

INDEX

<u>1.0</u>	<u>OFFICIAL OPENING</u>	3
<u>2.0</u>	<u>PUBLIC QUESTION TIME</u>	3
<u>3.0</u>	<u>APOLOGIES AND LEAVE OF ABSENCE</u>	4
<u>4.0</u>	<u>DISCLOSURE OF INTEREST</u>	4
<u>5.0</u>	<u>PETITIONS & PRESENTATIONS</u>	4
10.5	<u>Applications To Continue To Locate Sea Containers Within The Merredin Townsite – Lot 31 Mitchell St, Lot 11 Barrack St, Lot 162 King St, Merredin</u> ...	6
<u>6.0</u>	<u>CONFIRMATION OF MINUTES</u>	10
6.1	<u>Previous Council Meeting</u>	10
<u>7.0</u>	<u>ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION</u>	10
<u>8.0</u>	<u>MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC</u>	10
<u>9.0</u>	<u>RECEIVAL OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL</u>	10
9.1	<u>Lee Kernaghan Promotion Committee Meeting held on 19 June 2006;</u>	10
9.2	<u>Merredin Regional Community & Leisure Centre Management Committee meeting held 27 June 2006;</u>	10
9.3	<u>WE-ROC Meeting held on 28 June 2006;</u>	10
9.4	<u>Lee Kernaghan Promotion Committee Meeting held on 29 June 2006;</u>	10
9.5	<u>Lee Kernaghan Promotion Committee Meeting held on 4 July 2006;</u>	10
9.6	<u>Business & Community Development Committee meeting held 5 July, 2006;</u>	10
9.7	<u>Lee Kernaghan Promotion Committee Meeting held on 11 July 2006;</u>	10
9.6	<u>Business & Community Development Committee meeting held 5 July, 2006;</u>	12
<u>11.0</u>	<u>ENGINEERING SERVICES</u>	13
11.1	<u>Manager Of Works – Monthly Report</u>	13
<u>10.0</u>	<u>COMMUNITY, HEALTH, BUILDING, TOWN PLANNING & ENVIRONMENTAL SERVICES</u>	15
10.1	<u>Application For Planning Consent To Construct Building On Boundary At Lot 631 Endersbee Street, Merredin – A & A Drakeford</u>	15
10.2	<u>Application For Planning Consent – Three Grouped Dwellings At Lot 941 Mill St, Merredin, Franco Carozzi Architects For Department Of Housing And Works</u>	18
10.3	<u>Amalgamation Of Land Application – Lots 12, 13, 14, 15, 16 And 123 Mitchell Street, Merredin – Links Surveying Land Development Consultants For Suncage Pty Ltd And Bm & Rp Enterprises</u>	22

MINUTES

<u>10.4</u>	<u>Amalgamation Of Land Application – Lots 62 And 6 Barrack Street, Merredin – Links Surveying Land Development Consultants For Maxwell Mcnabb, Julie Mcnabb And Suncage Pty Ltd</u>	25
<u>10.5</u>	<u>Applications To Continue To Locate Sea Containers Within The Merredin Townsite – Lot 31 Mitchell St, Lot 11 Barrack St, Lot 162 King St, Merredin..</u>	27
<u>11.0</u>	<u>ENGINEERING SERVICES</u>	27
<u>11.1</u>	<u>Manager Of Works – Monthly Report</u>	27
<u>12.0</u>	<u>ADMINISTRATION, FINANCE & COMMUNITY DEVELOPMENT</u>	28
<u>12.1</u>	<u>Chief Executive Officer’s Report</u>	28
<u>12.2</u>	<u>Building A Stronger Wheatbelt – Sub Regional Workshop</u>	31
<u>12.3</u>	<u>Shire Of Chapman Valley – Administrative Burdens On Local Governments</u> ...	32
<u>12.4</u>	<u>Wheatbelt Health Service Plan</u>	34
<u>12.5</u>	<u>Rural Town Liquid Assets</u>	36
<u>12.6</u>	<u>Wheatbelt Support Services – Counselling And Personal Support After Local Emergencies</u>	37
<u>12.7</u>	<u>Deputy Chief Executive Officer’s Report</u>	38
<u>12.8</u>	<u>Our Patch’ Funding – Tamma Parkland</u>	39
<u>12.9</u>	<u>Monthly Finance Report</u>	41
<u>12.10</u>	<u>List Of Accounts Paid</u>	42
<u>12.11</u>	<u>Merredin Medical Centre – Debt Write-Offs</u>	43
<u>13.0</u>	<u>MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN</u>	44
<u>14.0</u>	<u>QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN</u>	44
<u>15.0</u>	<u>URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION</u> .	44
<u>15.1</u>	<u>Merredin And District Visitor Centre / Newroc Memorandum Of Understanding</u>	44
<u>16.0</u>	<u>MATTERS BEHIND CLOSED DOORS</u>	46
<u>17.0</u>	<u>CLOSURE</u>	46

Minutes for the Ordinary Meeting of the Merredin Shire Council held in the Council Chambers, Cnr King/Barrack Streets, Merredin on Tuesday 18 July 2006 at 1.00pm.

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

Messrs FB Ludovico, Chief Executive Officer;
JA McGovern, Deputy Chief Executive Officer;
JF Garrett, Manager of Works; AM Peters, Personal Assistant

Ms Claire Hammersley, Natural Resource Management Officer

Mr Mark Pridham – Dept of Agriculture & Food;
Jo Pluske – UWA – Agricultural and Resource Economics (1.22pm);
Juana Roe – Department of Agriculture & Food;
Mr Jeffrey Turner - CSIRO – Rural Towns Liquid Assets.

Mr Vic London.

1.0 OFFICIAL OPENING

The Presiding Member declared the meeting open at 1.05pm.

2.0 PUBLIC QUESTION TIME

Mr Vic London queried how often our hospital equipment is checked because at three checks on his blood pressure three different readings were registered.

Mr London also advised that he had been given codeine to which he was allergic. He is concerned that errors are being made at the Medical Centre with medications being incorrectly prescribed.

MINUTES

President Ken Hooper advised that this was an issue to be taken up with the WA Health Department.

Mr London expressed his disappointment at not having his previous queries answered concerning refuse charges and the necessity for him to approach Brendon Grylls MLA with his concerns.

The President responded indicating those questions had already been answered.

Vic London left the meeting at 1.09pm.

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr J Simmonds has leave of absence for meeting of 18 July, 2006.

Cr J Jones requested leave of absence for the September 2006 meeting.

28551 Moved Cr Wallace sec Cr N Hooper
That Council approve leave of absence for Councillor Jones for the 19 September 2006 meeting.

CARRIED 10/0

4.0 DISCLOSURE OF INTEREST

5.0 PETITIONS & PRESENTATIONS

Rural Towns Liquid Assets Presentation was presented by Mr Mark Pridham, Dept of Agriculture & Food; Jo Pluske, UWA – Agricultural and Resource Economics (1.22pm); Juana Roe, Department of Agriculture & Food and Mr Jeffrey Turner, CSIRO – Rural Towns Liquid Assets.

Points emerging from the discussion were:

- Rural Towns Liquid Assets presenters have offered to formulate a letter to the Department of Water Resources requesting confirmation of water ownership within the Shire of Merredin.
- Installation of pumps for ground water extraction has been completed.
- There is \$20,000 left in the budget. A list of capital items were presented. (Copy attached).
- Council needs to know the cost of maintaining the bores in the future over and above running costs.
- The cost of conventional pumps is around \$21,000 to equip the bore. Removes the water at 100 to 120kl per day.

