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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 21<sup>st</sup> November 2006 at 1.00pm.**

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

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

Mr Vic London, Sonya Kimbar - Wheatbelt Mercury

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1.0 OFFICIAL OPENING

The Presiding Member declared the meeting open at 1.00pm.

2.0 PUBLIC QUESTION TIME

Mr Victor London

Questioned why his letter of 18 months ago had not been responded to by the President. The President indicated that he thought the letter had been responded to.

CEO confirmed that staff would attempt to locate the letter.

Mr London indicated that he had received a letter of advice from the Minister for Local Government re the validation of differential rates.

V London left the meeting at 1.05pm.

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr Astbury requested leave of absence for the 19 December 2006 and 16 January 2007 Council meetings.

**28697** Moved Cr Jones sec Cr Hooper  
*That Council approve leave of absence for Cr Astbury for the 19 December 2006 and 16 January 2007 meetings.*

**CARRIED 11/0**

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4.0 DISCLOSURE OF INTEREST

Cr Morris declared an Impartiality Interest in Item 10.1  
Cr Simmonds declared a Proximity Interest in Item 10.2  
AM Peters declared a Proximity Interest in Item 10.2  
Cr Crees declared a Proximity Interest in Item 16.1.

5.0 PETITIONS & PRESENTATIONS

Nil

6.0 CONFIRMATION OF MINUTES6.1 PREVIOUS COUNCIL MEETING**28698**

Moved Cr Crees sec Cr Wallace

*That the Minutes of Council Meeting held on the 17 October 2006  
be confirmed as a true and correct record of proceedings.*

**CARRIED 11/0**

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT  
DISCUSSION

Cr N Hooper forwarded his apologies for the Annual Elector's Meeting to be held at 7.30pm on Tuesday 21 November 2006.

8.0 MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE  
PUBLIC9.0 RECEIVAL OF MINUTES OF COMMITTEE MEETINGS HELD SINCE  
THE PREVIOUS MEETING OF COUNCIL

9.1 Annual Ryegrass Toxicity Action Committee meeting held on 1<sup>st</sup> September 2006;

9.2 North Eastern Wheatbelt Small Business Centre held on 6 September 2006.

9.3 Merredin Regional Community & Leisure Centre Management Committee meeting held 31 October 2006.

9.4 Business & Community Development Committee meeting held 8 November, 2006;

**28699**

Moved Cr Jones sec Cr Astbury

*That the Merredin Shire Council receive the minutes of the Annual Ryegrass Toxicity Action Committee meeting held on 1st September 2006; North Eastern Wheatbelt Small Business Centre held on 6 September 2006; Merredin Regional Community & Leisure Centre Management Committee meeting held 31 October 2006 and the Business & Community Development Committee meeting held 8 November, 2006.*

CARRIED 11/0

9.3 Merredin Regional Community & Leisure Centre Management Committee meeting held 31 October 2006.

Item No: 5.2 Recreation Centre Manager's Report

Moved W Wallace sec M Morris

*That the Merredin Regional Community and Leisure Centre Committee recommend Council endorse the Mission Statement of the centre to read;*

*Merredin Regional Community and Leisure Centre  
'Enhancing Our Country Lifestyle'*

CARRIED

Item No: 6.0 General Business

Moved G Astbury sec M Crees

*That the Merredin Regional Community and Leisure Centre Committee recommend Council request costings from the Manager of Works to seal the area between the existing outdoor courts and the proposed new fence (approx 2.5meters) with hot-mix.*

CARRIED

**28700**

Moved Cr Astbury sec Cr Crees

*That Council endorse the Mission Statement of the centre to read;  
Merredin Regional Community and Leisure Centre  
'Enhancing Our Country Lifestyle'*

*That Council request costings from the Manager of Works to seal the area between the existing outdoor courts and the proposed new fence (approx 2.5meters) with hot-mix.*

ENBLOC

CARRIED 11/0

**MINUTES**

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9.4 Business & Community Development Committee meeting held 8 November, 2006

7.5 Shaping the Future of the Wheatbelt / Building a Stronger Wheatbelt

Moved Cr Townrow sec Cr Hooper

*That BCDC receive the report from the Building a Stronger Wheatbelt Community Forum held on Wednesday 25<sup>th</sup> October 2006 and recommend to Council that the following points be included where relevant in the "draft" Shire of Merredin Strategic Plan.*

*Merredin's advantages*

- *Location – it is on major transport routes, and is central*
- *Access to optic fibre network*
- *Has a steady supply of water (pipeline and town-retained)*
- *Airfield*
- *Vital services and facilities that other towns may not have*
- *Minimal pollution problems*
- *A sense of community, townspeople interact and know each other*
- *It is a centre for regional sports*
- *Education quality moderate to good (primary schools, high school, TAFE, college)*
- *Public transport available to Perth via trains and bus*
- *Creates employment for surrounding towns (people can work here but live out of town)*
- *House prices still relatively low.*
- *Its features (Merredin Peak to name just one of many)*
- *Many business opportunities are waiting to be exploited / established*

*Merredin's future opportunities*

- *Develop Freight Loading facilities for the region – save going to Perth*
- *Educational / Trade Skills / Tertiary centre for watershed of town (16,000 people)*
- *Be an environmental / renewable leader (economic opportunity also)*
- *Recycling/Environmentally friendly leader*
- *Groundwater as an asset*
- *Planning and development of aged care facilities (ageing population is an opportunity)*
- *Planning and development of young singles facilities (especially housing)*
- *Be a major sporting centre/opportunity to address sporting boundaries*
- *Indigenous focus / tourism (rising aboriginal youth population is an opportunity)*

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- *Merredin as major RETAIL HUB*
  - *Tourism facilitator / 'junction box'*
  - *A GAS PIPELINE from Perth to Kalgoorlie*
  - *High-technology industry base*
  - *Ecotourism*
  - *A centre for value-adding industries to enhance regional products*
  - *Resort / Conference destination (use centrality, good transport lines)*
  - *A supporter for other towns (offer what they need).*
  - *Value add to the smaller towns*
  - *Fly in/out Aviation opportunities – medical services, commercial eg. Skywest*
  - *Global research station*
  - *Leadership role in future planning*
  - *Attracting more trades to town (incentives – cheaper lease rates for commercial premises)*

CARRIED 4/0**28701**

Moved Cr Townrow sec Cr Morris

***That Council include the following points where relevant in the “draft” Shire of Merredin Strategic Plan.***

***Merredin’s advantages***

- ***Location – it is on major transport routes, and is central***
- ***Access to optic fibre network***
- ***Has a steady supply of water (pipeline and town-retained)***
- ***Airfield***
- ***Vital services and facilities that other towns may not have***
- ***Minimal pollution problems***
- ***A sense of community, townspeople interact and know each other***
- ***It is a centre for regional sports***
- ***Education quality moderate to good (primary schools, high school, TAFE, college)***
- ***Public transport available to Perth via trains and bus***
- ***Creates employment for surrounding towns (people can work here but live out of town)***
- ***House prices still relatively low.***
- ***Its features (Merredin Peak to name just one of many)***
- ***Many business opportunities are waiting to be exploited / established***

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*Merredin's future opportunities*

- *Develop Freight Loading facilities for the region – save going to Perth*
- *Educational / Trade Skills / Tertiary centre for watershed of town (16,000 people)*
- *Be an environmental / renewable leader (economic opportunity also)*
- *Recycling/Environmentally friendly leader*
- *Groundwater as an asset*
- *Planning and development of aged care facilities (ageing population is an opportunity)*
- *Planning and development of young singles facilities (especially housing)*
- *Be a major sporting centre/opportunity to address sporting boundaries*
- *Indigenous focus / tourism (rising aboriginal youth population is an opportunity)*
- *Merredin as major RETAIL HUB*
- *Tourism facilitator / 'junction box'*
- *A GAS PIPELINE from Perth to Kalgoorlie*
- *High-technology industry base*
- *Ecotourism*
- *A centre for value-adding industries to enhance regional products*
- *Resort / Conference destination (use centrality, good transport lines)*
- *A supporter for other towns (offer what they need).*
- *Value add to the smaller towns*
- *Fly in/out Aviation opportunities – medical services, commercial eg. Skywest*
- *Global research station*
- *Leadership role in future planning*
- *Attracting more trades to town (incentives – cheaper lease rates for commercial premises)*

**CARRIED 11/0**



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J McGovern left the meeting at 1.15pm.

