 4.00pm.*

**29229**

Moved Cr Townrow

Sec Cr Hayden

*That Council note the use of delegated authority to approve the general market stall held on 17 November 2007 by the Merredin Bowling Club held at Lots 99, 100, 502 and 501 Coronation Street, Merredin.*

*That Council approve the use of the old tennis courts on Lots 99 and 100 Coronation Street, Merredin by the Merredin Bowling Club for general market stalls to be held on the third Saturday of the month over the summer months with the following conditions: -*

- *Provide sufficient waste receptacles for the disposal of litter created during the event;*
- *Provide public liability proof of insurance over the event;*
- *Provide traffic wardens to guide and control traffic during the event;*
- *Hours of event limited to 8.00am – 4.00pm.*

**CARRIED 9/1**

11.13 **RESERVE 10359, LOT 1504 BARRACK STREET, MERREDIN –  
PUBLIC TRANSPORT AUTHORITY – ITEMS REQUIRING SHIRE OF  
MERREDIN INPUT**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell – Manager, Development Services  
**Legislation:** Various  
**File Number:**

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**Background**

On Wednesday 7 November 2007 the Manager of Development Services met with Mr Russell Wellington of Public Transport Authority and Mr David Gray of Gray & Lewis Planners to discuss the state of play of the proposed purchase by the Council of part of Lots 1503 and 1504 Barrack Street, Merredin.

**Legal Implications**

There are no legal implications.

**Budget Implications**

Council has budgeted \$120,000.00 in the 2007/2008 budget to purchase the proposed lots for redevelopment to commercial and light industrial land. It is unlikely that the funds will be expended this financial year.

**Comment**

At the meeting Council input was requested into the following: -

1. A Condition of WAPC approval to subdivide Lots 1503 and 1504 requires that a road reserve is provided for the (western) Barrack Street level crossing of the railway. This is in accordance with a recommendation by the Council to the WAPC. Additional approvals are required to excise a road reserve from the rail corridor, which has been leased to WestNet Rail. There is no guarantee that all of the approvals can be obtained. A plan detailing the crossing as a 45m wide road reserve has been prepared and shown to Council at the October 2007 meeting. A resolution endorsing the proposed crossover is requested.
2. The quotation from Western Power permits one connection per lot. There are three existing connections within Lot 1504 – these being Merredin Outdoor Centre, Lions Recycling Area and the Old Motorcycle Club – now an Animal Refuge proposal. Only one connection will be supplied most likely at the Lions Club portion of the land leaving a major run in for Merredin Outdoor Centre. There is a need to liaise with Merredin Outdoor Centre to provide the connection. An alternative is to provide the connection at the Merredin Outdoor Centre (MOC) and provide the major run in to the Lions Club buildings. A further alternative is to liaise with MOC and determine final land area sizes and attempt to obtain the release of the land and a new connection immediately. There are no guarantees that this alternative will work.



3. Council requires the Duff Street portion (Between the railway crossing, roundabout and Mitchell Street) of Mary Street to be renamed to Mary Street. A Council resolution to effect this change is required. It cannot be achieved through the subdivision approval.
4. Contamination of Lot 1504 and Lot 1503 must be addressed. Council has correspondence from the (Environmental Protection Authority / Dept. Environment & Conservation) advising that the land contained in Lot 1504 (near MOC) can be used for commercial and industrial development with a caveat that groundwater cannot be drawn. These rehabilitation costs are estimated at \$200,000.00 and will need to be completed whether or not the Shire of Merredin purchases the land.

**Officer's Recommendation**

*That the Shire of Merredin supports the proposed railway crossing width as shown on plan 1510/2007 revision B 19/10/2007 and does not require that the road reserve be dedicated if the land must be retained by the Public Transport Authority.*

*That the Shire of Merredin seek a name change from the Geographic Names Committee for the portion of Duff Street between the railway crossing and Mitchell Street to be renamed to Mary Street, Merredin.*

*That the Manager of Development Services meet with the owner of Merredin Outdoor Centre to address the land requirements and power distribution requirements for Lot 1504 and that Public Transport Authority be advised that the preferred location for the Western Power connection to Lot 1504 is adjacent to the Merredin Outdoor Centre.*

**29230**

Moved Cr Simmonds                      Sec Cr Townrow

*That the Shire of Merredin supports the proposed railway crossing width as shown on plan 1510/2007 revision B 19/10/2007 and does not require that the road reserve be dedicated if the land must be retained by the Public Transport Authority.*

*That the Shire of Merredin seek a name change from the Geographic Names Committee for the portion of Duff Street between the railway crossing and Mitchell Street to be renamed to Mary Street, Merredin.*

*That the Manager of Development Services meet with the owner of Merredin Outdoor Centre to address the land requirements and power distribution requirements for Lot 1504 and that Public Transport Authority be advised that the preferred location for the Western Power connection to Lot 1504 is adjacent to the Merredin Outdoor Centre.*

**CARRIED 10/0**

**11.14 MERREDIN REGIONAL COMMUNITY AND LEISURE CENTRE –  
INSTALLATION OF MONITORING SYSTEM**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell – Manager, Development Services  
**Legislation:** Local Government Act 1995  
**File Number:** P325

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**Background**

I am advised that Council formulated the Merredin Regional Community and Leisure Centre Management Committee with power to make decisions and act upon those recommendations/decisions.

However the matter of cameras appears to have been referred to Council for comment on several occasions including September 2007. I have not researched the minutes to confirm which meetings.

As the last time the matter was raised with the Manager was at Council I have referred this matter back to Council for decision.

**Legal Implications**

Nil

**Budget Implications**

Council has budgeted \$20,000.00 +GST to complete the camera security of the Regional Community and Leisure Centre Management Committee.

**Comment**

At the September 2007 meeting Council suggested contacting Mr Daniel Northcott to obtain a further quotation. Both the Manager and Builder have been unable to contact this person.