MINUTES

-
- Solar pumps could be used. Preliminary costings indicate that the capital costs of equipping a production bore to deliver at 80kl per day is \$86,000 (includes headworks, solar panel etc).
 - There is a marginal difference of \$15,000 between conventional power supply to solar power.
 - Solar power would be beneficial if we had to run power out to an installation. This is not necessary in Merredin.
 - Difficult to put a dollar value on the data already collected as many factors need to be considered.
 - Water collection data provides know how on the projects and estimates of that water quality to be produced.
 - In terms of the requirement to set up and operate a reverse osmosis plant the plant operators will need to know the water quality of the townsite. If the plant operator is setting up an RO plant the water quality data is invaluable.
 - Council is very keen to ensure two outcomes from the project. The removal of harmful ground water and to utilise this as a resource for economic development.
 - The options for water utilisation and reuse: Merredin Report did not provide the required analysis and fell short of what is necessary to make sound decisions.
 - Cost benefit analysis must be done properly. Therefore Council is required to advise the projects they wish to see up and running and Rural Towns Committee can do the study and advise which projects will be suitable for Merredin.
 - Water Utilisation Report will be prepared in the next six months.

President K Hooper thanked the Rural Towns Liquid Asset representatives for their attendance.

Mr Mark Pridham, Ms Jo Pluske, Ms Juana Roe and Mr Jeffrey Turner left the meeting at 2.55pm.

Ms Claire Hammersley left the meeting at 2.55pm.

Mr Jim Medlen, Country Style representative, Tarrquinne Sullivan, Manager of Target Country and Miss Marika Hayden entered the meeting at 2.56pm.

This following item was brought forward.

**10.5 APPLICATIONS TO CONTINUE TO LOCATE SEA CONTAINERS
WITHIN THE MERREDIN TOWNSITE – LOT 31 MITCHELL ST,
LOT 11 BARRACK ST, LOT 162 KING ST, MERREDIN**

Reporting Department: Development Services
Reporting Officer: Warren Bow, Manager of Development Services
Legislation: Local Government Act 1995, Council Policy
9.12
File Number: CUS/9/3

Background:

At its Ordinary meeting in December 2005 Council resolved (CMRef 28248) to adopt Policy 9.12 – Placement of sea containers on land within the townships of the Shire of Merredin (the policy).

Four properties were identified on which sea containers exist in the Merredin central business district. After discussions with the owners of these properties, correspondence was sent advising of the existence of Council's policy and conveying the option of removing the sea container or applying to Council for formal approval to have such remain.

To this end the below listed applications have been made to Council requesting formal approval to allow a pre-existing sea container to remain on such property –

- D & H Medlen, for Solfame Pty Ltd – Lot 31 Mitchell St, Merredin
- SD & CJ Last – Lot 11 Barrack St, Merredin

A submission from D & R Anderson has been received also in relation to the sea container at Lot 162 King St, Merredin.

Legal Implications:

MINUTES

Lot 31 Mitchell St and Lot 11 Barrack St, Merredin are zoned “shop” under the provisions of the Shire of Merredin Town Planning Scheme No.1 (the Scheme).

Clause 3 of the policy prohibits the placement of sea containers within the “shop” zone.

Lot 162 King St, Merredin is zoned “showroom” under the provisions of the Scheme.

The placement of sea containers within the “showroom” zone is a “PS” use under Clause 3 of the policy. This means that they are not permitted unless special Council approval is granted and conditions complied with.

Budget Implications:

Clause 4 (e) of the policy requires the payment of relevant planning and building application fees.

To this end no fees have been paid by the abovementioned.

Comment:**MEDLEN APPLICATION**

At its Ordinary meeting in March 2005 Council resolved (CMRef 27831) to grant a twelve month approval to D & H Medlen to place a sea container on Lots 31/36 Mitchell St, Merredin.

Attachment 10.5A is correspondence which accompanied the application from D & H Medlen seeking approval to allow the above mentioned sea container to remain on the property (Lot 31 Mitchell St) for a further five years. As site plan accompanying the application can be seen as Attachment 10.5B.

The relevant application fee of \$100.00 has not been paid.

LAST APPLICATION

Attachment 10.5C is correspondence which accompanied the application from SD & CJ Last seeking indefinite approval to allow the pre-existing sea container to remain at the rear of Lot 11 Barrack St, Merredin.

Attachment 10.5D is a copy of correspondence from the Shire to SD & CJ Last conveying a twelve month approval in May 1993 to place a sea container on the property. It is unclear whether this was ever formally reviewed, and certainly this has not been done within the past three years.

The relevant application fee of \$100.00 has not been paid.

MINUTES**ANDERSON SUBMISSION**

Attachment 10.5E is a copy of the building license and correspondence issued by the Shire of Merredin in October 1998 to D & R Anderson for the placement of a sea container on Lot 162 King St, Merredin.

It is noted that the license refers to a “temporary storage unit” which is quite ambiguous.

Under the provisions of the Shire of Merredin draft Local Planning Strategy, Lot 162 King St is located outside of the proposed “town centre” zone and remains zoned “showroom”.

The predominant light industry/service station use of the property, notwithstanding it’s “showroom” zoning, the relatively small size and location of the sea container and its general compliance with clause 6 of Council’s policy may enable Council to consider approving the continuing location of the sea container on Lot 162 King St, Merredin.

Improvement of the general condition of the rear of Lot 162 King St, with various materials currently being stored in the open could form part of any conditional approval.

Officer’s Recommendation:

1. *That Council advise D & H Medlen that –*
 - a) *as per Council’s policy, the placement of sea containers within the “Shop” zone as determined by the Shire of Merredin Town Planning Scheme No.1, is prohibited;*
 - b) *that their application to place a sea container on Lot 31 Mitchell St, Merredin is refused;*
 - c) *that the relevant existing sea container should be removed within three (3) months; and*
 - d) *the application for planning consent fee of \$100.00 is to be paid.*

2. *That Council advise SC & CJ Last that –*
 - a) *as per Council’s policy, the placement of sea containers within the “Shop” zone as determined by the Shire of Merredin Town Planning Scheme No.1, is prohibited;*
 - b) *that their application to place a sea container on Lot 11 Barrack St, Merredin is refused;*
 - c) *that the relevant existing sea container should be removed within three (3) months; and*
 - d) *the application for planning consent fee of \$100.00 is to be paid.*

3. *That Council grant approval in principle D & R Anderson for the placement of a sea container at Lot 162 King St, Merredin subject to a formal application for planning consent and building license being submitted as per Council’s policy and the relevant fees being paid,*

with the Chief Executive Officer delegated authority to issue the applicable planning consent including conditions.

