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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 15 August 2006 at 1.00pm.

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

Messrs FB Ludovico; Chief Executive Officer, JA McGovern,
Deputy Chief Executive Officer; WD Bow, Manager of
Development Services (2.30pm); JF Garrett, Manager of
Works (2.36pm);
AM Peters, Personal Assistant

Mr Bert Llewellyn – President of the Shire of Northam

1.0 OFFICIAL OPENING

The Presiding Member declared the meeting open at 1.00pm.

2.0 PUBLIC QUESTION TIME

Nil

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr D Morley

Cr S Marley has leave of absence for meeting of 15 August, 2006.

4.0 DISCLOSURE OF INTEREST

Cr G Astbury declared an Impartiality Interest in Item 10.3

Cr W Wallace declared an Impartiality Interest in Item 10.6.

5.0 PETITIONS & PRESENTATIONS

Mr Bert Llewellyn, President of Shire of Northam presented statistics and benefits for a Saleyard Complex to be built at the Shire of Northam and requested that the Shire of Merredin underwrite the saleyard proposal along with other wheatbelt shires.

Points emerging from the discussion were:

MINUTES

-
- Funding for project was entering critical phase.
 - Funding guarantee was required from additional Councils or project would not proceed. This guarantee would be for 25 years.
 - Funding was not required up front as it was expected saleyards was self funding. This had been proven via different models estimating sheep numbers.
 - A proposed new abattoir in York would increase the attraction of Northam.

 - The State Government sponsored Muchea Saleyards was still proceeding however it was felt it would specialise in cattle.
 - The operation would be managed by a Board of Management.
 - The project would produce advantages for Eastern Wheatbelt farmers because it would reduce freight costs of transporting livestock.

Senior Sergeant Les Evans and Inspector Mick Walker entered the meeting at 1.40pm.

Mr Bert Llewellyn left the meeting at 1.42pm.

Mr Mick Walker – Inspector Eastern Zone Wheatbelt District Office - Emergency Services advised the following:

- The Emergency Management Act was proclaimed in December 2005.
- Local Government is required to ensure local emerging management arrangements.
- Local Government is to establish a local Emergency Management Committee

Committee Membership:

- CEO
- President is to be the Chairperson
- Local Police Coordinator – vice chair
- Member from DCD – Welfare coordinator
- FESA
- SES
- Health
- Dept of Ag rep
- Utilities area – Synergy, Water Corp,
- Westrail.

- Where to from here:
 - Re-establish the Local Emergency Management Committee (LEMC).
 - Review the LEMC plan and develop a Recovery Plan

MINUTES

-
- Develop a WE-ROC wide Recovery Plan and Partnering Agreement.
 - WA Police were able to assist in all these activities.

Senior Sergeant Les Evans and Inspector Mick Walker left the meeting at 2.28pm.

Cr Astbury left the meeting at 2.28pm.

Cr Jones, Cr Townrow, Cr N Hooper and James McGovern left the meeting at 2.29pm.

Cr Astbury and Warren Bow entered the meeting at 2.30pm.

Cr Jones, Cr Townrow, Cr N Hooper and James McGovern entered the meeting at 2.32pm.

Jim Garrett entered the meeting at 2.36pm.

This item was brought forward.

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

10.1 TENDER 26 - 2005/06 SALE OF LOT 507 MacDONALD ST MERREDIN

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

Background:

At Councils 16 May 2006 meeting (CMRef 28465) Council decided to sell lot 507 MacDonald St.

The lot was advertised for sale in the Merredin Wheatbelt Mercury on 21 June 2006.

Applications closed on 13 July 2006, with one application being received.

A tender was received from Mr Timothy Cooper who offered \$25,000 for the property.

Legal Implications:

MINUTES

Under Town Planning Scheme No 2 part of Lot 507 MacDonald St is designated to be used as a road (Acacia Way) to service the subdivision of lots 493 and 494. An artist's impression of road superimposed on an aerial photograph of the area is attached. **Attachment 10.1A.**

Advice from our Town Planning Consultant indicates that TPS No 2 is still current and applicable.

Furthermore, someone relying on the TPS No 2 in relation to subdivision of Lots 493 and 494 northern residential area could be adversely affected by a decision of Council to allow a constructed dwelling to be built on Lot 507, thus precluding accessibility.

Conversely Council have indicated a desire to revoke TPS No 2 so it could approve a sale acknowledging that it will need to undertake the revocation in the future.

Council is reminded of the matter of the town planning appeal by Mr G Little in relation to the proposed subdivision of Lot 482 Haines Street, where a dwelling was constructed on a road designated by TPS No. 2, which allegedly affected the proposed subdivision.

As TPS No 2 was a Guided Development Scheme developed in 1974 funds may have been paid to the Council in order to enable the Scheme to progress. Any revocation of the Scheme would need to account for these funds (if any were received). This could take some time.

Budget Implications:

The sale of lot 507 MacDonald St is not contained in Council's 2006/2007 Budget.

Comment:

Whilst I understand Councils keenness to progress the sale of the lot, I believe that we have an obligation to obey our own Town Planning Scheme.

In the past we may have not considered the implications of TPS #2 however we have found people who have relied on it, and it is for that reason I recommend not to proceed with a sale of the lot.

Officer's Recommendation:

That Council not accept any tender for lot 507 MacDonald St Merredin.

28579

Moved Cr Crees sec Cr Morris

That Council not accept any tender for lot 507 MacDonald St Merredin.

CARRIED 7/2

10.2 TENDER 27 - 2005/06 SALE OF LOT 258 BATES ST MERREDIN

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

Background:

At Councils 16 May 2006 meeting (CMRef 28469) Council decided to sell lot 258 Bates St

The lot was advertised for sale in the Merredin Wheatbelt Mercury on 21 June 2006.

Applications closed on 13 July 2006. No tenders were received.

Budget Implications:

The sale of lot 258 Bates St was budgeted to produce \$10,000 of income in Council's 2006/2007 Budget.

Comment:

It may be appropriate to install a for sale sign on the lot and see if that generates any interest.

Officer's Recommendation:

That Council install a for sale sign on Lot 258 Bates Street, Merredin.

28580 Moved Cr Morris sec Cr Townrow
That Council install a for sale sign on Lot 258 Bates Street, Merredin.

CARRIED 9/0

Cr Astbury declared an Impartiality Interest in Item 10.3

10.3 APPLICATION FOR PLANNING CONSENT – TWO GROUPED DWELLINGS AT LOT 6 BOYD STREET, MERREDIN, ILIADIS AND ASSOCIATES ARCHITECTS FOR DEPARTMENT OF HOUSING AND WORKS

Reporting Department: Development Services
Reporting Officer: Warren Bow, Manager Development Services
Legislation: Town Planning and Development Act 1928,
 Shire of Merredin Town Planning Scheme No. 1, Residential Design Codes
File Number: P/424

Background:

An application (PA09/06) has been submitted by Iliadis and Associates Architects (the applicant) on behalf of Department of Housing and Works to construct two three bedroom grouped dwellings at Lot 6 Boyd Street, Merredin (the property).