J McGovern entered the meeting at 1.16pm.

W Bow entered the meeting at 1.17pm.

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

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10.1 EXTENSION OF AGREEMENT TO OCCUPY COUNCIL PROPERTY  
– WHEATBELT DEVELOPMENT COMMISSION – FORMER SHIRE  
ADMINISTRATION BUILDING, LOT 41 ON RESERVE 25640  
BARRACK STREET, MERREDIN

**Reporting Department:** Development Services  
**Reporting Officer:** Warren Bow, Manager of Development Services  
**Legislation:** Local Government Act 1995, Council Policy 6.4  
**File Number:** CP/LO/Telecentre, R/25640

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**Background:**

An agreement between the Wheatbelt Development Commission (WDC) and the Shire of Merredin has existed since July 2005 enabling the WDC to occupy office space within the former Shire administration building in co-location with the Merredin Telecentre Inc and Roadwise.

The WDC are seeking an extension of this agreement.

**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 or instrumentality of the State.

**Budget Implications:**

Income of \$2600 has been budgeted as rent for the former Shire administration building, as the agreement in place with the WDC at the time of adopting the budget was to expire on 31 December 2006. This equates to a rental of \$100.00 per week plus utilities.

The proposed co-location of the Merredin Telecentre Inc at the Merredin Regional Community and Leisure Centre saw Council resolve (**CMRef 28550**) to not charge the Merredin Telecentre Inc rental whilst occupying the former Shire administration building for the 2006/2007 financial year.

**Comment:**

The proposal to relocate the Merredin Library into the larger former Shire administration building is still being developed and is not envisaged to have commenced within the next twelve months. The proposal is also subject to budget allocation for 2007/2008.

*Council Policy 6.4 – Rental charges for agreements to occupy Council non-residential property prescribes a rental amount of \$50.00/m<sup>2</sup>/year for government departments/agencies.*

Based on the lettable area of 87m<sup>2</sup> occupied by the WDC a rental of \$4350 or \$83.65 per week could be levied under clause 7 of Council's policy. However, clause 8 of the policy prescribes a minimum rental of \$100.00 per week.

**Officer's Recommendation:**

*That Council agree to extend the agreement with the Wheatbelt Development Commission to occupy 87m<sup>2</sup> of office space at the former Shire administration building at Lot 41 on Reserve 25640 Barrack Street, Merredin for the period 1 January 2007 – 31 December 2007 inclusive, at a rental of \$100.00 per week plus utilities.*

Cr Morris declared an Impartiality Interest in Item 10.1.

**28702**

Moved Cr Townrow sec Cr N Hooper

*That Council agree to extend the agreement with the Wheatbelt Development Commission to occupy 87m<sup>2</sup> of office space at the former Shire administration building at Lot 41 on Reserve 25640 Barrack Street, Merredin for the period 1 January 2007 – 31 December 2007 inclusive, at a rental of \$100.00 per week plus utilities.*

**CARRIED 9/2**

**28703**

Moved Cr N Hooper sec Cr Astbury

*That Council investigate the temporary co-locating of the Wheatbelt Development Commission, Wheatbelt ACC and the Small Business Corporation NEW into the former Shire Administration Building at Lot 41 on Reserve 25460 Barrack Street once the Telecentre has moved to the Recreation Centre.*

**CARRIED 8/3**

**MINUTES**

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Cr Simmonds declared a Proximity Interest in Item 10.2 and left the meeting at 1.32pm.

AM Peters declared a Proximity Interest in Item 10.2 and left the meeting at 1.34pm.

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**10.2 REVISED APPLICATION FOR APPROVAL IN PRINCIPLE –  
ESTABLISHMENT OF A COMMERCIAL STORAGE FACILITY,  
LOT 31 MITCHELL STREET, MERREDIN – SOLFAME PTY LTD**

**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  
**File Number:** P/2548

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**Background:**

Subsequent to advice of Council's resolution (**CMRef 28680**) at its Ordinary October 2006 meeting, Solfame Pty Ltd (the owner) have submitted a revised site plan concerning the establishment of a commercial storage business at Lot 31 Mitchell Street, Merredin (the property). This can be seen as **Attachment 10.2A**.

The owner is still seeking only approval in principal from Council as per submission seen as **Attachment 10.2B**.

**Legal Implications:**

At its Ordinary October 2006 meeting Council resolved (**CMRef 28680**) that commercial storage operation are an "AP" use in the "Shop" in accordance with the Shire of Merredin Town Planning Scheme No.1 (the scheme). This meaning not permitted unless special approval given after advertising.

**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.

**Comment:**

The revised plan would see commercial storage units constructed with their rear walls setback 33.45 metres from Mitchell Street, thus forming a continuous separating wall enclosing the development to the south of the property. The visual impact of this colorbond wall is proposed to be reduced via the planting of trees and landscaping along the Mitchell Street aspect.

A minimum setback of three metres to the boundary of lot 36 and lot 32 is required by the Building Code of Australia 2006.

Access to the storage units would be afforded only from the rear laneway, between Barrack and Mitchell Streets.

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An area of 1066m<sup>2</sup> with frontage to Mitchell Street is preserved in the revised plan. With the owner prepared to enter into a written commitment not to develop commercial storage units in addition to the proposed 12.

Prior to any formal planning approval of this proposal, it will be requested that the owner contract the services of a licensed land surveyor to formally identify the boundary between lots 31 and 36 Mitchell Street, Merredin, with particular regard to the location of the steel framed, iron clad garage apparently connected at the rear (western) of the Newfields building. Subject to the surveyors report it may be necessary to undertake an amalgamation of lots 31 and 36.