(Absolute majority required)

28552

Moved Cr Townrow sec Cr Marley

1. *That Council advise D & H Medlen that –*
 - a) *as per Council’s policy, the placement of sea containers within the “Shop” zone as determined by the Shire of Merredin Town Planning Scheme No.1, is prohibited;*
 - b) *that their application to place a sea container on Lot 31 Mitchell St, Merredin is refused;*
 - c) *that the relevant existing sea container should be removed within twelve (12) months; and*
 - d) *the application for planning consent fee of \$100.00 is to be paid.*

2. *That Council advise SC & CJ Last that –*
 - a) *as per Council’s policy, the placement of sea containers within the “Shop” zone as determined by the Shire of Merredin Town Planning Scheme No.1, is prohibited;*
 - b) *that their application to place a sea container on Lot 11 Barrack St, Merredin is refused;*
 - c) *that the relevant existing sea container should be removed within twelve (12) months; and*
 - d) *the application for planning consent fee of \$100.00 is to be paid.*

3. *That Council grant approval in principle D & R Anderson for the placement of a sea container at Lot 162 King St, Merredin subject to a formal application for planning consent and building license being submitted as per Council’s policy and the relevant fees being paid, with the Chief Executive Officer delegated authority to issue the applicable planning consent including conditions.*

**CARRIED 8/2
ABSOLUTE MAJORITY**

Reason: Council made a minor amendment to 1 c) and 2 c) of the Officer’s Recommendation to alter the time period for removal of sea containers from three (3) months to twelve (12) months to allow applicants more time to source storage facilities within the Merredin townsite.

6.0 CONFIRMATION OF MINUTES

6.1 PREVIOUS COUNCIL MEETING

28553

Moved Cr Astbury sec Cr Townrow

That the minutes of Council Meeting held on the 20 June 2006 be confirmed as a true and correct record of proceedings.

CARRIED 10/0

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

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

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

- 9.1 Lee Kernaghan Promotion Committee Meeting held on 19 June 2006;
- 9.2 Merredin Regional Community & Leisure Centre Management Committee meeting held 27 June 2006;
- 9.3 WE-ROC Meeting held on 28 June 2006.
- 9.4 Lee Kernaghan Promotion Committee Meeting held on 29 June 2006.
- 9.5 Lee Kernaghan Promotion Committee Meeting held on 4 July 2006.
- 9.6 Business & Community Development Committee meeting held 5 July, 2006;
- 9.7 Lee Kernaghan Promotion Committee Meeting held on 11 July 2006.

28554

Moved Cr Astbury sec Cr Townrow

That the Merredin Shire Council receive the minutes of the Lee Kernaghan Promotion Committee Meeting held on 19 June 2006; Merredin Regional Community & Leisure Centre Management Committee meeting held 27 June 2006; WE-ROC Meeting held on 28 June 2006; Lee Kernaghan Promotion Committee Meeting held on 29 June 2006; Lee Kernaghan Promotion Committee Meeting

*held on 4 July 2006; Business & Community Development
Committee meeting held 5 July, 2006; Lee Kernaghan Promotion
Committee Meeting held on 11 July 2006.*

CARRIED 10/0

9.2 Merredin Regional Community & Leisure Centre Management
Committee meeting held 27 June 2006.

Moved Cr Astbury sec G McAuliffe

1. *That the Merredin Regional Community & Leisure Centre Management Committee recommend to Council that in order to extend oval to southern end for the purpose of accommodating hockey, football, cricket and Fire and Rescue Running Track, the old stewards rooms, horse stalls and cow stalls be removed.*
2. *That Merredin Regional Community & Leisure Centre recommend to Council that in order to create new entrance and improve drainage the pottery shed and exhibition hall be demolished.*

CARRIED

Jim Garrett left the meeting at 3.18.

Jim Garrett entered the meeting at 3.19pm.

28555

Moved Cr Wallace sec Cr Astbury

1. *That Council in order to extend oval to southern end for the purpose of accommodating hockey, football, cricket and Fire and Rescue Running Track remove the old stewards rooms, horse stalls and cow stalls.*
2. *That Council in order to create new entrance and improve drainage demolish the pottery shed and exhibition hall.*

CARRIED 10/0

Moved Cr Morris sec Cr Astbury

That Merredin Regional Community & Leisure Centre Management Committee recommend to Council that Council adopt on an in principle basis, that the Fire and Rescue Services running track be located on eastern side of Recreation Ground.

CARRIED

28556

Moved Cr Morris sec Cr Astbury

That Council adopt on an in principle basis, that the Fire and Rescue Services running track be located on eastern side of Recreation Ground.

CARRIED 9/1

9.6 Business & Community Development Committee meeting held 5 July, 2006;

7.2 **Townscape Plan and Budget**

A revised Townscape Plan for 2006 with proposed budget allocations for consideration by the BCDC for 2006/2007 was reviewed by the committee.

It was agreed that clarification of carryover funding on partly-completed projects is required with regard to installation labour costs. Discussion of labour requirements for Townscape projects continued with the point being made that if every proposed project in the Townscape Plan was to be undertaken, there would not be enough available labour to achieve those outcomes within the time period allocated.

Moved Cr Jones sec Cr Townrow

That the Townscape budget for 2006/2007 allow for partly-completed projects to be finished, with an additional \$10,000 to be made available for outstanding CBD works, inclusive of labour costs.

CARRIED 5/1

28557

Moved Cr Morris sec Cr Townrow

That the Townscape budget for 2006/2007 allow for partly-completed projects to be finished, with an additional \$10,000 to be made available for outstanding CBD works, inclusive of labour costs.

CARRIED 9/1

The following item was brought forward.

11.0 ENGINEERING SERVICES

11.1 MANAGER OF WORKS – MONTHLY REPORT

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

Background:

Monthly report on operations.

Legal Implications:

Nil

Budget Implications:

Nil

Comment:

Road Construction

Construction on Pitt Road completed.

Electrical cabling to be laid in the next two weeks on Whitfield Way and then works can be completed on Goldfields Road.

Road Maintenance

Maintenance grading ongoing in the South west corner of the shire.

Bitumen patching in progress.

Weed spraying of road verges ongoing.

Banner Poles

Concrete bases have been laid, when concrete has cured poles will be erected.

Parks And Gardens

Rose pruning and mulching of rose beds in progress.

Weed spraying of footpaths ongoing.

Water

Dam #1

95% Full

Capacity 74,455 kilolitres

MINUTES

Dam #2	70% Full	Capacity	71,675 kilolitres
Dam #3	100% Full	Capacity	46,000 kilolitres
Railway Dam	100% Full	Capacity	23,000 kilolitres

Officer's Recommendation:

That the Merredin Shire Council receive the Manager of Works report for July 2006.

28558

Moved Cr Townrow sec Cr Morris

That the Merredin Shire Council receive the Manager of Works report for July 2006.

CARRIED 10/0

J Garrett, MoW left the meeting at 4.44pm.

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

10.1 APPLICATION FOR PLANNING CONSENT TO CONSTRUCT
BUILDING ON BOUNDARY AT LOT 631 ENDERSBEE STREET,
MERREDIN – A & A DRAKEFORD

Reporting Department:	Development Services
Reporting Officer:	Warren Bow, Manager of Development Services
Legislation:	Planning and Development Act 2005, Shire of Merredin Town Planning Scheme No.1, Residential Design Codes, Building Regulations 1989
File Number:	P/1201

Background:

An application for planning consent (PA07/06) has been submitted by Adam and Angela Drakeford (applicant) to construct a carport and verandah at Lot 631, No.5 Endersbee Street, Merredin (the property).

The applicant proposes to enclose a section of the carport and to build such up to the adjoining boundary, between numbers 7 and 5 Endersbee Street. This is commonly known as a parapet wall and is referred to in the Residential Design Codes as a “boundary wall”.

A site plan and elevations of the proposed carport and verandah which accompanied the application can be seen as **Attachment 10.1A**.

Legal Implications:

The property is zoned Residential 1 in accordance with the Shire of Merredin Town Planning Scheme No.1. Accordingly, development on such lot is governed by both the Shire of Merredin Town Planning Scheme No.1 and the Residential Design Codes of Western Australia (RDC’s).

