



SHIRE OF MERREDIN

17 February 2015

Minutes of Ordinary Council Meeting

Held in Council Chambers
Corner King & Barrack Street's, Merredin



Common Acronyms Used in this Document

WEROC	Wheatbelt East Regional Organisation of Councils
GECZ	Great Eastern Country Zone
WALGA	Western Australian Local Government Association
CEACA	Central East Aged Care Alliance
CEO	Chief Executive Officer
DCEO	Deputy CEO
EMDS	Executive Manager of Development Services
EMES	Executive Manager of Engineering Services
EMCS	Executive Manager of Corporate Services
EA	Executive Assistant to CEO
LPS	Local Planning Scheme
LGIS	Local Government Insurance Services
AMP	Asset Management Plan
LTFP	Long Term Financial Plan
MRC&LC	Merredin Regional Community and Leisure Centre
CWVC	Central Wheatbelt Visitors Centre
UCL	Unallocated Crown Land
MoU	Memorandum of Understanding
LHAG	Local Health Advisory Group
NEWROC	North Eastern Wheatbelt Regional Organisation of Councils
LoA	Leave of Absence

Table of Contents



1.	Official Opening
2.	Public Question Time
3.	Record of Attendance / Apologies and Leave of Absence Request for Attendance via Teleconference
4.	Disclosure of Interest
5.	Applications for Leave of Absence
6.	Petitions and Presentations
7.	Confirmation of Minutes of the Previous Meeting
7.1	<u>Ordinary Council Meeting held on 20 January 2015</u>
8.	Announcement by the Person Presiding without discussion
9.	Matters for which the Meeting may be closed to the public
19.1	<u>Staff – Chief Executive Officer - Performance Review - 2014</u>
19.2	<u>CEACA – Land Assembly Project</u>
10.	Receipt of Minutes of Committee Meetings
10.1	<u>WEROC Executive Meeting held on 4 February 2015</u>
10.2	<u>Audit Committee Meeting held on 17 February 2015</u>
11.	Recommendations from Committee Meetings for Council consideration
11.1	<u>Audit Committee Meeting – Compliance Audit Return 2014</u>
12.	Officer’s Reports - Development Services
12.1	<u>Lot 986, HN 47 French Avenue, Merredin - Oversized Outbuilding - Local Planning Scheme No. 6 Outbuilding Policy</u>
12.2	<u>Rural Location 15207 & 20461, Chandler-Merredin Road, Merredin - Boundary Adjustment</u>
12.3	<u>Policy Review - Food Act 2008 Food Safety Compliance and Enforcement Policy</u>
12.4	<u>Residential Use Policy – Rescind Home Occupation Policy</u>
12.5	<u>9 French Avenue, Merredin - Residential Use - Home Occupation Animal Emergency Hospital Room</u>

13.	Officer's Reports - Engineering Services
	Nil
14.	Officer's Reports - Corporate and Community Services
14.1	<u>List of Accounts Paid</u>
14.2	<u>Monthly Finance Report</u>
15.	Officer's Reports - Administration
15.1	<u>Reserves 44697 and 17767 – Lease of Land</u>
15.2	<u>Policy Manual Review – Members of Council</u>
16.	Motions of which Previous Notice has been given
17.	Questions by Members of which Due Notice has been given
18.	Urgent Business Approved by the Person Presiding or by Decision
19.	Matters Behind Closed Doors
19.1	<u>Staff – Chief Executive Officer - Performance Review - 2014</u>
19.2	<u>CEACA – Land Assembly Project</u>
20.	Closure

Shire of Merredin
Ordinary Council Meeting
Tuesday 17 February 2015



1. Official Opening

The Shire President welcomed all those in attendance and declared the meeting open at 3.08pm.

2. Public Question Time

Dr Roberts addressed Council in relation to Agenda Item 12.5 advising that the majority of client contact will be via a mobile service with minimal contact at the residence except when emergency care is required. The Veterinary Board of WA has very strict requirements on emergency hospital facilities which the applicant is obliged to comply with.