A grouped dwelling is defined by the Residential Design Codes (RDC) 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”.

Attachment 10.3A is a site plan showing the proposed location of the grouped dwelling.

Attachment 10.3B shows various elevations and a brief schedule of finishes applicable to the proposed dwellings.

The property is occupied by a duplex dwelling which is the subject of Shire of Merredin demolition license DA03/06.

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

Legal Implications:

MINUTES

Lot 6 Boyd St, Merredin is zoned “Residential 1” in accordance with the Shire of Merredin Town Planning Scheme No.1.

A grouped dwelling is a “PS” use within the Residential 1 zone. Such development will require special Council approval and compliance with any conditions imposed by Council.

Any development within the Residential zone is required to comply with the provisions of the Residential Design Codes.

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 \$874.00 which has been paid by the applicant.

Comment:

As can be seen from the site plan, stormwater drainage and disposal is problematic to the developer due to the natural contours of the property and there being no rear access way to discharge stormwater into.

Discussions with the applicant indicate that a sump and pump system will be installed to ensure stormwater is brought out onto the Boyd St road reserve. At the time of writing this report the details of the proposed system had not been received from the applicant. Responsibility for on-going maintenance of this system should remain with the property owner.

The two grouped dwelling proposal complies with all relevant requirements of the RDC (Residential R20) including average lot area, outdoor living and open space requirements, setbacks, car parking and external storage areas.

Officer’s Recommendation:

That the Merredin Shire Council grant planning consent to Iliadis and Associates Architects, for the Department of Housing and Works, in relation to application for planning consent PA09/06 to construct two three bedroom grouped dwellings at Lot 6 Boyd Street, Merredin subject to the following conditions –

- 1. All residential building work to be the subject of a building license and comply with the Building Code of Australia 2006;*
- 2. Stormwater drainage and disposal details to be submitted prior to the issue of the planning consent and to be to the satisfaction of the Chief Executive Officer;*
- 3. Proposed retaining walls to be the subject of a building license;*

-
4. *The grouped dwellings to be connected to the Water Corporation WA mains sewer; and*
 5. *All fencing on site to be constructed in accordance with Shire of Merredin Local Law No. 7 – Fencing*

28581

Moved Cr Townrow sec Cr Simmonds

That the Merredin Shire Council grant planning consent to Iliadis and Associates Architects, for the Department of Housing and Works, in relation to application for planning consent PA09/06 to construct two three bedroom grouped dwellings at Lot 6 Boyd Street, Merredin subject to the following conditions –

1. *All residential building work to be the subject of a building license and comply with the Building Code of Australia 2006;*
2. *Stormwater drainage and disposal details to be submitted prior to the issue of the planning consent and to be to the satisfaction of the Chief Executive Officer;*
3. *Proposed retaining walls to be the subject of a building license;*
4. *The grouped dwellings to be connected to the Water Corporation WA mains sewer; and*
5. *All fencing on site to be constructed in accordance with Shire of Merredin Local Law No. 7 – Fencing*

CARRIED 9/0

**10.4 DRAFT MERREDIN RECREATION GROUND REDEVELOPMENT
PLAN, LOT 684 BATES STREET, MERREDIN**

Reporting Department: Development Services
Reporting Officer: Warren Bow, Manager of Development Services
John Gearing, Building Project Manager

Legislation:

File Number:

Background:

At its meeting on 23 May 2006 the Merredin Regional Community and Leisure Centre Management Committee recommended to Council that a Planning Sub-Group be formed to commence a Master Plan for the Merredin Recreation Ground car parking area. This group subsequently devised a concept plan for Merredin Recreation Grounds redevelopment.

At its meeting on 27 June 2006 the Merredin Regional Community and Leisure Centre Management Committee resolved to adopt a concept plan for the Merredin Recreation Grounds' redevelopment. This concept plan can be seen as **Attachment 10.4A**.

At its Ordinary meeting on 18 July 2006, upon recommendation from the Merredin Regional Community and Leisure Centre Management Committee, Council passed a resolution (CMRef 28555) which will result in the demolition of the pottery shed, exhibition hall, old stewards room, horse stalls and cow stalls to the southern end of the Merredin Recreation Grounds at Lot 684 Bates St, Merredin.

Council also resolved (CMRef 28556), in principle, to relocate the Fire and Rescue Services running track to the eastern side of the recreation ground.

Shire senior management staff, including the Building Project Manager and Recreation Manager, met on 31 July 2006 to prepare a draft redevelopment plan of the Merredin Recreation Grounds. This draft plan is based on the concept plan adopted by the Merredin Regional Community and Leisure Centre Management Committee and has regard for the 2006/2007 budget adopted by the Council of the Shire of Merredin on 31 July 2006 and future budget forecasts.

MINUTES

The draft playing field layout plan can be seen as **Attachment 10.4B.**

Grey = two synthetic bowling greens

Light blue = outdoor basketball courts

Pink = cricket ovals; southern wicket to be turf; northern wicket to be synthetic

Green = football oval

Brown = Fire and Rescue Services running track

Yellow = hockey fields

A break down of the proposed stages of development can be seen as **Attachment 10.4C.**

Legal Implications:

Nil

Budget Implications:

Councils 2006/2007 budget will allow activities consistent with Stages 1 and 2 of the redevelopment plan.

Comment:

The final layout of the sporting fields is yet to be determined.

It is felt that the location and construction of the south carpark should be determined in conjunction with the final layout of the sporting fields. Factors to consider in relation to this decision include affording vehicular access to the Fire and Rescue Services running track, orientation and location of cricket wickets, access to eastern aspect of the playing fields for football and/or hockey spectators.

The current main vehicular access point off Bates Street should be retained, though it is not proposed that this will remain the main vehicular access point. It should be retained to enable separate entry points to be designated for larger events and/or where there is more than one sport/activity being played at the recreation ground and where access onto the oval is required by spectators or participants.

The gas storage bullet servicing the Merredin Regional Community and Leisure Centre will be located adjacent to the south west corner of the new building. Ideally the gas delivery tankers will need be afforded a direct and "straight out" emergency exit.

The creation of a formal vehicular access point at the Duff St/Queen St intersection is not recommended. This access point will remain only where large machinery, parade floats or other heavy and service vehicles require access to the recreation grounds. Traffic management problems are already experienced at this intersection and the access point is also used as an unapproved short cut to Telfer Ave.