Officer's Recommendation:

1. *That Council agree in principle to Ms Lee Steel of Solfame Pty Ltd in relation to the establishment of a commercial storage facility at Lot 31 Mitchell Street, Merredin based on the site plan submitted as Attachment 10.2A.*
2. *That Council advise Ms Lee Steel of Solfame Pty Ltd that any formal application for planning consent will need to be advertised in accordance with the Shire of Merredin Town Planning Scheme No.1 and that Council reserves the right not to grant formal planning approval to this proposal.*
3. *That Council request Ms Lee Steel of Solfame Pty Ltd to facilitate a site survey by a licensed land surveyor of lots 31 and 36 Mitchell Street, Merredin prior to the submission of any formal application for planning consent, and that such survey information be included within any subsequent application.*

**28704**

Moved Cr N Hooper sec Cr Astbury

1. *That Council agree in principle to Ms Lee Steel of Solfame Pty Ltd in relation to the establishment of a commercial storage facility at Lot 31 Mitchell Street, Merredin based on the site plan submitted as Attachment 10.2A.*
2. *That Council advise Ms Lee Steel of Solfame Pty Ltd that any formal application for planning consent will need to be advertised in accordance with the Shire of Merredin Town Planning Scheme No.1 and that Council reserves the right not to grant formal planning approval to this proposal.*
3. *That Council request Ms Lee Steel of Solfame Pty Ltd to facilitate a site survey by a licensed land surveyor of lots 31 and 36 Mitchell Street, Merredin prior to the submission of any formal application for planning consent, and that such survey information be included within any subsequent application.*

**CARRIED 8/2**

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Cr Simmonds entered the meeting at 1.49pm

AM Peters entered the meeting at 1.49pm.

Items 16.1 and 16.2 were brought forward due to the attendance of W Bow, Manager of Development Services.

16.0 MATTERS BEHIND CLOSED DOORS

**28705** Moved Cr Crees sec Cr Morley  
*That Council move behind closed doors to discuss legal matters  
(S 5.23(2) Local Government Act).*

**CARRIED 11/0**

Council went behind closed doors at 1.50pm.

Sonja Kimbar left the meeting at 1.50pm.

Cr Crees declared a Proximity Interest in Item 16.1 and left the meeting at 1.50pm.

**28706** Moved Cr Townrow sec Cr Jones  
*That Council move out from behind closed doors.*

**CARRIED 10/0**

Council moved out from behind closed doors at 2.00pm.

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16.1 STATE ADMINISTRATIVE TRIBUNAL DETERMINATION – SHIRE  
OF MERREDIN V ARTHUR SKILJAN – GRAVEL MINING AND  
TYRE DISPOSAL AT AVON LOCATION 29191, RESERVE 20542  
MCPHARLIN ROAD, SOUTH BURRACOPPIN

**Reporting Department:** Development Services  
**Reporting Officer:** Warren Bow, Manager of Development Services  
**Legislation:** Planning and Development Act 2005, State  
Administrative Tribunal Act 2004,  
Environmental Protection Act 1986  
**File Number:** LS/L/Cases - Skiljan

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**28707** Moved Cr Morley sec Cr Jones  
*That Council receive the above report.*

**CARRIED 10/0**

Cr Crees entered the meeting at 2.01pm.

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**16.2 SHIRE OF MERREDIN v MARK THOMAS THOMPSON – HOUSE UNFIT FOR HUMAN HABITATION – LOT 1 RAILWAY AVE, MERREDIN**

**Reporting Department:** Development Services  
**Reporting Officer:** Warren Bow, Manager of Development Services  
**Legislation:** Health Act 1911, State Admin Tribunal Act  
**File Number:** LS/5/2

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**28708**

Moved Cr Morley sec Cr Marley

1. *That the Merredin Shire Council revoke the Notice served pursuant to section 139 of the Health Act 1911 (as amended) on 21 March 2005 in relation to the timber framed, iron roofed, weather board clad, timber floor board building, with timber framed internal walls, windows and doors at Lot 1 Railway Avenue, Merredin.*
2. *That the Merredin Shire Council advise the owners of Lot 1 Railway Avenue, Merredin that the previous Notice served pursuant to section 135 of the Health Act 1911 (as amended) on 21 March 2005 remains in force.*
3. *That the Merredin Shire Council serve notice pursuant to section 137 of the Health Act 1911 (as amended) on the owners of Lot 1 Railway Avenue, Merredin requiring them to take down and remove the dwelling from the property within ninety (90) days of the date on such Notice.*
4. *That the Merredin Shire Council advise the owners of Lot 1 Railway Avenue, Merredin that section 138 of the Health Act 1911 (as amended) applies and that all material from the property shall be disposed of at the Merredin Refuse Disposal Site, Chandler Rd, Merredin.*

**CARRIED 11/0**

W Bow left the meeting at 2.03pm.

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The following items were brought forward.

12.0 ADMINISTRATION, FINANCE & COMMUNITY DEVELOPMENT

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12.1 CHIEF EXECUTIVE OFFICER'S REPORT

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

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**Registered Heritage Places – Railway Dam Merredin**

Section 23 (4) of the Heritage Act provides Local Government with an opportunity to attend the meeting of the Heritage Council at which the permanent entry in the register will be considered following the advertising period. If members of Council is attending this meeting we need to advise the Heritage Council of Western Australia. Please advise me if you wish to attend the meeting of the Heritage Council.

**Harvest Mass Management Scheme**

I previously reported to Council informally that CBH has proposed a Harvest Mass Management Scheme. Essentially the scheme attempts to deal with overloaded vehicles presenting to CBH facilities by describing the percentage overloading acceptable and the number of over loadings that are acceptable before grain is forfeited. In certain circumstances the forfeited grain will be sold and funds provided to Local Governments to use for road works. Initially Local Governments were asked to sign an MOU.

The Department of Planning and Infrastructure is uncomfortable with the limits proposed and has not agreed to this scheme.

I have been waiting for a definitive answer from WALGA, Department of Planning and Infrastructure or other agencies before presenting a report to Council on the issue.

Issues affecting Local Government are:

- The ownership of the grain which has been forfeited for over loading.
- The adoption of a manageable scheme that is acceptable to Local Government constituents but opposed by the Department of Planning and Infrastructure (ie advocacy for local constituents)
- Safety

Moved Cr Simmonds

*That we write to Cooperative Bulk Handling, Department of Land Information and Hon Allannah McTiernan to request that there be some tolerance to have a minimum of 2½% VRL.*

**MOTION LAPSED – NO SECONDER**

**Emergency Management**

The local Emergency Management committee wish to advise that the next meeting of the LEMAC committee will be held on Monday 18 December at 6.00pm at the SES office in Merredin.

**Merredin Recreation - Building Demolition**

I wish to advise that the old pottery building, exhibition hall and trotting clubrooms have been demolished at the Merredin Recreation Grounds.

No tenders were received for the purchase and removal of the horse stables. Staff contacted the original inquirer and they were no longer interested. The stables were demolished whilst the demolition contractor was in the area.

**Tender for Cattle Yards**

We received two tenders:

Peter Last	\$500
SD & GJ Last	\$650

The tender has been awarded to SD & CJ Last and they are in the process of removing the cattleyards.

**CBH – Merredin Primary Site Design**

I have made contact with CBH in respect to the primary site design at Merredin. They indicate that the plan previously shown to Council is the current concept plan for the facility.

I believe that it would be appropriate to meet with CBH in the new year to go through the plan as part of our planning processes for roadworks.

**Carrington Way - Proposed Subdivision of Lot 301 and Lot 504  
Cummings Street, Merredin.**

I wish to advise that the subdivisional plan submitted by Council to the Western Australian Planning Commission (21 March 2006 - CMRef 28348) has been approved. The revised plan reduced the public open space and created four lots in a portion of the public open space area and eight lots of reduced size (approximately 700 m<sup>2</sup>) were created fronting Cummings Street and Carrington Way.

**Opening of Desalinisation Pump**

I wish to advise that the official opening of the desalinisation pump to be used by Aline East has been scheduled for the 19 December 2006. I am aware that this is a Council meeting day however it is the only date that the Minister for Agriculture & Food, Hon Kim Chance will be able to attend.



