

SHIRE OF MERREDIN



“Heart of the Wheatbelt”

MINUTES OF ORDINARY COUNCIL MEETING

21 January 2014

MINUTES OF THE SHIRE OF MERREDIN COUNCIL MEETING
TUESDAY 21 JANUARY 2014

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**Minutes of the Ordinary Meeting of the Shire of Merredin held in the Council
Chambers, Corner King and Barrack Streets, Merredin on
Tuesday 21 January 2014 commencing at 3.00pm.**

ATTENDANCE:

Councillors:	KA Hooper	President
	RM Crees	Deputy President
	BJ Anderson	
	JP Flockart	
	TS Thomas	
	ML Young	
Apologies:	CA Blakers	
Leave of Absence:	DN Hayes-Thompson	
	MD Willis	
Staff:	G Powell	Chief Executive Officer
	S Lowe	Media and Communications Officer
	R McCall	Deputy Chief Executive Officer
	L Wyatt	Executive Assistant to Chief Executive Officer

1.0 OFFICIAL OPENING

The Shire president welcomed everyone and declared the meeting open at 3.00pm.

2.0 PUBLIC QUESTION TIME

Nil

3.0 APOLOGIES AND LEAVE OF ABSENCE

Councillors Hayes-Thompson and Willis have a leave of absence for this meeting. Councillor Blakers tendered her apologies.

4.0 DISCLOSURE OF INTEREST

Councillors Crees and Flockart declared a Proximity Interest in item 10.4.
Councillor Crees declared a Proximity Interest in item 11.2.
Councillor Flockart declared an Interest Affecting Impartiality in item 11.3.

5.0 PETITIONS AND PRESENTATIONS

Nil

6.0 CONFIRMATION OF MINUTES

- 6.1 Ordinary Council Meeting held 17 December 2013
[Attachment 6.1A](#)

Confirmation of the minutes of the Ordinary Council Meeting held on 17 December 2013.

81279 Moved: Cr Young Seconded: Cr Anderson

Officer's Recommendation

That the minutes of the Ordinary Council Meeting held on 17 December 2013 be confirmed as a true and correct record of proceedings.

CARRIED 6/0

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

The Shire President thanked Ms Lorraine Wyatt for her service and dedication and wished her well in her future endeavours.

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

Nil

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

- 9.1 GECZ Special Meeting held 11 December 2013
[Attachment 9.1A](#)

81280 Moved: Cr Young Seconded: Cr Crees

Officer's Recommendation

That the minutes of the GECZ Special Meeting held 11 December 2013 be received.

CARRIED 6/0

10.0 DEVELOPMENT SERVICES

10.1 LOCAL PLANNING SCHEME – PLANNING & DEVELOPMENT REGULATIONS 2009 – SETTING OF FEES FOR LOCAL PLANNING SCHEME AMENDMENT CONSIDERATION

Reporting Department:	Development Services
Reporting Officer:	John Mitchell
Legislation:	Planning & Development Act 2005 (P&D Act)
File Reference:	
Disclosure of Interest:	Nil
Attachments:	Nil

Background:

Council is required pursuant to Regulation 48 (3 – 5) of the Planning & Development Regulations 2009 to set fees for planning matters.

Comment:

Council has not previously set fees of this type as amendments to local planning schemes in rural WA are carried out by the local government.

The provisions of the P&D Act are that if the local government consents to the proposed amendment that it becomes obligated to pursue the amendment to completion.

It is proposed to set two fees – a minor amendment fee and a major amendment fee. The suggested wording is: -

- a) Minor Scheme Amendment (i.e. an amendment that involves only textural changes or rectifies a zoning anomaly – Fee \$3,000 + GST (50% refundable if not advertised)
- b) Major Amendment (i.e. an amendment that involves a zoning change) – Fee \$7,000 + GST – 50% refundable if not advertised and balance of \$3,500 allocated to WAPC and gazettal refunded if unspent by invoice)

Statutory/Policy Implications:

The provisions of Section 75 of the P&D Act 2005 are applicable: -

75. Amending scheme

A local government may amend a local planning scheme with reference to any land within its district, or with reference to land within its district and other land within any adjacent district, by an amendment –

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- (a) prepared by the local government, approved by the Minister and published in the Gazette; or
- (b) proposed by all or any of the owners of any land in the scheme area, adopted, with or without modifications, by the local government, approved by the Minister and published in the Gazette.

The Act permits the local government to set fees for an application by a third party.

Financial Implications:

The Planning Regulations 2009 determine under Schedule three the formula for calculating the lodgement fee. Council must adopt a fee structure to consider the application.

A review of fees charged by local governments within the regional areas suggests a fee around \$7,000 as the local government is obligated if it consents to the rezoning request to process the amendment to completion through the Western Australian Planning Commission and then to gazettal. Those fees are based on: -

- a) Executive Manager of Development Services time – 16 hours (5 hours to date) – \$1,360.00;
- b) Planning Consultant – 10 hours – mapping, report writing map amendment - \$2,000;
- c) WAPC Costs – submission, review, gazettal preparation costs \$2,000
- d) Gazettal Costs - \$1,500.00 (estimate)

A fee of \$7,000 with the advice that any component of the WAPC costs or gazettal costs unspent will be returned to the proponent.

