

SHIRE OF MERREDIN



“Heart of the Wheatbelt”

MINUTES OF ORDINARY COUNCIL MEETING

18 MARCH 2011

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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 Friday 18 March 2011 commencing at 1.05pm.

ATTENDANCE:

Councillors: KA Hooper Shire President
RM Crees Deputy Shire President
P Forbes
M Morris
J Townrow
W Wallace
M Young

Apologies: A Carr
D Crook

Staff: G Powell Chief Executive Officer

1.0 OFFICIAL OPENING

The Shire President declared the meeting open at 1.05pm.

2.0 PUBLIC QUESTION TIME

Nil.

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr Carr and Cr Crook had tendered their apologies prior to the Council Meeting.

4.0 DISCLOSURE OF INTEREST

Cr Hooper declared a Proximity Interest in Agenda Item 12.1.

5.0 PETITIONS AND PRESENTATIONS

Nil.

6.0 CONFIRMATION OF MINUTES**6.1 Ordinary Council Meeting**

Confirmation of the minutes of the Ordinary Council Meeting held on 15 February 2011.

- 30564** **Officer's Recommendation / Resolution**
Moved Cr Townrow Seconded Cr Crees
That the minutes of the Ordinary Council Meeting held on 15 February 2011 be confirmed as a true and correct record of proceedings.

CARRIED 7/0

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Cr Hooper advised that he and the CEO had attended the Rural Health Forum in Perth earlier in the week. He considered it beneficial in raising the profile of the Wheatbelt with health professionals. He commented that a shortage of medical staff was apparent across the country. The attendance with WEROC of the Wheatbelt GP Network staff was helpful. He suggested that WEROC give consideration to further attendances at this forum.

Cr Forbes advised of her recent attendance at a strategic planning workshop with Staff.

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 Western Australian Local Government Association Great Eastern Country Zone Meeting held on 10 February 2011
Attachment 9.1A

Nil Recommendations to Council.

Officer's Recommendation

That Council receive the minutes of the Western Australian Local Government Association Great Eastern Country Zone Meeting held on 10 February 2011.

Resolution (en bloc)

- 30565** Moved Cr Young Seconded Cr Townrow
That Council receive the minutes and adopt the recommendations of the Western Australian Local Government Association Great Eastern Country Zone Meeting held on 10 February 2011, the Merredin Regional Community and Leisure Centre Committee Meeting held on 14 February 2011, the Central Wheatbelt Visitor Centre MOU Working Group Meeting held on 21 February 2011 and the Merredin Heritage Advisory Committee Meeting held on 24 February 2011.

CARRIED 7/0

9.2 Merredin Regional Community and Leisure Centre Advisory Committee Meeting held on 14 February 2011

Attachment 9.2A

Committee Recommendation

9.2.7.1 Rec Centre Fees

Moved Cr Donna Crook Seconded Simon Hutton
All membership fees be renewed annually as at 1st October each year. Six month \$25 fee structure pro rata will be taken for these fees to come in line with October renewal date during 2011.

CARRIED

Refer to **CMRef 30565** (Page 5) for information on this Committee Recommendation.

9.3 Central Wheatbelt Visitor Centre MOU Working Group Meeting held on 21 February 2011

Attachment 9.3A

Nil Recommendations to Council.

9.4 Merredin Heritage Advisory Committee Meeting held on 24 February 2011

Attachment 9.4A

Committee Recommendation

9.4.7.1 Railway Museum Projects

Moved Pam Masters Seconded Rob Endersbee
That the Merredin Heritage Advisory Committee requests Council allocate \$2,189 of the remaining budget to the Railway Museum for the provision of a stand for the Railway Station Model as outlined and supported in the Merredin Heritage Precinct Interpretation plan.

CARRIED 3/0

Refer to **CMRef 30565** (Page 5) for information on this Committee Recommendation.

Committee Recommendation9.4.7.2 Railway Museum Projects

Moved Pam Masters Seconded Rob Endersbee

1. *That the Merredin Heritage Advisory Committee request Council support the replacement of the dilapidated timber pathway leading into the Railway Museum with a paved pathway by utilising left over bricks from the Pioneer Park pathway.*
2. *That the Merredin Heritage Advisory Committee request Council include this works in the Council 'Scope of Works' with MAX Employment Work for the Dole project.*

CARRIED 3/0**Committee Recommendation**9.4.7.3 Railway Museum Projects

Moved Rob Endersbee Seconded Pam Masters

1. *That the Merredin Heritage Advisory Committee request Council support an amendment to the Pioneer Park Concept Plan in Year 1 to replace the proposed fencing alongside the drain that runs south alongside the park, with suitable native landscaping and reticulation.*
2. *That the Merredin Heritage Advisory Committee request Council include this works in the Council 'Scope of Works' with MAX Employment Work for the Dole project.*

CARRIED 3/0**Committee Recommendation**9.4.7.4 Military Museum Projects

Moved Pam Masters Seconded Rob Endersbee

That the Merredin Heritage Advisory Committee request Council include the 'Restoration work of the donated Military and Railway equipment' to the Council 'Scope of Works' with MAX Employment Work for the Dole project.