Two quotations were received and were contained in **Attachment 11.15**. The quotations are summarised below:

- |                                  |   |
|----------------------------------|---|
| 1. Merredin Telephone Services   | \$18,625.00 +GST  |
| 2. Ray Adams Consulting (Northam | \$54,000.00 – wireless<br>type, outside only, email<br>received |
| 3. Advanced Visual Design        | No response received  |

**Officer's Recommendation**

*That the quotation from Merredin Telephone Services to install cameras in accordance with the quote received by facsimile on 10 September 2007 at a cost of \$18,625.00 +GST be accepted.*

**29231**

Moved Cr Crees

Sec Cr Elliott

*That the quotation from Merredin Telephone Services to install cameras in accordance with the quote received by facsimile on 10 September 2007 at a cost of \$18,625.00 +GST be accepted.*

**CARRIED 10/0**

**11.15 APPLICATION TO LEASE CIVIC BOWLING CLUB – MERREDIN CHURCH OF CHRIST – YOUTH GROUP**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell – Manager, Development Services  
**Legislation:** Local Government Act 1995 – Section 3.58  
**File Number:** CUS/09/03

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**Background**

The Merredin Church of Christ have corresponded (**Attachment 11.16**) and are requesting Council consideration of leasing the Civic Bowling Club located in Throssell Road, Merredin.

**Legal Implications**

The provisions of Section 3.58 of the Local Government Act 1995 are applicable. Council may lease a building through one of three methods: -

- Public auction;
- Tender;
- Private Treaty with full disclosure prior to approving the lease.

**Budget Implications**

There has been no allocation to maintain the building within the 2007/2008 budget.

**Comment**

The Church seeks to lease the building and has acknowledged within their correspondence that they will be responsible for maintenance, water and power consumption usage.

If Council is to consider the proposal the following is suggested: -

- Merredin Church of Christ to be responsible for public liability insurance over the Civic Bowling Club;
- Advertising the application statewide as required by Section 3.58(3) of the Local Government Act 1995.

Does Council seek to charge a lease fee to the Merredin Church of Christ?  
How long should the lease be?

**Officer's Recommendation**

*That the application to lease the Civic Bowling Club, Throssell Road, Merredin at a lease fee of \$520.00 per year be advertised in accordance with the requirements of the Local Government Act 1995 and if no objections are received the Chief Executive Officer is authorised to enter a lease for a period of two (2) years with the Merredin Church of Christ.*

**29232**

Moved Cr Crees

Sec Cr Hayden

*That Council advertise for expressions of interest in the Civic Bowling Club premises for lease for 2 years or provisional sale after that time.*

**CARRIED 10/0**

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Cr Crees declared a Financial Interest in Item 11.16 and left the meeting at 3.30pm.

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11.16 **PLANNING APPLICATION – OVERSIZE OUTBUILDING – LOT 38, HOUSE NO. 95 BATES STREET, MERREDIN**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell – Manager, Development Services  
**Legislation:** Shire of Merredin Town Planning Scheme No.1 & Policy 9.8 Outbuildings in Residential Areas  
**File Number:** P366

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**Background**

An application (**Attachment 11.17**) has been received from S & N Crees of 95 Bates Street, Merredin to erect an oversize outbuilding on Lot 38, House No. 95 Bates Street, Merredin.

**Legal Implications**

The provisions of Policy 9.8 are applicable.

Lot 38 Bates Street, Merredin comprises 1625m<sup>2</sup> of land. Policy 9.8 permits the Building Surveyor to approve a maximum of 3.0m wall height and 3.9m ridge height. The proposed outbuilding is compliant with the area requirements.

The applicant seeks to increase the wall height to 3460mm (+460mm) and the ridge height to 4128mm (+228mm). On larger lots of land (>2050m<sup>2</sup>) the application would be compliant.

There are no building issues with the proposed development.

**Budget Implications**

Planning application fees of \$123.00 have been paid.

**Comment**

The applicant seeks to store an off road caravan within the garage. Standard garage heights will not permit the caravan to access the building. The additional height is required to house the running mechanism of the sliding doors. A 3m door height is proposed.

With an 8m single span the ridge height must be increased due to the truss design for the span proposed.

**Officer's Recommendation**

*That the application from S & N Crees of 95 Bates Street, Merredin to erect a garage with wall height of 3460mm and a ridge height of 4128mm on Lot 38 Bates Street, Merredin be approved.*

**29233**

Moved Cr Townrow

Sec Cr Simmonds

*That the application from S & N Crees of 95 Bates Street, Merredin to erect a garage with wall height of 3460mm and a ridge height of 4128mm on Lot 38 Bates Street, Merredin be approved.*

**CARRIED 9/0**

Cr Crees entered the meeting at 3.36pm

- 29234** Moved Cr Elliott Sec Cr Morris  
*That the Caveats on Whitfield Way properties be lifted on request for a period of 6 months allowing for mortgage documents to be drawn, but will be reinstated at the buyers expense if building plans are not forthcoming within the 6 month timeframe.*  
**CARRIED 10/0**

Cr Simmonds left the meeting at 3.57pm.

John Mitchell left the meeting at 3.58pm.

- 29235** Moved Cr Elliott sec Cr Crees  
*That Council adjourn for afternoon tea at 3.58pm.*  
**CARRIED 9/0**

- 29236** Moved Cr Crees sec Cr Morris  
*That Council reconvene following afternoon tea at 4.42pm.*  
**CARRIED 10/0**

Cr Simmonds and Jim Garrett, Manager- Engineering Services were in attendance.



12.0 ENGINEERING SERVICES12.1 MANAGER OF ENGINEERING SERVICES – MONTHLY REPORT

**Reporting Department:** Engineering  
**Reporting Officer:** James Garrett – Manager, Engineering Services  
**Legislation:** Local Government Act 1995  
**File Number:**

**Background**

Monthly report on operations.

**Legal Implications**

Nil

**Budget Implications**

Nil

**Comment**Road Construction

Construction of Nokaning West under way and bitumen will be laid in early December 2007.

Road Maintenance

Bitumen patching progressing.

Tree pruning under power lines ongoing.

Gravel road inspection for summer grading underway.

Parks And Gardens

Summer mowing program ongoing.

Staff Training

Eight staff members have undergone Chem.Set training.

Water

Sprinkler inspections and maintenance of reticulation system in ongoing.