MINUTES

It may be prudent to have the traffic management and traffic flow aspects of the plan assessed by a traffic management consultant.

It is proposed to put this draft plan out for public comment.

The proposed oval layouts (**Attachment 10.4B**) are relatively crude in their current form and it is suggested that prior to putting the draft document out for public comment that working drawings be developed by a draftsman and that these be referred to Council and the Merredin Regional Community and Leisure Centre Management Committee for initial assessment.

Officer's Recommendation:

That Council receive the report entitled Draft Merredin Recreation Ground Redevelopment Plan, Lot 684 Bates Street, Merredin and endorse –

1. *Attachments 10.4B and 10.4C, being the draft plan for the redevelopment of the Merredin Recreation Ground;*
2. *the referral of the draft plan for the redevelopment of the Merredin Recreation Ground to a traffic management consultant for assessment;*
3. *the engagement of a draftsman to develop working drawings of the draft plan for the redevelopment of the Merredin Recreation Ground; and*
4. *the referral of the draft plan for the redevelopment of the Merredin Recreation Ground to the Merredin Regional Community and Leisure Centre Management Committee for comment, prior to seeking public comment.*

28582

Moved Cr N Hooper sec Cr Crees

That Council receive the report entitled "Draft Merredin Recreation Ground Redevelopment Plan", Lot 684 Bates Street, Merredin and endorse –

1. *Attachments 10.4B and 10.4C, being the draft plan for the redevelopment of the Merredin Recreation Ground;*
2. *the referral of the draft plan for the redevelopment of the Merredin Recreation Ground to a traffic management consultant for assessment;*
3. *the engagement of a draftsman to develop working drawings of the draft plan for the redevelopment of the Merredin Recreation Ground; and*
4. *the referral of the draft plan for the redevelopment of the Merredin Recreation Ground to the Merredin Regional Community and Leisure Centre Management Committee for comment, prior to seeking public comment.*

CARRIED 7/2

Moved Cr Simmonds sec Cr Morris

That the car park area be established 25 metres from the Recreation Centre building rather than the initial 15 metre length.

LOST 4/5

- 28583** Moved Cr Townrow sec Cr N Hooper
That the Merredin Regional Community & Leisure Centre committee consider additional amenities on the Concept Plan such as synthetic tennis surfaces, extra bowling rinks, buildings and any additional amenities.

CARRIED 8/1

**10.5 PROPOSED EXTENSION TO LEASE AGREEMENT –
DEPARTMENT OF HOUSING AND WORKS – FORMER ROAD
BOARD OFFICE AND TOWN HALL, MERREDIN**

Reporting Department: Development Services
Reporting Officer: Warren Bow, Manager of Development Services
Legislation: Local Government Act 1995
File Number: P/2563, CP/7/3

Background:

A lease exists between the Shire of Merredin (Lessor) and the Department of Housing and Works (Lessee) for the former Road Board Offices and Town Hall, referred to in the lease as the “Old Town Hall Office” at Lot 1449 on Reserve 13941 Mitchell Street, Merredin.

The property is occupied by the State Member of Parliament for Merredin and his staff and the local branch of the Returned Services League (RSL).

A formal extension to this lease was agreed to by Council in July 2005 (**CMRef 28010**) and commenced on 1 August 2005 with expiry on 30 September 2006, with an option of a three year term extension.

The Lessee seeks to exercise the option, commencing 1 October 2006 for a period of three years.

Legal Implications:

Section 3.58 of the Local Government Act 1995 prescribes the way in which local government property must be disposed of. Disposal includes by way of sale or lease.

Section 30 of the Local Government (Functions and General) Regulations 1996 details exemptions to the abovementioned section of the Act. This includes where land is disposed of to a department of the State.

Budget Implications:

The Lessee pays to Council an annual rental of \$7013.92.

MINUTES

Council has a capital allocation of \$7,500 for carpet replacement in its 2006/2007 budget, in addition to \$2,600 for general maintenance and utilities.

Comment:

Council Policy 6.4 - Rental charges for agreements to occupy Council non-residential property prescribes a rental of \$50/m²/year for government bodies occupying Council property. Based on the floor area of the former Road Board Offices and Town Hall this equates to an annual rental of \$5,900.00.

This is \$1113.92 below the current rent.

The terms of the lease agreement allow for review of rent amounts on certain dates annually. It is however recommended that Council forego the rent review and agree to the existing rental amounts, as opposed to applying its policy.

Officer's Recommendation:

That the Merredin Shire Council advise the Department of Housing and Works that it agrees to the exercising the option of extending the lease for the "Old Town Hall Office" at Lot 1449 Mitchell St, Merredin for a three (3) year period until 30 September 2009, in accordance with the terms of the current lease agreement.

28584

Moved Cr Morris sec Cr Townrow

That the Merredin Shire Council advise the Department of Housing and Works that it agrees to the exercising the option of extending the lease for the "Old Town Hall Office" at Lot 1449 Mitchell St, Merredin for a three (3) year period until 30 September 2009, in accordance with the terms of the current lease agreement.

CARRIED 9/0

Jim Garrett left the meeting at 3.25pm

Jim Garrett entered the meeting at 3.26pm.

Cr W Wallace declared an Impartiality Interest in Item 10.6

10.6 **BUILDING STATISTICS REPORT**

Reporting Department: Development Services
Reporting Officer: Warren Bow, Manager of Development Services
Legislation: Building Regulations 1989,
 Building Code of Australia 2005
File Number:

Background:

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

Legal Implications:

Various

Budget Implications:

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

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

In all cases a minimum fee of \$40.00 is levied.

Approvals:

Building Licence No.	Licence issued to	Address of proposed building	Owner of property	Class of Building Type of Construction
BA31/06	Merredin Outdoor Centre, PO Box 792, Merredin WA	Lot 546, 20 Hart St, Merredin WA 6415	J.S. Symes, C/- PO Moorine Rock WA 6425	10 (a) – New, steel framed, iron clad outbuilding
BA33/06	Fibretechnics WA, 10 Artello Bay Rd, Midvale 6056	Lot 31, House No. 3 Caridi Cl, Merredin WA 6415	John and Shelley Lombardini, PO Box 118, Merredin WA 6415	10 (b) – New, fibreglass, below ground swimming pool