3. Record of Attendance / Apologies and Leave of Absence

Councillors:

Cr KA Hooper	Shire President
Cr RM Crees	Deputy President
Cr JP Flockart	
Cr DN Hayes-Thompson	
Cr MD Willis	
Cr ML Young	

Staff:

G Powell	CEO
R McCall	Deputy CEO
V Green	EA to CEO
S Lowe	Media & Communications Officer

Members of the Gallery: A Roberts

Apologies: Cr BJ Anderson

Approved Leave of Absence: Cr CA Blakers (CMRef 81477); Cr TS Thomas (CMRef 81410 – LoA expires this month)

4. Disclosure of Interest

Councillor Flockart declared an Impartiality Interest in Agenda Item 15.1

Councillor Flockart declared a Financial Interest in Agenda Item 12.3

5. Applications for Leave of Absence

Nil

6.	Petitions and Presentations
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Nil

7.	Confirmation of Minutes of the Previous Meeting
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- 7.1 Ordinary Council Meeting held on 20 January 2015
Attachment 7.1A

Officer's Recommendation / Resolution
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Moved: Cr Crees **Seconded:** Cr Young

81511 That the Minutes of the Ordinary Council Meeting held on 20 January 2015 be confirmed as a true and accurate record of proceedings subject to clarification on CMRef 81504 being that:

The new fee structure is implemented from the winter season 2015 with 5% annual increases for 5 years (i.e. 2020) with the 5% increase to be effective from the winter season 2016 .

CARRIED 6/0

8.	Announcements by the Person Presiding without discussion
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The WEROC and WALGA GECZ agendas will be distributed to all Councillors. The meetings will be held on Wednesday 25 March 2015 and Thursday 26 March 2015 respectively and Councillors are invited to attend the GECZ meeting being held at the MRC&LC.

9.	Matters for which the Meeting may be closed to the public
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- 19.1 [Staff – Chief Executive Officer - Performance Review - 2014](#)
19.2 [CEACA – Land Assembly Project](#)

10.	Receipt of Minutes of Committee Meetings
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- 10.1 WEROC Executive Meeting held on 4 February 2015
Attachment 10.1A
- 10.2 Audit Committee Meeting held on 17 February 2015
Attachment 10.2A

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Willis

81512 That the minutes of the WEROC Executive Meeting held on 4 February 2015 and the Audit Committee Meeting held on 17 February 2015 be received.

CARRIED 6/0

11. Recommendations from Committee Meetings for Council consideration

11.1 Audit Committee Meeting held on 17 February 2015

Voting Requirements

Simple Majority

Absolute Majority

Officer's Recommendation

That the Audit Committee recommends to Council that the Compliance Audit Return 2014 be endorsed.

Resolution

Moved: Cr Crees

Seconded: Cr Flockart

81513 That the Compliance Audit Return 2014 be endorsed.

**CARRIED 6/0
BY ABSOLUTE MAJORITY**

12. Officer's Reports - Development Services

12.1 Lot 986, HN 47 French Avenue, Merredin - Oversized Outbuilding - Local Planning Scheme No. 6 Outbuilding Policy

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	As Above
Legislation:	Policy No 9.8: Outbuilding Policy
File Reference:	A1508
Disclosure of Interest:	Nil
Attachments:	Application
Maps / Diagrams:	Site Plan, 3D Outbuilding Layout, Current Site Plan

Purpose of Report



Executive Decision



Legislative Requirement

Background

An application to erect an oversize outbuilding on Lot 986, House No. 47 French Avenue, has been received. The application includes the removal of the existing swimming pool.

No demolition permit is required for the removal of the pool as it is a class 10b outbuilding under 40m².

Comment

The applicant seeks to erect a 103m² outbuilding with a 3.0m wall height and 3.6m apex height outbuilding with new access gates and cross over on the Jubilee Street frontage. Council's policy permits a total of 125m² of outbuildings on a lot of similar size with one building of maximum size 93m².

The proposed shed is located 1m from the main sewer line and approximately 2m inside the side boundary. The applicant also seeks to remove the street tree and replace the tree to permit ease of entry.

Policy Implications

Council has a footpath policy and a second crossing can be provided at the applicant's cost.

Council has no street tree policy. If Council approves the application it is recommended that a 1.8m mature tree be planted in an agreed location to replace the tree removed and all at the applicant's cost.

Statutory Implications

The required setbacks are met.

Strategic Implications

Service Area: 3.2 Building regulation

Activities: Building permits; Building compliance

Link to Vision: Liveable

Link to Strategic Priorities: Nil

Service Level: Building permits processed

Service Level Change: No service level change

Sustainability Implications

➤ [Asset Management Plan](#)

Nil

➤ [Long Term Financial Plan](#)

Nil

➤ [Workforce Plan](#)

Nil

Financial Implications

Planning fees of \$149.00 are applicable.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That the application from the owner of Lot 986, 47 French Avenue, Merredin to erect a 103m² outbuilding with a wall height of 3m and apex height of 3.6m be approved with the following conditions:

1. a setback of 1000mm from the Jubilee Street boundary and from the sewer is required; and
2. the street tree may be removed at the applicants cost and must be replaced by a tree of 1.8m in height at a location to be confirmed by the Executive Manager of Engineering Services.