Current dam water volume:

Dam #1	85% 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

**Officer's Recommendation**

*That the Merredin Shire Council receive the Manager of Engineering Services report for November 2007.*

**29237**

Moved Cr Townrow

Sec Cr A Hooper

*That the Merredin Shire Council receive the Manager of Engineering Services report for November 2007.*

**CARRIED 10/0**

**12.2 6x4 TIP TRUCK TENDER No. 4-07/08**

**Reporting Department:** Engineering  
**Reporting Officer:** James Garrett – Manager, Engineering Services  
**Legislation:** Local Government Act 1995  
**File Number:** CM/19/46

**Background**

The Shire of Merredin issued Tender No 4-07/08 for one new 6x4 truck on the 27 October 2007. Two options were requested in the tender, Option 1 was for one new 6x4 tip truck and Option 2 was for one new 8x4 tip truck. Tenders closed on 12 November 2007.

One 6x4 tip truck was offered as a trade-in on this tender.

The following trucks in the tender that were suitable for the daily operations of the Shire of Merredin were:

	<b>TENDERER Option 1</b>	<b>PRICE Net Changeover</b>
<b>A</b>	Major Motors	One Isuzu 6x4 tip truck \$107,993.00 including GST (\$98,175.00 excluding GST)
<b>B</b>	Skipper Trucks	One Fuso Mitsubishi 6x4 tip truck \$118,833.00 including GST (\$108,030.00 excluding GST)
<b>C</b>	WA Hino	One Hino E13CLT 6x4 tip truck \$79,745.00 including GST (\$72,495.00 excluding GST)
<b>D</b>	Kenworth DAF	One DAF PX360 \$126,000.00 including GST (\$114,545.00 excluding GST)
	<b>TENDERER Option 2</b>	<b>PRICE</b>
<b>B</b>	Skipper Trucks	One Fuso Mitsubishi 8x4 tip truck \$169,554.00 including GST (\$154,140.00 excluding GST)
<b>D</b>	Kenworth DAF	One DAF PX360 \$158,000.00 including GST (\$143,636.00 excluding GST)

Brigold Pty Ltd put in a tender for outright purchase only of the trade-in on offer. The price of \$72,311.00 tendered was lower than the trade-in prices submitted by Major Motors (\$94,000.00), Skippers Trucks (\$83,006.00), WA Hino (\$97,000.00) and Kenworth DAF (\$97,260.00).

The evaluation matrix is attached at **Attachment 12.2**.

**Legal Implications**

Nil

**Budget Implications**

Council have allocated \$115,000.00 in the budget for the change over of the 6x4 truck.

**Comment**

Two options were called in Tender N° 4-07/08 because staff felt that an 8x4 tip truck would help in the transporting of the Shire's Rollers. Staff assessment was that the Fuso Mitsubishi 6x4 tip truck was best suited to Council's needs.

**Officer's Recommendation**

*That Council award Tender 4-07/08 for the supply of one new 6x4 Fuso Mitsubishi Tip Truck for the change over price of \$108,030.00 excluding GST to Skipper Trucks.*

**29238**

Moved Cr Morris

Sec Cr A Hooper

*That Council award Tender 4-07/08 for the supply of one new 6x4 Fuso Mitsubishi Tip Truck for the change over price of \$108,030.00 excluding GST to Skipper Trucks.*

**CARRIED 10/0**

**12.3 LIGHT VEHICLE CHANGE OVER – 2007/2008**

**Reporting Department:** Engineering  
**Reporting Officer:** James Garrett – Manager, Engineering Services  
**Legislation:** Local Government Act 1995  
**File Number:**

**Background**

On the 23 October 2007 a fax was sent out to car dealers for the purpose of quoting on the change over of the following vehicles:

- One XR6 Ford Sedan 2006 Model (Staff Office vehicle)
- One Holden Adventra 2006 Model (Manager of Engineering Services)
- One Ford Ranger 4x4 2005 (Ranger)

The following quotes were received for the Staff Office vehicle:

	<b>Name</b>	<b>Change over Price</b>
<b>A</b>	Merredin Toyota	One Aurion AT Sedan \$5,279.00 excluding GST
<b>B</b>	Lewis Motors	One SV6 Commodore Sedan \$12,784.00 excluding GST
<b>C</b>	Donovan Ford	One BF Ford Sedan \$6,090.00 excluding GST
<b>D</b>	Midway Ford	One BF Ford Sedan \$4,662.00 excluding GST

The following quotes were received for the Manager of Engineering Services vehicle:

	<b>Name</b>	<b>Change over Price</b>
<b>A</b>	Merredin Toyota	One Toyota Hilux Dual Cab 4 x 4 \$7,532.00 excluding GST
<b>B</b>	Lewis Motors	One Rodeo Dual Cab 4 x 4 \$11,818.00 excluding GST
<b>C</b>	Donovan Ford	One XLT Ford Ranger Dual Cab 4 x 4 \$9,363.00 excluding GST
<b>D</b>	Midway Ford	One XL Ford Ranger Dual Cab 4 x 4 \$4,818.00 excluding GST

The following quotes were received for the Rangers vehicle:

	<b>Name</b>	<b>Change over Price</b>
<b>A</b>	Merredin Toyota	One Toyota Extra Cab \$18,097.00 excluding GST
<b>B</b>	Lewis Motors	One Rodeo Super Cab \$12,706.00 excluding GST
<b>C</b>	Donovan Ford	Did Not Submit Quote
<b>D</b>	Midway Ford	One XL Ford Ranger Super Cab \$7,924.00 excluding GST

All new vehicles are 2007 compliant.

**Legal Implications**

Nil

**Budget Implications**

Council allocated \$7,000.00 in the 2007/2008 budget for the change over of the Staff Office vehicle, \$4,000.00 to change over the Manager of Engineering Services' vehicle and \$7,000.00 to change over the Ranger's vehicle. Total Budget allocation \$18,000.00.

**Comment**

Although a delegation exists for the CEO to accept tenders for light vehicles, in view of the current Acting Chief Executive Officer arrangements it was thought preferable that this item was put to Council.

It is further noted that with one exception the lowest quotes have been accepted. Council Policy 3.5 – Regional Price Preference Policy states that a preference may be given to a regional tenderer or supplier of a quotation as if the price bid was reduced by 10% where the contract is for goods or services up to a maximum price reduction of \$50,000.00 (within the Shire of Merredin).

In the instance of the Shire office car application of this policy would provide a comparative change over figure of \$4,751.00 from Merredin Toyota which compares favourably with the \$4,662.00 quoted by Midway Ford. In other cases application of this policy does not provide a competitive alternative.