MINUTES

BA34/06	Spadaccini Constructions, 42 Throssell St, Northam WA 6401	Lot 1024, House No. 53 Caw St, Merredin WA 6415	Department of Housing and Works, 99 Plain St, East Perth WA 6004	1 (a) – New, timber framed, weatherboard clad, iron roofed dwelling
BA35/06	WR & AM Wallace, 13 Hart St, Merredin WA 6415	Lot 554, House No. 13 Hart St, Merredin WA 6415	WR & AM Wallace, 13 Hart St, Merredin WA 6415	1 (a), 10 (a) – Timber framed, iron roofed additions to existing dwelling, new steel framed patio
Building Licence No.	Licence issued to	Address of proposed building	Owner of property	Class of Building Type of Construction
BA36/06	DP Currell, 44 Cunningham St, Merredin WA 6415	Lot 565, House No. 44 Cunningham St, Merredin WA 6415	DP Currell, 44 Cunningham St, Merredin WA 6415	10 (a) – New, steel framed, iron clad outbuilding
BA38/06	Merredin Club Inc, PO Box 46, Merredin WA 6415	Lot 105 Coronation St, Merredin WA 6415	Merredin Club Inc, PO Box 46, Merredin WA 6415	10 (a) – New, steel framed, iron clad outbuilding
BA40/06	Kingman Signs, PO Box 2024, Malaga WA 6944	Lot 62, 92-96 Barrack St, Merredin WA 6415	Suncage Pty Ltd, PO Box 262, Merredin WA 6415	10 (b) – New, aluminium framed, illuminated signs
BA41/06	Richard Whisson, 60 Caw St, Merredin WA 6415	Lot 913 Caw St, Merredin WA 6415	Richard Whisson, 60 Caw St, Merredin WA 6415	10 (a) – New, steel framed, iron clad outbuilding
BA42/06	Kingman Signs, PO Box 2024, Malaga WA 6944	Lot 61, 13 Bates St, Merredin WA 6415	AW & SM Bailey, PO Box 329, Merredin WA 6415	10 (b) – New, aluminium framed signs
BA43/06	James D Geier, 9 Boyd St, Merredin WA 6415	Lot 9, No. 8a & 8b, Boyd St, Merredin WA 6415	James D Geier, 9 Boyd St, Merredin WA 6415	10 (a) – New, steel framed, iron roofed, patio

Valuation: \$392,350.00
 Progressive: **\$2,268,510.00**

Fees: \$1,417.86
 Progressive: **\$6,842.78**

Comment:**Officers Recommendation:**

That the Merredin Shire Council receive the July and August 2006 statistics for building licences issued by the Building Surveyor for the previous month

28585

Moved Cr Townrow sec Cr Simmonds

That the Merredin Shire Council receive the July and August 2006 statistics for building licences issued by the Building Surveyor for the previous month

CARRIED 9/0

10.7 AMALGAMATION OF UNALLOCATED CROWN LAND INTO FREEHOLD LOT 110 FIFTH AVENUE, MERREDIN

Reporting Department: Development Services
Reporting Officer: Warren Bow, Manager of Development Services
Legislation: Land Administration Act 1997; Planning and Development Act 1995, Shire of Merredin Town Planning Scheme No.1
File Number: P/1403

Background:

The Department of Planning and Infrastructure have sought comment from Council concerning a request from the owners of Lot 110 Fifth Ave, Merredin to amalgamate vacant unallocated crown land (UCL), Lot 111 Fifth Ave, Merredin into their property.

The owners of Lot 110 Fifth Ave, Merredin are GR & JG Barton.

A site plan of the area can be seen as **Attachment 10.7A**.

It is proposed to create a single lot of area 2145m².

Legal Implications:

Nil

Budget Implications:

Various and minor

Comment:

The owners have submitted an application for building license to construct a single dwelling on Lot 110; however this is pending the resolution of town planning and other matters such as road access and parking, street setbacks, privacy and on-site effluent disposal.

Attachment 10.7B is a copy of correspondence sent to Council by the owners of Lot 110 Fifth Ave, Merredin in response to my letter identifying the above issues after assessment of the building application.

MINUTES

As can be seen from the site plan there are gazetted roads in the general area of Lot 110, however none of these are formed, sealed or maintained by Council, except Fifth Ave, which is infrequently maintained to the eastern boundary of Lot 92.

There are no services (water, sewerage, power, street lighting) to Lot 110 at present. Refuse collection is provided via Council's contractor.

The property is zoned Residential 1 under the Town Planning Scheme No.1.

The creation of a single lot of 2145m² is not consistent with the adjacent lot sizes, and not in keeping with the lot sizes for general single residential development within the Merredin townsite.

The creation of a single lot of 2145m² in this residential zoned area may be problematic to its future development or subdivision.

There is standard residential development along Farrar Parade (average lot size 1012m², however the land surrounding the property to the east is vacant, with grazing and farmland further east to the town boundary.

An overlay aerial photograph plan of the area can be seen as **Attachment 10.7C**.

There are no plans, in the short term, to develop the road infrastructure in the vicinity of Lot 110 Fifth Ave, Merredin. Although the expectations of the owners may rise if they build and reside in a dwelling thereon.

Officer's Recommendation:

That Council advise Department of Planning and Infrastructure that it does not support the proposed amalgamation of unallocated crown land Lot 111 Fifth Avenue, Merredin into existing freehold Lot 110 Fifth Ave, Merredin and subsequent creation of a single lot of 2145m² in area.

That Council write to the Department of Planning and Infrastructure seeking their long term plans with regard to the development or sale of unallocated crown land lots within the Merredin townsite, in particular the area zoned residential and bounded by Second Ave, Merino St, Fifth Ave and Farrar Pde, Merredin.

28586

Moved Cr Crees sec Cr Morris

That Council advise Department of Planning and Infrastructure that it does not support the proposed amalgamation of unallocated crown land Lot 111 Fifth Avenue, Merredin into existing freehold Lot 110 Fifth Ave, Merredin and subsequent creation of a single lot of 2145m² in area.

CARRIED 5/4

Cr Townrow voted against the motion.

28587

Moved Cr Jones sec Cr Crees

That Council write to the Department of Planning and Infrastructure seeking their long term plans with regard to the development or sale of unallocated crown land lots within the Merredin townsite, in particular the area zoned residential and bounded by Second Ave, Merino St, Fifth Ave and Farrar Pde, Merredin.

CARRIED 8/111.0 ENGINEERING SERVICES11.1 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

Widening of the bitumen edges of South Burracoppin Road has commenced.

Road Maintenance

Maintenance grading ongoing in the northeast of the shire.

Parks And Gardens

Rose pruning and mulching of rose beds near complete

Weed spraying of footpaths ongoing.

Tidy up of Roy Little park for the Long Tan day in progress.

Tenders

Annual tenders for bitumen, aggregate and asphalt have been advertised.

Tenders for loader and self propelled rotary mower also advertised.

Whitfield Way

Trenching complete and waiting for Western Power inspection and approval of trenches before electrical contractor can commence work laying cables.

Lee Kernaghan Concert

Road projects were put on hold for a 8 days while outside staff cleaned up recreation ground surrounds and helped with the setting up of concert as well as the cleanup after the concert.

Staff Training

Eight staff members have completed their training in rural certificate 3 and have been notified they have passed.