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The opening ceremony is scheduled for the morning and it may be appropriate for Council to cancel the Briefing Session in order to attend this event. I am attempting to negotiate the attendance of the Minister at our Council meeting but this seems improbable. However the opening ceremony would be a good opportunity to discuss with him issues affecting the local area.

**Minister for Local Government Visit**

The President and I attended the Minister of Local Government Breakfast on 09 November 2006. Salient points from his discussions with us:

- he is attempting to build a new framework for Local Government which could be utilised for the next 100 years.
- Sustainability was an issue and that needed to be dealt with by the sector
- Local Government amalgamations were not on the agenda for this term of the government
- Joint cooperation initiatives were being supported by the government with funding being made available to examine and implement joint cooperation models
- Consideration was being given to the Western Australian Planning Commission delegating some of its responsibilities to Regional Development Commissions or Local Governments.
- The government were analysing the Public Accounts Committee Report on Local Government accountability in Western Australia considering whether it is appropriate for the Auditor General of Western Australia to be involved with Local Governments auditing.

**Wheatbelt Health Service Update**

The WA Country Health Service advises that Mr Kim Snowball with the assistance of Dr Felicity Jefferies (WACRRM) have been appointed to undertake a plan for the delivery of health services in the Wheatbelt. It is anticipated the discussion paper will be completed in January 2007 and then be made available to stakeholders for comment.

WA Country Health Service also advise that the new Regional Director Allison Cooke will commence on the 8 January 2007. Allison has worked in the English National Health Service for over 25 years in areas of finance, general administration, capital and service planning.

Council are also reminded that we sent an invitation to the Acting Director Peter Watson to attend the Council meeting on the 21 December 2007 to discuss the Wheatbelt Health Service Plan. It may be appropriate to delay this invitation and invite Allison Cooke to its February 2007 meeting.

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**Local Government Energy Supplies**

As part of the WALGA joint tendering process the Shire of Merredin participated in a study to aggregate electricity demand with a view of negotiating a better price for electricity supply to local governments. Due to a combination of factors (eg not all electricity markets are contestable and there are a number of suppliers).

An examination of the Shire of Merredin accounts revealed there would be little benefit, except in the area of street lighting where approximately \$10,000 could be saved out of a \$65,000 expense.

The issue of providing power for street lighting was an area that was identified as a significant opportunity for all Local Governments however it is non contestable at this stage.

If aggregated demand could be quantified and a “group tender arrangement” can be negotiated then significant savings could be achieved for participating Local Governments.

I intend to indicate the Shire of Merredin wishes to participate in the street lighting contestability which may be available and provide this report for Council information.

**Merredin Swimming Pool**

As a result of a request from the Merredin Amateur Swimming Club to conduct Central Midlands Region 3 Swimming Clinic and Carnival on the weekend of Saturday 16 and Sunday 17 December 2006 we have decided to close the pool to the public for the duration of the weekend. It is expected several hundred competitors will attend the weekend. Advertising advising public will commence shortly.

**Whitfield Way**

Strenuous efforts are being made to finalise installation of infrastructure.

On a positive note all the blocks have been placed under offer. These are detailed below. The closing date for submissions is also identified.

<b>Lot No</b>	<b>Offerer</b>	<b>Submission Closing Date</b>
1342	Brett Thomas LANE and Jolene Dianne LANE	23/11/06
1343	Ashley William COOPER and Elisha Joy MUSCA	23/11/06
1344	Jarluke Developments Pty Ltd	23/11/06
1345	Timothy Scott COOPER and Melissa Lee JAMES	23/11/06
1349	Darren Walter GEIER	23/11/06
1346	Nicola Mancini	23/11/06
1347	Kevin Donald JOSS and Patricia Dale JOSS	23/11/06
1338	Troy Douglas Chapman	30/11/06
1348	Gerard Christopher CUNNINGHAM and Sri Astuti CUNNINGHAM	30/11/06
1340	Allan David WALKER	30/11/06
1336	Melinda Jane ROMANELLI and Steven Leslie CARR	30/11/06
1337	Tammak Enterprises Pty Ltd as Trustee for the McFarlane Property Trust	30/11/06
1341	Glenn Garry Feineler	30/11/06

**Recommendation**

*That Council receive the November 2006 Chief Executive Officer's report.*

**28709**

Moved Cr Crees sec Cr Townrow

*That Council receive the November 2006 Chief Executive Officer's report.*

**CARRIED 11/0**

Crs Simmonds, Crees, N Hooper and K Hooper were able to attend the planning meeting with CBH.

**12.2 REVIEW OF DELEGATIONS**

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

**Background:**

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

**Statutory Environment:**

Local Government Act 1995 section 5.18 indicates a Local Government must review the delegations it has made at least once in every financial year. Council adopted the current set of delegations at its 15 November 2005 meeting (CMRef 28170).

**Comments:**

Council undertook extensive review of the delegations register in 2004 which was adopted at its 16 March 2004 meeting (CMRef27406).

I have also noticed that during the year Council has delegated one off authority to deal with specific issues, these are detailed in the table below.

<b>Council Minute Meeting Date</b>	<b>Council Minute Reference</b>	<b>Details</b>
21 February 2006	28301	Authority to Technical Sub-Committee of the MRC&LC to determine the supply of goods and services relating to the construction of the indoor swimming pool at the Merredin Regional Community and Leisure Centre.
18 April 2006	28383	Authority to CEO to issue formal planning consent to CBH in relation to application for planning consent PA03/06 to construct and operate an office building at Lot 3 Gamenya Avenue, Merredin.
18 April, 2006	28390	Authority to staff to negotiate with contractors to supply and install roof and roof plumbing for the MRC&LC up to the budget figure.

**MINUTES**

16 May 2006	28443	Authority to Technical Sub-Committee of the MRC&LC committee to determine the supply of installation of mechanical services at the Merredin Regional Community and Leisure Centre.
18 July 2006	28552	Authority to CEO to issue the applicable planning consent for sea containers including conditions.
19 September 2006	28666	Authority to CEO to determine and finalise all conditions relating to the Skiljan planning approval.
17 October 2006	28677	Authority to CEO to accept offers for the purchase of land in the Whitfield Way sub division at the Council approved prices with any submissions received during the Local Public Notice period.

I believe that as these are one off approvals they are not required to be entered into the Delegations Register but are presented to Council for their notation.

However during the year Council has created delegations which are of an ongoing nature and these are:

- CEO delegated authority to determine applications for a permit made in accordance with Shire of Merredin Local Law No. 3 – Activities in Thoroughfares and Public Places and Trading on 17 January 2006 (CMRef 28275).

This delegation has been incorporated into the register at Item 3.9.

The amended Delegation Register is attached for Council vetting.  
**Attachment 12.2A.**

In respect of the other issues contained in the Delegations Register I believe that they are functioning well.

**Voting requirements:**

Absolute majority required.

Officer's Recommendation:

*That Council adopt the Delegation Register presented as Attachment 12.2A.*

**28710**

Moved Cr Jones sec Cr Morris

*That Council adopt the Delegation Register presented as Attachment 12.2A.*

**CARRIED 11/0  
ABSOLUTE MAJORITY**

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**12.3 SHIRE OF CHAPMAN VALLEY – ADMINISTRATIVE BURDENS ON LOCAL GOVERNMENT**

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

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**Background**

At Council's 18 July 2006 meeting (CMRef 28565) Council decided to support the Shire of Chapman Valley and referred their 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.