Resolution

Moved: Cr Crees

Seconded: Cr Willis

81514 That the application from the owner of Lot 986, 47 French Avenue, Merredin to erect a 103m² outbuilding with a wall height of 3m and apex height of 3.6m be approved with the following conditions:

1. a setback of 1000mm from the Jubilee Street boundary and from the sewer is required; and
2. the street tree may be removed at the applicants cost and must be replaced by a suitable tree at a location to be confirmed by the Executive Manager of Engineering Services.

CARRIED 6/0

Reason

Council believed that a tree or bush other than one at 1.8m in height could be appropriate for the streetscape.

12.2 Rural Location 15207 & 20461, Chandler-Merredin Road, Merredin - Boundary Adjustment

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	As Above
Legislation:	Local Planning Scheme No. 6
File Reference:	A5161 & A2087
Disclosure of Interest:	Nil
Attachments:	Application
Maps / Diagrams:	Subdivision Plan

Purpose of Report



Executive Decision



Legislative Requirement

Background

An application on behalf of the owners to amend boundaries to Lots 15207 & 20461, Chandler-Merredin Road, Merredin has been received from the WAPC. The application seeks to create two lots from two lots of similar sizes (429ha & 414ha) to two lots of 638ha and 206ha.

Comment

The applicant advises:

1. there are no dwellings involved;
2. the land has no acid sulfate soils; and
3. the site is not contaminated.

The site is adjacent to the landfill site and a buffer zone for sensitive buildings exists as shown on map 2 of 15 of the Shire of Merredin LPS 6. Planning consent for any dwelling is required should a person apply to place a dwelling within either lot created.

Council should confirm to the WAPC that the location is within 500m of the approved landfill site and development within the two lots created requires planning consent.

Policy Implications

Nil

Statutory Implications

The provisions of Special Control Area 3 of the Shire of Merredin LPS 6 apply. All development requires planning consent.

Strategic Implications

Service Area: 3.3 Town Planning

Activities: Administration of Local Planning Scheme No. 6

Link to Vision: Liveable

Link to Strategic Priorities:

Service Level: As determined by legislation and the local planning scheme

Service Level Change: Nil

Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

Nil

- Workforce Plan

Nil

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Hayes-Thompson

81515 That the Western Australian Planning Commission be advised that whilst the Shire of Merredin has no objection to the boundary adjustment to Lots 15207 and 20461 Chandler-Merredin Road, Merredin to create two lots of sizes 638.17ha and 206.52ha, that the lots fall within the 500m buffer zone for the landfill site and that development is subject to planning consent and may be restricted accordingly dependent on use.

CARRIED 6/0

Councillor Flockart declared a Financial Interest in this Agenda Item and left the meeting at 3.52pm.

12.3 Policy Review - Food Act 2008 Food Safety Compliance and Enforcement Policy

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	Rebecca Bowler, Environmental Health Officer
Legislation:	Food Act 2008, Local Government Act 1995
File Reference:	Policy Manual
Disclosure of Interest:	Nil
Attachments:	Amended - Food Act 2008 Food Safety Compliance and Enforcement Policy
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

At its November 2011 meeting Council resolved to advertise and implement a new policy "Food Act 2008 Food Safety Compliance and Enforcement" (CMRef 30767). An amendment to the policy was endorsed in February 2012 which included the definition of a Mobile Food Business and a range of fees and charges were adopted in reference to Activities on Thoroughfares and Public Places and Trading Local Law 1995 (CMRef 30833).

In 2015 there is a growing need to recognise the 'temporary food business' whose owner wishes to set up a food stall or the like on an infrequent basis and that does not draw their primary income from the sale of their food products. A food business' main priority should be the provision of 'safe and suitable food' under the provisions of the Food Act 2008 and all subsidiary legislation. (This will remain the case under the proposed 'low risk' temporary food business classification.) Therefore the policy has been reviewed.

There has also been some minor changes in relation to volunteers and their requirement to notify of certain activities. The amended policy is included at **Attachment 12.3A**.

Comment

Proposed conditions of a Temporary Food Business include:

1. subject to initial application procedure and regular surveillance inspections in accordance with the Shire of Merredin Food Act 2008 Food Safety Compliance and Enforcement Policy;
2. a Temporary Food Business will produce 'low risk' foods only;
3. exempt from the annual Low Risk food business surveillance fee;
4. exempt from the requirement to have their application approved by Council;
5. only allowed to operate a maximum of 15 times per annum (i.e. at monthly community markets and 3 other community events e.g. Merredin Show, Destination Merredin);
6. will only be able to operate within the bounds of the Shire of Merredin and will not be eligible to set up in any other local government jurisdiction; and
7. should the nature of the approved temporary food business change in any way, the Shire of Merredin must be notified of these changes. Re-notification or registration may be required.