The overall cost of the vehicles recommended for changeover totals \$18,021.00. (This could be reduced to \$17,404.00 if the Regional Price Preference Policy was not invoked).

**Officer's Recommendation**

1. *That Council trade the Staff Office Ford XR6 to Merredin Toyota for an Aurion AT Sedan for the change over price of \$5,279.00 excluding GST.*
2. *That Council trade the Manager of Engineering Services' Holden Adventra to Midway Ford for an XL Ford Ranger Dual Cab 4x4 for the change over price of \$4,818.00 excluding GST.*
3. *That Council trade the Ranger's Ford Ranger 4x4 to Midway Ford for a Xl Ford Ranger Super Cab 4x4 for the change over price of \$7,924.00 excluding GST.*

**29239**

Moved Cr Townrow

Sec Cr Hayden

1. *That Council trade the Staff Office Ford XR6 to Merredin Toyota for an Aurion AT Sedan for the change over price of \$5,279.00 excluding GST.*
2. *That Council trade the Manager of Engineering Services' Holden Adventra to Midway Ford for an XL Ford Ranger Dual Cab 4x4 for the change over price of \$4,818.00 excluding GST.*
3. *That Council trade the Ranger's Ford Ranger 4x4 to Midway Ford for a Xl Ford Ranger Super Cab 4x4 for the change over price of \$7,924.00 excluding GST.*

**CARRIED 10/0**

Emma Hooper entered the meeting at 4.34pm.

Jim Garrett left the meeting at 4.35pm.

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**13.0 FINANCE AND ADMINISTRATION**

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**13.1 MONTHLY FINANCE REPORT**

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

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**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 October 2007.*

**29240**

Moved Cr Elliott

Sec Cr Simmonds

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

**CARRIED 10/0**



**13.2 LIST OF ACCOUNTS PAID**

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

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**Background**

A list of accounts paid during the month under delegated authority is presented to Council each month. Refer to **Attachment 13.2**.

**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 \$389,499.53 and amounts directly debited from Councils Municipal Fund Bank Account BSB No. 066-518 Account No. 000 000 10 totalling \$39,039.11 and outstanding creditors totaling \$73,003.62.*

**29241**

Moved Cr Crees

Sec Cr A Hooper

*That the Merredin Shire Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$389,499.53 and amounts directly debited from Councils Municipal Fund Bank Account BSB No. 066-518 Account No. 000 000 10 totalling \$39,039.11 and outstanding creditors totaling \$73,003.62.*

**CARRIED 10/0**

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**13.3 PRACTICAL COMPLETION OF THE MERREDIN REGIONAL COMMUNITY AND LEISURE CENTRE**

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

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**Background**

Structural construction of the Merredin Regional Community & Leisure Centre has been finalised, with practical completion of the project and the official opening occurring on 20 October 2007. The budget for the project in its entirety was determined at \$4,287,687.00.

**Legal Implications**

Local Government Act and Financial Management Regulations.

**Comments**

Following on from completion of the project, staff have prepared a report of actual against budgeted expenditure, **Attachment 13.3**.

Some contractor accounts are yet to be finalised. For the purposes of preparing this report the following estimates have been made by Mr John Gearing, Building Project Manager:

- Bowling Green Lighting \$12,000.00
- Merredin Electrics (outstanding work orders) \$3,000.00

This report also includes an amount of \$37,609.38 for retention currently being held.

The report indicates a Total Expenditure of \$4,238,693.30 against a budget of \$4,287,687.00, an under expenditure of \$48,993.70.

At this stage wages have not been capitalised to the construction account, however these have been separately budgeted for.

**Officer's Recommendation**

*That the Merredin Shire Council receive the Practical Completion of the Merredin Regional Community & Leisure Centre report.*

**29242**

Moved Cr Townrow

Sec Cr A Hooper

*That the Merredin Shire Council receive the Practical Completion of the Merredin Regional Community & Leisure Centre report.*

**CARRIED 10/0**

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This Item 16.2 was brought forward due to the attendance of Emma Hooper, Manager – Finance and Administration.

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16.2 **MERREDIN REGIONAL COMMUNITY & LEISURE CENTRE –  
ADDITIONAL WORKS PROPOSED**

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

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**Background**

The security of the main Reception Area in the Merredin Regional Community and Leisure Centre (MRC&LC) was considered at the MRC&LC Advisory Committee Meeting, Monday 13 August 2007. Following this meeting security screening has been installed around the main Reception Area resulting in insufficient heating/cooling to the area.

A request has been received from staff to consider installation of a reverse cycle split system airconditioner to the Main Reception Area.

**Budget Implications**

These works were not considered in the original MRC&LC budget and therefore will require additional funds being allocated.

The MRC&LC project, as indicated in **Attachment 13.3** has a current budget surplus of \$48,993.70.

**Officer's Recommendation**

*That Council allow up to an additional \$4,000.00 for the Merredin Regional Community & Leisure Centre to install airconditioning to the main Reception Area.*

ABSOLUTE MAJORITY REQUIRED

**29243**

Moved Cr Morris

Sec Cr Wallace

*That Council allow up to an additional \$4,000.00 for the Merredin Regional Community & Leisure Centre to install airconditioning to the main Reception Area.*

**CARRIED 10/0  
ABSOLUTE MAJORITY**

**13.4 MERREDIN LOCAL EMERGENCY MANAGEMENT COMMITTEE**

**Reporting Department:** Administration  
**Reporting Officer:** Geoff Parslow - Acting Chief Executive Officer  
**Legislation:** Emergency Management Act 2005  
**File Number:** ES/10/2

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**Background**

At the Special Council Meeting of 23 October 2007 councillor appointments to various committees were determined.

One committee, Merredin Local Emergency Management Committee (LEMC), was listed as a new committee that required Council representation.

At the meeting it was generally agreed that the specific requirements of this appointment be determined and presented to Council for consideration.

**Legal Implications**

The Emergency Management Act 2005 Section 38 states that a local government is to establish one or more local emergency management committees for the district. Such local emergency management committees are to consist of a chairman and other members appointed by the local government.

Furthermore if the local emergency co-ordinator (in this case the Officer in Charge – Merredin Police Station) is not appointed as chairman of the committee that person is to be appointed as a member of the committee.