The RDC’s incorporate “deemed to satisfy” and “performance based” standards for development in residential areas. They also enabled local authorities to develop policies to control certain developments more rigidly.

The RDC’s enable Local Government to consider applications which do not meet the acceptable development criteria; this is in the form of an application for planning consent.

The RDC’s prescribe acceptable development for a boundary wall as being -

- a) Behind the front setback line
- b) Not higher than 3.0m
- c) Average height of 2.7m
- d) Up to 9.0m in length

The proposed boundary wall is setback 7.5 metres from the front boundary and is to be of brick construction. The building on boundary wall is 14 metres in length and ranges in height 3.0 – 3.3 metres.

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.

The relevant fee of \$100.00 has been paid by the applicant.

Comment:

The proposed building on boundary does not comply with the RDC's in that it is too high and too long. It is noted that it does comply with the front setback requirements.

The RDC's provide that consultation of adjoining property owners, and others as deemed necessary, can be undertaken in relation to planning applications that do not comply entirely with the prescribed acceptable development standards.

Accordingly the applicant was asked to consult with the relevant adjoining property owner. A written submission in support of the application has been received and can be seen as **Attachment 10.1B**. Regrettably the submission contained insufficient information, requiring further consultation with the adjoining property owner.

Additional comment from the owner of 7 Endersbee Street can be seen as **Attachment 10.1C**.

Given that the proposed boundary wall complies with the front setback requirements, enhances privacy, does not adversely affect the amenity of the residential area and the adjoining property owner has raised no objection to the construction thereof it is felt approval of the application is warranted.

Officer's Recommendation:

That Council grant planning consent to Adam and Angela Drakeford, in relation to application for planning consent PA07/06, to construct a carport and verandah incorporating a 14 metre long, brick construction, boundary wall of height between 3.0 – 3.3 metres at Lot 631 Endersbee Street subject to

–

- 1) *A building license being issued for all building works; and*
- 2) *Subject to first obtaining the consent of the owners of Lot 632 (No. 7) Endersbee Street for entry onto their land, the applicant shall finish*

and maintain the surface of the boundary (parapet) wall facing Lot 632 Endersbee Street to the adjoining owners satisfaction and in a good and clean condition.

28559

Moved Cr Wallace sec Cr Morris

That Council grant planning consent to Adam and Angela Drakeford, in relation to application for planning consent PA07/06, to construct a carport and verandah incorporating a 14 metre long, brick construction, boundary wall of height between 3.0 – 3.3 metres at Lot 631 Endersbee Street subject to –

- a. A building license being issued for all building works; and*
- b. Subject to first obtaining the consent of the owners of Lot 632 (No. 7) Endersbee Street for entry onto their land, the applicant shall finish and maintain the surface of the boundary (parapet) wall facing Lot 632 Endersbee Street to the adjoining owners satisfaction and in a good and clean condition.*

CARRIED 10/0

10.2 APPLICATION FOR PLANNING CONSENT – THREE GROUPED DWELLINGS AT LOT 941 MILL ST, MERREDIN, FRANCO CAROZZI ARCHITECTS FOR DEPARTMENT OF HOUSING AND WORKS

Reporting Department: Development Services
Reporting Officer: Warren Bow, Manager Development Services
Legislation: Planning and Development Act 2005, Shire of Merredin Town Planning Scheme No. 1, Residential Design Codes
File Number: P/941

Background:

An application (PA08/06) has been submitted by Franco Carozzi Architects (the applicant) on behalf of Department of Housing and Works to construct three two bedroom grouped dwellings at Lot 941 Mill St, Merredin (the property).

A grouped dwelling is defined by the Residential Design Codes (the Codes) as “a dwelling that is one of a group of two or more dwellings on the same lot such that no dwelling is placed wholly or vertically above another”.

The property is located in the Residential (R1) zone as per the Shire of Merredin Town Planning Scheme No. 1 (the Scheme), with an assigned density code of R12.5/20.

A grouped dwelling is not permitted (“PS”) in the Residential (R1) zone unless special approval is given by Council and conditions complied with.

Attachment 10.2A is a site plan showing the proposed location of the grouped dwellings.

Attachment 10.2B shows an elevation, floor plan and brief schedule of finishes applicable to two of the three dwellings. Additional details have been requested from the applicant.

The property, currently vacant, is served by Water Corporation sewer mains, as such the R20 density code applies to development on this property. All other relevant utilities are provided.

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.

Clause 2.3.4 of the Scheme states –

“Unless otherwise provided for in the Scheme the development of land for any of the Residential purposes dealt with by the Residential Design Codes shall conform to the provisions of those Codes and the schedules to those Codes.”

However Clause 6.7.1 of the Scheme conveys the ability for Council to –

“If a development the subject of an application for planning consent does not comply with a standard or requirement prescribed by the Scheme applicable thereto the Council may if it is satisfied that -

- a) if approval were granted, the development would be consistent with the orderly and proper planning of the locality and the preservation of the amenities of the locality; and*
- b) the non-compliance will not have an adverse effect upon the occupiers or users of the development or the property in or the inhabitants of the locality or the likely future development of the locality;*

*by an **absolute majority** grant planning consent to the development subject to any conditions the Council thinks fit notwithstanding the non-compliance with 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.

The relevant fee applicable to this application for planning consent is \$1,203.00 which has been paid by the applicant.

Comment:

Lot 941 Mill St, Merredin is vacant, with the previous duplex being demolished under demolition license DA02/06. The property has an area of 1048m². The proposed construction of three grouped dwellings on the lot equates to an average site area per dwelling of 349m².

The three grouped dwelling proposal does not comply with the average site area requirements of the assigned R20 density code. An average site area per

MINUTES

dwelling of 450m² is required. Effectively, there is one extra dwelling than allowed under the R20 Code.

Council may recall a similar application for planning consent for three grouped dwellings to be placed at Lot 942 Woolgar Ave, Merredin submitted in December 2004 on behalf of the Department of Housing and Works. At its January 2005 meeting Council resolved (**CMRef 27769**) by absolute majority, to approve the application.

This decision was taken after advertising the application in accordance with the Scheme and there being no objection, on town planning grounds, being received.

Assessment of application PA08/06 indicates that it complies with all other significant town planning requirements such as open space, side and rear boundary setbacks, outdoor living area, car parking and vehicular access, and fencing.

Officer's Recommendation:

1. *That Council advise Franco Carozzi Architects, for the Department of Housing and Works, that it does not support the application for planning consent (PA08/06) to construct three, two bedroom grouped dwellings at Lot 941 Mill St, Merredin as the proposal does not comply with the requirements of the Shire of Merredin Town Planning Scheme No.1 and referenced Residential Design Codes.*
2. *That Council advise Franco Carozzi Architects, for the Department of Housing and Works, that it is prepared to consider a revised grouped dwelling proposal with a maximum of two dwellings at the property subject to the following –*
 - a) *Submission of two elevation plans for each grouped dwelling, and*
 - b) *Submission of detailed landscaping and drainage plan.*

Moved Cr Morris sec Cr Townrow

1. *That Council advise Franco Carozzi Architects, for the Department of Housing and Works, that it does not support the application for planning consent (PA08/06) to construct three, two bedroom grouped dwellings at Lot 941 Mill St, Merredin as the proposal does not comply with the requirements of the Shire of Merredin Town Planning Scheme No.1 and referenced Residential Design Codes.*
2. *That Council advise Franco Carozzi Architects, for the Department of Housing and Works, that it is prepared to consider a revised grouped dwelling proposal with a maximum of two dwellings at the property subject to the following –*

-
- a) *Submission of two elevation plans for each grouped dwelling, and*
 - b) *Submission of detailed landscaping and drainage plan.*

LOST 1/9

28560

Moved Cr Wallace sec Cr N Hooper

1. *That Council advise Franco Carozzi Architects, for the Department of Housing and Works, that it does support the application for planning consent (PA08/06) to construct three, two bedroom grouped dwellings at Lot 941 Mill St, Merredin as the proposal does not comply with the requirements of the Shire of Merredin Town Planning Scheme No.1 and referenced Residential Design Codes.*

**CARRIED 10/0
ABSOLUTE MAJORITY**

Reason: Council determined the development would not have an adverse affect on the occupiers or users of the development or the amenity of the area.