At the Great Eastern Country Zone meeting held in September 2006 the following motion was adopted:

**RESOLUTION – Moved: Cr Caffell Seconded: Cr Greenwood**

**That the Shire of Chapman Valley's approach be adopted and recommended to all local governments, being –**

- 1) **The (*local government*) will not undertake any additional function/tasks until an independent analysis has been undertaken, at the cost of the Australian Government, State Government, Department or any other organisation involved in imposing these additional functions/tasks, to determine if additional resources are required to adequately cater for the additional functions/tasks being expected of the (*local government*)**
- 2) **If the outcome of the analysis is the (*local government*) would need additional resources to undertake the additional functions/tasks then the (*local government*) will refuse to perform these functions/tasks until such resources are made available.**
- 3) **In the event additional resources are not made available for the additional functions/tasks being requested of the (*local government*), the (*local government*) will formally advise the relevant organisation(s) and all relevant parliamentarians that they cannot perform these functions/tasks. This advice is to state that in the event of any claim against the (*local government*), due to non-compliance with the requirement to perform the additional functions/tasks, the (*local government*) will use as a defense the fact they informed the relevant individuals and organisations of their inability to comply due to adequate resources not accompanying the additional functions / tasks.**

**CARRIED**

Council will recall that the Shire of Chapman Valley wrote to Council indicating that they had adopted a policy which reflects the frustration being felt by Local Governments 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).

**MINUTES**

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The purpose therefore of this item is to consider the recommendation of the Great Eastern Country Zone .

**Comment**

The recommendation from the Zone is a much stronger stance than that originally determined by the Shire of Merredin. Perhaps this stronger stance may produce the intended consequence and if a significant number of Local Governments adopt this stance then enough pressure may be exerted to cause a change.

Conversely WALGA, the peak Local Government Association in Western Australia and the Australian Local Government Association have been exerting pressure on State and Federal Governments with little success so if those peak bodies are unsuccessful, how can individual Local Governments be successful?

I am uncertain how many individual Local Governments have processed the Great Eastern Country Zone recommendation but I am aware that the WE-ROC group adopted a similar motion to that adopted by Council at its July 2006 meeting and it may be more beneficial to work as a united group to achieve the aims espoused by the Shire of Chapman Valley.

If Council wishes to adopt Great Eastern Country Zone recommendation it will be required to rescind Council's motion on the 18 July 2006 (CMRef 28565).

**Recommendation**

*That Council reaffirms its motion of the 18 July 2006 by supporting the Shire of Chapman Valley and referring that 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.*

**28711**

Moved Cr Jones sec Cr Townrow

***That Council reaffirms its motion of the 18 July 2006 by supporting the Shire of Chapman Valley and referring that 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 10/1**



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**12.4 VISITORS SERVICING – TOURISM PROMOTION AND DEVELOPMENT**

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

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**Background**

At Council's August 2003 meeting (CMRef 27171) Council resolved "*that the CEO develop a comprehensive report to Council on the Merredin Tourist Bureau taking into consideration modern tourism directions, the regional tourism strategy and the views and opinions of staff and other members of the public with recommendations on the future direction for tourism*".

At a Special Council meeting held on the 30 September 2003 (CMRef 27212) Council decided to call for Registrations of Interest for the Merredin & Districts Visitors Centre based on the document presented at the 30 September 2003 Special Council meeting.

These registrations of interest were advertised in the Merredin Mercury on the 8 October 2003.

At Council's 16 December 2003 meeting Council invited tenders from three groups for the various components of visitor servicing and tourism, promotion and development (CMRef 27331, 27332, 27333).

At Council's 20 January 2004 meeting (CMRef 27358) Council accepted the tender from the Shire of Merredin for the Shire of Merredin Visitor Servicing & Tourism, Promotion and Development Contract for a three year period with a two year option for an annual sum of \$100,000.

I understand advice received from the Department of Local Government at that time indicated that as the Shire had awarded the tender to itself there was no need to formally sign any contract documentation.

The purpose of this item therefore is to review the activities of the Shire of Merredin Visitors Servicing and Tourism, Promotion and Development activities in order to:

- integrate Visitor Servicing within the Shire's organisational structure;  
or
- exercise the two year option; or
- prepare new tender documentation so a tender can be called for the Shire of Merredin Visitor Servicing and Tourism, Promotion and Development;

before the expiry of the existing arrangement.

**MINUTES****Legal Implications**

As previously indicated I understand that Departmental advice at the time was that there was no need for local government to sign a contract with the Shire of Merredin for the provision of visitors servicing and tourism, promotion and development tender.

The Manager of the Visitor Services Centre is a permanent employee and the position is part of Council's organisational structure adopted by Council on the 15 November 2005 (CMRef 28203). That organisation restructure also indicates a 0.5FTE in the Visitor Servicing area.

Section 3.1 of the Local Government Act states the general function of a local government is to provide for the good government of persons in its district.

**Financial Implications**

Detailed below are the financial statistics for the contract period.

<b>Description</b>	<b>2005/2006</b>	<b>2004/2005</b>	<b>2003/2004</b>
Building Maintenance	14,939.42	19,055.11	29,235.05
Visitor Centre Expenses	26,632.45	34,771.78	0
Salaries	68,059.52	58,509.48	4,896.56
Superannuation	6,056.30	5,265.88	440.7
LSL Accruals	263.95	200.18	8.05
Annual Leave Accruals	1,158.35	6,028.51	470.17
Regional Tourism Strategy	17,796.63	0.00	
<b>Total EXPENDITURE</b>	<b>134,906.62</b>	<b>123,829.94</b>	<b>35,050.53</b>
Visitor Centre Revenue	17,281.89	29,882.24	178.95
Grants	11,974.05		
<b>Total REVENUE</b>	<b>29,255.89</b>	<b>29,882.24</b>	<b>178.95</b>
<b>NETT</b>	<b>105,650.73</b>	<b>93,947.70</b>	<b>34,871.58</b>

**Comment**

In reviewing the operations of the Shire of Merredin Visitor Servicing and Tourism, Promotion and Development Contract staff have commented on all the objectives listed in the tender for Council consideration:

<b>Objective</b>	<b>Achievement</b>
To work with surrounding towns & shires to promote& develop the Central East Wheatbelt region	<ol style="list-style-type: none"> <li>1. NEWROC Shires contributing funding to the operation of the Visitor Centre in Merredin.</li> <li>2. MOU's being developed with WEROC and Roe Tourism Shires</li> <li>3. MOU's with Telecentres in Koorda &amp; Beacon to assist in the development of visitor servicing in their areas</li> <li>4. Development of the <a href="http://www.wheatbelttourism.com">www.wheatbelttourism.com</a> web site taking in 21 Shires</li> <li>5. Collaboration and development on the Central Wheatbelt Visitor Map &amp; Guide. Acting as distribution agent for this brochure</li> </ol>