The terms and conditions of appointment of members are to be determined by the State Emergency Management Committee. State Emergency Policy 2.5 (Section 15) states that a LEMC may consist of: -

- Council members, employees and other persons
- Council members and other persons, or
- Employees and other persons

The local government is to determine who appropriate “other persons” may be.

**Budget Implications**

Nil

**Comment**

The Shire of Merredin Local Community Emergency Management Plan, as revised January 2007, states the following in regard to this committee:

*LOCAL EMERGENCY MANAGEMENT COMMITTEE – based on either local government boundaries or emergency management sub-districts. Chaired by the Shire President/Mayor (or a delegated person) with the Local Emergency Co-ordinator, whose jurisdiction covers the local government area concerned, as the Deputy Chair. Executive support should be provided by the local government.*

*The composition of the Merredin LEMC is detailed per the Distribution List i.e.*

*Agriculture WA*

*Airport Safety*

*CALM*

*Merredin District High School*

*Merredin Nursing Post*

*Merredin Police*

*Merredin Volunteer Fire & Rescue Service*

*Emergency Operations Unit – Police Service*

*Department for Community Development – Merredin*

*FESA Merredin*

*Senior Shire Ranger – Merredin*

*Shire of Merredin Chairperson*

*State Emergency Service – Merredin*

*Telstra*

*Water Corporation – Merredin*

*Western Power*

*The role and functions of the LEMC are as follows:*

**ROLE**

*To assist the Local Emergency Co-ordinator to develop and maintain effective emergency management arrangements for the local area.*

**FUNCTIONS**

- 1. Assist with the preparation of local emergency management plans and submit such plans to the Regional Emergency Management Committee for approval.*
- 2. Review local emergency management plans on a frequent basis.*
- 3. Assist with the preparation of emergency management operating procedures for application throughout the local area.*
- 4. Prepare an annual report on the activities of the Committee for submission to the Regional Emergency Management Committee.*

5. *Provide assistance to the Local Emergency Co-ordinator and Lead Combat Authorities during emergency management operations.*
6. *To carry out such other emergency management functions as directed by the Regional Emergency Management Committee.*

The LEMC annual report for the financial year 2006/2007 lists the following organisations as represented on the committee during the year:

1. Shire of Merredin	Chief Executive Officer (Chairman)
2. WA Police	Officer In Charge Merredin Police Station
	One other Representative
3. Merredin District Hospital	One Representative
4. Fire & Emergency Services Authority	One Representative
5. St. John Ambulance Australia	One Representative
6. State Emergency Services	Three Representatives (Includes Shire Senior Ranger)
7. Bush Fire Services	One Representative
8. China Southern Flying School	One Representative
9. Department Community Services	One Representative
10. Australian Western Railroad	One Representative
11. Eastern Wheatbelt Health	One Representative
12. Main Roads WA	One Representative
13. Disability Services Commission	One Representative
14. Water Corporation	One Representative
15. Dept. for Agriculture & Food	One Representative
16. Mental Health Services	One Representative
17. Conservation & Land Management	One Representative
18. Western Power	One Representative

It may be that Council wishes to appoint a Councillor representative or representatives to this committee.

The proposed representation, based on the above, was considered by the LEMC at the meeting of 6 November 2007. Membership as per paragraph 1 of the Officer's Recommendation was endorsed by LEMC.

**Officer's Recommendation**

1. *That the membership of the Merredin Local Emergency Management Committee be confirmed as follows:*

<i>Shire of Merredin</i>	<i>Chief Executive Officer (Chairman)</i>
<i>WA Police</i>	<i>Officer In Charge Merredin Police Station (Deputy Chair)</i>
	<i>One other Representative</i>
<i>Merredin Hospital</i>	<i>1 Representative</i>
<i>Fire &amp; Rescue Service</i>	<i>1 Representative</i>
<i>St. John Ambulance Australia</i>	<i>1 Representative</i>
<i>State Emergency Services</i>	<i>2 Representatives</i>
<i>Bush Fire Services</i>	<i>1 Representative</i>
<i>China Southern Flying School</i>	<i>1 Representative</i>
<i>Department for Child Protection</i>	<i>1 Representative</i>
<i>Australian Railroad Group</i>	<i>1 Representative</i>
<i>Eastern Wheatbelt Health</i>	<i>1 Representative</i>
<i>Main Roads WA</i>	<i>1 Representative</i>
<i>Disability Services Commission</i>	<i>1 Representative</i>
<i>Water Corporation</i>	<i>1 Representative</i>
<i>Dept. of Agriculture &amp; Food</i>	<i>1 Representative</i>
<i>Mental Health Services</i>	<i>1 Representative</i>
<i>Dept. of Environmental Protection</i>	<i>1 Representative</i>
<i>Synergy</i>	<i>1 Representative</i>
<i>West Net Rail</i>	<i>1 Representative</i>

2. *That Council agrees to appoint Cr \_\_\_\_\_ as a member of this committee.*

**ABSOLUTE MAJORITY REQUIRED**

**29244**

Moved Cr Townrow

Sec Cr A Hooper

1. *That the membership of the Merredin Local Emergency Management Committee be confirmed as follows:*

*Shire of Merredin  
WA Police*

*Chief Executive Officer (Chairman)  
Officer In Charge Merredin Police  
Station (Deputy Chair)  
One other Representative*

*Merredin Hospital*

*1 Representative*

*Fire & Rescue Service*

*1 Representative*

*St. John Ambulance Australia*

*1 Representative*

*State Emergency Services*

*2 Representatives*

*Bush Fire Services*

*1 Representative*

*China Southern Flying School*

*1 Representative*

*Department for Child Protection*

*1 Representative*

*Australian Railroad Group*

*1 Representative*

*Eastern Wheatbelt Health*

*1 Representative*

*Main Roads WA*

*1 Representative*

*Disability Services Commission*

*1 Representative*

*Water Corporation*

*1 Representative*

*Dept. of Agriculture & Food*

*1 Representative*

*Mental Health Services*

*1 Representative*

*Dept. of Environmental Protection*

*1 Representative*

*Synergy*

*1 Representative*

*West Net Rail*

*1 Representative*

**CARRIED 10/0****29245**

Moved Cr Crees

Sec Cr Townrow

2. *That Council agrees to appoint Cr K Hooper as a member of this committee.*

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



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**13.5 COUNCIL BI-ANNUAL DINNER FUNCTION/RETIREMENT OF COUNCILLORS**