Policy Implications

Changes as indicated to the Food Act 2008 Food Safety Compliance and Enforcement Policy.

Statutory Implications

Nil

Strategic Implications

Service Area: 3.1 Environmental Health

Activities: Food safety

Link to Vision: Liveable

Link to Strategic Priorities: Nil

Service Level: Inspections of commercial food businesses, based on risk; Food premise investigations on request

Service Level Change: No service level change

Service Area: 3.3 Town Planning

Activities: Home occupation licenses; General queries

Link to Vision: Liveable

Link to Strategic Priorities: Built heritage; Town enhancement

Service Level: As determined by legislation and the Local Planning Scheme

Service Level Change: Nil

Sustainability Implications

- [Asset Management Plan](#)

Nil

➤ Long Term Financial Plan

Nil

➤ Workforce Plan

Nil

Financial Implications

Nil

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Young

81516

- 1. That the Shire of Merredin advertise for a period of twenty eight (28) days in a local newspaper the following proposed amendment to the Shire of Merredin Food Act 2008 Food Compliance and Enforcement Policy to include the following definition of a Temporary Food Business:
 - a. A Temporary Food Business according to the Food Act 2008 is a food business set up as part of a one off event where temporary or permanent premises are used. The Shire of Merredin will provide the opportunity for low risk food businesses to participate in up to 15 events in one year within the bounds of the Shire of Merredin only. A Temporary Food Business will not be subject to the annual low risk food surveillance fee and will not be required to go to Council for approval, however the business will be registered with the Shire of Merredin and will be subject to the same rigorous approval protocols.****
- 2. That should no submissions be received, the policy be deemed amended and the Policy Manual amended as required.**

CARRIED 5/0

Councillor Flockart entered the meeting at 3.55pm.

12.4 Residential Use Policy - Rescind Home Occupation Policy

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	Rebecca Bowler, Environmental Health Officer
Legislation:	Local Planning Scheme No.6, Town Planning Regulations 1967, Planning and Development Act 2005
File Reference:	Policy Manual
Disclosure of Interest:	Nil
Attachments:	8.12-Home Occupation Policy (Sept 2000), revised Residential Use Policy (Feb 2015)
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Council considered this matter at its December 2014 meeting resolving in part (CMRef 81485):

"... staff investigate the number of other home occupation businesses in Merredin and review the Home Occupation Policy."

The review of the Home Occupation Policy has now been undertaken and a replacement policy is included at **Attachment 12.4A**. The original Policy 8.12 Home Occupation is included at **Attachment 12.4B**.

Comment

The Shire of Merredin's current Home Occupation Policy has been outdated by LPS 6 and its increased type of Residential Use definitions. Contradicting conditions and missing definitions make for a policy that does not meet the needs of current residential use trends.

The Shire requires a new and updated policy to ensure that there is a more concise, structured and standardised way of approaching all Residential Use development applications.

Policy Implications

The new Residential Use Policy will take the place of the old Home Occupation Policy (2000).

It should also be noted that a review of the new Residential Use Policy will be scheduled for July 2015 to coincide with the proposed changes to the Town Planning Regulations 1967 and Model Scheme Text B. The review will only slightly alter some Residential Use definitions (in principle the classifications of residential uses will not change).

Statutory Implications

Nil

Strategic Implications

Service Area: 3.3 Town Planning

Activities: Administration of Local Planning Scheme No 6; Home occupation licences

Link to Vision: Liveable

Link to Strategic Priorities: Town enhancement

Service Level/s: As determined by legislation and the Local Planning Scheme No.6

Service Level Changes: Nil

Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

Fees and charges- 5% increase per annum

- Workforce Plan

Nil

Financial Implications

Fee and charges for the applications and annual renewal will be determined in accordance with the Planning and Development Regulations 2009 and will be listed in the Shire of Merredin's annual fees and charges.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Willis

81517 That Policy 8.12 Home Occupation Policy be rescinded and replaced with the Residential Use Policy, as attached, and included in the Shire of Merredin's Policy Manual.