81281 Moved: Cr Anderson Seconded: Cr Young

Officer's Recommendation:

That pursuant to regulation 48(5) of the Planning & Development Regulations 2009 the Shire of Merredin sets the following charges for a review of planning local scheme amendments: -

- a) Minor Scheme Amendment (i.e. an amendment that involves only textural changes or rectifies a zoning anomaly – Fee \$3,000 + GST (50% refundable if not advertised)***

- b) Major Amendment (i.e. an amendment that involves a zoning change) – Fee \$7,000 + GST – 50% refundable if not advertised and balance of \$3,500 allocated to WAPC and gazettal refunded if unspent by invoice)***

CARRIED BY ABSOLUTE MAJORITY 6/0

10.2 **LOCAL PLANNING SCHEME NO. 6 – REQUEST FOR AMENDMENT TO SCHEME PERMIT DEVELOPMENT OF LOT 984 and RESERVE 25536 CAW STREET, MERREDIN**

Reporting Department:	Development Services
Reporting Officer:	John Mitchell
Legislation:	Planning & Development Act 2005 Shire of Merredin Local Planning Scheme No. 6
File Reference:	A487 & LUP5.13 (New File – Amendment 3)
Disclosure of Interest:	Nil
Attachments:	Whelans – Proponents submission – titled Shire of Merredin, Town Planning Scheme No. 6 Amendment No XXX; (Attachment 10.2A) Additional notes for Councillors. (Attachment 10.2B)

Background:

An application to amend the Shire of Merredin Local Planning Scheme No. 6 has been received from Whelans on behalf of LandCorp.

The proposed amendment seeks to reclassify Lot 984 and Reserve 25536 from 'Public Purposes – 'Primary School' to 'Residential R10/20' with a portion of Lot 984 as an 'Additional use' to permit a variety of uses".

The amendment will be called LPS 6 amendment 3.

Comment:

The amendment has been presented in draft form to enable comment to be provided. In general the amendment is supported; with minor modifications there is no detrimental impact on the existing scheme.

Whilst the application is for rezoning only, an overlay development plan has been provided along with estimates of development costs. Information relating to the subdivision design (not the rezoning) is indicative only.

Discussing each issue in turn: -

- a) The amendment seeks to reclassify the land to Residential R10/20. LPS 6 currently has two R Codings; R10/30 or R10/50. The higher density codes are located in close proximity to the town centre and in areas with larger holdings that are considered to have potential for redevelopment. These higher densities are aimed at capitalising on the presence of existing services thus keeping lot creation costs to a minimum.

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- b) The land to the east of the site has been designated as R10/50 (High School Hostel site). This will permit infill development and denser development should the applicant seek to do so. There is no legal requirement to develop to that density, however the rezoning the land provides the option for the developer to create greater densities of up to 50.
- c) The current greater development (Merredin College oval) is anecdotally allegedly built on an old landfill site. The applicant should provide additional evidence that the site is suitable for residential development;
- d) The applicant should provide evidence from the relevant government department that the issue of native title has been extinguished or resolved;
- e) The allocation of additional public open space (POS) is not generally supported. The allocation of resources in the town is better concentrated into fewer, but better served, areas. It is therefore suggested that the Council seek cash in lieu of the required public open space. In 2008 when Council developed Cummings Way the land was developed minus POS due to the high cost of maintenance of parks and the like. There is still substantial park and recreation land in the immediate area – e.g. French Avenue POS (Jellicoe & Hobbs);
- f) Blocks developed should have a 3% fall to roads where possible and storm water from the lots can be harvested into Council's storm water system;
- g) It is suggested that the rezoning application area be extended to include the portion of UCL (closed road) south of the Reserve 25536 and adjacent to O'Connor Street. This will provide the opportunity to include this land in the development proposal should the applicant decide to purchase the land;
- h) The additional uses for the development should be limited to the area shown as proposed Lot 1 on plan 1524-4 (Whelans) comprising 1.21ha of the existing school buildings;
- i) modifying the 'Additional Use Schedule' proposed to reflect the permitted uses as contained in the LPS 6 Table 1 Zoning Table by removing 'Aged or dependent persons dwelling', 'Residential building' and 'Bed and Breakfast' from the 'P' uses to the 'A' uses; and removing 'Veterinary Centre' and 'Exhibition Centre' from the 'A' uses as both uses can create conflict between residential and other uses particularly in relation to noise and hours of use;
- j) Existing metal outbuilding to be removed from Lot 1 – i.e. 6 outbuildings.

Further conditions on the development should include: -

- 1) Council will not contribute funds towards the proposal;
- 2) Drainage and storm water management plans shall be provided to Council's administration for review and consideration as a component of the development proposal;

10.3 **PUBLIC TRANSPORT AUTHORITY LEASES & L 6880 – RAILWAY BOWLING CLUB AND RAILWAY TENNIS CLUB – RESERVE 13267**

Reporting Department:	Development Services
Reporting Officer:	John Mitchell
Legislation:	Public Building Regulations 1993; OSH Duty of Care; Public Duty of Care
File Reference:	Lease 42; A2268; Leases General
Disclosure of Interest:	Nil
Attachments:	Emails, correspondence, lease spreadsheet and maps. (Attachment 10.3A)

Background:

Burgess Rawson, on behalf of Public Transport Authority (PTAWA) is seeking Council comment on the amalgamation of leases with the Shire of Merredin to simplify matters. They also seek if Council wishes to lease the old Outdoor World site (lease L3583) through amalgamation into the leases applicable to the old caravan park/motorbike club rooms, Lions Recycling and the old Westrail Depot.