**Reporting Department:** Administration  
**Reporting Officer:** Geoff Parslow – Acting Chief Executive Officer  
**Legislation:** Council Policies 1.4 & 1.14  
**File Number:**

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**Background**

Council Policies 1.4 and 1.14 relevant to this matter are as follows:

**1.4 Retirement of Councillors – Gift & Function**

*Upon retirement of a Councillor, an official presentation and function shall be held to recognise the Councillor's service to the Council. A gift as follows shall be presented to the Councillor:*

- *A gift suitably inscribed with the Council crest (or another presentation of a similar value) and a presentation plaque.*
- *In the event a Councillor has also served as Shire President, an additional presentation, as considered appropriate by the Council.*

*Where possible, the function held to recognise retiring Councillors (whether they voluntarily retire or retire through not being re-elected), shall be held in conjunction with a function to welcome newly elected Councillors after the bi-annual May election – refer to Policy 1.14.*

**1.14 Council Bi-Annual Dinner Function**

*That Council hold a formal dinner function every two years following the local government election.*

- *To formally recognise the contributions of all Councillors to the Merredin Shire.*
- *To farewell and acknowledge retiring Councillors*
- *To welcome newly elected Councillors*

*Where possible, the function held to recognise retiring Councillors (whether they voluntarily retire or retire through not being re-elected), shall be held in conjunction with a function to welcome newly elected Councillors within 21 days of the bi-annual May election.*

*Once Council has set a date for the dinner function, the Chief Executive Officer is to arrange catering, bookings and final arrangements.*

**Legal Implications**

Nil

**Budget Implications**

There is a provision in the 2007/2008 Budget for Refreshments and Receptions - \$15,000 comprising of:

Staff Christmas Function	\$2300.00
Staff Farewell Functions	\$1700.00
Council Meetings	\$8000.00
Civic Functions	<u>\$3000.00</u>
	\$15000.00

**Comment**

It is noted that reference in the above Policies to the May election should now be the October election. Reference in Policy 1.14 to where possible holding the dinner function within 21 days of the election may want to be reconsidered by Council in view of the changed seasonal demands following an October election (e.g. harvest, Christmas period etc).

The function following the May 2005 elections was held on 21 June, 2005, approximately 6 weeks after the election. A similar time span this year would make the date around 4/5 December 2007.

The Chief Executive Officer has indicated his preference to be able to attend this function. He is expected to return from leave on 4 December 2007.

Discussions with the Shire President have indicated that a date after the forthcoming Christmas period may be suitable.

**Officer's Recommendation**

*That the Council Bi-Annual Dinner Function, pursuant to Council Policies 1.4 and 1.14 be scheduled for mid January 2008.*

**29246**

Moved Cr Townrow

Sec Cr A Hooper

*That the Council Bi-Annual Dinner Function, pursuant to Council Policies 1.4 and 1.14 be scheduled on Tuesday 18 December 2007 after the Council Meeting.*

**CARRIED 10/0**

**13.6 ANNUAL CHRISTMAS FUNCTION**

**Reporting Department:** Administration  
**Reporting Officer:** Geoff Parslow - Acting Chief Executive Officer  
**Legislation:** Council Policy 1.13  
**File Number:**

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**Background**

Council Policy 1.13 states the following:

*That Council provide a joint Christmas Function for Councillors, Council staff and immediate families. The Chief Executive Officer is to place an item on the Council agenda no later than November of each year requesting Council to set a date and location for the function*

**Legal Implications**

Nil

**Budget Implications**

There is a provision in the 2007/2008 Budget for Refreshments and Receptions - \$15,000.00 comprising of:

Staff Christmas Function	\$2300.00
Staff Farewell Functions	\$1700.00
Council Meetings	\$8000.00
Civic Functions	<u>\$3000.00</u>
	\$15000.00

**Comment**

Councillors and staff have been canvassed to determine the preferred date i.e. Friday 7 December 2007 or Friday 14 December 2007, the type of function and the venue.

Responses can be summarised as follows:

Responses Received: 15 (6 Councillors, 9 Staff)  
Preferred Date: 14 December 2007 (8), 7 December, 2007 (3),  
Not stated (4)  
Preferred Venue: Regional Community and Leisure Centre (7),  
Golf Club (3), Shire Offices (3), Not stated (2)  
Preferred Type: BBQ (5), External catering (4), Not stated (6)

It is therefore proposed that the Annual Christmas Function be held on 14 December 2007 at the Merredin Regional Community and Leisure Centre in the form of a BBQ (self catered), with some external catering.

**Officer's Recommendation**

*That the Shire of Merredin Annual Christmas Function be held on Friday 14 December 2007 at the Merredin Regional Community and Leisure Centre.*

**29247**

Moved Cr Morris

Sec Cr Forbes

*That the Shire of Merredin Annual Christmas Function be held on Friday 21 December 2007 at the Administration Centre.*

**LOST 3/7****29248**

Moved Cr Townrow

Sec Cr A Hooper

*That the Shire of Merredin Annual Christmas Function be held on Friday 21 December 2007 at the Merredin Recreation Community and Leisure Centre if no other commercial booking is made for that date.*

**AMENDMENT****29249**

Moved Cr Wallace

Sec Cr Elliott

*That the Shire of Merredin Annual Christmas Function be held on Friday 21 December 2007 at the Merredin Recreation Community and Leisure Centre.*

**CARRIED 9/1**

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**13.7 PROPOSED SALE OF LAND – LOT 25289 GOOMARIN ROAD, MERREDIN**

**Reporting Department:** Administration  
**Reporting Officer:** Geoff Parslow - Acting Chief Executive Officer  
**Legislation:** Local Government Act 1995 Section 3.58  
**File Number:**

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**Background**

On 3 November 2007 Council offered 8 properties for sale by auction (Refer Acting Chief Executive Officer's Report Item 13.10).

All lots were sold at or above the reserve prices set by Council with the exception of one lot – Lot 25289 Goomarin Road, Merredin which was passed in as no bids were received. Following the conclusion of the auction the selling agent was approached by a potential buyer/buyers who were interested in lodging an offer for the property.