CARRIED 6/0

**12.5 9 French Avenue, Merredin - Residential Use - Home Occupation
Animal Emergency Hospital Room**

Development Services



Reporting Officer:	John Mitchell, EMDS
Author:	Rebecca Bowler, Environmental Health Officer
Legislation:	Shire of Merredin Residential Uses Policy (intended compliance), Shire of Merredin Home Occupation, LPS No. 6, Town Planning Regulations 1978, Planning and Development Act 2005
File Reference:	A1463
Disclosure of Interest:	Nil
Attachments:	Plans, forms and certificates
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Dr Andrea Roberts has been a registered and practicing Veterinary Surgeon under the Veterinary Surgeons Act 1960 for the past 16 years.

Over 11 of those years have been spent at the Merredin Practice, 29 Todd Street Merredin. During that time Dr Roberts was involved in the after hours care program which ran until about 2010, but has not been provided since. There is currently a void regarding the provision of emergency after hours care, obtainable only from Kalgoorlie, Northam (sporadically available) or Midland. The distance for many animal owners is excessive, expensive and time consuming, often proving fatal (time wise) for suffering animals.

Dr Roberts wants to be able to provide a mobile after hours and emergency service to the Central Wheatbelt area. For those isolated, distant farming locations and small townships with little to no access to veterinary assistance, this is an opportunity to be provided with a vital and much needed service.

Dr Roberts also seeks to set up (within the property's large shed) a basic hospital room in order to deal with animals that require emergency care but cannot access the required local veterinary practice until its operating hours allow it.

The mobile aspect of the service will most likely provide the local vet hospital with additional animals, delivered to be treated that would otherwise not be seen sooner or at all.

The hospital room is approximately 13m² in size and will have hospital grade wall and floor coverings to meet the Veterinary Surgeon's Board of Western Australia's approval and strict requirements. Dr Robert holds the required Poisons Permit and meets the requirement to have all medicines and sharps secured in an appropriate and secure vessel.

Comment

While under the Local Planning Scheme it is not required that the mobile business component of the application be approved by Council, in the interest of giving a holistic overview of the proposal both areas of the business have been included.

The Veterinary Surgeon's Board of Western Australia has already approved the mobile vet business aspect of the application Dr Roberts just needed to have a current Poisons Act Permit and a current veterinary surgeons certificate to pursue that aspect.

Dr Roberts has obtained signatures of support from the 5 neighbours directly surrounding the property. She has received 6 letters of support, 3 character references and over 98 signatures of support for her proposal (including two signatures from Merredin Veterinary Clinic staff in support of the provision of after-hours care).

Dr Roberts has provided the following information in relation to the proposal:

Traffic

- where possible animals will be seen at their own homes and transported to hospital room if required
- in rare occasions where animal is aggressive or recumbent and my husband is unavailable to assist the owners may be required to help
- or if owners are situated a great distance from Merredin
- working the after hours service here in Merredin before it stopped the vet consulted on average 1 to 2 animals in a week. Some of these were large animals and were visited at the clients premises.
- due to my mobile capabilities I will conduct consultations at the clients property unless the situation on the phone suggests the animal needs to be at a hospital immediately eg fitting dog or recumbent snake bite victim.
- so in conclusion traffic would potentially increase by 1 to 2 cars per week

Parking

- in the rare case of a client having to visit the premises there is ample space in our own driveway to accommodate

Noise Vehicles

- as one of the district vets while on call at Merredin vets if I had an animal in hospital I may have had to check up on it overnight multiple times as part of my normal job. By having the hospital room on our premises this would actually reduce the comings and goings of the car from the property. The average call outs after 9 pm at night would likely average out to be 1 every 3 to 4 months based on past history

Noise Related to Hospital Patients

- the animals to be housed in the hospital facility are only those needing intensive care eg snake bite victim, motor vehicle accident (there will be no boarders!)
- these animals are very unlikely to create noise problems as they are too sick to care or sedated as side effect of their pain medications
- if necessary and the dog is showing signs of distress and anxiety I have the facilities to sedate the patients which is often in their best interests
- it is not in my best interests to have the neighbourhood or our kids woken up
- the facilities will be manufactured by Bondor which is the materials utilised to manufacture cool rooms to allow for thermal insulation etc (I have included a quote for the construction of the room with this material and a brochure on the materials)

Odour

- there will be no odours affecting any surrounding area
- it will be treated similar to a human hospital room
- the sink and drains will be plumbed into sewerage system
- I am required by vet surgeons board regulations to provide a chest freezer to store bodies until they can be disposed of appropriately at your local tip or sent for cremation
- dogs walked or exercised on small area of lawn will be cleaned up immediately
- unless board give me special permission to perform anaesthesia in extenuating circumstances there will be no surgery or tissue off cuts. If by chance this eventuates the tissue will be frozen and disposed of appropriately
- the rubbish ie newspaper and trash will be bagged up in green rubbish bags and disposed of through normal rubbish collection services.
- there should be no odour issues but ventilation will be provided by putting a whirlybird extension from room to roof of shed