CARRIED 3/0

Note: The Scope of Works referred to in the above three recommendations (9.4.7.2 to 9.4.7.4) are included as an appendix to the Merredin Heritage Advisory Committee Minutes.

Committee Recommendation9.4.7.5 Rabbit Proof Fence Project

Moved Pam Masters Seconded Rob Endersbee
*That the Merredin Heritage Advisory Committee request
Council endorse in principle the No 1 Rabbit Proof Fence
sculpture as an entry statement sign for the eastern gateway to
the Shire of Merredin to the approximate value of \$30,000.*

CARRIED 3/0

Note: The design for the sculpture referred to in the above recommendation is included as an appendix to the Merredin Heritage Advisory Committee Minutes.

Refer to **CMRef 30565** (Page 5) for information on these Committee Recommendations.

10.0 COMMUNITY SERVICES

10.1 MERREDIN REGIONAL LIBRARY/CULTURAL CENTRE

Reporting Department:	Community Services
Reporting Officer:	Debbie Morris – Executive Manager, Community Services
Legislation:	Local Government Act 1995; Library Board of Western Australia Act 1951
File Reference:	CS/10/Library/Cultural Centre
Disclosure of Interest:	Nil
Attachments:	Reports – Ian Stone, Julie Turner, Wendy Porter; Katanning Library floor plan

Background

In May 2006, Mr Ian Stone, the Regional Manager of Library Services prepared a report for the Business and Community Development Committee outlining the future building options for the Merredin Regional Library. At that time, it seemed likely that the library would move into the old Shire Administration Offices which were to be vacated by the Merredin Telecentre. Mr Stone also outlined several other options which included retention of the library in its current location with no building changes; erecting additions to the current library building to increase the size, add public amenities and provide disabled access to the mezzanine floor and construct a new library building on another site. Ian's report was very detailed and provided a good overview of what would be required in a re-located library or new library building. This original report has been appended **Attachment 10.1A**.

In his report in 2006, Mr Stone commented that if the library was retained in its current location with no changes to the building *"The library services will continue to operate out of a small inadequate building with issues of no disabled access to the local history and other collections located on the mezzanine floor, limited space for activities, displays, in-library use and for collections and no public toilet or baby change facilities in the building."*

Mrs Julie Turner commenced as Regional Manager of Library Services in August 2008 and reviewed Mr Stone's report and stated that the circumstances listed in Mr Stone's report still existed.

In 2008 (**CMRef 29435**) Council supported the inclusion of a Library/Cultural Centre in the overall Concept Plan for the Central Business District. In 2009 a consultant was engaged to develop a CBD plan. The Plan was completed and adopted by Council in July 2009 (**CMRef 30067**). The Plan proposed a Cultural Precinct adjacent to the Cummins Theatre and Old Town Hall, which would be the proposed location for a new Library/Cultural Centre. The Plan identified the current Library location as Government Buildings Precinct.

In an endeavour to progress the Library/Cultural centre concept Mrs Turner undertook research on clients needs and the types of facilities that would be suitable for Merredin, which involved visits to Bunbury, Capel, Clarkson and Wanneroo in 2009 and Kalgoorlie, Armadale and Katanning in 2010. A report was prepared and is included in **Attachment 10.1B**.

The Librarian commenced at the Shire of Merredin in 2011 and in her opinion it is apparent that the disadvantages listed by Mr Stone in relation to the library building remain unchanged. There are also a number of Occupational Health and Safety issues that must be considered by Council which are outlined in **Attachment 10.1C**.

Comment

Merredin would greatly benefit from a modern, multifunctional facility that could be the hub of the community.

Reports from Regional Managers of Library Services, Mr Stone, Mrs Turner and myself outline the deficiencies with the current library in respect to the building and clients' needs as well as the Occupational Health and Safety issues. Mrs Turner's report also provides options for a new Library/Cultural Centre.

The CBD Plan proposes a new Library/Cultural Centre which may incorporate a library, community resource centre, meeting rooms and gallery within the proposed Cultural Precinct, as well as complimenting the Cummins Theatre.

\$100,000 was endorsed to be transferred to the CBD Redevelopment Reserve in October 2009 (**CMRef 30157**) which was to be used for an Engineering Design and Plans. No allocation was made in the 2009/2010 Budget for the commencement of any planning or community consultation in relation to the proposed new Library/Cultural Centre.