**Legal Implications**

Section 3.58 of the Local Government Act 1995 states that:

- (2) *Except as stated in this section, a local government can only dispose of property to –*
- (a) *The highest bidder at public auction; or*
  - (b) *The person who at public tender called by the local government makes what is, in the opinion of the local government, the most acceptable tender, whether or not it is the highest tender.*
- (3) *A local government can dispose of property other than under subsection (2) if, before agreeing to dispose of the property –*
- (a) *It gives local public notice of the proposed disposition*
    - (i) *Describing the property concerned;*
    - (ii) *Giving details of the proposed disposition; and*
    - (iii) *Inviting submissions to be made to the local government before a date to be specified in the notice, being a date not less than 2 weeks after the notice is first given*
- and*
- (b) *It considers any submissions made to it before the date specified in the notice and, if its decision is made by the council or a committee, the decision and the reasons for it are recorded in the minutes of the meeting at which the decision was made.*

**Budget Implications**

Proceeds from the sale of this property will be applied to reduce the unpaid rates and other costs outstanding, amounting to \$5,385.00

**Comment**

Elders Reals Estate have received one offer for this property as follows:

Offerer: Tracey Anne Kooiman as Trustee for Kaye Maureen  
McDonald.  
Price \$2,300.00.

The estimated value of the property, provided by Elders Real Estate on 16 October 2007 was \$2,700.00

To comply with the requirements of the Local Government Act 1995 it will be necessary to give local public notice pursuant to Section 3.58(3) prior to the acceptance of an offer

**Officer's Recommendation**

*That pursuant to the Local Government Act 1995 – Section 3.58(3) Council agrees to give the required local public notice that it intends to accept the offer of \$2,300.00 from Tracey Anne Kooiman as Trustee for Kaye Maureen McDonald for the property at Lot 25289 Goomarin Road, Merredin.*

**29250**

Moved Cr Simmonds Sec Cr Townrow

*That pursuant to the Local Government Act 1995 – Section 3.58(3) Council agrees to give the required local public notice that it intends to accept the offer of \$2,300.00 from Tracey Anne Kooiman as Trustee for Kaye Maureen McDonald for the property at Lot 25289 Goomarin Road, Merredin.*

**CARRIED 10/0**

**13.8 EASTERN DISTRICT HEALTH ADVISORY COUNCIL (D.H.A.C.)  
MEMBERSHIP**

<b>Reporting Department:</b>	Administration
<b>Reporting Officer:</b>	Geoff Parslow - Acting Chief Executive Officer
<b>Legislation:</b>	Local Government Act 1995
<b>File Number:</b>	GR/17/12

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**Background**

In November 2005 Cr Townrow and the CEO were appointed to represent Council at the Eastern Districts Health Advisory Council (DHAC).

Cr Townrow subsequently resigned from the DHAC.

At Council's February 2007 Council meeting **CMRef28807** Cr Townrow and the CEO were nominated to represent Council on the Local Health Advisory Group (LHAG).

At Council's September 2007 meeting **CMRef29139** Council decided to withdraw the Chief Executive Officer from his position as delegate to the District Health Advisory Committee.

The Eastern DHAC was advised of this decision and has asked Council to reconsider this decision (**Attachment 13.8**)

**Legal Implications**

Nil

**Budget Implications**

Nil

**Comment**

The Eastern Wheatbelt Health District comprises of the following Hospitals; Bruce Rock, Corrigin, Kellerberrin, Kununoppin, Merredin, Naremben Quairading and Yilgarn.

The Purpose of the DHAC is to:

1. Provide effective community and consumer participation.
2. Improve service safety, quality and access using consumer and carer input.
3. Provide a voice for the community and consumers to WA Country Health Service (WACHS), the Minister for Health, Director General of Health, Chief Executive Officer of WACHS and other senior WACHS staff about country health needs, priorities and services.
4. Establish a two-way information exchange by:
  - a. Consumers and community members informing health service providers of priority health issues and offering solutions;

- b. Service providers giving consumers and the community evidence of priority health needs and suitable service delivery models to improve access, safety and quality.
5. Influence consumer, community, WACHS and inter-agency links at the local, district, regional and State levels.

Each of these Hospitals has a Local Health Advisory Group (LHAG) that meets at the local level and brings forward any regional issues to the DHAC. All members of the DHAC are members of the LHAG elected by that group to represent them.

Some of these aims have been achieved but in the Merredin situation the LHAG has only been recently formed and nothing has really progressed at this stage.

The withdrawal of the Shire of Merredin CEO should be seen as an opportunity for the Merredin LHAG to elect one of its members to the DHAC.

It is interesting to note that of all the Local Governments covered by the Merredin Hospital only the CEOs of Bruce Rock, Yilgarn and Merredin local governments had representatives on the DHAC. All the rest are community members.

As reported in the CEO Report elsewhere in this agenda other activities are being initiated to deal with service provision at the Merredin Hospital and it would be productive for efforts to be concentrated in this activity than at DHAC.

Of course Council may wish to nominate a member to attend the DHAC meetings.

Council considered this report at the 20 October 2007 meeting where it was agreed that the item be held over to the November meeting of Council to enable newly appointed Councillors to consider the matter.

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

*That Council advise the Eastern District Health Advisory Council that representation on the DHAC should come from the Merredin Local Health Advisory Group as is the case with other members of DHAC.*

**29251**

Moved Cr Townrow

Sec Cr Forbes

*That Council advise the Eastern District Health Advisory Council that representation on the DHAC should come from the Merredin Local Health Advisory Group as is the case with other members of DHAC with Cr Pam Forbes to be the representative.*

**CARRIED 10/0**



**13.9 2007/2008 RATES OBJECTION – CONVENING OF ELECTORS MEETING**

**Reporting Department:** Administration  
**Reporting Officer:** Geoff Parslow - Acting Chief Executive Officer  
**Legislation:** Local Government Act 1995 Section 5.29  
**File Number:** RV/3/2

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**Background**

Council considered the matter of 2007/2008 Rates Objections at the 16 October 2007 meeting and resolved (**CMRef29189**) that Council respond to the ratepayers with the information contained in the above report and a meeting be arranged between Landgate, ratepayers and the Shire of Merredin staff and Councillors.

Accordingly, correspondence has been sent to the affected ratepayers responding to their queries and to Landgate requesting a meeting.