**MINUTES**

	<ol style="list-style-type: none"> <li>6. Assisting with marketing campaigns and brochure development for the Pioneers Pathway group.</li> <li>7. Being consulted by Roe Tourism and NEWtravel on the development on their Maps &amp; Visitor Guides.</li> <li>8. Assisting Nungarin with Visitor Servicing and promotion.</li> <li>9. Secretary of the Wheatbelt Tourism Assn</li> </ol>
To avoid duplication of facilities , services and events	<ol style="list-style-type: none"> <li>1. The publishing of events/ facilities and services on the web site can assist with clashes of major events.</li> <li>2. Establishing an Accredited Visitor Centre with a regional focus and a number of Information Centres aligned with it ( Merredin) avoids duplication of this service – one is regional the others meet &amp; greet centres.</li> </ol>
Unite and market as regional tourism	<ol style="list-style-type: none"> <li>1. The WTA/ AGO “Wake Up to the Wheatbelt” campaign 2005 was co-ordinated by the Merredin Visitor Centre and exposed the Wheatbelt to a wide regional audience. The campaign also used community newspaper advertising to promote the area.</li> <li>2. Two advertisements promoting the Wheatbelt Central Map &amp; Visitor Guide – one in The West Wheatbelt Supplement and one in the UBD Country Guide.</li> <li>3. The use of the 1300 number held at Merredin enables regional partners to have a call to action on their publications and have this answered by a professional Visitor Centre.</li> <li>4. Acting as the major distribution point for local maps and brochures to visitors and to other Visitor Centres.</li> <li>5. Attending regional displays for promotion e.g. Dowerin Field Day, Wagin Woolorama, Kings Park Wildflower Festival , Perth Caravan &amp; Camping Shows</li> </ol>
Increase tourism spending/ vibrancy of the district	<p>This is very difficult to measure.</p> <ol style="list-style-type: none"> <li>1. Visitor servicing numbers at the Merredin Visitor Centre have increased by 20% in the two years that records have been kept in a consistent way.</li> <li>2. Anecdotal evidence from accommodation businesses indicate that they are doing well but the true impact has been lessened by the closure of accommodation business in the period under review.</li> <li>3. Anecdotal evidence indicates that many in the business community are very pleased with the map and activity in the Centre and report noticing more visitors. One business has taken on providing souvenirs due to frequent requests by visitors.</li> <li>4. It also indicates that visitor service is very friendly and welcoming. People are more positive about visitors and feel something is happening.</li> <li>5. The Visitor Centre has supported the business community and tourism operators in relation to advertising design, production of brochures and advice on marketing and business matters. It is a member of the Merredin Business Forum and has made two presentations to the forum on tourism and promotion.</li> <li>6. Merredin Souvenirs. The quality and range of souvenir stock has</li> </ol>

**MINUTES**

	<p>been increased. An additional Merredin post card has been produced .Sharing resources with three local businesses has further enhanced the range and the souvenirs are available from more outlets. This all helps to promote Merredin.</p> <ol style="list-style-type: none"> <li>7. Creating a web site that is a great tool in attracting new residents to the area and is used by real Estate Agents for this purpose.</li> <li>8. Creation of Tourism Think Tank to involve interested parties in the planning and development of Tourism activities.</li> </ol>
Develop and maintain tourism infrastructure	<ol style="list-style-type: none"> <li>1. The Visitor Centre has contributed to reports to Council for upgrades of <ol style="list-style-type: none"> <li>(a) Hunt's Dam area</li> <li>(b) Pedestrian Signage for CDB</li> <li>(c) Tamma Parkland</li> <li>(d) Town Trail Plan</li> </ol> </li> <li>3. The Visitor Centre has contributed reports to promote the allocation of land for tourism purposes away from the highway within the Town Planning process (Tourism WA assisted).</li> <li>4. The Visitor Centre provided information for DEC who have upgrade access to Totadgin Conservation Park for wheelchairs.</li> <li>5. The Visitor Centre has assisted with the development of new Structures in the Information Laybys to the East and West of the town and welcome signage on minor roads.</li> </ol>
Promote Merredin & hinterland	<ol style="list-style-type: none"> <li>1. Production of a very well received, colourful Map &amp; Visitor Guide of Merredin. Two editions printed and distributed widely in sub region.</li> <li>2. Established a marketing &amp; promotion plan for the Shire which ensures the best value advertising for the dollars available and targets advertising.</li> <li>3. Was the catalyst in the upgrade of the Merredin &amp; Districts Information Directory making it more colourful, changing the layout, adding maps and providing editorial that includes adjacent towns.</li> <li>4. Providing editorial to e newsletters and magazines to promote the area –e.g. The Wanderer and The Caravanner and TransWA Destinations plus The West Travel Section ( Golden Pipeline &amp; Rocks of Ages)</li> <li>5. Attending promotional shows and events as described above</li> <li>6. Assistance given to promotion and management of local events</li> </ol>
To develop and maintain town pride	<ol style="list-style-type: none"> <li>1. Established a town brand for use by businesses and sporting groups. Five businesses, the Shire &amp; the Visitor Centre are using the Brand at present.</li> <li>2. The establishment of a quality web site that people can refer their relatives and visitors to helps here. The assistance to the upgrade of www.merredin .com. has also been important in this regard.</li> </ol>

**MINUTES**

	<ol style="list-style-type: none"> <li>3. A more attractive Directory</li> <li>4. Been involved with community displays at the Show and Welcome to Merredin.</li> <li>5. Maintaining a quality and well presented business in the main street including the front garden.</li> </ol>
Educate community to the value of tourism	<p>Most of this is done by the actions above plus</p> <ol style="list-style-type: none"> <li>1. Conducting a regular Talking Tourism programme thanks to Radio West – over 75 episodes to date on a variety of tourism topics . This is now being sponsored by a local business.</li> <li>2. Conducting a workshop on Bed &amp; Breakfast and Farm Stay to assist people contemplating this form of business.</li> <li>3. Giving a presentation to CDO from a number of Shires on visitor servicing as community building</li> <li>4. Visiting Koorda and Beacon Telecentres and talking to their members on tourism and visitor servicing.</li> <li>5. Giving presentations to the Merredin Business Forum.</li> </ol>
Import dollars to the region	<ol style="list-style-type: none"> <li>1. All of the above have this objective as their aim but this target is difficult to measure.</li> <li>2. involved with events that attract visitors to the region (Lee Kernaghan, Mangowine &amp; RFDS)</li> </ol>

Staff believe that all the objectives stated in the tender have been achieved.

We believe that the Visitors Centre has established a good reputation with the local and regional business community. As well as developing and establishing partnerships with adjacent local governments and ROC'S. The Visitors Centre has also developed strong relationships with tourism organisations such as Pioneer Pathways, Wheatbelt Tourism Association, Australian Golden Outback and other government organisations such as the Wheatbelt Development Commission.

We believe that the reputation of Merredin as a regional centre has been enhanced by the activities of the Visitors Centre.

Council needs to recognise that the benefits obtained from the Visitors Centre come at a cost however staff believe that the benefits certainly outweigh these costs.

**Conclusion**

I believe that it has been demonstrated that undertaking Visitors Servicing and Tourism, Promotion and Development has been beneficial for the Shire and the Central Wheatbelt region generally.

Staff believe that developing new specifications for the provision of Visitors Servicing and Tourism, Promotion and Development is not appropriate as the existing service currently meets all tender specifications. Tendering will

**MINUTES**

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create a loss in momentum due to the uncertainty of the future. Council's day to day management ensures that its strategic direction will continue as it has a direct relationship with its employees through the CEO. In a contracted scenario this relationship is not as close and aligning the contractor to Council's strategic direction may prove difficult.

In respect to exercising the option, one could argue that determining the future of the Merredin Visitors Centre will simply be delayed for another two years.

Council need to determine whether it wishes to devote the resources that it has to the Visitors Centre and whether a different service at a lower cost may be appropriate for the Shire of Merredin.

I believe that staff have demonstrated that the outcomes from the Visitors Centre are very worthwhile and I believe that the management of the visitors servicing will be best served by a formal integration of the normal day to day operations of the Shire of Merredin.