Additionally Council operates two leases from another PTAWA leased site – one for the Railway Sportsman’s Bar and the other the Kitchener Road (Railway) Tennis Club. Neither party has entered into leases with the Shire of Merredin. There are outstanding accounts payable by the clubs. Despite best efforts by staff the matter remains unresolved.

Comment:

The relinquishment or retention of leases has not been discussed with the lessees of the premise(s).

The suggestion is for the amalgamation of leases of all those West of Mary Street and the remaining East of Mary Street. The final issue to be considered is the leases over Reserve 13267 i.e. Railway Sportsman’s Bar, Railway Tennis Club and the balance of the Reserve. The leases expire in 2018.

LEASES EAST OF MARY STREET

Discussing those leases East of Mary Street. There are currently three leases – each incurs a stamp duty charge and Council becomes obligated for any rates and taxes applied by government. Council does not make any real income from the leases as the sub leases were to community groups. The leases are: -

- a) Lease 5317 – Lions Club (Now Merredin Recyclers) plastic and cardboard area;
- b) Lease 2577 – Lions Club – glass, paper, cans etc;
- c) Lease 5300 – old Motorbike/caravan park area

These leases have currently lapsed.

The leased areas are a constant cleanliness issue for PTAWA and have resulted in a considerable amount of admin time to achieve a clean-up of the sites and then within a small period of time the sites are again in need of a further clean.

Comment is also sought to include the old Outdoor World lease 3583 within the proposed larger lease area.

Pursuant to the Environmental Protection Act 1986 – Premise Definitions the recycling facility is required to be licenced and registered with the Department of Environmental Regulation as a Waste Reveal & Transfer Station. The annual costs of licence is approximately \$1,000 per annum and there are strict requirements on their operation. Council would be obligated as the main lessee (the easiest target) for any clean-up or remedial works. Additionally should the site be declared contaminated PTAWA could require Council to carry out any remedial works associated with those leased areas. These leases between PTAWA and Shire of Merredin should lapse and existing sub leases (if any) terminated.

The privately operated recycling facility should be advised to relocate to the landfill site or another approved site. The matter has not been discussed with the operators. This may be difficult to achieve.

Council has previously declined to be involved with the overnight shelter which forms a component of the Lions Club Shed. In 2009 and 2010 Council was approached to assist with funding and declined. This report and subsequent decisions will impact upon this particular lease (L2577). The facility is basic and strictly not approved as a dwelling or residential building.

Council may wish to consider assisting with the clean – up of the site as Council did permit the sublease as a transfer recycling facility.

LEASES WEST OF MARY STREET

Proposed amalgamated lease two is for those leases West of Mary Street and comprise leases: -

- 1) Lease 2824 – car park Barrack Street;
- 2) Lease 5319 – Barrack Street - this is the component called herbarium within the Station Proper);
- 3) Lease 2966 – Old Railway Station (museum and Pioneer Park);
- 4) Lease 1790 – footpath on Todd Street; and
- 5) Proposed lease for land west of the Barrack Street rail crossing.

It is the view of the administration that the lease relevant to the herbarium should lapse. Council should also consider not enter leases for control of further buildings that are aged. In the majority of cases the leases require the

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lessee to maintain the building which can be a major investment. Current examples to Merredin include the Herbarium, Recycling Facility clean-up and L5300 – a dilapidated building that the Shire leases.

RESERVE 13267 – CONTINUATION OF LEASES

Comment is also sought regarding the two buildings on Reserve 13267. PTAWA correspondence appends.

At the April 2009 meeting Council resolved: -

“That the Chief Executive Officer and President be authorised sign and place the common seal of the Shire of Merredin on the ten year lease expiring 30 June 2018 for the Reserve 13267 Kitchener Road, Merredin, Lease 6880 with the Public Transport Authority providing Council is indemnified against claim from the alleged disposal of cinders to the rear (south) of the lot.

That the following costs be allocated in a sub lease to the Railway Tennis Club and Sportsman’s Club on an annual basis:

-

- 1) General Maintenance and insurance of the buildings and land;
- 2) Provision of public liability insurance to a value of \$10,000,000.00 indemnifying the Shire of Merredin and the Public Transport Authority Against any claim;
- 3) Provide an annual certification in June annually of the inspection and certification of the residual circuit device.”

Neither Club has entered a lease despite being requested by the Administration.

It is known that the Sportsman’s Club has not operated for approximately one year. The building is a Class 9 Public Building. It lacks adequate signage for exits, an evacuation plan, muster point, it is asbestos clad and the sheets are damaged and have not been painted for many years, safety signage is missing and general condition of premise is deteriorated. The building has been severely vandalised with walls broken in and windows broken. Toilet facilities are exposed and damaged. Roof sheeting is missing. The outbuildings on site are rusted steel frame or concrete block and iron rooved structures with broken windows and are in poor condition and unmaintained. The buildings are now a social issue as they are used as toilets and hangouts.