10.3 AMALGAMATION OF LAND APPLICATION – LOTS 12, 13, 14, 15, 16 AND 123 MITCHELL STREET, MERREDIN – LINKS SURVEYING LAND DEVELOPMENT CONSULTANTS FOR SUNCAGE PTY LTD AND BM & RP ENTERPRISES

Reporting Department:	Development Services
Reporting Officer:	Warren Bow, Manager Development Services
Legislation:	Local Government Act 1995, Planning and Development Act 2005
File Number:	P/2561, P/2562

Background:

Council has received correspondence from the West Australian Planning Commission (WAPC) who have received an application from Links Surveying Land Development Consultants (“the applicant”) on behalf of Suncage Pty Ltd and BM & RP Enterprises (“the owner”) for the amalgamation of Lots 12, 13, 14, 15, 16 and 123 Mitchell Street, Merredin (“the property”).

The said land is currently vacant.

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

The applicant is proposing to amalgamate the six separate lots into one lot (proposed Lot 600) of size 2608m².

The site plan which accompanied the application can be seen as **Attachment 10.3A.**

A plan of the properties taken from the Landgate System can be seen as **Attachment 10.3B.**

Legal Implications:

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

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

MINUTES

Council Policy 9.2 Amalgamation of Lots restricts the construction of buildings where such building works extend over more than one surveyed allotment.

Budget Implications:

The Valuer General will reassess the GRV of the amalgamated property which may result in a change in rates for the property.

Comment:

The amalgamation of the two lots will create a 2608m² lot. There are no minimum or maximum lot sizes prescribed by the Scheme.

A timber framed, asbestos building was removed from Lot 123 Mitchell St, Merredin in September 2004 under demolition license DA05/04.

The properties are currently used by employees of the owner and employees of adjacent businesses for vehicular parking at the rear of SUPA IGA supermarket and Snoopy's lunch bar.

Discussions with the owners indicate that there are no development proposals for the property in the near future.

Officer's Recommendation:

That Council advise the West Australian Planning Commission that it has no objection to the amalgamation of Lots 12, 13, 14, 15, 16 and 123 Mitchell St, Merredin to create one lot of area 2608m² in accordance with WAPC Application No. 131541 submitted by applicant Links Surveying Land Development Consultants for Suncage Pty Ltd and BM & RP Enterprises.

28561

Moved Cr Astbury sec Cr Townrow

That Council advise the West Australian Planning Commission that it has no objection to the amalgamation of Lots 12, 13, 14, 15, 16 and 123 Mitchell St, Merredin to create one lot of area 2608m² in accordance with WAPC Application No. 131541 submitted by applicant Links Surveying Land Development Consultants for Suncage Pty Ltd and BM & RP Enterprises.

CARRIED 10/0

MINUTES

10.4 AMALGAMATION OF LAND APPLICATION – LOTS 62 AND 6 BARRACK STREET, MERREDIN – LINKS SURVEYING LAND DEVELOPMENT CONSULTANTS FOR MAXWELL McNABB, JULIE McNABB AND SUNCAGE PTY LTD

Reporting Department: Development Services
Reporting Officer: Warren Bow, Manager Development Services
Legislation: Local Government Act 1995, Planning and Development Act 2005
File Number: P/220

Background:

Council has received correspondence from the West Australian Planning Commission (WAPC) who have received an application from Links Surveying Land Development Consultants (“the applicant”) on behalf of Maxwell and Julie McNabb and Suncage Pty Ltd (“the owner”) for the amalgamation of Lots 62 and 6 Barrack Street, Merredin (“the property”).

The said land is currently occupied by a supermarket (SUPA IGA) and a vacant shop.

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

The applicant is proposing to amalgamate the two separate lots into one lot (proposed Lot 601) of size 2069m².

The site plan which accompanied the application can be seen as **Attachment 10.4A.**

A plan of the properties taken from the Landgate System can be seen as **Attachment 10.4B.**

Legal Implications:

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

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

Council Policy 9.2 Amalgamation of Lots restricts the construction of buildings where such building works extend over more than one surveyed allotment.

Budget Implications:

The Valuer General will reassess the GRV of the amalgamated property which may result in a change in rates for the property.

Comment:

The amalgamation of the two lots will create a 2069m² lot. There are no minimum or maximum lot sizes prescribed by the Scheme.

A building license was issued in August 2003 for alterations and renovations to the vacant shop building on Lot 6 Barrack St, Merredin, with a proposal to incorporate the vacant shop into the existing supermarket operations. Such development on the property was impacted by the proximity of the cadastral boundary, requiring the imposition of various fire rating requirements under the provisions of the Building Code of Australia.

The amalgamation of these lots will alleviate these requirements by removing the cadastral boundary between the two buildings.

The owner proposes to continue to use the land for commercial purposes.

Officer's Recommendation:

That Council advise the West Australian Planning Commission that it has no objection to the amalgamation of Lots 62 and 6 Barrack St, Merredin to create one lot of area 2069m² in accordance with WAPC Application No. 131504 submitted by applicant Links Surveying Land Development Consultants for Maxwell McNabb, Julie McNabb and Suncage Pty Ltd.

28562

Moved Cr Wallace sec Cr N Hooper

That Council advise the West Australian Planning Commission that it has no objection to the amalgamation of Lots 62 and 6 Barrack St, Merredin to create one lot of area 2069m² in accordance with WAPC Application No. 131504 submitted by applicant Links Surveying Land Development Consultants for Maxwell McNabb, Julie McNabb and Suncage Pty Ltd.

CARRIED 9/1

The following item was moved forward to Page 6.

**10.5 APPLICATIONS TO CONTINUE TO LOCATE SEA CONTAINERS
WITHIN THE MERREDIN TOWNSITE – LOT 31 MITCHELL ST,
LOT 11 BARRACK ST, LOT 162 KING ST, MERREDIN**

Reporting Department: Development Services
Reporting Officer: Warren Bow, Manager of Development Services
Legislation: Local Government Act 1995, Council Policy
9.12
File Number: CUS/9/3

The following item was moved forward to page 13.

11.0 ENGINEERING SERVICES

11.1 MANAGER OF WORKS – MONTHLY REPORT

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

MINUTES

12.0 ADMINISTRATION, FINANCE & COMMUNITY DEVELOPMENT

12.1 CHIEF EXECUTIVE OFFICER'S REPORT

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

I present the following report for July 2006:

Regional Centres Leadership Meeting

Attended Regional Centres Leadership meeting on the 22 June 2006 to discuss the future direction, prosperity and vibrancy of the Wheatbelt from a regional centres point of view (I have forwarded to Councillors a copy of the media release/press statement resulting from the meeting).