Water

Dam #1	95% Full	Capacity	74,455 kilolitres
Dam #2	75% 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 August 2006.

28588

Moved Cr Townrow sec Cr Morris

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

CARRIED 9/0

Warren Bow left the meeting at 2.27pm.

11.2 LAND ACQUISITION- GREAT EASTERN HIGHWAY UPGRADE

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

Background:

As part of the Great Eastern Highway upgrade from Hines Hill to Walgoolan Main Roads W.A seek to increase road reserve width on the north side of the highway. The increased width will permit highway widening and allow for drainage. The current highway is very close to property boundaries throughout the project and this project provides an opportunity to address the problem.

Whilst land referred to is not owned by the Shire of Merredin some reserves are vested with the Shire and all land referred to in **Attachments 11.2A and 11.2B** is within the Shire boundary.

It is a condition of the excision approval process for the regulatory authorities such as State Land Services (branch of DPI) to verify the Shire of Merredin has reviewed the land identified for excision and concurs with the excision being proposed.

Legal Implications:**Budget Implications:**

Nil

Comment:

Aline East has been authorised by Main Roads W.A. to liaise with the Council and obtain written concurrence for all land excised. Written approval is important as works cannot proceed without Shire concurrence.

Officer's Recommendation:

- 1) *That the Merredin Shire Council concurs with the proposed reserve excision as shown on Attachment 11.2A.*

MINUTES

-
- 2) *Subject to consent being received from owners of land shown in Attachment 11.2B the Shire of Merredin concurs with the proposed land excisions.*

28589

Moved Cr Townrow sec Cr N Hooper

- 1) *That the Merredin Shire Council concurs with the proposed reserve excision as shown on Attachment 11.2A.*
- 2) *Subject to consent being received from owners of land shown in Attachment 11.2B the Shire of Merredin concurs with the proposed land excisions.*

ENBLOC**CARRIED 9/0**

Jim Garrett left the meeting at 3.44pm.

The following items were brought forward.

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 August 2006:

Merredin Medical Practice

This area of Council operations continues to require a significant allocation of my time.

Ongoing discussions have occurred regarding an MOU to cover the joint employment of doctors at the Merredin Medical Practice and the Merredin Hospital. A new draft is currently being prepared.

Telephone interviews of two applicants occurred on Friday 4 August 2006. The third applicant was found to be unsatisfactory and was not interviewed.

Further referee checks are now occurring. It looks likely they maybe in place in one to two months.

In respect to the Project Officer for the Medical Practice, the applicant visited Merredin on 14 July 2006. She is a very vivacious person and was pleased with all the arrangements except the accommodation. This has now been resolved and we expect her to commence on 4 September 2006.

Employment contracts with Mrs Duffield and Dr Freeman also occurred.

Mrs Duffield's contract has been renewed for an 18 month period and discussions with Dr Freeman are affected by the MOU negotiations.

Wheatbelt Development Commission

MINUTES

The Shire President and myself attended a meeting of the Commission which was held in Merredin on 4 August 2006.

Issues raised included the high cost of Headworks, the slowness of land development, Medical Services, an overall Wheatbelt Development Plan, Grain Freight Task Force, Rural Towns Liquid Assets, High Speed Internet Access, Deep Drainage and Structural Reform.

I believe we received a positive response to these issues, with the Commission indicating they were also pursuing these issues.

Annual Leave

I seek Councils permission to proceed on annual leave between 3 October 2006 and 13 October 2006.

Lee Kernaghan Concert

Concert arrangements took significant effort by a number of staff.

Over 1500 patrons attended the concert. The expenses and revenues are currently being tabulated but it looks like we will break even.

I wish to express my thanks to all of the members of the Committee and the many volunteers for their work in staging the Concert.

Rural Towns Program Management Committee Meeting – Merredin

Attended the above meeting with the Shire President (he is a member) to provide a briefing on the situation in Merredin regarding RTLA.

New Accounting Software

Attended a meeting in Perth to discuss the installation process for the new accounting software. The installation is planned for November 2006.

The recruitment of a Senior Financing Officer will have an implication on the amount of work that the D/CEO and I will need to undertake to achieve the installation.

Senior Staff Reviews

I am in the process of conducting Senior Staff reviews and would like to arrange a meeting of the Senior Staff Review Committee in the next few weeks.

Recommendation

I That the Chief Executive Officers Report for the month of August 2006 be received

MINUTES

-
- 2 *That Council approves the annual leave of the Chief Executive Officer from Tuesday 3 October 2006 to Friday 13 October 2006.*
 - 3 *That Council appoints Mr James McGovern as Acting Chief Executive Officer for that period from Tuesday 3 October 2006 to Friday 13 October 2006.*

28590 Moved Cr Townrow sec Cr Morris

- 1 *That the Chief Executive Officers Report for the month of August 2006 be received*
- 2 *That Council approves the annual leave of the Chief Executive Officer from Tuesday 3 October 2006 to Friday 13 October 2006.*
- 3 *That Council appoints Mr James McGovern as Acting Chief Executive Officer for that period from Tuesday 3 October 2006 to Friday 13 October 2006.*

CARRIED 9/0

Council recognised the appointment of Mr Russell Crook a resident of Merredin onto the Wheatbelt Development Commission Board.

12.2 BIANNUAL MEETING – GREAT EASTERN COUNTRY ZONE
WESTERN AUSTRALIAN LOCAL GOVERNMENT ASSOCIATION

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

Background

The biannual Meeting of the Great Eastern Country Zone of the Western Australian Local Government Association will be held on Friday 22 September 2006 in Wyalkatchem.

The Zone has requested any member motions to be submitted by 4 September 2006.

Comment:

The purpose of this item is to ascertain from Council whether they have any items to be forwarded to the Zone Meeting. This will enable staff to prepare a draft for Council consideration.

In the past Council has requested that we develop an agenda item on the prohibitive cost of purchasing/freeholding reserved land especially when it is to be used to provide for the growth of rural areas.

Officer's Recommendation:

That Council advise staff of any agenda items it wishes to forward to the September 2006 Meeting of the Great Eastern Country Zone of the Western Australian Local Government Association.

28591

Moved Cr Townrow sec Cr Astbury

That Council advise staff of any agenda items it wishes to forward to the September 2006 Meeting of the Great Eastern Country Zone of the Western Australian Local Government Association.

CARRIED 9/0

**12.3 AVON CATCHMENT COUNCIL 2006 COMMUNITY BOARD
MEMBER ELECTIONS**

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

Background:

As a result of a restructure of the Avon Catchment Council six community board positions have been created, two positions each for Avon, Yilgarn and Lockhart sub catchments. Nominations for these positions closed on the 7 July 2006.