Standard of Living

- no change

Appearance

- there will be no advertisements externally
- my business cards and internet page have an after hours phone number and my PO Box only to minimise exposure to our unique situation
- the hospital room will be inside the walls of our residential shed so will not appear any different to how it looks now

Services

- not applicable

Scale Of Operation

- will be limited to one vet
- the hospital room will be limited to a single bank of cages which caters for 3 small animals on top and 2 larger animals on bottom
- on very rare occasions I may need help from my husband or an owner with difficult patients

Water

- there is cold water already supplied to shed so just needs plumbed up to sink and drain in hospital room
- deep sewerage and drain run down south side of shed so have designed plumbing to run along this same wall -if hot water is required I will get an instant hot water system put in?
- quotes from plumber are in process

Heating and cooling

- the material we are building the hospital room with is the same used for cool rooms so will have great thermal qualities
- I have included some product information on the wall and ceiling materials
- I have 2 options for extreme cold or heat. We have reverse cycle air conditioner which we took out of house as was too small however if we can't get anyone to install the backup is an oil heater and free standing air conditioner.

Caging

- the cages are to be stainless steel and as drawn into floor plan
- 3 small animals cages on top row and 2 larger cages for dogs on lower row

Provision for isolation

- I had decided not to provide an isolation facility as setting up separate room would be financially unsustainable
- as animals were mainly going to be assessed in their homes first the plan was to either refer contagious patients or treat them in their own homes until the local clinic opens

- there is already a rough bathroom in the shed which has running water, washing machine and toilet which if push comes to shove could house a contagious patient but weather would have to permit ie no extreme heat and be housed in a travel box? Suggestions

Ventilation

- whirlybird will be plumbed up to roof.

Power

- electrician is in process of quoting for the hospital room,
- it is located directly next to power board for shed so just needs designed and installed'

As indicated above, Dr Roberts has addressed the relevant Residential Use Policy overarching conditions/limitations.

This service would be filling a service void that does not currently exist between Merredin and Kalgoorlie, and Merredin and Midland.

Policy Implications

In anticipation of the new Residential Uses Policy being approved and endorsed by Council, Development Services have ensured that this 'Home Occupation' application is compliant with the new policy.

Statutory Implications

Nil

Strategic Implications

Service Area: 3.3 Town Planning

Activities: Home Occupation Licences

Link to Vision: Liveable

Link to Strategic Priorities: Town enhancement

Service Level: As determined by legislation and the Local Planning Scheme

Service Level Change: No service level change

Sustainability Implications

➤ [Asset Management Plan](#)

Nil

➤ [Long Term Financial Plan](#)

Fees and charges subject to change under the Planning and Development Regulations 2009.

➤ [Workforce Plan](#)

Nil

Financial Implications

Fees and charges applicable in accordance with Planning and Development Regulations 2009.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation

That, subject to final approval from the Veterinary Surgeon's Board of Western Australia for the establishment of the emergency hospital room, the application from the owner of 9 French Avenue, Merredin to establish a veterinary emergency hospital room classified as a 'Home occupation... on land around a dwelling by an occupier of the dwelling which:

1. does not employ any person not a member of the occupier's household;
2. will not cause injury to or adversely affect the amenity of the neighbourhood;
3. does not occupy an area greater than 20 square metres;
4. does not display a sign exceeding 0.2 square metres; (ie. 40cm x 50cm)
5. does not involve the retail sale, display or hire of goods of any nature;
6. In relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles;
7. does not involve the use of an essential service of greater capacity than normally required in the zone;' and
8. complies with the general residential use provisions/limitations set out in the Residential Use Policy

be approved.

Officer's Comment

The CEO advised Council that since the agenda was distributed additional information has been provided by the applicant, which results in the application being considered as a Home Business (50m²) as opposed to a Home Occupation (20m²) and it was proposed to amend the Officer's Recommendation accordingly.

Resolution

Moved: Cr Young

Seconded: Cr Willis

81518

That, subject to final approval from the Veterinary Surgeon's Board of Western Australia for the establishment of the emergency hospital room, the application from the owner of 9 French Avenue, Merredin to establish an veterinary emergency hospital room classified as a 'Home business... on land around a dwelling by an occupier of the dwelling which:

1. does not employ any person not a member of the occupier's household;
2. will not cause injury to or adversely affect the amenity of the neighbourhood;
3. does not occupy an area greater than 50 square metres;
4. does not display a sign exceeding 0.2 square metres; (ie. 40cm x 50cm)
5. does not involve the retail sale, display or hire of goods of any nature;
6. In relation to vehicles and parking, does not result in the requirement for a greater number of parking facilities than normally required for a single dwelling or an increase in traffic volume in the neighbourhood, does not involve the presence, use or calling of a vehicle more than 2 tonnes tare weight, and does not include provision for the fuelling, repair or maintenance of motor vehicles;
7. does not involve the use of an essential service of greater capacity than normally required in the zone;' and
8. complies with the general residential use provisions/limitations set out in the Residential Use Policy

be approved.