PTAWA seek Council comment and input into the following (recommended response are in italics against the question posed: -

- a) Demolition of the Structures – *The Sportsman’s bar is beyond its economic life and is unlikely to be upgraded as it is an asbestos clad*

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building – the building should be demolished as it represents a potential health threat to the larger community;

- b) If the ownership of the buildings cannot be clarified is the Shire of Merredin prepared at its cost to demolish the Ex Sportsman's bar – *A review of Assessment 2268 has determined that the original buildings were placed on site by WAGR in the 1950's. In 1961 the building was modified and around this time the Railway Sportsman's bar was formed. The Shire of Merredin appears to have become involved possibly when the railway houses were removed (prior to 1990's) to allow the incorporated body (Sportsman's Bar) to continue to operate. Council is not, in the opinion of the Building Surveyor, obligated for the demolition unless a document can be found which states that Council will demolish the structure at the completion of the lease? No letters or agreements of this nature have been found.*
- c) If the Shire of Merredin is not prepared to demolish the building at its cost can a quotation be provided – *No. Council does not have the necessary OSH licences to perform the works. There are private contractors locally who can perform the works.*
- d) If PTAWA is forced to demolish the building itself – does the Shire of Merredin have any specific requirements re the demolition process – *The provisions of the Building Act 2011 are applicable. Council can waive fees and landfill costs if it sees fit however statutory fees raised on behalf of the Building Commission cannot be waived i.e. BSL and BCITF levies.*

Statutory/Policy Implications:

The Recycling Facility does not have Department of Environmental Regulation works consent.

The herbarium receives little use. Council is obligated for the buildings maintenance.

Neither the Railway Sportsman's Club nor the Railway Tennis Club are responding to letters from the Administration to accept those costs associated with their operation. Additionally PTAWA seek to have confirmed that Council will remove the asbestos clad buildings from the site at the completion of the leases.

Financial Implications:

Each lease costs Council in the vicinity of \$2,000 per annum. Certain leases such as the Herbarium lease make Council liable for the maintenance of the building which can be an open ended cost. An example is the Railway Museum. Council budgets around \$4,000 for building maintenance and a further similar sum for the volunteers to address issues. The Military museum receives around \$1,600 to \$1,800 per annum.

81283 Moved: Cr Crees Seconded: Cr Flockart

Officer's Recommendation:

- 1) That Burgess Rawson be advised that Council seeks to relinquish leases L5317, L2577 and Lease L5300 from the leases east of Mary Street either at the completion of lease period or sooner if possible and does not seek to include the lease 3583 within any lease arrangement;**
- 2) That Council seeks to relinquish L5319 from leases within the west side of Mary Street and retain leases L6918 – Military Museum, L1790 – Footpath on Highway, L2966 – Railway Museum, L2824 - Parking Barrack Street and L1758 end of Railway Avenue (beautification) amalgamated into one lease;**
- 3) That Council will advise the lessees of any leased land or buildings that it intends to terminate all PTAWA leases applicable to the lands in question as discussed within this report and that they (Lease 5317, 2577 & L6880 – Railway Tennis Club) may negotiate with PTAWA via Burgess Rawson to achieve a lease;**
- 4) That any PTAWA leases that must be maintained to term be relinquished at the end of that term e.g. Leases L6880 (2018), Herbarium (2016);**
- 5) That pursuant to Section 135 of the Health Act 1911 Council declares the timber framed, asbestos clad and iron rooved building and associated iron, concrete block and steel rooved buildings commonly associated with the Railway Sportsman's Bar on Lot 176, Reserve 13267 unfit for human habitation effective from 30 January 2014;**
- 6) That pursuant to Section 137 of the Health Act 1911 the buildings referred to in recommendation 5 above shall be demolished and removed to an approved landfill site;**
- 7) That Council does not believe it is obligated for the demolition of the premises and outbuildings commonly referred to as the Railway Sportsman's Bar located on Lot 176 Kitchener Road Merredin;**
- 8) That Council administration reply to the Burgess Rawson request with the advice of the above recommendations and provide explanation to confirm the decisions.**

CARRIED 5/1

Councillors Crees and Flockart declared a Proximity Interest in this item.
The item could not be considered due to the lack of a quorum.

10.4 **INSTALLATION OF A DUMP EZY DUMP POINT – CHANGE OF LOCATION**

Reporting Department:	Development Services
Reporting Officer:	Rebecca Bowler (EH&CO)
Legislation:	N/A
File Reference:	PH 14/04
Disclosure of Interest:	Nil
Attachments:	Nil

Background

In January 2011 Council requested staff investigate the possibility of installing a “Dump-Ezy” RV dump point in the vicinity of Barrack Street in Merredin.

Initial research was carried out by Phil Swain (Contract EHO), Pam Masters (Former Visitor Centre Manager), Debbie Morris (Former Community Services Manager) and Phil Chadd (Campervan and Motorhome Club of Australia Ltd) “CMCA”.

Since December 2011, Building Project Manager, John Gearing and Environmental Health and Compliance Officer, Rebecca Bowler have been dealing with the matter.