It is anticipated that to undertake the necessary community consultation and preparation of a basic concept plan for a Library/Cultural Centre, the cost would be in the vicinity of \$40,000. This figure is based on the cost in 2009 to have the CBD Plan prepared.

Statutory/Policy Implications

Nil.

Financial Implications

Nil.

Officer's Recommendation / Resolution

30566

Moved Cr Townrow

Seconded Cr Morris

That the information included in this Agenda Item 10.1 and Attachments 10.1A, 10.1B and 10.1C be noted and considered in greater detail when developing an implementation strategy for the CBD Plan.

CARRIED 6/1

10.2 MERREDIN'S HISTORY COLLECTION

Reporting Department:	Community Services
Reporting Officer:	Wendy Porter – Regional Manager, Library Services
Legislation:	Local Government Act 1995
File Reference:	RCS/8/History Collections
Disclosure of Interest:	Nil
Attachments:	Merredin Oral History Project / Dr Ken Spillman

Background

The Merredin Library currently holds two Oral History collections. One was compiled in 2004 and consists of approximately 20 transcripts from non indigenous residents and another collection compiled in 2007 consisting of approximately 20 transcripts from indigenous residents. These collections are housed in a cabinet in the library. The 2004 collections are listed in the Library's catalogue, however the 2007 documents do not appear to have been catalogued. The transcripts are in spiral bindings and those from 2007 have CD-Roms included in the back cover. The 2004 transcripts seem to be in spiral bound format, although some are in clear plastic sleeves that have cassette tapes and floppy discs with them.

In 2010 Dr Ken Spillman, one of Australia's most versatile and prolific authors, editors and critics and who wrote the original historian account – A History of Subiaco, was engaged by the Shire of Merredin to assess the oral history collections and report on "the potential of the material, and what kind of product would be best to make it available to a wider audience than it has at present". A copy of Dr Spillman's report is included in **Attachment 10.2A**.

Dr Spillman made a number of recommendations in his report. They are:

1. *"That a person with appropriate expertise and ideally local knowledge be engaged to index and correct the existing oral history transcripts.*
2. *That, once corrected, the existing transcripts be made available as Acrobat files accessed through a history tab on the Shire of Merredin's website.*
3. *That funding be sought to undertake a new phase of local history research with the goal of carefully selecting approximately fifteen further interviewees, undertaking the interviews and producing indexed transcripts.*

4. *That the Shire of Merredin solicits written contributions from past and present residents to create a parallel collection of source material. It may be possible to post extracts from these contributions on the Shire website under the envisaged history tab, and also to publish some as a series in the Shire newsletter.*
5. *That the Shire of Merredin works to augment any existing collection of historical photographs with others from private collections and copies of Battye Library photographs. The advice of the City of Albany may be useful here.*
6. *That the above measures be regarded as part of a 5-10 year plan to produce a heavily illustrated book of reflections on life in the Shire of Merredin across a specified number of decades, told through relatively brief extracts of text sourced from both transcripts and written contributions."*

Some research was undertaken by the previous Regional Manager of Library Services, Mrs Turner about creating a website to increase the availability of the oral histories to the general public including what physical and the human resources required. It would also be necessary to obtain permission from the participants for the histories to be available through the internet.

Comment

Dr Spillman's report was quite thorough, itemising each strength and weakness of the history collections. Dr Spillman was asked whether the oral histories might be used in a history book about Merredin. Dr Spillman believed that whilst the histories would be an invaluable resource for anyone writing a history of the area, in their current form they are unsuitable to form the basis of a book.

I would agree that before any method was decided upon for access to these histories that recommendation 1 *"That a person with appropriate expertise and ideally local knowledge be engaged to index and correct the existing oral history transcripts"* be considered first.

Rather than setting up a new website for the histories, Dr Spillman's recommendation of adding a history tab to the Shire of Merredin's website should be investigated further. Some of the histories may need to be converted to digital format, or as an alternative, just the transcripts could be made available digitally. In either circumstance further permissions would have to be arranged with the participants of the original project.

The remainder of the recommendations made by Dr Spillman would be dependent upon the Council's decision to continue with the collection of Merredin history.

The current local history collection at the library not only consists of the oral histories, but local newspapers on microfilm, articles and papers about local issues and events and a number of books.

Recommendations 4 and 5 from Dr Spillman suggest:

“That the Shire of Merredin solicits written contributions from past and present residents to create a parallel collection of source material. It may be possible to post extracts from these contributions on the Shire website under the envisaged history tab, and also to publish some as a series in the Shire newsletter.”

“That the Shire of Merredin works to augment any existing collection of historical photographs with others from private collections and copies of Battye Library photographs. The advice of the City of Albany may be useful here.”