CARRIED 6/0

13.	Officer's Reports - Engineering Services
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Nil items to report

14. Officer's Reports – Corporate and Community Services

14.1 List of Accounts Paid

Corporate Services



Responsible Officer:	EMCS
Author:	David Burt
Legislation:	Local Government Act 1995 and Local Government (Financial Management) Regulations 1996
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	List of Accounts Paid
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

The attached List of Accounts Paid (**Attachment 14.1A**) during the month under Delegated Authority is provided for Council's information.

Comment

Nil

Policy Implications

As outlined in the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

Statutory Implications

As outlined in the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

Strategic Implications

Nil

Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

Nil

- Workforce Plan

Nil

Financial Implications

All liabilities settled have been in accordance with the Annual Budget provisions. It should be noted that outstanding Creditors total \$63,421.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Young

Seconded: Cr Hayes-Thompson

81519 That the schedule of accounts paid as listed, covering cheques, EFT's, bank charges, directly debited payments and wages, as numbered and totalling \$1,022,935 from Council's Municipal Fund Bank Account be received.

CARRIED 6/0

14.2 Monthly Finance Report

Corporate Services



Responsible Officer:	EMCS
Author:	David Burt
Legislation:	Local Government Act 1995 and Local Government (Financial Management) Regulations 1996
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Monthly Finance Report
Maps / Diagrams:	Nil

Purpose of Report

Executive Decision

Legislative Requirement

Background

The Monthly Finance Report is attached for Council's information (**Attachment 14.2A**).

Comment

Nil

Policy Implications

As outlined in the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

Statutory Implications

As outlined in the Local Government Act 1995 and Local Government (Financial Management) Regulations 1996.

Strategic Implications

Service Area: 5.3 - Governance and Corporate Services

Activities: Finance and Asset Management

Link to Vision: Developing

Link to Strategic Priorities: Civic Leadership

Service Level: Financial management meets all legislated requirements

Service Level Change: No service level change

Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

Compliance with the Local Government (Administration) Regulations 1996 and to also give Council some direction in regards to its management of finance over an extended period of time.

- Workforce Plan

Nil

Financial Implications

As outlined in **Attachment 14.2A**.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Willis

Seconded: Cr Young

81520 That the Monthly Finance Report for January 2015 be received.

CARRIED 6/0

15. Officer's Reports – Administration

Councillor Flockart declared an Impartiality Interest in this Agenda Item.

15.1 Reserves 44697 and 17767 – Lease of Land

Administration



Responsible Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	Local Government Act 1995
File Reference:	R44697; R17767
Disclosure of Interest:	Nil
Attachments:	Submission Received
Maps / Diagrams:	Reserve's location (Attachment 15.1A)

Purpose of Report



Executive Decision



Legislative Requirement

Background

At its April 2012 meeting Council resolved (CMRef 30856):

“That the Reserve 44697 and 17767 be advertised for lease for a period of three years expiring at the end of February 2015 and that the Chief Executive Officer be granted authority to award the tender.”

Subsequently the Reserves were leased to the Merredin Men's Shed at an annual fee of \$600. The Merredin Men's Shed were also responsible for the costs of preparing and maintaining the firebreaks to the Reserves.

As the current lease expires at the end of February 2015 expressions of interest (EOI) were called via an advertisement which appeared in the Merredin-Wheatbelt Mercury on 14 January 2015 with submissions closing on 30 January 2015.

Comment

One submission was received, from Merredin Men's Shed Inc, and is included in **Attachment 15.1B**.

While only the 1 submission was received it should be noted that in July 2009 Council resolved (CMRef 30072) to allow the Merredin Sports Club (MSC) to use Lot 502 Crooks Road, Merredin for the purposes of a community crop for the 2009/2010 season.

The MSC subsequently continued to use the land without permission up to and including the 2014 harvest. Correspondence was sent to the MSC on 5 January 2015 advising that the use of Lot 502 Crooks Road, Merredin would no longer be permitted due to other uses for the site having been identified. The MSC were further advised of the proposed advertisement and a suggestion that they consider submitting an EOI prior to the 30 January 2015 deadline should it see fit.