In February 2012 the matter of the location of the installation of the ‘Dump Ezy’ dump point was considered by Council with the following resolution:

30831- ‘Officer’s Recommendation
That the Shire of Merredin agrees to:

1. *Apply to the Campervan and Motorhome Club of Australia Ltd for a “Dump-Ezy” dump point and*
2. *Enter into an agreement with the proprietor of the Merredin Tourist Park to install the “Dump-Ezy” dump point at the Merredin Tourist Park with the following terms and conditions;*
 - a) *The Shire of Merredin will pay for the installation costs*
 - b) *The Merredin Tourist Park run, operate, maintain and clean the dump point at its own expense*
 - c) *The Merredin Tourist Park operate the dump point in accordance with the guidelines of the Campervan and Motorhome Club of Australia*
 - d) *There will be no charge to dispose of liquid waste into the dump point only*

LOST 7/2

Moved: Cr M Morris Seconded: Cr B Anderson

30832- 1. *That the RV dump point be located in the vicinity of the Olive Grove restaurant.*

2. *That an application be made to the Campervan and Motorhome Club of Australia Ltd for a “Dump-Ezy” dump point.*

CARRIED 7/2

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On Tuesday 7 August 2012, Mr Grant Astbury sent an email to all councillors and Mario Ioppolo (former Executive Manager of Development Services) indicating his concerns about the proposed location of the dump point (see below). Shire of Merredin staff responded to Mr Astbury on 17 August 2012 accordingly and was able to provide him with answers, addressing all of his concerns.

'Dear Mr Astbury

Please see below for a response to the issues raised in your email.

As you can see below Council has formally resolved to proceed with the dump point in this location. A maintenance regime will be developed to deal with issues relating to its use. To date the matter has not progressed as a final lease document is yet to be provided by the Public Transport Authority. Should you require further clarification please do not hesitate to contact me.

Regards

Greg Powell
Chief Executive Officer

Dear Councillors,

Olive Grove Café and Restaurant, have strong objections to the installation of the RV dump point on the railway reserve car-park which will be within approximately sixty metres of the café's back door. When last in Merredin I spoke to the Health surveyor and expressed my concerns on the positioning and the lack of information being provided to the business regarding the RV dump point. The business received a formal letter from Shire advising on where the RV dump point would be positioned however what was supplied in the letter is not where the RV Dump point is now being installed. The initial site for the dump point was on the boundary of Apex Park but after further consideration and advice it was determined that the currently identified site (near the rail track fence where there is a dead tree) was more appropriate as it provides better vehicle access and egress.

Other issues that are of a concern to the cafe about the RV dump point if it is to be installed in the position as shown by the Merredin Shire representative that require answering are:

- Has there been a planning /environmental application ? No. Not required although an application will be required to connect the dump point to the sewer.*
- Has West-Rail approved this site as Shire only lease area. In principle agreement has been received.*
- Shire is connecting into the sewer drop point that has the shop toilets connected to it , What is the drop points capacity has anyone done the calculations, Will it need a pump? The plumber retained to undertake the installation has advised there are no capacity issues.*
- Has Shire got drawings/plans to show how the connection to the existing sewer line will be conducted. Some design sketches have been prepared by the plumber.*
- Has Shire got drawings/plans showing the existing and new connection fall from RV dump point to drop point sewer connection. As above.*
- What is the cleaning and maintenance regime for the RV dump point? The dump point will need to be monitored on a daily basis. This will be undertaken by Council's works crew.*
- Has Shire got a traffic impact statement for this project ? No. The site will be appropriately sign posted and marked to provide for parking etc.*

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*Olive Grove Café and Restaurant objections to Shires decision to install the RV dump point within such a close vicinity of its **food** business will remain until suitable resolution to the concerns above have been addressed . And might I add that I can only find four towns within WA that have an RV Dump point within their town site and three of the four are at the Towns Tourist Bureau the other is at a service station on the outskirts of town. Across WA the RV dump points are predominately stationed in caravan parks or parking bays situated on the outskirts of towns. None are within a 100 metre's of a food premise.*

This e-mail has also been sent to the Merredin Shire and therefore a report should be tabled for discussion at the next full council meeting. This matter has been formally addressed by Council on at least two occasions resulting in the current determination.

If you have any questions please do not hesitate to contact me

Kind Regards

Grant Astbury

*Director: Olive Grove Café and Resturant
0467 818 338'*

Since then the Dump Point has been applied for from CMCA, we have received the physical dump point and all of the related road signage. The Dump Point and road signage it is all currently in storage at the Shire of Merredin Depot.

Quotes have be sought and the entire installation behind Olive Grove Restaurant and Café is forecast to cost \$9 300 + ST but does exclude the remediation of any bitumen surface that will be removed in the process of installation, the disposal of any excess soil excavated and does not factor in any possible damage to pre-existing pipe work.

Further correspondence was sent to Mr Astbury on 24 December 2013 indicating Council's current position regarding the Dump Point installation. He was informed that quotes had been sought and that installation of the dump point behind Olive Grove Restaurant and Café is due to commence in the middle of January 2014, if no objections were received. As of 10 January 2014 no correspondence has been received from Mr Astbury although verbal advice has been received that he continues to object to the proposal. It is anticipated that his written objection will be received prior to the Council meeting and as such will be distributed to Councillors under separate cover.

Comment

In recent discussions with Mr Frank Delanotte (owner of the Merredin Tourist Park) he has indicated his ongoing support for the installation of the dump point to be located with in the Tourist Park. Mr Delanotte has agreed that the Shire of Merredin would pay for the installation costs (forecast to be a much cheaper installation as the proposed site is located directly over a sewer line), that the Merredin Tourist Park would run, operate, maintain and clean the dump point at its own expense. The Merredin Tourist Park would operate the dump point in accordance with the guidelines of the Campervan and

Motorhome Club of Australia and there would be no charge to dispose of liquid waste into the dump point.

Should Council wish to proceed with the alternative location it will be necessary to rescind Motion 30831 as above. Three Councillors will need to signify their support to a rescission.