The outcomes I believe come from the meeting were that the Wheatbelt ACC and others (Local Government, Wheatbelt Development Commissions) continue to work collaboratively with the 44 Shires to develop a planning document for the development of the Wheatbelt. In particular, a similar planning study had occurred in Montana in the USA which appears to be providing positive results for that community.

The other issue discussed was leadership and how this can be improved within the region.

Unfortunately there is domination by one or two members and the diversity of development (ie coastal versus non-coastal) did create some difficulties in achieving many more positive outcomes.

Medical Services MOU

The consortium made up of WA Country Health Services, the Central Wheatbelt Divisions of General Practice, WACCRAM and the Shire of Merredin are working on this document.

Associated with this is the anxiety being experienced by current Merredin Medical Centre staff (clinical and administrative) in respect to the new arrangements and this has also created the need to meet and discuss these issues with them.

A significant amount of time has been spent during June 2006 negotiating with the WA Country Health Services over the provisions of additional doctors in Merredin. There are a number of logistical and legal issues that need to be overcome before the arrangement can be put in place.

Seven applications were received and these have been short listed to three prospective applicants with referee checks currently occurring. I believe that

MINUTES

the Medical Services MOU needs to be 80 % complete before any interviews can occur.

Wheatbelt Aboriginal Health Service

I met with members of the Wheatbelt Aboriginal Health Service who are implementing a new government program to improve health services to the aboriginal communities in the wheatbelt.

Essentially they will be establishing a number of pilot projects where an aboriginal health worker will be placed within medical centres to assist and develop services to the aboriginal communities. Merredin has been selected as a site for one of the pilot schemes.

This initiative adds an additional issue that needs to be dealt with in the medical services MOU.

Merredin Medical Practice – Due Diligence Review

I have previously reported to Council that this review has occurred and one of the outcomes was the employment of a Project Officer to come into the Merredin Medical Practice for a three month period to investigate and improve the systems (computer and administration), set the Practice up and employ a Practice Nurse and provide training and mentoring for the Medical Practice Staff.

This position is fully funded by the WA Centre for Regional and Remote Medicine (WACCRAM). We will be providing 5 Bower Street for the term of the consultancy. The preferred applicant is from Canberra and will be visiting the Shire on the 14 July 2006 to ascertain whether she is interested in the position.

Employment Contract – Herma Inverarity

Adding another layer of complication to the Medical Services MOU is the contract negotiations with Dr Herma Inverarity. Her contract whilst she was a Registrar ended at the 30 June 2006 and we are now negotiating a contract as a fully qualified doctor. Dr Inverarity is not an applicant for the joint Hospital/ Medical Practice positions.

It is important that consistency is developed between all doctor contracts at the Merredin Medical Practice so negotiations will continue and develop as the Medical Services MOU is developed.

Public Accounts Committee

I wish to advise Council that the Public Accounts Committee which is enquiring into Local Government accountability in Western Australia will be meeting in Northam on Tuesday 25 July 2006.

I believe that the committee is investigating whether to re-establish Local Government auditing through the Department of Local Government or by the State Auditor General.

Funding Assistance for Structural Reform

We have received a circular from the Department of Local Government and Regional Development indicating that \$3,000,000 worth of grants will be available over two years to support the development and collaboration between Local Governments in the following areas:

- Amalgamation of Local Governments
- Establishment of Regional Local Governments;
- Establishment of voluntary Regional Organisation of Councils;
- Adjustment of Local Government boundaries;
- Resource sharing or other collaborative initiatives;

Grants of up to \$50,000 will be available for feasibility and up to \$200,000 for implementation projects. This matter will be brought before the WE-ROC Executive so funding proposals can be developed.

Radio Interviews

These have been occurring on a weekly basis and the limited feedback that I have received indicates that these have been received favourably.

Water Corporation's Headworks Contributions Policy

I wish to advise Council that Water Corporation has reviewed its headworks contribution policies to create "*a simpler, fairer and more sustainable headworks contribution policy with a standard contribution green title subdivision stage and a contribution based on metre size and flow rate for building developments and strata schemes*". The simplification will reduce the average charge for water from \$3,104 to \$3,089, for waste water from \$1,549 to \$1,427 and drainage of \$422 to \$403.

Adverse Season

I wish to advise Council that government agencies are gearing up to deal with the effects of the current dry season by producing a Health, Financial and Information Support Directory for the wheatbelt . A copy of that document is attached to this agenda for Council information (**See attachment 12.1A**). Copies of this document will be made available at Council's front counter.

Officer's Recommendation:

That Council receive the Chief Executive Officers report for the month of July 2006.

28563 Moved Cr Morris sec Cr Jones

That Council receive the Chief Executive Officers report for the month of July 2006.

CARRIED 10/0

MINUTES**12.2 BUILDING A STRONGER WHEATBELT – SUB REGIONAL WORKSHOP**

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

Background

On the 19 October 2005 Cr Townrow and the CEO attended the Small Town Survival Conference in York.

Subsequent to that conference sub regional meetings were held to further develop the program. This was held at Doodlakine on the 20 February 2006.

Following this Regional centres participated in a special conference on 21 June 2006 to consider issues that were relevant to them.

Council now has been invited to another subregional workshop to further develop the Building a Stronger Wheatbelt concept. The meeting is scheduled to be held at the Cummins Theatre, Merredin on Friday 11 August 2006. (See Attachment 12.2A)

CEO Comment

I intend to nominate Council's Project Officers Mrs Debbie Morris and Mr Jeff Walker as well as the Deputy CEO and myself.

It would be appropriate for a number of Councillors to also attend these workshops so their input can be considered.

Financial Implications

It will cost \$33.00 to nominate each delegate. Funding is available in the relevant training and conference budgets.

Staff Recommendation

That Councillors nominate to attend the 11 August 2006 meeting – Building Stronger Wheatbelt Workshop.

28564

Moved Cr Townrow sec Cr N Hooper

That Councillors Townrow and K Hooper nominate to attend the 11 August 2006 meeting – Building Stronger Wheatbelt Workshop.

CARRIED 10/0

12.3 SHIRE OF CHAPMAN VALLEY – ADMINISTRATIVE BURDENS ON LOCAL GOVERNMENTS

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

Background

Attached to this agenda (**Attachment 12.3A**) item is a copy of a letter from the Shire of Chapman Valley indicating that they have adopted a policy which reflects the frustration being felt by Local Government Authorities throughout the State resulting from the imposition of regulatory and non-regulatory functions from the other two spheres of government without adequate resources to undertake these functions (ie. cost shifting).

The Shire requests the Merredin Shire Council to support this position at the next WALGA Zone Meeting and to encourage Council to adopt a similar policy.

The WE-ROC Group of Councils considered this issue and resolved the following “*that WE-ROC support the Shire of Chapman Valley and refer the letter to WALGA, requesting them to pursue the issues and matters identified with the Department of Local Government and Regional Development and other agencies as necessary*”.

CEO Comment

Whilst I support the sentiments contained within the Shire of Chapman Valley letter I am uncertain that adopting a similar policy will have beneficial effects.

Local Government is a legal creature of the State Government and if they wish to impose new legislative and regulatory requirements they are quite entitled to do so. What Local Government needs to do is to monitor the direction of the State and Federal Governments with good intelligence and then attempt to negotiate an outcome that is favourable to Local Government.

Of course Council may wish to adopt a different approach but it may be more beneficial to work as a united group either through WE-ROC or the Great Eastern Zone of the Western Australian Local Government Association.