**Legal Implications**

Section 5.29 of the Local Government Act 1995 relates to the convening of Electors Meetings.

Paragraph (1) states:

*The CEO is to convene an electors meeting by giving-*

- (a) at least 14 days local public notice; and*
- (b) each Council member at least 14 days notice, of the time, place and purpose of the meeting.*

In terms of the Local Government Act 1995 the definition of electors includes ratepayers.

**Budget Implications**

Nil

**Comment**

Landgate have responded to the request for a meeting as follows: The District Valuer or the Regional Valuer Country Towns is prepared to attend a public meeting convened to discuss rating issues.

The periods available are 3 December 2007 to 18 December 2007 or 28 January 2008 to the end of February 2008. Landgate have requested a middle of the day type meeting to minimize travel and accommodation costs.

It is likely that issues such as extension of the GRV rating base to cover townsite fringe areas and differential rating options will be raised for discussion.

Landgate officers have confirmed that some (approximately half) of the property owners who lodged a rating objection with the Shire have also lodged formal valuation objections with Landgate. It is likely that some of these objections will result in reduced valuations.

In terms of statutory requirements for the convening of electors meetings, the earliest a local public notice could be lodged in the local press, following the November Council meeting would be 28 November 2007 bringing the required 14 days notice to an earliest meeting date of Wednesday 12 December 2007.

The meeting date options available to Council are:

- 12 December 2007 to 18 December 2007 inclusive; or
- 28 January 2008 to 29 February 2008

**Officer's Recommendation**

*That Council convene a special meeting of electors to be held on Thursday 13 December 2007 at 2.00pm in the Shire Administration building. The purpose of the meeting is to discuss matters raised in relation to objections received to 2007/2008 rates.*

**29252**

Moved Cr Simmonds

Sec Cr Crees

*That Council convene a special meeting of electors to be held on Thursday 13 December 2007 at 2.00pm in the Shire Administration building. The purpose of the meeting is to discuss matters raised in relation to objections received to 2007/2008 rates.*

**CARRIED 10/0**

**13.10 ACTING CHIEF EXECUTIVE OFFICER'S REPORT**

**Reporting Department:** Administration  
**Reporting Officer:** Geoff Parslow - Acting Chief Executive Officer  
**Legislation:** Local Government Act 1995  
**File Number:**

The Acting Chief Executive Officer's report for November 2007 is presented below:

**Regional Achievement & Community Awards**

Council resolved **CMRef29153** October 2007 to endorse the Business and Community Development's Committee's nomination of Cr Morris and invitation to Central Wheatbelt Visitor Centre Manager and Tourism Officers (2) to attend the Regional Achievement and Community Awards Gala Presentation Dinner on 23 November 2007.

The Central Wheatbelt Visitor Centre Manager and Tourism Officers indicated that they were unable to attend.

Advice of the 2007 Award finalists was received on 30 October 2007. Unfortunately the nomination for the Central Wheatbelt Visitor Centre was not selected as a finalist.

Subsequent discussion with Cr Morris, the Shire President and the Manager of Community Services support a position of non-attendance at the Gala Presentation Dinner – the cost is \$90 per head plus accommodation and travel costs if appropriate.

In this instance it is felt that the costs to Council outweigh the benefits of attendance.

**Property Auction – 3 November 2007**

The auction of 8 lots on behalf of Council on Saturday 3 November 2007 was well attended and all properties, with the exception of 1 lot, were sold at or above the reserve prices set by Council.

Details are:

<b>Property</b>	<b>Sale Price</b>	<b>Rates Owing</b>
15 Limborne Street	\$7,250.00	\$5,860.00
17 Limborne Street	\$8,750.00	\$6,393.00
Lot 25289 Goomarin Road	(no bids – passed in)	\$5,385.00
Lot 25 Gabo Road	\$40,500.00	N/A
54 Bates Street	\$23,500.00	N/A
Lot 147 Nolan Way	\$7,000.00	N/A
76 Kitchener Road	\$30,500.00	\$7,008.00
Lot 533 Cohn Street	\$90,000.00	N/A

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Following the auction there was some buyer interest in Lot 25289 Goomarin Road. The selling agent will collate any offers received and the information will be passed onto Council for a decision. (Refer Agenda Item 13.7)

The property at 54 Bates Street was sold conditionally. Currently the property is zoned Civic and Culture which precludes the construction of a residential dwelling. The sale was transacted on the condition that the property is rezoned to Residential 1.

#### **Meeting Attendance**

The Acting Chief Executive Officer attended the WE-ROC executive meeting held in Merredin on 24 October 2007.

#### **Long Term Accommodation Strategy – WA Local Government Association (WALGA)**

Advice has been received from WALGA of further progress in relation to the provision of new and expanded accommodation for the Association – a current preferred option is a development site held by the Town of Vincent.

Negotiations are proceeding however the Board of Management of Local Government House Trust have indicated that the proposal will only proceed if there are no additional proposals received from member Councils that yield a greater net cost/benefit. Further information is provided in **Attachment 13.10**.

#### **Exceptional Circumstances Interest Rate Subsidy – Department of Agriculture and Food**

Officers from the Department of Agriculture and Food – Dry Seasons Response Team met with the Acting Chief Executive Officer on 7 November 2007 to explain the process for the lodgement of applications for the Exceptional Circumstances (E.C.) Interest Rate Subsidy – Year 1.

Any farmer or farm business situated within the E.C. declared area is eligible to apply. The majority of the farming land within the Shire of Merredin (the northern portion) has been declared an E.C. area.

Application forms and further information is available from the Department of Agriculture and Food and Shire offices within the E.C. declared area.

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

*That Council receive the Acting Chief Executive Officer's Report for November 2007.*

**29253**

Moved Cr Simmonds

Sec Cr Crees

*That Council receive the Acting Chief Executive Officer's Report for November 2007.*

**CARRIED 10/0**

14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

15.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

Nil

16.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Cr Morris is to draft up questions to put to Brendan Grylls MLA in regard to the way the PTA are tackling housing issues in country towns. The Acting Chief Executive Officer is to liaise with Cr Morris to finalise the questions for submission.

17.0 MATTERS BEHIND CLOSED DOORS

Nil

18.0 CLOSURE

There being no further business the Presiding Member declared the meeting closed at 5.57pm.