

SHIRE OF MERREDIN



“Heart of the Wheatbelt”

MINUTES OF ORDINARY COUNCIL MEETING

20 November 2012

MINUTES OF SHIRE OF MERREDIN COUNCIL MEETING HELD
TUESDAY 20 NOVEMBER 2012

INDEX

1.0	OFFICIAL OPENING	3
2.0	PUBLIC QUESTION TIME	3
3.0	APOLOGIES AND LEAVE OF ABSENCE	4
4.0	DISCLOSURE OF INTEREST	4
5.0	PETITIONS AND PRESENTATIONS	4
6.0	CONFIRMATION OF MINUTES	4
6.1	Ordinary Council Meeting	4
7.0	ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION	4
8.0	MATTERS FOR WHICH THE MEETING MAY BE CLOSED TO THE PUBLIC	4
9.0	RECEIVAL OF MINUTES OF COMMITTEE MEETINGS HELD SINCE THE PREVIOUS MEETING OF COUNCIL	5
9.1	Minutes of the Great Eastern Country Zone Meeting held 8 October 2012	5
9.2	Minutes of Wheatbelt East Regional Organisation of Councils Meeting held 24 October 2012	5
9.3	Minutes of the Bush Fire Brigade Pre-Season Meeting held 18 October 2012.....	5
10.0	DEVELOPMENT SERVICES	6
10.1	Draft Urban Development Plan.....	6
11.0	ENGINEERING SERVICES	8
12.0	CORPORATE AND COMMUNITY SERVICES	9
12.1	List Of Accounts Paid.....	9
12.2	Monthly Finance Report	10
12.3	Fees And Chareges - Merredin Swimming Pool	11
13.0	ADMINISTRATION	12
13.1	Proposed Burn Out Pad – MRC&LC.....	12
13.2	Pioneer Park – Reallocation Of Funds.....	15
13.3	MRC&LC Policy Updates.....	16
13.4	Council Meeting Dates - 2013.....	18
14.0	MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN	20
15.0	QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN	20
16.0	URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION	20
17.0	MATTERS BEHIND CLOSED DOORS	20
18.0	CLOSURE	20

MINUTES OF SHIRE OF MERREDIN COUNCIL MEETING HELD
TUESDAY 20 NOVEMBER 2012

**Minutes of the Ordinary Meeting of the Shire of Merredin held in the Council
Chambers, Corner King and Barrack Streets, Merredin on
Tuesday 20 November 2012 commencing at 3.00pm.**

ATTENDANCE:

Councillors:	D Crook	Shire President
	M Morris	Deputy Shire President
	BJ Anderson	
	RM Crees	
	DN Hayes-Thompson	
	KA Hooper	
	T McFarlane	
	D Morris	
W Wallace		
Staff:	G Powell	Chief Executive Officer
	L Wyatt	Executive Assistant to Chief Executive Officer
	M Ioppolo	Executive Manager of Development Services

1.0 OFFICIAL OPENING

The President declared the meeting open at 3.00pm. Messrs Victor London and Mario Ioppolo were present.

2.0 PUBLIC QUESTION TIME

Mr London advised Council he was confused about the application of refuse charges even though he had received a response from the CEO after his request for information at the March ordinary Council meeting.

Mr London believed the refuse charges were embedded in the rates and requested a further breakdown of Avon Waste's charges compared to what ratepayers are charged and how such charges are calculated and applied.

Mr London believed he had been told by a CEO in previous years, that rubbish bins were the property of the ratepayers and that this has now been changed to ownership remaining with Council. He also sought formal clarification about this.

The President advised Mr London that the CEO would again write to him to clarify his current query.

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr Crook requested a leave of absence for the December meeting

- 30998** Moved: Cr D Morris Seconded: Cr McFarlane
That Councillor Crook be granted leave of absence for the December 2012 Ordinary Council meeting.