Staff Recommendation

That Council support the Shire of Chapman Valley and refers the letter to WALGA requesting that they pursue the issues and matters identified with the Department of Local Government and Regional Development and other agencies as necessary.

28565

Moved Cr Townrow sec Cr Jones

That Council support the Shire of Chapman Valley and refers the letter to WALGA requesting that they pursue the issues and matters identified with the Department of Local Government and Regional Development and other agencies as necessary.

CARRIED 9/1

12.4 WHEATBELT HEALTH SERVICE PLAN

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

Background

Attached is a letter from the WA Country Health Service (**Attachment 12.4A**) explaining that the Wheatbelt Health Services Plan has not been able to be developed because of the lack of consultants prepared to undertake the consultancy.

The letter explains that the service planning process will now be incorporated into a process known as the *Foundations for Country Health Services*.

The letter explains that the Foundations document will be prepared by the end of 2006.

At the WE-ROC meeting held on the 28 June 2006 the following motion was passed:

“that WE-ROC expressed their concern about their intention not to proceed with the Strategic Plan for the Wheatbelt and the Foundation process to the WA Country Health Service, the Minister for Health, Wheatbelt Development Commission and the WA Country Health Service be asked to include WE-ROC in communications and consultation”.

CEO Comment

As a member of the District Health Advisory Council we were given a short presentation on the Foundations process by the previous Regional Director, Mr Tim Shackleton and through that presentation he was unable to clearly quantify the intent and what it hoped to achieve. At subsequent DHAC meetings departmental staff also had difficulty explaining to that group the process and outcomes to be achieved by the Foundations project.

This delay in developing a Strategic Plan for the Wheatbelt Health Region will cause frustration and create mistrust within the region.

It is important that the Foundations process is clearly enunciated to all stakeholders in the wheatbelt region and that those stakeholders ensure that they have appropriate input into the desired outcomes for the region.

Staff Recommendation

1. *That Council request that a senior member of the WA Country Health Service attend the next meeting of Council/WE-ROC to provide a detailed explanation of the Foundations process and its intended outcomes.*

-
2. *That the Shire of Merredin express their concern about the intention not to proceed with the Strategic Plan for the Wheatbelt and Foundations process to the WA Country Health Service, Minister for Health and the Wheatbelt Development Commission.*

Cr M Morris left the meeting at 3.57pm and did not return.

28566

Moved Cr Marley sec Cr Townrow

1. *That Council request that a senior member of the WA Country Health Service attend the next meeting of Council/WE-ROC to provide a detailed explanation of the Foundations process and its intended outcomes.*
2. *That the Shire of Merredin express their concern about the intention not to proceed with the Strategic Plan for the Wheatbelt and Foundations process to the WA Country Health Service, Minister for Health and the Wheatbelt Development Commission.*

CARRIED 9/0

28567

Moved Cr Marley sec Cr Townrow

That the meeting adjourn for afternoon tea.

CARRIED 9/0

28568

Moved Cr Crees sec Cr Townrow

That the meeting reconvene at 4.21pm.

CARRIED 9/0

M Hayden was not in attendance.

12.5 RURAL TOWN LIQUID ASSETS

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

Background

At Council's June 2006 (CMRef 28511) meeting Council decided to invite Mr Mark Pridham from the Rural Town Liquid Assets team to present their report *Options for Water Utilisation and Re-use: Merredin* to Council's 18th July 2006 meeting. Attached to this agenda item is a copy of that report (**See Attachment 12.5A**).

Additionally there is a copy of a report showing project progress and expected timelines as at the end of March (**Attachment 12.5B**), a copy of the Rural Towns Liquid Assets original budget (**Attachment 12.5C**), a letter from the project submitting a tax invoice for the second payment and providing a report on the establishment of bore fields within Merredin with a plan showing locations of assets (**Attachment 12.5D**).

The purpose of providing this information to Council is so that they can discuss relevant issues with Mr Pridham when he makes this presentation to Council at 1.00pm.

CEO Comment

I consider that the report did not adequately provide the information Council sought. I also felt that the recommendation at the end of the report concerning the greening of the Merredin Golf Course was unsatisfactory believing that other options do exist and that these were not adequately explored.

I also felt that a number of issues also should have been addressed, eg some comment as to the ownership of the water, the recommendation of the 3 or 4 best options for Merredin and some calculation of the Return of Investment for these options.

Staff recommendation

That Council discuss the Options for Water Utilisation and Re-use in Merredin report and the Rural Town Liquid Assets Project generally with representatives of the Rural Towns Liquid Assets Project Team at its July 2006 Council meeting.

28569

Moved Cr Crees sec Cr Townrow

That Council write to the Department of Water Resources seeking clarification on ownership and control of groundwater in Merredin.

CARRIED 9/0

12.6 WHEATBELT SUPPORT SERVICES – COUNSELLING AND PERSONAL SUPPORT AFTER LOCAL EMERGENCIES

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

Background

Attached is a copy of a letter from Wheatbelt Support Services (**Attachment 12.6A**) indicating that their organisation has been developed to support the community after local emergencies (ie post trauma counselling etc).

The group works with the local emergency management action committee (LEMAC) dealing with situations before, during and after emergencies.

They seek Council's support in establishing this service.

Financial implications

I understand from discussing the issue with Mr John White that there will be very little financial support requested from Council, perhaps the occasional use of a meeting/training space.

CEO Comment

I see the provision of counselling services in a post emergency situation highly beneficial to the local community and recommend Council support this group working in the Merredin Shire alongside the local LEMAC group.

Staff Recommendation

That Council support Wheatbelt Support Services and the local LEMAC group working together to provide counselling services in emergency situations.

28570

Moved Cr Jones sec Cr Townrow

That Council support Wheatbelt Support Services and the local LEMAC group working together to provide counselling services in emergency situations.

CARRIED 9/0

12.7 DEPUTY CHIEF EXECUTIVE OFFICER'S REPORT

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

Visitor Centre Manager's Report

Report is at **Attachment 12.7A.**

Library Managers Report

Report is at **Attachment 12.7B.**

Cummins Theatre A/Manager

Report is at **Attachment 12.7C.**

Community and Economic Development Project Officer's Report

Report is at **Attachment 12.7D.**

Natural Resource Management Officer's Report

Report is at **Attachment 12.7E.**

Records Management Report

Statistics (From 15 June to 12 July 2006)

Total Mail In	629
Accounts Received	48
Invoices	208
General	373
Appreciations	3
Complaints	4
Total Mail Out	374

Status Report:

The Action sheet detailing progress of Previous Council Resolutions from March 2004 is **Attachment 12.7F.**

Officer's Recommendation

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

28571

Moved Cr Crees sec Cr Jones

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

CARRIED 9/0

MINUTES

12.8 OUR PATCH' FUNDING – TAMMA PARKLAND

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

Background:

The Avon Catchment Council encourages local communities to apply for funding under the 'Our Patch – Local People Caring for Local Bushland' initiative. The ACC informs the aim of this project is to support local governments and communities across the whole Avon River Basin in their conservation aspirations for their local patch. It provides for local communities to make significant conservation improvements in areas not covered by the other projects.

The selection of conservation sites will be based on local and regional priorities. The communities of each local government area will select five highest value bushland remnants for enhancement through rehabilitation, establishment of wildlife corridors, buffers, weed management, vermin control, improved fire management.