A number of options are open to Council on expiry of the initial three year period of the tender, due to expire on 20 January 2007.

- Either elect to exercise the two year option to extend the tender **or** allow the tender to expire on 20 January 2007. It is recommended that Council allow the tender to expire.
- On expiry of the tender Council may elect to either call tenders for the provision of the service in accordance with tendering provisions of the Local Government Act **or** integrate the service into the Shire of Merredin Organisational Structure. It is recommended that Council integrate the service into the Shire of Merredin organisational structure.

I believe that this is an appropriate course of action as has already been identified in this report.

#### Recommendation

*That Merredin Shire Council:*

1. *Elect not to exercise the option to extend the Visitors Servicing and Tourism, Promotion and Development Tender for a further two year period;*
2. *Elect not to call tenders for Visitors Servicing and Tourism, Promotion and Development on expiry of the initial three (3) year tender period on 20 January 2007; and*
3. *Integrate Visitors Servicing and Tourism, Promotion and Development into the Shire of Merredin organisational structure.*

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**28712**

Moved Cr Townrow sec Cr Wallace

*That Merredin Shire Council:*

1. *Elect not to exercise the option to extend the Visitors Servicing and Tourism, Promotion and Development Tender for a further two year period;*
2. *Elect not to call tenders for Visitors Servicing and Tourism, Promotion and Development on expiry of the initial three (3) year tender period on 20 January 2007; and*
3. *Integrate Visitors Servicing and Tourism, Promotion and Development into the Shire of Merredin organisational structure.*

ENBLOC

CARRIED 11/0

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**12.5 CHIEF EXECUTIVE OFFICER – LONG SERVICE LEAVE**

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

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**Background**

I wish to advise Council that I became entitled to Long Service Leave in June 2006.

In order to commence planning for an overseas holiday I request Council's permission to proceed on Long Service Leave from Monday 15 October 2007 to Wednesday 28 November 2007.

**Statutory implications**

Section 6 B of the Local Government Long Service Leave Regulations enables an employee subject to the approval of his employer to be paid by a double pay mechanism. This means instead of being away for thirteen (13) weeks I will only be absent from duty for six and a half weeks. This will clear my Long Service Leave entitlements.

**Comment**

It will be appropriate to consider relieving arrangements closer to that time.

**Staff Recommendation**

*That Council approve the Chief Executive Officer proceeding on Long Service leave between Monday 15 October 2007 and Wednesday 28 November 2007.*

**28713**

Moved Cr Townrow sec Cr Morley

***That Council approve the Chief Executive Officer proceeding on Long Service leave between Monday 15 October 2007 and Wednesday 28 November 2007.***

**CARRIED 11/0**



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**12.6 DEPUTY CHIEF EXECUTIVE OFFICER'S REPORT**

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

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**Merredin Regional Community and Leisure Centre**

Financial Expenditure is at **Attachment 12.6A**

**Visitor Centre Manager's Report**

Report is at **Attachment 12.6B**

**Library Managers Report**

Report is at **Attachment 12.6C**

**Cummins Theatre A/Manager**

Report is at **Attachment 12.6D**

**Community and Economic Development Project Officer's Report**

Report is at **Attachment 12.6E**

**Recreation Centre Manager's Report**

Report is at **Attachment 12.6F**

**Natural Resource Management Officer's Report**

Report is at **Attachment 12.6G**

**Records Management Report**

Statistics (From 13 Oct 06 to 15 Nov 06)

Total Mail In	689
Accounts Received	53
Invoices	275
General	361
Appreciations	8
Complaints	1
Total Mail Out	320

**Status Report:**

The Action sheet detailing progress of Previous Council Resolutions from March 2004 is **Attachment 12.6H**

**Officer's Recommendation**

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

**28714**

Moved Cr Crees sec Cr Simmonds

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

**CARRIED 11/0**

**12.7 MONTHLY FINANCE REPORT**

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

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**Background**

Attached is the Monthly Financial Report prepared for Council.  
**Attachment 12.7A.**

Officer's Recommendation:

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

**28715**

Moved Cr Morley sec Cr Crees

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

**CARRIED 11/0**

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**12.8 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:**

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**Background:**

A list of accounts paid during the month under delegated authority is presented to Council each month. Refer to **Attachment 12.8A**.

**Legal Implications:**

Local Government Act and Financial Management Regulations.

**Budget Implications:**

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

## Officer's Recommendation:

*That the Merredin Shire Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$717,967.77 an amount directly debited from Councils Municipal Fund Bank Account BSB 066-518 000 000 10 totalling \$137,554.88 endorse trust cheques totalling \$100.00 and outstanding creditors totalling \$128,670.93.*

**28716**

Moved Cr Morris sec Cr Astbury

*That the Merredin Shire Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$717,967.77 an amount directly debited from Councils Municipal Fund Bank Account BSB 066-518 000 000 10 totalling \$137,554.88 endorse trust cheques totalling \$100.00 and outstanding creditors totalling \$128,670.93.*

**CARRIED 11/0**

**MINUTES**

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**15.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**

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**15.1 DATE OF CHRISTMAS FUNCTION**

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

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**Background:**

It is that time of the year when various groups start to arrange their Annual Christmas functions, including Council. Council needs to set the date of the joint Christmas function to enable arrangements to start to be made.

**Legal implications:**

Council Policy No – 1.13 Council Annual Christmas Function states that Council provides a joint Christmas function for Councillors, Council staff and immediate family. The purpose of this policy is to reward the Council team for its efforts during the year and allow interaction and fellowship between elected members and staff.

**Budget Implications:**

Funds are allocated annually in the budget for the joint Christmas function.

**Comment:**

The date of the function and proposal has been discussed with various staff members from the administration and works areas to gauge their views on the suggestion. The preferred date is 15 December 2006 between 6.00pm and 10.30pm.

As an innovation staff suggest we move to a new venue to hold the Christmas function.

It has been suggested we utilise the Civic Bowling Club. This venue will enable all staff to enjoy the function without some having to work and it is hoped it will be more attractive for outside staff.

Using the Civic Bowling Club facilities will incur additional costs.

*Officer's Recommendation:*

*That the Merredin Shire Council set the date for the joint Christmas function as Friday 15 December 2006 between 6.00pm and 10.30pm at the Civic Bowling Club .*

**28717**

Moved Cr Wallace sec Cr Morris

*That the Merredin Shire Council set the date for the joint Christmas function as Friday 15 December 2006 between 6.00pm and 10.30pm at the Civic Bowling Club .*

**CARRIED 11/0**

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**15.2 CEO QUARTERLY PERFORMANCE REVIEW 2006**

**Reporting Department:** Administration  
**Reporting Officer:** Frank Ludovico  
**Legislation:** Local Government Act 1995  
**File Number:** Personal

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**Background**

At the Chief Executive Officer's Performance Review on 21 February 2006 a number of dynamic indicators were developed for the achievement of the CEO for the next 12 month period.

One of the indicators was the CEO distribute a quarterly report on the progress of each Performance Indicator.

Attached is a table setting out my comments in respect to those dynamic performance indicators. **Attachment 15.2A.**

**Officer's Recommendation**

*That Council receive the November 2006 Quarterly Chief Executive Officer Performance Review.*

**28718** Moved Cr Townrow sec Cr Morris  
*That Council receive the November 2006 Quarterly Chief Executive Officer Performance Review.*

**CARRIED 11/0**

**MINUTES**

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J Garrett entered the meeting at 2.50pm.