Three applications were received; Alan Cole, Merrilyn Temby and Pauline Guest. Copies of their Nomination Forms (including profiles) are attached for Council information. **Attachment 12.3A.**

Council has been asked to complete a Ballot Paper selecting two candidates.

Comment:

Officer's Recommendation:

That Council select two candidates for the Avon Catchment Council Community Board Member elections 2006.

28592

Moved Cr Townrow sec Cr Astbury

That Council select two candidates for the Avon Catchment Council Community Board Member elections 2006.

CARRIED 9/0

MINUTES

Cr Morris left the meeting at 3.59pm.

28593

Moved Cr Simmonds sec Cr Townrow

That the Shire of Merredin vote for Pauline Guest and Marilyn Temby in the election for Community Board Members for the Avon Catchment Council.

CARRIED 8/0

12.4 EMERGENCY MANAGEMENT BILL

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

Background:

The proposed Emergency Management Bill will create new obligations on Local Governments in regard to dealing and managing emergency situations in their shire. The more pertinent clauses are detailed below.

Clause 33 Explanation Functions of a local government

A local government's functions are to:

- ensure that effective 'local emergency management arrangements' (see clause 38) are prepared and maintained for its district;*
- manage recovery following an emergency affecting a community in its district; and*
- perform any other functions given to the local government under this Act.*

Clause 34 Explanation Local emergency coordinators

This clause requires the State Emergency Coordinator to appoint a local emergency coordinator for each local government district.

The local emergency coordinator's functions are to:

- advise and support the local emergency management committee in the development and maintenance of emergency management arrangements for the local government district;*
- to assist Hazard Management Agencies in providing a coordinated response during an emergency; and*
- to undertake other emergency management activities in accordance with directions from the State Emergency Coordinator.*

Clause 35 Explanation Local emergency management committees

MINUTES

This clause requires a local government to establish a local emergency management committee (LEMC) for its district.

Membership of the LEMC will consist of:

- a chairman, nominated by the local government and appointed by the SEMC chairman; and*
- other members appointed by the local government.*

The following procedures will apply in relation to the nomination of the LEMC chairman:

- The SEMC chairman is to advise the local government, in writing, that a nomination is required;*
- The nomination must be made by the local government within a reasonable time after the receipt of the SEMC chairman's advice; and*
- If a nomination is not made as required, the SEMC chairman may appoint a person that he/she thinks fit to be the LEMC chairman.*

Subject to the matters outlined above, the constitution and procedures of a LEMC (and the terms and conditions of appointment as members) are to be determined by the SEMC.

Clause 36 Explanation Functions of local emergency management committees

A local emergency management committee (LEMC) is to:

- help its local government to ensure that 'local emergency management arrangements' (see clause 38) are established for the local government district;*
- liaise with agencies, organisations and other persons in the development, review and testing of local emergency management arrangements; and*
- undertake any other emergency management activities as directed by the SEMC, or prescribed by the regulations.*

Clause 37 Explanation Annual report of local emergency management committee

Each LEMC is to prepare, in a manner directed by the SEMC, an annual report on its activities during each financial year, and is to submit the annual report to its district emergency management committee within the timeframe directed by SEMC. Directions by the SEMC are to be made in writing.

Clause 38 Explanation Emergency management arrangements in local government district

This clause requires that a local government must ensure that 'local emergency management arrangements' are prepared in relation to emergency management in the local government district.

The local emergency management arrangements are to set out:

- the local government's policies for emergency management;*

MINUTES

-
- *the roles and responsibilities of agencies, organisations and other persons involved in emergency management in its district;*
 - *provisions relating to the coordination of emergency management operations and activities;*
 - *a description of emergencies likely to occur in its district;*
 - *emergency management strategies and priorities;*
 - *a recovery plan, and the nomination of a local recovery coordinator;*
 - and
 - *any other matters that the local government considers appropriate.*

The local emergency management arrangements are to be consistent with State emergency policies and plans.

A copy of each local government's local emergency management arrangements (and any amendments) is to be delivered to the SEMC as soon as practicable after they are prepared

Legal Implications

I understand that the Bill is currently passing through Parliament which I believe is supported by all political parties.

Budget Implications:

This increased co-ordination role will have an effect on the other activities staff are required to undertake.

Comment:

I believe that the Shire of Merredin already has an existing LEMC Committee operating with the local Police Sergeant performing the functions of Chairman.

Staff have infrequently attended meetings in the past.

I have invited the Police Inspector of the Wheatbelt District office Michael Walker to discuss the new arrangements with Council and what support the WA Police can be in managing these new arrangements.

Officer's Recommendation:

That Council discuss the Emergency Management Bill and the implication on the Shire of Merredin.

28594

Moved Cr Townrow sec Cr Astbury

1. *That Council liaise with Local Police to re-establish the Merredin Local Emergency Management Committee.*
2. *The Council supports a Regional Emergency Management Partnering Agreement.*

CARRIED 8/0

12.5 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 12.5A**

Library Managers Report

Report is at **Attachment 12.5B.**

Cummins Theatre Manager

Report is at **Attachment 12.5C.**

Community and Economic Development Project Officer's Report

Report is at **Attachment 12.5D.**

Natural Resource Management Officer's Report

Report is at **Attachment 12.5E.**

Recreation Centre Managers Report

Report is **Attachment 12.5F.**

Records Management Report

Statistics (From 13 July to 10 August 2006)

Total Mail In 579

Accounts Received 31

Invoices	202
General	344
Appreciations	0
Complaints	2
Total Mail Out	642

Status Report:

The Action sheet detailing progress of Previous Council Resolutions from March 2004 is **Attachment 12.5G**.

Officer's Recommendation

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

28595

Moved Cr Simmonds sec Cr Crees

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

CARRIED 8/0

12.6 CONSTRUCTION OF SES EQUIPMENT SHED

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

Background:

In April 2006, Council agreed to a request from the Fire and Emergency Service Authority to assist in the project management of the construction of a shed at the State Emergency Service property at Benson Street, Merredin. Council resolution (CM Ref : 28418)

“That Merredin Shire Council inform Fire and Emergency Service Authority it agrees to project manage financial aspects of the construction of an equipment shed at the State Emergency Service property on Benson Street, Merredin.”

Council is now requested to consider extending its involvement to managing the tender process. The reason for this request is due to a government policy on purchase of goods and services exceeding \$50,000 requires the involvement of a separate government agency at additional (unbudgeted) cost to FESA. This cost jeopardises the viability of the construction project as FESA has no additional resources to cover the administrative expense.

FESA ask that the Shire accept responsibility for processing the tender by accepting prepared tender documentation, calling for public tenders and awarding the tender on the basis of criteria set down by FESA. Cost to process the tender will be negotiated with FESA prior to commencement

Comment:

Whilst Council is supportive of project managing the shed construction, it must be considered whether this request places too much responsibility on Council in the purchase of goods and services for property that is not an asset of the Council.