Statutory/Policy Implications

N/A

Financial Implications

If it was to remain in the proposed location (Behind Olive Grove Restaurant and Café) some of the costs to be incurred on a regular basis would include:

- Water Corporation sewer rates (per month) ~ \$110
- Connection to sewer fee (one off)~ \$500
- Installation costs estimated to be around \$9300 + GST (excluding some items mentioned above).
- Cleaning and Maintenance of the dump point location- cleaning contractor ~ \$36 per/hr
- Ongoing monitoring, maintenance and cleaning costs

If it was to be moved to the Merredin Tourist Park some of the costs to be incurred:

- Connection to sewer fee (one off)~ \$500
- Installation costs estimated to be considerably less than \$9300 + GST given that the proposed location on site is directly over a suitable sewer line, limited excavation, pipe work and labour required.
- No ongoing maintenance/cleaning cost etc

Officer's Recommendation

- 1. That Resolution 30831 be rescinded.**
- 2. That Council enters into an agreement with the proprietor of the Merredin Tourist Park to install the "Dump-Ezy" dump point at the Merredin Tourist Park with the following terms and conditions;**

a) The Shire of Merredin will pay for the installation costs

b) The Merredin Tourist Park will operate, maintain and clean the dump point at its own expense

c) The Merredin Tourist Park will operate the dump point in accordance with the guidelines of the Campervan and Motorhome Club of Australia

d) There will be no charge to dispose of liquid waste into the dump point.

11.0 ENGINEERING SERVICES

11.1 REFUSE SITE FEES AND CHARGES

Reporting Department:	Engineering Services
Reporting Officer:	Kevin Paust
Legislation:	Local Government Act 1995
File Reference:	R10/01
Disclosure of Interest:	Nil
Attachments:	Correspondence from Merredin Skip Bins (Attachments 11.1A)

Background

Correspondence has been received from the proprietor of Merredin Skip Bins regarding the \$10.00 per cubic metre charge for commercial waste to be placed at Councils Chandler Road Refuse Site with a request that Council review these charges as he believes they are prohibitive to his business.
(Attachment 11.1A)

Comment

The following seven points were conveyed to the proprietor via return email.

1. If rate payers want to take their green waste to the Shire of Merredin landfill site and deliver it themselves in a borrowed trailer for free then they have the right to do so, as you do as a resident within the bounds of the Shire of Merredin. They have chosen to engage your services for the job and so should be prepared or, have an understanding of the fact that there is a cost incurred as a result of using your commercial services.
2. Commercial businesses are charged fees and charges to help offset the cost of being able to provide the tip free of charge to residents. I remind you that you are also a resident within the bounds of the Shire of Merredin. Charging commercial business also helps to offset a small portion of the cost of running, maintaining and being able to provide the facility in the first instance.
3. The Shire of Merredin would be interested to know how much it would cost your business to freight the waste down to Perth as opposed to the general cost of disposal at our Chandler Road Landfill site.
Does it work out to be less than \$10 per cubic metre to dispose of waste in Perth including freight costs?
4. The commercial charge for the disposal of green waste assists, but does not cover, the cost of chipping the green waste that is then given away to the public for free. You are also able to access this free mulch as a rate payer.
5. All other commercial businesses have been charged for a long time now. Commercial deposits of green waste was the last industry to be factored in. The fees and charges were always going to be implemented; it was a matter of timing.

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Cr Crees declared a Proximity Interest and left the meeting at 3.49pm

11.2 BURRACOPPIN SOUTH ROAD

Reporting Department: Engineering Services
Reporting Officer: Kevin Paust
Legislation: Local Government Act 1995
File Reference: R10/01
Disclosure of Interest: Nil
Attachments: Mawarra Warakirri
[\(Attachment 11.2A\)](#)

Background

Correspondence from Mawarra Warakirri Property Manager has been received regarding the condition of Burracoppin South Road and requesting 200 metres of bitumen seal passed his residence to alleviate the dust from passing traffic or alternatively sealing of the road.

Comment

The last traffic count at this location was 345 vehicles per day of these 75 were heavy vehicles. Staff are currently conducting a 6 week traffic count 700 metres south of the McPharlin Road intersection. This section of Burracoppin South Road is not programmed for works in the 5 year road program.

Results of the last road count are:

Class Speed Matrix

ClassMatrix-67
Site: 0015.0.0SN
Description: sth burra rd slk 17 km at macpharlin rd
Filter time: 0:00 Wednesday, 25 October 2006 => 13:32 Monday, 27 November 2006
Scheme: Vehicle classification (AustRoads94)
Filter: Cls (1 2 3 4 5 6 7 8 9 10 11 12) Dir(NESW) Sp(10,160) Headway(>0)