The Merredin Wildflower Society successfully applied for funding under this programme for Tamma Parkland (Reserve 23739) with an amount of \$25,000 offered on agreement to the following conditions :

- a) Provide funding assistance for the following proposed management actions:
 - Flora and Fauna Survey
 - Revegetation
 - Interior fencing and bollards (fencing of reserve perimeter exempted - item b)
 - Soil conservation
 - Problem plants and animals
- b) Not use funding to fence the perimeter area as boundary fencing is the legal responsibility of the landholder.

Comment:

Council is informed the ACC funding is provided to the Shire of Merredin as the local Wildflower Society, though the funding applicant, is not the landholder. This opportunity will provide the Society with the necessary funding to protect and improve an important portion of predominantly remnant vegetation and bushland close to residences and therefore ideal for passive recreational and education purposes.

There are no specific obligations placed upon Council beyond those stated however the management of expenditure and oversight of acquittal will be the responsibility of the Shire of Merredin. It is recommended that Council accept the funding under the terms stated in the body of this report.

Legal Implications:

Nil

Budget Implications:

There is no requirement placed on Council to provide any level of matching funding to achieve the stated outcomes. Council acceptance of this funding will be reflected in the 2006/2007 Annual Budget.

Officer's Recommendation:

That Council accept the Avon Catchment Council offer of \$25,000 under the 'Our Patch' funding initiative.

28572

Moved Cr N Hooper sec Cr Townrow

That Council accept the Avon Catchment Council offer of \$25,000 under the 'Our Patch' funding initiative.

**CARRIED 8/1
ABSOLUTE MAJORITY**

12.9 MONTHLY FINANCE REPORT

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

Background

Each month attached to the Agenda (Refer to **Attachment 12.9A**) is the Monthly Financial Report prepared for Council.

Officer's Recommendation:

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

28573

Moved Cr Astbury sec Cr Marley

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

CARRIED 9/0

12.10 LIST OF ACCOUNTS PAID

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

Background:

A list of accounts paid during the month under delegated authority is presented to Council each month. Refer to **Attachment 12.10A**.

Legal Implications:

Local Government Act and Financial Management Regulations.

Budget Implications:

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

Comment:

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

Officer's Recommendation:

That the Merredin Shire Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$1,095,204.00 and amount directly debited from Councils Municipal Fund Bank Account BSB 066-518 000 000 10 totalling \$123,162.69 endorse trust cheques totalling \$734.88 and outstanding creditors totalling \$56,830.14.

28574

Moved Cr Crees sec Cr Wallace

That the Merredin Shire Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$1,095,204.00 and amount directly debited from Councils Municipal Fund Bank Account BSB 066-518 000 000 10 totalling \$123,162.69 endorse trust cheques totalling \$734.88 and outstanding creditors totalling \$56,830.14.

CARRIED 9/0

12.11 MERREDIN MEDICAL CENTRE – DEBT WRITE-OFFS

Reporting Department: Administration
Reporting Officer: Natalie Purdy, Senior Finance Officer
Legislation: Local Government Act
File Number: FM/D/Write-Offs

Background:

The Merredin Medical Centre Manager, Josie Duffield, has requested approval for write off of debts outstanding. These debts have been pursued through Dun & Bradstreet, with advice that the debts are unrecoverable due to the inability to locate the debtors.

Legal Implications:

S 6.12 (1) (c) of Local Government Act 1995 ‘Power to defer, grant discounts, waive or write off debts’. Absolute Majority Required.

Budget Implications:

The nett effect of the debt write-off is explained in the body of the report.

Comment:

Below is the list of unrecoverable debts outstanding:

- | | | |
|----|----------------|---------|
| 1. | Richard Fowler | \$58.25 |
| 2. | Nicole Kickett | \$48.25 |
| 3. | Tegan Corey | \$30.85 |

The letters issued from Dun & Bradstreet requesting the debt be written off and the date the debt is written off, will be left on the patients file so if they attend the practice again, every endeavour to recoup these debts will be made.

Officer’s Recommendation:

That the Merredin Shire Council write off all unrecoverable debts for the Merredin Medical Centre as listed below:

<i>Richard Fowler</i>	<i>\$58.25</i>
<i>Nicole Kickett</i>	<i>\$48.28</i>
<i>Tegan Corey</i>	<i>\$30.85</i>
<i>TOTAL</i>	<i>\$137.38</i>

Absolute Majority Required.

28575

Moved Cr Jones sec Cr Astbury

That the Merredin Shire Council write off all unrecoverable debts for the Merredin Medical Centre as listed below:

<i>Richard Fowler</i>	<i>\$58.25</i>
<i>Nicole Kickett</i>	<i>\$48.28</i>
<i>Tegan Corey</i>	<i>\$30.85</i>
<i><u>TOTAL</u></i>	<i><u>\$137.38</u></i>

**CARRIED 9/0
ABSOLUTE MAJORITY**

MINUTES

-
- 13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN
- 14.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN
- 15.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION
-

15.1 MERREDIN AND DISTRICT VISITOR CENTRE / NEWROC MEMORANDUM OF UNDERSTANDING

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

Background:

The North Eastern Wheatbelt Regional Organisation of Council's (NEWROC) approached Merredin Shire Council in November 2005 with an offer of \$7,000 p.a. financial support toward the operation of the Merredin and Districts Visitor Centre, requesting the development of a suitable Memorandum of Understanding (CMRef. 28239 20th December 2005).

That Merredin Shire Council formally thank NEWROC for their proposal in respect to regional tourism development and commence negotiation for the development of a Memorandum of Understanding on this matter.

Since then, the Shire of Merredin and NEWROC have worked on an MoU to the point that a draft is presented to Council for consideration (Attachment 15.1).

Comment:

The draft MoU identifies the obligations of each Party in a way that was agreed to in discussions between the Deputy Chief Executive Officer and Visitor Centre Manager.

It is the Shire's preference that administration of the MoU framework is similar to present advisory relations within the Shire (via Think Tank group) and the region (via WEROC and WTA).

NEWROC request that a formal Committee be established under the Local Government Act (Clause 2 a). Discussions with the NEWROC Executive Officer confirm the purpose of this is to reassure NEWROC Councils that the MoU is formally administered via the suggested Advisory Committee with appropriate Terms of Reference.

Administration of formal Committees established under the Local Government Act can be a burden to staff however it is the expectation of NEWROC that meetings will coincide with Wheatbelt Tourism Association meetings and

MINUTES

only be necessary on a quarterly basis, with Minutes referred to the Merredin Shire Council for adoption. This has the added benefit of providing Council with oversight of matters discussed at the Advisory Committee level.

Should Council agree to establish an Advisory Committee, it is recommended that it be in accordance with S5.9 2 (e) – Employees and other persons.

NEWROC confirm in the draft MoU their financial contribution may be utilised at the discretion of the Shire of Merredin toward the cost of running the Visitor Centre and that any assets purchased remain the property of the Shire of Merredin.

NEWROC inform a Directors Meeting will be held on 25th July and it is recommended Council advise that the MoU is acceptable, with Council agreeing to formally establish an Advisory Committee with Terms of Reference referred back to Council for consideration.

Legal Implications:

The Local Government Act requires that Committees established under S5.9 (2) do so by Absolute Majority.

Budget Implications:

There is negligible cost associated with administering the proposed Advisory Committee.

Officer's Recommendation:

That Council will :

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

28576

Moved Cr Crees sec Cr N Hooper

That Council will :

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

CARRIED 9/0

16.0 MATTERS BEHIND CLOSED DOORS17.0 CLOSURE

The Presiding Member closed the meeting at 5.05pm.