CARRIED 9/0

4.0 DISCLOSURE OF INTEREST

Nil

5.0 PETITIONS AND PRESENTATIONS

Nil

6.0 CONFIRMATION OF MINUTES

- 6.1 Ordinary Council Meeting
Attachment 6.1A

Confirmation of the minutes of the Ordinary Council Meeting held on 16 October 2012.

- 30999** Moved: Cr D Morris Seconded: M Morris
Officer's Recommendation
That the minutes of the Ordinary Council Meeting held on 16 October 2012 be confirmed as a true and correct record of proceedings.

CARRIED 9/0

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

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

Nil

MINUTES OF SHIRE OF MERREDIN COUNCIL MEETING HELD
TUESDAY 20 NOVEMBER 2012

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

9.1 Minutes of the Great Eastern Country Zone Meeting held 8 October 2012

Attachment 9.1A

9.2 Minutes of Wheatbelt East Regional Organisation of Councils Meeting held 24 October 2012

Attachment 9.2A

9.3 Minutes of the Bush Fire Brigade Pre-Season Meeting held 18 October 2012

Attachment 9.3A

31000

Moved: Cr Wallace

Seconded: Cr Anderson

Officers Recommendations:

That the minutes of the Great Eastern Country Zone Meeting held 8 October 2012, the Wheatbelt East Regional Organisation of Councils Meeting held 24 October 2012 and the Bush Fire Brigade Pre-Season meeting held 18 October 2012 be received.

CARRIED 9/0

10.0 **DEVELOPMENT SERVICES**

10.1 **DRAFT URBAN DEVELOPMENT PLAN**

Reporting Department:	Development Services
Reporting Officer:	CEO
Legislation:	Planning & Development Act 2005, Local Planning Scheme No.6
File Reference:	LUP/5/13
Disclosure of Interest:	Nil
Attachment:	Urban Development Plan

Background

At the December 2011 Council meeting it was resolved that this item lay on the table until the January 2012 Council meeting. At the January Council meeting it was resolved:

30807 Moved: Cr Creeves Seconded: Cr Hayes-Thompson

Officer's Recommendation

That the draft Urban Development Plan be advertised for public comment.

CARRIED 9/0

The draft plan has not been advertised for public comment and given the extensive work undertaken by Council with regard to strategic planning, it was thought prudent to offer Council the opportunity to review the plan before progressing to the advertising period.

It is reproduced below.

At the ordinary meeting of Council held on 20 April 2010 Council resolved: -

CM Ref: 30299

That a provision of \$10,000.00 be included in the 2010/2011 Budget to retain consultants to undertake a Land Development Strategy incorporating a needs analysis, order of priority and development costs for land identified in the body of this report.

A draft report has been prepared (**Attachment 10.1A**).

Comment

The plan is a compilation of the outline development plans prepared by the Consultant (PlanWest) and Staff and reflects the views of those persons only.

Public consultation should of course include the wider community but also target specific groups including real estate agents and utility providers.

Statutory/Policy Implications

There are currently no statutory provisions which require the preparation of an urban development guide plan. Once complete the document could be adopted as an informing strategy to Council's integrated planning strategy.

It is recommended that subject to Council comment the draft document be advertised for public comment.

Financial Implications

Nil.

Officers Recommendation

- 1. That Council advise of any amendments it wishes to make to the original document.*
- 2. That the Draft Urban Development Plan be advertised for public comment to the end of January 2013.*

31001

Moved: Cr Anderson

Seconded: Cr Hooper

- 1. That Councillors advise the CEO by Friday 23 November 2012 of any amendments they wish made to the original document.*
- 2. That the amended Draft Urban Development Plan be advertised for public comment to the end of January 2013.*

CARRIED 9/0

11.0 ENGINEERING SERVICES

Nil items.

12.0 CORPORATE AND COMMUNITY SERVICES

12.1 LIST OF ACCOUNTS PAID

Reporting Department:	Finance & Administration
Reporting Officer:	Evelyn Arnold
	Finance and Administration
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 \$35,331.33.

31002

Moved: Cr D Morris

Seconded: Cr McFarlane

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 \$1,000,303.40 from Council's Municipal Fund Bank Account.