Speed (km/h)	Class												Speed Totals	
	1	2	3	4	5	6	7	8	9	10	11	12		
10 - 20	6	.	.	4	.	.	.	1	.	.	.	.	11	3.2%
20 - 30	8	2	.	2	.	.	.	2	.	.	.	.	14	4.1%
30 - 40	9	3	3	.	.	.	.	.	.	.	.	.	15	4.3%
40 - 50	23	3	2	.	.	.	.	.	.	.	.	.	28	8.1%
50 - 60	18	1	.	.	.	.	.	.	.	.	2	.	21	6.1%
60 - 70	6	1	6	.	.	.	.	.	.	.	1	.	14	4.1%
70 - 80	22	1	16	.	.	.	.	1	.	41	2	.	83	24.1%
80 - 90	28	2	3	.	.	.	.	.	.	17	4	.	54	15.7%
90 - 100	39	3	1	2	2	.	.	.	1	2	2	.	52	15.1%
100 - 110	27	1	2	.	.	.	.	.	.	.	.	.	30	8.7%
110 - 120	12	.	.	.	1	.	1	.	.	.	.	.	14	4.1%
120 - 130	7	.	.	.	.	.	.	.	.	.	.	.	7	2.0%
130 - 140	1	.	.	.	.	.	.	.	.	.	.	.	1	0.3%
140 - 150	1	.	.	.	.	.	.	.	.	.	.	.	1	0.3%
150 - 160	.	.	.	.	.	.	.	.	.	.	.	.	0	0.0%
	207	17	33	8	3	0	1	4	1	60	11	0	345	
	60.0%	4.9%	9.6%	2.3%	0.9%	0.0%	0.3%	1.2%	0.3%	17.4%	3.2%	0.0%		
	Class Totals													

This road is not currently within the 5 year road programme. It is anticipated that the Programme will be reviewed in March; after the road inspection and prior to commencement of the 2014/15 budget. This will provide Council

with the opportunity to include this road should it wish to do so against other competing roads.

The cost to seal a section of the road adjacent to the residence is outlined below.

Treatment of the unsealed road using a dust suppressant is also addressed below. Council should be mindful of setting a precedent should it resolve to treat the road in this manner but it could do so on the basis of trialling the product to assess it's performance and without any commitment to rework the road should the product not prove suitable.

Statutory/Policy Implications

Nil

Financial Implications

A 200m x 9m section of reconstruction with a 7m single coat seal at \$14.50m² would cost \$26,100.00 and a reseal \$7,200. Total cost to Council \$33,300.

There is a Polycom product which is applied through the water cart and is incorporated in with a grader and rollers to a depth of 150 millimetres using the existing road surface. It is also a dust suppressant. Product cost to Council for 200 x 9 metre section \$2600.00 plus 2 days plant and wages of \$3,800. Total cost to Council \$6,400

Officer's Recommendation

That Council make provision in the 2014/15 budget to conduct a 200 metre trial of the Polycom Product on a section of Burracoppin South Road commencing at McPharlin Road to the south.

81286 Moved Cr Flockart

Seconded Cr Thomas

That the name of the product and costing to undertake the work as a private works arrangement be supplied to the Property Manager.

CARRIED 5/0

Councillor Crees returned to the meeting at 3.58pm

Councillor Flockart declared an Interest Affecting Impartiality and remained in the meeting.

11.3 **STANDPIPES**

Reporting Department:	Engineering Services
Reporting Officer:	Kevin Paust
Legislation:	Local Government Act 1995
File Reference:	R10/01
Disclosure of Interest:	Nil
Attachments:	Standpipe Location Map (Attachment 11.3A) Waterman Irrigation Pty Ltd (Attachment 11.3B)

Background

At its last meeting, Council considered the rationalisation of standpipes throughout the Shire and requested that the Merredin Volunteer Bushfire Brigade FCO's be provided a map identifying the standpipes within the Shire and that they make comment on the reduction/rationalisation of standpipes within the Shire.

81254 Moved: Cr Anderson Seconded: Cr Young

Officer's Recommendation

- 1. That the number of standpipes in the Shire of Merredin be reduced based on the information provided on the attached map.***
- 2. That further communication with the Water Corporation be delayed until after the GECZ meeting on 28th November 2013.***

CARRIED 9/0

81255 Moved: Cr Young Seconded: Cr Anderson

That consultation with the relevant FCO's be sought by 15 December 2013 on the black and blue standpipes indicated prior to their removal, and the installation of a card system be investigated.

CARRIED 8/0

Comment

A map identifying the locations of standpipes and tanks was provided to all Merredin Volunteer Bushfire FCO's and a request made for feedback on the reduction of the number of standpipes.

A discussion with the Chief Bushfire Control Officer, Mr Stephen Crook and FCO, Mr John Flockart was held with the Executive Manager of Engineering Services.

The outcome of the discussion was to reduce the number of standpipes from thirteen standpipes to seven standpipes and retain the five tank locations within the Shire, and to lock the seven remaining standpipes, with keys being issued to all FCO's and placed in all Volunteer Bushfire vehicles. Since this

meeting a map has been prepared with the remaining seven standpipes and five tanks and can be found at [Attachment 11.3A](#)

The installation of a swipe card system was investigated with Waterman Irrigation at a cost to Council of \$10,864.25 per standpipe and can be found at [Attachment 11.1B](#).

It should be noted that the position reached has been from a bush fire perspective and has not taken into consideration water taken from standpipes for other purposes such as stock and domestic requirements. Use for crop spraying has not been condoned.

An associated matter is the Water Corporation requirement for back flow devices which initiated this review. At the recent GECZ meeting there was opposition from almost the entire zone to the Water Corporation proposal. As it has set a deadline of 30 June on firming up the Shire of Merredin requirements, it is suggested that this be deferred at this time until the matter plays out through the Zone.

Statutory/Policy Implications

Nil

Financial Implications

The installation of a swipe card system on seven standpipes would be a cost to Council of \$83,655.00 including GST plus a minimum annual fee of \$766.00 including GST per standpipe. There will be costs associated with disconnecting standpipes but this will be recouped over time.