MINUTES

The Local Government Act 1995 and Regulations do not differentiate between the purchase of goods and service for a local governments own purposes or an external agency, hence there is no relief from requirements to comply with the tender regulations by virtue of acting as project manager.

Other than this aspect of legislative compliance, there are no administrative objections to the request. Council is reminded that in the 2002/2003 Annual Budget an amount of \$10,000 was allocated to assist SES construct an equipment shed. However due to a miscommunication the local SES did not receive this funding allocation and the project lapsed.

Based on the Shire being compensated for the actual cost of managing the tendering of the construction project, it is recommended Council resolve to approve FESA's request.

Legal Implications:

Local Government (Functions and General) Regulations 1996.

Budget Implications:

As per the April report, Council is informed the project budget of \$60,000 is not included in the 2006/2007 Budget and whilst the income offsets expenditure, a resolution of Council by Absolute Majority is required:

6.8. Expenditure from municipal fund not included in annual budget -

(1) A local government is not to incur expenditure from its municipal fund for an additional purpose except where the expenditure;

(a) is incurred in a financial year before the adoption of the annual budget by the local government;

(b) is authorised in advance by resolution; or*

(c) is authorised in advance by the mayor or president in an emergency.

* Absolute majority required.

Officer's Recommendation:

That Council inform the Fire and Emergency Service Authority that, in addition to the undertaking contained in Council Resolution 28418, it agrees to manage the tender process for the construction of the SES equipment shed as part of it's project management role.

Absolute Majority Required

28596

Moved Cr Simmonds sec Cr Crees

That Council inform the Fire and Emergency Service Authority that, in addition to the undertaking contained in Council Resolution 28418, it agrees to manage the tender process for the construction of the SES equipment shed as part of it's project management role.

**CARRIED 8/0
ABSOLUTE MAJORITY**

12.7 REQUEST FOR WAIVER OF FEE – SYMPHONY ORCHESTRA IN CUMMINS THEATRE

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

Background:

Reverend Zac Cronje of the Uniting Church writes to request waiver of the fee to hire the Cummins Theatre for a performance of the Hills Symphony Orchestra on 26th August 2006. The performance is a fundraiser organised by the local congregation to assist fund the Chaplaincy at the Merredin Senior High School.

The 2006/2007 Annual Budget Fees and Charges set the cost of hire at \$330.00 (ex GST) for community performance use of the Theatre.

Comment:

No administrative objections are raised to this request. The performance will provide the community with a dual benefit; the opportunity to attend a musical performance that is infrequently available and a fundraiser for an important community-based position that is financially supported by Council in the 2006/2007 budget.

Legal Implications:

Nil

Budget Implications:

As detailed in the body of the report.

Officer's Recommendation:

That Council agree to the request of the Uniting Church to waive the fee for a performance of Hills Symphony Orchestra at the Cummins Theatre on 26th August 2006.

-
- 28597** Moved Cr Townrow sec Cr N Hooper
That Council agree to the request of the Uniting Church to waive the fee for a performance of Hills Symphony Orchestra at the Cummins Theatre on 26th August 2006.

**CARRIED 8/0
ABSOLUTE MAJORITY**

12.8 MONTHLY FINANCE REPORT

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

Background

Each month attached to the Agenda (Refer to **Attachment 12.8A**) is the Monthly Financial Report prepared for Council.

Officer's Recommendation:

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

- 28598** Moved Cr Crees sec Cr Townrow
That the Merredin Shire Council receive the Monthly Finance Report for August 2006.

CARRIED 8/0

12.9 LIST OF ACCOUNTS PAID

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

Background:

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

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 \$278,229.71 and amount directly debited from Councils Municipal Fund Bank Account BSB 066-518 000 000 10 totalling \$136,106.91 endorse trust cheques totalling \$1,025.10 and outstanding creditors totalling \$87,598.00.

- 28599** Moved Cr Townrow sec Cr Astbury
That the Merredin Shire Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$278,229.71 and amount directly debited from Councils Municipal Fund Bank Account BSB 066-518 000 000 10 totalling \$136,106.91 endorse trust cheques totalling \$1,025.10 and outstanding creditors totalling \$87,598.00.

CARRIED 8/0

- 28600** Moved Cr Crees sec Cr Astbury
That the meeting adjourn for afternoon tea at 4.30pm.

CARRIED 8/0

- 28601** Moved Cr Simmonds sec Cr Crees
That the meeting reconvene at 4.53pm.

CARRIED 8/0

The following item was brought forward.

15.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

15.1 BE ACTIVE SCHEME – HEALTHWAY FUNDING

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

Background:

The Shire of Merredin has contributed to the Central and Eastern Wheatbelt 'Be Active' Community Sport and Recreation Coordinators Scheme since 1996. The program is jointly funded by participating local governments and Healthway, with the Shire of Bruce Rock hosting the Coordinator. Members Councils also include the Shires of Tammin, Kellerberrin, Westonia and Yilgarn.

Healthways partially fund the program on a rolling 3 year cycle and have recently confirmed their ongoing financial support for the Central and Eastern Wheatbelt Be Active Scheme, with a grant of \$25,000 per year.

MINUTES

Council is requested to consider tying it's commitment to the Scheme for the period of the Healthways funding, as per Council's consideration of the previous funding allocation in March 2004 (CM Ref 27419) :

"That Council endorse continued participation in the Central and Eastern Wheatbelt 'Be Active' Community Sport and Recreation Coordinators Scheme for the term of Healthway sponsorship commitment for a further three (3) year period."

Comment:

The Shire of Merredin contribution to the Scheme rose in 2006/2007 by \$1,000 to \$9,000 per annum. This reflects the added operational costs most particularly incremental wage increases and fuel expenses. It is noted the Healthways contribution remains at 2004 levels.

It is the normal practice for participating local governments to inform the Be Active Management Committee of their long-term intentions and commitment to the scheme, and this normally occurs when Healthways funding is confirmed.

Council discussed it's participation in the Scheme during the budget workshop and it is now open for Council to once again consider it's long-term commitment to the Central and Eastern Wheatbelt Be Active Scheme. Consideration should take into account the recent appointment of the Recreation Centre Manager, who's role will develop over time to incorporate activities external to the Centre, inclusive of all community members.

Additionally, application has been made to the Department of Sport and Recreation under their new Club Development Officer initiative, for a fully funded 3 year position. If successful (announcement expected in September) the Shire will employ an individual with the role of assisting sporting clubs and community groups in their short, medium and long term development, a role provided to a small extent by the Be Active Coordinator.