CARRIED 9/0

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**.

31003 Moved: Cr D Morris Seconded: Cr McFarlane

Officer's Recommendation

That Council receive the Monthly Finance Report for October 2012.

CARRIED 9/0

12.3 **FEES AND CHARGES - MERREDIN SWIMMING POOL**

Reporting Department: Finance & Administration
Reporting Officer: Evelyn Arnold
Legislation: Local Government Act 1995
File Reference:
Disclosure of Interest: Nil

Background

The Manager of Merredin Swimming Pool has requested a change to the fees and charges for the swimming pool. These changes will make the fees and charges clearer and thus easier to administer.

Comment

Listed below is a comparison between the current charge and the proposed change:

Description	Current Fees	Proposed Fees
Season Ticket - Family	\$225.00	Fee \$225.00, add the wording 2 Adults and 4 Children.
Season Ticket – Family additional Children	Not Included	\$10.00 per extra Child.

Statutory/Policy Implications

The Local Government Act 1995 allows for the imposition of fees and charges as outlined in section 6.16 and 6.17.

Financial Implications

There is the potential for increased use of and revenue from the pool.

31004

Moved: Cr Wallace

Seconded: Cr McFarlane

Officer's Recommendation

That Council adopt the changes to the fees and charges effective from 1 December 2012.

Absolute Majority Required.

CARRIED BY ABSOLUTE MAJORITY 9/0

13.0 ADMINISTRATION

13.1 PROPOSED BURN OUT PAD – MRC&LC

Reporting Department:	Administration
Reporting Officer:	CEO
Legislation:	Local Government Act 1995
File Reference:	RCS/04/41
Disclosure of Interest:	Nil
Attachments:	Responses from the Community

Background

Mr Geoff Wells has made several presentations to Councils in regard to a Bike, Tattoo and Car Show. The Show was to comprise a burn out competition requiring the construction of a burn out pad. The proposed location of the event was the MRC&LC.

At the December 2010 meeting the following was resolved and it was expected that Mr Wells would submit a proposal to Council indicating how he intended to meet the conditions listed below. No proposal was received.

- 30489 Moved Cr Wallace Seconded Cr Crook
That Council support in principle the proposal to hold a Merredin Bike, Tattoo and Car Show in March 2012 subject to the following conditions:
- 1. the organising committee becoming an incorporated group;*
 - 2. adequate insurance for the event provided by the organising committee;*
 - 3. the event being supported by the Police;*
 - 4. approval to conduct the event pursuant to the Public Building provisions of the Health Act 1911 including Management Plans for litter control, crowd control, risk management and security;*
 - 5. Liquor licence application and enforcement including crowd control and toilet facilities;*
 - 6. Environmental Protection Act – Environmental Noise Regulation 18 exemption;*
 - 7. food vehicles inspections and approvals;*
 - 8. provision of additional facilities, first aid, fire control and the like;*
 - 9. Council is provided with evidence that the funds raised were provided to the proposed recipients as the venue is provided free of charge; and*
 - 10. Council is recognised as a sponsor of the event in all publications and advertising.*

MINUTES OF SHIRE OF MERREDIN COUNCIL MEETING HELD
TUESDAY 20 NOVEMBER 2012

At the May 2011 Council meeting, a plan was submitted on behalf of Mr Wells indicating the site of the proposed burnout pad to be constructed and the following was resolved:

- 30616 Moved Cr Carr Seconded Cr Young
- 1) *That Council include proposed burn out pad in the Recreation Ground Master Plan subject to no adverse comments from surrounding residents.*
 - 2) *A letter be sent to surrounding residents for comments on having a burn out pad at the Merredin Recreation ground.*
 - 3) *That Mr Wells be asked to supply an estimated costing for construction of the pad in writing and what he expects from Council.*
 - 4) *That Mr Wells or his committee indicate how often the Burn out pad is expected to be used on a annual basis for community consultation purposes.*

CARRIED 7/1

The community surrounding MRC&LC was consulted and a response in the negative was received on the location of the burnout pad. The matter was again presented to the July 2011 Council where the following was resolved:

- 30663 Moved Cr Forbes Seconded Cr Townrow
Officer's Recommendation
That Mr Geoff Wells be advised that Council does not support the construction of a burnout pad within the recreation grounds because of concerns expressed by the community but that Staff will work with Mr Wells to identify alternate locations away from residential areas.