81287 Moved: Cr Anderson Seconded: Cr Thomas

Officer's Recommendation

- 1. That the number of standpipes in the Shire of Merredin be reduced from thirteen to seven and that existing tanks remain in place.**
- 2. That the installation of a swipe card system not be pursued and that standpipes be locked and keys allocated to all Shire of Merredin FCO's and placed in all bushfire emergency vehicles.**
- 3. That no action be taken at this time to advise the Water Corporation of Council's requirements for back flow prevention devices.**

CARRIED 6/0

12.0 CORPORATE AND COMMUNITY SERVICES

12.1 LIST OF ACCOUNTS PAID

Reporting Department:	Finance & Administration
Reporting Officer:	Evelyn Arnold
Legislation:	Local Government Act 1995 & Financial Management Regulations
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	List of Accounts Paid

Background

The attached List of Account Paid ([Attachment 12.1A](#)) during the month under Delegated Authority is provided for Council's information.

Statutory/Policy Implications

Local Government Act 1995 and Financial Management Regulations.

Financial Implications

All liabilities settled have been in accordance with the Annual Budget provisions. It should be noted that outstanding creditors total \$103,860.51.

81288 Moved: Cr Young Seconded: Cr Crees

Officer's Recommendation

That Council receive the schedule of accounts as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$539,595.15 from Council's Municipal Fund Bank Account and \$4,415.58 from Council's Trust Account.

CARRIED 6/0

12.2 **MONTHLY FINANCE REPORT**

Reporting Department:	Finance and Administration
Reporting Officer:	Evelyn Arnold
Legislation:	Local Government Act 1995
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Monthly Finance Report

Background

The Monthly Finance Report is attached for Council's information.
([Attachment 12.2A](#))

Statutory/Policy Implications

Local Government Act 1995 and Financial Management Regulations.

Financial Implications

As outlined in [Attachment 12.2A](#).

81289 Moved: Cr Young Seconded: Cr Anderson

Officer's Recommendation

That Council receive the Monthly Finance Report for December 2013.

CARRIED 6/0

12.3 **REVIEW OF THE CREDIT CARD POLICY**

Reporting Department:	Corporate and Community Services
Reporting Officer:	Evelyn Arnold, Executive Manager of Corporate and Community Services
Author:	Rebecca McCall, Deputy Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	Council Policy Manual 3.22
Disclosure of Interest:	Nil
Attachments:	Credit Card Policy (Attachment 12.3A)

Background

The issue of credit cards to Council staff requires Councils endorsement of the amended Credit Card Policy 3.22. The attached reviewed policy includes the Deputy Chief Executive Officer to be supplied with a business credit card.

The Credit Card Policy 3.22 was last reviewed in March 2013 endorsing the permission for the Executive Manager of Corporate and Community Services to hold a Council credit card.

Comment

The policy provides robust guidelines and controls surrounding the appropriate use of the business credit card and endorses the issue of three corporate credit cards. The policy is attached for Council's perusal.

Statutory/Policy Implications

Local Government Act 1995 and the Local Government Regulations 1996 (amended 2007).

Financial Implications

Nil

81290 Moved: Cr Young Seconded: Cr Crees

Officer's Recommendation

That Council adopts the amended credit card policy 3.22 to enable a business credit card to be issued to the Deputy Chief Executive Officer.

CARRIED 6/0

13.0 ADMINISTRATION

13.1 MERREDIN REPERTORY CLUB – REDUCTION OF PAYMENT OF MOU FEE REQUEST

Reporting Department:	Administration
Reporting Officer:	CEO
Legislation:	Local Government Act
File Reference:	RCS 04/31
Disclosure of Interest:	Nil
Attachments:	Merredin Repertory Club MOU Correspondence from Merredin Repertory Club

Background

The Merredin Repertory Club has entered into an MOU with the Shire of Merredin which governs its usage of payment for the Cummins Theatre. The MOU was last reviewed after consultation with the Repertory Club in May 2013.

A copy of the MOU can be found at [Attachment 13.1A](#).

Comment

Correspondence has been received from the MRC seeking relief from the fees payable under the MOU. A copy of the letter can be found at [Attachment 13.1B](#).

In simple terms it could be said that each performance attracts a \$2,000 fee to cover costs associated with the operation of the venue. If this principle is accepted a reduction in the fee by \$2,000 could be considered.

The loss incurred from the show is considered a risk venture with the Repertory Club also retaining any profits made from such arrangements as well as bearing any losses.

Statutory/Policy Implications

The MOU is the guiding document in the relationship with the Merredin Repertory Club and its general principles should be adhered to by both parties.

Financial Implications

Any relief offered to the Repertory Club will result in a lower revenue to the Theatre but whether overall revenue results are achieved remains to be seen as it will depend on the financial performance of other shows and activities.

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81291 Moved: Cr Young Seconded: Cr Anderson

Officer's Recommendation

That the Merredin Repertory Club be advised that its contribution under the MOU will be reduced by \$2,000 in recognition that a second season was not undertaken in the 2013 calendar year.

CARRIED 6/0

14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil

15.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

Nil

16.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION

Nil

17.0 MATTERS BEHIND CLOSED DOORS

Nil

18.0 CLOSURE

The President declared the meeting closed at 4.15pm.