11.0 ENGINEERING SERVICES

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11.1 MANAGER OF WORKS – MONTHLY REPORT

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

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**Background:**

Monthly report on operations.

**Legal Implications:**

Nil

**Budget Implications:**

Nil

**Comment:**

Road Construction

Widening of the bitumen edges on Goldfields Road is completed and the bitumen reseal works are scheduled for the 12 and 13 of December 2006.

Drainage work on new recreation car park underway, when drainage work is finished construction of car park will continue. Bitumen seal is planned for the 12 or 13 of December 2006. Electrical work for car park lighting is being laid in conjunction with drainage work.

Hot mix and kerbing will be laid in the New Year.

Road Maintenance

Summer grading of roads for the harvest period in progress.

Fire breaks on land under control of the Shire of Merredin completed

Bitumen road patching in progress when staff available.

Tree pruning under power lines progressing.

Missing and faded street sign replacement underway.

Painting of kerbing on Barrack and Bates Street underway.

Roman road data update completed and sent to Main Roads for road maintenance grants review.

Laneways have been included in the data on advice from main roads as we may be missing out on road maintenance money to maintain them.



Parks And Gardens

Lawn mowing program ongoing.

Tidy up of footpaths, islands and parks progressing.

Reticulation

Pipe work for the Princess Street upgrade ordered and will be laid when it arrives

Pumps that pick up water from main drain under repair.

Installation of second pump has affected water supply to Roy Little Park and Apex Park.

Recreation Ground

Gravelling and leveling of sites where buildings were demolished under way.

Plant

New Komatsu loader has arrived and new ride on lawn mower will be delivered in two weeks time.

Desalination Plant

Desalination plant has been commissioned along with the 6 production bores to provide it with water supply.

Apprentice Mechanic

Interviews for the apprentice mechanic have been conducted and the selection process is underway.

Cr Morris left the meeting at 3.50pm.

Water

Dam #1	90% Full	Capacity	74,455 kilolitres
Dam #2	90% Full	Capacity	71,675 kilolitres
Dam #3	90% Full	Capacity	46,000 kilolitres
Railway Dam	85% Full	Capacity	23,000 kilolitres

Officer's Recommendation:

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

**28719**

Moved Cr Morris sec Cr Crees

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

**CARRIED 10/0**

**MINUTES**

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**11.2 GOVERNANCE FOR WHEATBELT DRAINAGE**

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

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**Background**

On 30 October 2006 a forum was held in Kellerberrin to discuss Governance for Wheatbelt Drainage.

The purpose of the meeting was to discuss the State Government proposal of asking Regional Local Governments to be formed to provide the governance for the drainage in the Wheatbelt. The forum was a follow up of the issues discussed at the Western Australian Local Government Association's Annual Conference.

Attached is a summary of the panel discussion held during the forum. **(See Attachment 11.2A)**

Also attached is the Executive Summary of the Department of Water's Report (A Management Framework for Drainage in the Wheatbelt).

**Attachment 11.2B.**

In summary it indicates that the Department of Water should be the lead agency in this issue providing technical advice. Other state agencies provide advice, licences, approvals and a body corporate (ie local governments or regional local governments) taking the role of the drainage governance body, managing the implementation, maintenance, finance and the risk.

Also attached is a presentation by Julian Murphy, CEO, Shire of Corrigin who made a presentation at the 30 October 2006 meeting which I believe concisely summarizes the issues for Local Governments **(Attachment 11.2C)**.

**Comment**

It appears to me that the Department of Water has seen the enthusiasm, determination and skill that Local Governments can exert in dealing with issues effecting local communities and have determined that using a regional local government approach is the most effective way of achieving deep drainage goals.

This view is supported by the Yarra Yarra Regional Local Government that has been established to manage deep drainage issues in the Midwest (centring on the Morawa, Perenjori and Dalwallinu area). This group was formed so it could effectively manage drainage as a key component of an integrated catchment and natural resource management for the sub-region.

**MINUTES**

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If Local Governments take a lead role in the governance of drainage there will be a requirement for significant resource (ie skilled staff, equipment, finance and risk management) in order to manage the situation.

Whilst this is discussed in the paper as cost sharing our experience with other forms of cost sharing from State and Federal Governments have in effect meant cost shifting which has eventually lead to Local Governments picking up the full cost of undertaking the work.

The formation of Regional Local Governments also creates another level of bureaucracy which requires compliance with the Local Government Act in terms of audit, annual reports, information returns, freedom of information, record keeping etc.

It may be more appropriate for the relevant pieces of legislation scattered throughout government to be brought together as a Deep Drainage Act with the responsibility of managing these issues placed in a State Government department. This organisation can take a state wide approach and deal with issues such as what happens to the drain when it hits the boundary of the next Regional Local Government?

The existing networks of LCDC's / NRM Committees can be used to funnel the local representation into this structure in order to deal with local issues.

The formation of regional Local Governments to deal with drainage issues may only be part of the answer and can prove effective in certain circumstances. However the overall governance and legislative framework is clearly the responsibility of the Western Australian State Government. This will ensure that they manage the risk and hopefully provide the resources in dealing with these issues.

**Recommendation**

*That Council favours the management of drainage governance by State Government and consequently Council does not support the formation of Regional Local Governments to provide the governance role for drainage in the Western Australian Wheatbelt because it has issues in the following areas:*

- *Resourcing of the model particularly financial.*
- *The separate pieces of legislation that need to be consolidated.*
- *The lack of overall state coordination.*

- 28720** Moved Cr Simmonds sec Cr Marley  
*That Council favours the management of drainage governance by State Government and consequently Council does not support the formation of Regional Local Governments to provide the governance role for drainage in the Western Australian Wheatbelt because it has issues in the following areas:*
- *Resourcing of the model particularly financial.*
  - *The separate pieces of legislation that need to be consolidated.*
  - *The lack of overall state coordination.*

**CARRIED 10/0**

J Garrett left the meeting at 3.09pm.

- 28721** Moved Cr Crees sec Cr Jones  
*That Council adjourn for afternoon tea.*

**CARRIED 10/0**

Council adjourned for afternoon tea at 3.10pm.

- 28722** Moved Cr Townrow sec Cr Astbury  
*That Council reconvene the meeting.*

**CARRIED 10/0**

Council recommenced the meeting at 3.33pm.

Cr Morris and J McGovern were not in attendance.

- 28723** Moved Cr Morley sec Cr Townrow  
*That Council move behind closed doors to discuss commercial matters (S 5.23(2) Local Government Act).*

**CARRIED 10/0**

Council went behind closed doors at 3.35pm.

Cr Morris entered the meeting at 3.41pm.

- 28724** Moved Cr Simmonds sec Cr Townrow  
*That Council pay half of the cost of the transfer and removal expenses for Dr Gabriel. The transfer and removal of his two vehicles be at his own expense as Council is providing a vehicle. The CEO is delegated power to negotiate a different arrangement subject to repayment over a three (3) year period.*

**CARRIED 11/0**  
**ABSOLUTE MAJORITY**

- 28725** Moved Cr Simmonds sec Cr Townrow  
*That Council sign the confidentiality agreement with the Watercycle Company to investigate the use of Merredin's saline groundwater.*  
**CARRIED 11/0**

13.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

14.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

17.0 CLOSURE

The Presiding Member closed the meeting at 4.27pm.