CARRIED 8/0

Mr Wells was advised of an alternative site located on Crooks Road and met on site with Mr Garrett (the previous EMES) to view and discuss the possibilities for the location.

At the August 2012 Council meeting briefing session Mr Wells again made a submission to Council regarding the burn out pad construction (Attachment 13.1 A). The matter was then presented to Council in September and the following was resolved:

- 30975 Moved: Cr Hayes-Thompson Seconded: Cr Wallace
Resolution
That prior to determining whether a burnout pad can be constructed at the MRC&LC or an alternative location, Council seek comment from all Shire residents on the basis that usage would be managed.

CARRIED 8/1

Comment

Community consultation has taken place and the responses are at **Attachment 13.1A**. The responses received, although greater in number, are not substantially different to those received in 2011. There is a majority response in the negative to the location being MRC&LC.

There is support for the concept but no proposals have been received from any clubs, associations or interested parties with regard to the formation and running of such an event or organisation. Without an overarching organisation prepared to undertake and manage a facility it makes it difficult to progress the concept unless Council determines it to be a community priority and allocates resources to a new project.

Statutory/Policy Implications

Nil

Financial Implications

It should be noted that Council has not made any provision towards any facility in the current budget.

31005

Moved: Cr M Morris

Seconded: Cr D Morris

Officer's Recommendation

That after consideration of the responses from the community on the proposal to construct a burn out pad at the MRC&LC Mr Geoff Wells be advised that Council does not support the proposal.

CARRIED 9/0

31006

Moved: Cr M Morris

Seconded: Cr McFarlane

That staff prepare a report of options for an area for development for motor sport outside the town boundary and it be presented to the February Council meeting.

CARRIED 6/3

13.2 **PIONEER PARK – REALLOCATION OF FUNDS**

Reporting Department: Administration
Reporting Officer: CEO
Legislation: Local Government Act 1995
File Reference:
Disclosure of Interest: Nil

Background

Council provided an allocation at account E113500 of \$30,000 to provide artificial turf and a retaining wall at the Pioneer Park together with some landscaping.

The artificial turf and the wall were installed and constructed in the previous financial year. Curtin University students undertook a community project and planted out the eastern end of the Park. The spend to date on this project is \$4,190.28. This includes reticulation installation. It is estimated that \$10,900 is still required on the park for further planting, labour and an interpretive panel.

The NRMCO secured a grant of approximately \$3,000 to secure and rebuild the islands in the “lake” in Roy Little Park. The grant is sufficient to purchase materials to prevent further erosion but funding is required to reshape the islands and fund labour and plant requirements.

Comment

From the above it is apparent that \$15,000 could be transferred from the Pioneer Park allocation to the Roy Little Park works to allow them to be undertaken in the current financial year as there is surplus funding from Pioneer Park.

Council approval is sought for the reallocation of funding.

Statutory/Policy Implications

Local Government Act 1995

Financial Implications

Nil

31007 Moved: Cr Crees Seconded: Cr Anderson

Officer’s Recommendation

That \$15,000 be reallocated from account E113500 Pioneer Park to permit remediation works to be undertaken on the islands in the lake at Roy Little Park.

CARRIED 6/3

Cr D Morris asked that her vote in the negative be recorded

13.3 **MRC&LC POLICY UPDATES**

Reporting Department:	MRC&LC
Reporting Officer:	Rebecca Hutton
Legislation:	
File Number:	Policy File
Attachments:	Current MRC&LC Policies

Background

The MRC&LC Policies are reviewed annually in September.

Comment

A review of all the MRC&LC policies has been undertaken in consultation with all staff members. There has been some minor changes recommended by MRC&LC staff to improve the implementation of these policies.