It is not possible to make a recommendation regarding the ongoing value in remaining part of the Be Active Coordinator Scheme for the full 3 year period, until such time as the role of the Recreation Centre Manager, Centre staff and possible allocation of funding for a Club Development Officer is known. For this reason, it is recommended Council inform the Be Active Management Committee it will remain committed to the Scheme for the 2006/2007 financial year (as budgeted) and review it's ongoing commitment in determining the 2007/2008 Budget.

Legal Implications:

Nil

Budget Implications:

As described in the body of the report.

Officer's Recommendation:

That Council inform the Be Active Management Committee that it will remain committed to the Central and Eastern Wheatbelt Be Active Scheme for the 2006/2007 financial year, after which time Council's ongoing commitment will be reviewed.

- 28602** Moved Cr Crees sec Cr Astbury
That Council inform the Be Active Management Committee that it will remain committed to the Central and Eastern Wheatbelt Be Active Scheme for the 2006/2007 financial year, after which time Council's ongoing commitment will be reviewed.
CARRIED 8/0

6.0 CONFIRMATION OF MINUTES

6.1 PREVIOUS COUNCIL MEETINGS

- 28603** Moved Cr Townrow sec Cr Crees
That the minutes of Council Meeting held on 18 July 2006 and Special Council Meeting held on 31 July 2006 be confirmed as a true and correct record of proceedings.
CARRIED 8/0

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 Merredin Regional Community & Leisure Centre Management Committee meeting held 25 July 2006;
- 9.2 Lee Kernaghan Promotion Committee meeting held 17 July 2006.
- 9.3 Lee Kernaghan Promotion Committee meeting held 20 July 2006.
- 9.4 Lee Kernaghan Promotion Committee meeting held 24 July 2006.
- 9.5 Lee Kernaghan Promotion Committee meeting held 1 August 2006.

9.6 Lee Kernaghan Promotion Committee meeting held 9 August 2006.

28604

Moved Cr Townrow sec Cr Crees

That the Merredin Shire Council receive the minutes of the Merredin Regional Community & Leisure Centre Management Committee meeting held 25 July 2006; Lee Kernaghan Promotion Committee meeting held 17 July 2006; Lee Kernaghan Promotion Committee meeting held 20 July 2006; Lee Kernaghan Promotion Committee meeting held 24 July 2006; Lee Kernaghan Promotion Committee meeting held 1 August 2006 and Lee Kernaghan Promotion Committee meeting held 9 August 2006.

CARRIED 8/0

28605

Moved Cr Jones sec Cr N Hooper

That Council send a letter to the Lee Kernaghan Promotion Committee congratulating them on the running of a very successful event.

CARRIED 8/0

9.1 Merredin Regional Community and Leisure Centre Committee Minutes

5.2 Centre Logo Competition

Recreation Centre Manager provided Committee with outline to Centre Logo competition (attached). The purpose of the logo is to give Centre a unique identity and form a basis for it's corporate identity.

Committee discussed scope and spread of the competition, given the Centre is promoted as regional, with Committee suggesting the competition be open to all Councils abutting the Shire of Merredin.

Moved Cr Crees sec Cr Astbury

That Merredin Regional Community and Leisure Centre recommend to Council that Council extend logo competition to Kellerberrin, Bruce Rock, Nungarin, Westonia, Narembeen and Yilgarn Shires.

CARRIED

28606

Moved Cr Astbury sec Cr Townrow

That Council extend logo competition to Kellerberrin, Bruce Rock, Nungarin, Westonia, Narembeen and Yilgarn Shires.

CARRIED 8/0

6.0 Liquor Licensing

Chief Executive Officer presented questions and answers from discussions with McLeod Lawyers (attached). Chief Executive Officer informed the preferred option is a Special Facilities Licence however this Committee has a motion on the books recommending Council apply for a Tavern Licence.

The Recreation Centre Management Committee recommended to Council in May 2006, that application be made for a Tavern licence. Council resolved that the matter lay on the table :

Moved Cr Wallace sec Cr Astbury

That the Merredin Regional Community and Leisure Centre Management Committee recommend that, with the information that has subsequently been provided, Council apply for a Tavern Licence.

CARRIED 8-0

28506 Moved Cr Jones sec Cr Townrow (June 2006 meeting)

That the matter of applying for a Tavern Licence for the Merredin Regional Community & Leisure Centre lay on the table pending consultation and more information from the Department of Racing Gaming & Liquor.

CARRIED 6/5

Chief Executive Officer informed that if a Special Facilities Licence is to remain the preferred option, the recommendation from the Merredin Regional Community and Leisure Centre Management Committee meeting of 23 May 2006 be rescinded.

Cr Astbury, Cr Crees, Cr Morris, G Alp indicated by show of hands their support for the following recommendation.

Moved E Carlson sec Cr Morris

That the Committee recommendation to Council of 23 May 2006, to apply for Tavern Licence, be rescinded.

CARRIED

Council is advised that Resolution 28506, whilst now resolved by virtue of the above recommendation, does need to be lifted from the table to finalise the intent of the resolution.

Officer's Recommendation

That Resolution 28506 in the matter of applying for a tavern licence for the Merredin Regional Community & Leisure Centre, be lifted from the table.

- 28607** Moved Cr Jones sec Cr Townrow
That Resolution 28506 in the matter of applying for a tavern licence for the Merredin Regional Community & Leisure Centre, be lifted from the table.
- CARRIED 8/0**

- 28608** Moved Cr Jones Cr Wallace
That Council re-affirm its decision made at the 20 December 2005 meeting (CMRef 28218) to apply for a Special Facilities Licence.
- CARRIED 8/0**

- 9.6 Lee Kernaghan Promotion Committee meeting held 9 August 2006.

Moved Cr Morris sec Cr Townrow
That the Lee Kernaghan Promotions Committee recommend to Council that the Shire of Merredin conduct a similar outdoor concert event in 2007.

CARRIED 5/0

- 28609** Moved Cr Townrow sec Cr Astbury
That the Shire of Merredin agree in principle to the Lee Kernaghan Promotion Committee recommendation to conduct a similar outdoor concert event in 2007”.
- CARRIED 8/0**

- 13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Northam Saleyards

Moved Cr N Hooper sec Cr Townrow

- 28610** *That based on further information Council:*
1. *Support in principle the Northam Saleyard Proposal subject to clarifying ownership structure.*
 2. *Review legal documentation; and*
 3. *Favourable discussion on these issues with other stakeholders.*

CARRIED 8/0

Cr M Morris entered the meeting at 5.55pm.

- 14.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

MINUTES

15.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

- 15.1 Be Active Scheme – Healthway Funding.
This item was moved to Page 39.

16.0 MATTERS BEHIND CLOSED DOORS
Nil

- 17.0 CLOSURE
The Presiding Member closed the meeting at 5.58pm.