Policy Implications

Nil

Statutory Implications

Section 3.58 of the Local Government Act 1995 states the provisions under which the lease of land can be carried out.

Strategic Implications

Service Area: 4.1 Community Development

Activities: Heritage and culture

Link to Vision: Community Spirit, Inclusive, Liveable

Link to Strategic Priorities: Community involvement / support

Service Level: Support community groups

Service Level Change: Develop partnerships to better align resources in delivering the community's vision

Sustainability Implications

- [Asset Management Plan](#)

Nil

- [Long Term Financial Plan](#)

Nil

- [Workforce Plan](#)

Nil

Financial Implications

Approval of a lease over the Reserves will provide an annual revenue of \$600.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Crees

Seconded: Cr Young

81521 That Reserves 44697 and 17767 be leased to the Merredin Men's Shed Inc. for a period of three years expiring at the end of February 2018 at a cost of \$600 per year for the purposes of cropping and/or grazing with the costs of preparing and maintaining firebreaks during fire season to be borne by the Merredin Men's Shed Inc.

CARRIED 6/0

15.2 Policy Manual Review – Members of Council

Administration



Responsible Officer:	Greg Powell, CEO
Author:	Vanessa Green, EA to CEO
Legislation:	Local Government Act 1995
File Reference:	Policy Manual
Disclosure of Interest:	Nil
Attachments:	Altered Policies
Maps / Diagrams:	Nil

Purpose of Report



Executive Decision



Legislative Requirement

Background

Staff have reviewed the Members of Council policies with a tracked changes copy included in **Attachment 15.2A**.

Comment

The majority of changes are minor with no changes made to the intent of the policies. The review has also indicated that most policies are in line with those of comparable Councils.

It is proposed to include a new policy in relation to the corporate wardrobe applicable to new Councillors upon their election to Council.

Policy Implications

The Policy Manual will be updated as required.

Statutory Implications

Various sections of the Local Government Act 1995 and subsidiary legislation are applicable.

Strategic Implications

Service Area: Nil

Activities: Nil

Link to Vision: Nil

Link to Strategic Priorities: Nil

Service Level: Nil

Service Level Change: Nil

Sustainability Implications

- Asset Management Plan

Nil

- Long Term Financial Plan

Nil

- Workforce Plan

Nil

Financial Implications

Any costs associated with reimbursing Councillors or other costs associated with these Policies is included and made within annual budget provisions.

Voting Requirements



Simple Majority



Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Flockart

Seconded: Cr Young

81522 That Policies 1.1 to 1.15 as amended be endorsed and Policy 1.16 Corporate Wardrobe as presented be adopted.

CARRIED 6/0

16. Motions of which Previous Notice has been given

Nil

17. Questions by Members of which Due Notice has been given

Nil

18. Urgent Business Approved by the Person Presiding or by Decision

Nil

19. Matters Behind Closed Doors

In accordance with Section 5.23(2) of the Local Government Act 1995 Council went Behind Closed Doors to discuss matters concerning:

1. a matter affecting an employee or employees; and
2. a contract entered into, or which may be entered into, by the local government and which relates to a matter to be discussed at the meeting.

Resolution

Moved: Cr Young

Seconded: Cr Crees

81523 That Council move Behind Closed Doors at 4.21pm.

CARRIED 6/0

R McCall and S Lowe left the meeting at 4.21pm and did not return.

Resolution

Moved: Cr Hayes-Thompson

Seconded: Cr Young

81524 That Council return from Behind Closed Doors at 4.36pm.

CARRIED 6/0

19.1 Staff – Chief Executive Officer - Performance Review - 2014

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Hayes-Thompson **Seconded:** Cr Young

81525 That Council:

1. receives the Performance Review report and endorses the overall performance rating for the Chief Executive Officer, for the review period January 2014 to January 2015, of 'Satisfactory';
2. endorses the Key Result Areas and indicators for 2015; and
3. schedules the next review of performance to be commenced by 31 October 2015 and completed by 30 January 2016.

CARRIED 6/0

19.2 CEACA – Land Assembly Project

Voting Requirements

Simple Majority Absolute Majority

Officer's Recommendation / Resolution

Moved: Cr Hayes-Thompson **Seconded:** Cr Willis

81526 That:

1. the submission of a business case for funding of land assembly issues associated with the CEACA project to construct independent living units be endorsed; and
2. the preferred site for the initial stage of the development be the old North Merredin Primary School site.

CARRIED 6/0

20. Closure

There being no further business the President thanked those in attendance and declared the meeting closed at 4.38pm.