- 6.5 Designated Smoking Areas at the MRC&LC – change of Smoking prohibited from 5 to 10m from entrance doorways
- 6.6 Kitchen Costs for Clubs/Associations with MOU's – New item stating a charge of a fee (cost recovery) should kitchen be left in an unsatisfactory condition.
- 6.7 Function Room Costs for Clubs/Associations with MOU's – Three new items outlining the charge of a cleaning fee as above, including the use of staff for set-up and/or clean-up for club events, and exclusivity of the function room only for wind-ups.
- 6.10 Indoor Playground Food Policy – Additional comment to where children need to be seated to consume food 'on the vinyl flooring (not mats)'. The vinyl flooring is planned to be installed this year as outlined in the building maintenance budget.
- 6.12 Closure of the Grandstand Bar – Remove items listed as examples to the closure guidelines under licence as they no longer apply with new tavern licence.
- 6.13 Functions requiring alcohol – Simple change of wording and review month
- 6.14 Unconsumed Liquor – two additional comments in policy statement and guidelines as well as the removal of some wording due to the change in licence (i.e. takeaway facility). Change to review month.
- 6.15 Vandalism Policy – Change of review month
- 6.16 Donation of Hire Fees – Change of review month

All recommended changes to the policies have been highlighted in the document at **Attachment 13.3A**. Inclusions are highlighted in red.

Statutory Implications

Minor changes to the operational and governing policies of the MRC&LC

Financial Implications

Nil

Officer's Recommendation;

That the amendments to the policies for the Merredin Regional Community and Leisure Centre outlined in Attachment 13.3A be adopted.

31008

Moved: Cr Anderson

Seconded: Cr Wallace

Officer's Recommendation;

That the amendments to the policies for the Merredin Regional Community and Leisure Centre outlined in Attachment 13.3A be adopted subject to a further amendment to Policy 6.2 by replacing the word "guardian" with "supervisor".

CARRIED 9/0

MINUTES OF SHIRE OF MERREDIN COUNCIL MEETING HELD
TUESDAY 20 NOVEMBER 2012

13.4 **COUNCIL MEETING DATES - 2013**

Reporting Department:	Administration
Reporting Officer:	CEO
Legislation:	Local Government Act 1995
File Reference:	
Disclosure of Interest:	Nil

Background

In accordance with Regulation 12(1) of the *Local Government (Administration)*

Regulations 1996, at least once each year a local government is to give local public notice of the dates, times and place at which the Ordinary Meetings of Council are to be held in the next 12 months.

As such, the Shire of Merredin is required to advertise the meeting dates for the Ordinary Meetings of Council for 2013.

Comment

It is proposed, as in previous years, that the Ordinary Meetings of Council are to be held in the Shire of Merredin Council Chambers on Tuesdays commencing at 3.00pm.

The following 12 meeting dates are proposed for Ordinary Meetings of Council for 2013, to be held on the third Tuesday of every month, commencing at 3:00pm:

15 January 2013
19 February 2013
19 March 2013
16 April 2013
21 May 2013
18 June 2013
16 July 2013
20 August 2013
17 September 2013
15 October 2013
19 November 2013
17 December 2013

Statutory/Policy Implications

Nil

Financial Implications

Nil

MINUTES OF SHIRE OF MERREDIN COUNCIL MEETING HELD
TUESDAY 20 NOVEMBER 2012

31009

Moved: Cr M Morris

Seconded: Cr Anderson

Officer's Recommendation

That Council adopts the following Ordinary Council Meeting dates for 2013 with meetings to be held on the third Tuesday of each month, commencing at 3.00pm at the Shire of Merredin Council Chambers;

15 January 2013

19 February 2013

19 March 2013

16 April 2013

21 May 2013

18 June 2013

16 July 2013

20 August 2013

17 September 2013

15 October 2013

19 November 2013

17 December 2013

CARRIED 8/1

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

There being no further business the President declared the meeting closed at 4.07pm