It may be possible to take advantage of programmes being offered such as “Tales of Times Past” to assist in augmenting the collection of oral histories.

If the Shire decides to continue collecting local material then it may be worthwhile looking further into the creation of a dedicated local history website. Consideration would also need to be given about housing of a local history collection as at present the library has inadequate storage or facilities for such an endeavour.

Council may need to consider a budget allocation for Merredin’s History Collections once programmes and funding has been investigated by the Regional Manager of Library Services.

The Shire of Merredin Strategic Plan 2007- 2012 reference:

1.2 Recognise and conserve Merredin’s history and heritage

1.2.2	<p>Enhance the role of the Library & Museums in collecting, preserving & presenting Merredin’s history & heritage:</p> <ul style="list-style-type: none"> • Local History Collection (written & photographic) • Oral History • Indigenous History • Moveable heritage collections
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Statutory/Policy Implications

Nil.

Financial Implications

Nil.

Officer's Recommendation / Resolution**30567**

Moved Cr Townrow Seconded Cr Forbes

That Council support in principle the recommendations made by Dr Ken Spillman as presented in Attachment 10.2A and that the Regional Manager of Library Services research programmes and funding that may be available to enhance the current local history collections for Council's consideration.

CARRIED 7/0

10.3 **MERREDIN COMMUNITY CHRISTMAS PARTY**

Reporting Department:	Community Services
Reporting Officer:	Rebecca Hutton – Project Officer
Legislation:	Nil
File Reference:	RCS0306
Disclosure of Interest:	Nil
Attachments:	Report

Background

The Community Christmas Party was held at the Merredin Regional Community and Leisure Centre (MRC&LC) on 18 December 2010 with a large number of people, particularly families, attending.

This was the first year the event was held at the MRC&LC in lieu of previous Gala Night activities in Barrack and Bates Street.

Comment

The Project Officers involved in the event have completed a debrief report into the organisation and activities of the event and this is included in **Attachment 10.3A**.

Statutory/Policy Implications

Nil.

Financial Implications

Council budgeted \$4,625 in the 2010/2011 Budget at Account E132330 for a Community Christmas event with an expected income of \$2,000 at Account I132051.

Officer's Recommendation / Resolution

30568 Moved Cr Morris Seconded Cr Forbes
That Council allocate funding in the 2011/2012 Budget and future Budgets for the Community Christmas Party.

CARRIED 6/1

10.4 ALLOCATION OF DRY SEASON ASSISTANCE SCHEME FUNDING

Reporting Department:	Community Services
Reporting Officer:	Rebecca Hutton – Project Officer
Legislation:	Nil
File Reference:	GS0233
Disclosure of Interest:	Nil
Attachments:	Catalogue and Quote

Background

At its December 2010 meeting Council resolved (**CMRef 30514**):

“That Council allocate the \$20,000 2010 Dry Season Assistance Scheme funding to:

- 1. a free concert to follow the Merredin Community Show on 16 April 2011 - \$3,000;*
- 2. the Eastern Districts Football League Men’s Health Night on 3 February 2011 - \$5,000; and*
- 3. \$12,000 to an event(s) to be determined pursuant to community consultation.”*

In line with part 3 of the above resolution consultation forms were distributed throughout the community calling for submissions. Two responses have been received:

1. disco for youth in years 7 – 12 (around the 12 -17 year age group); and
2. drive-in movies at the Merredin Regional Community and Leisure Centre.

Discussions with a Merredin Blue Light Disco Committee Representative indicated that this particular age group do not participate in the Disco’s organised by the Committee. The respondent declined to organise the event and it would appear that the event would not be a success.

As part of the Youth Week celebrations the Shire will be hosting an Outdoor Cinema at Roy Little Park.

Several surrounding Shires (Corrigin, Kalannie and Wickpin) have their own ‘Indoor/Outdoor Cinema’ systems. In discussions with these Shires regarding the equipment, they have all recommended Victorian based company, Smart Digital, for the equipment and a catalogue for this equipment is included in **Attachment 10.4A**.

The company have quoted the 'SmartCinema Package' in the Parkview Series which includes:

1. 5m inflatable screen;
2. blower (outdoor grade), tethers, stakes and tarp;
3. SmartBox Road Case (with commercial DVD player with digital TV tuner), Behringer professional audio mixer, and a dual diversity professional radio micro;
4. all cables;
5. Behringer powered speakers;
6. speaker stands and carry bag;
7. Optoma DLP digital Projector; and
8. additional 'Indoor' blower.

Comment

The quote for the SmartCinema Package is (including freight and GST) \$13,248 (**Attachment 10.4B**). This also includes an upgrade to a 5000 lumens projector which will allow for a better resolution. If at any time in the future an event required projection on an alternative surface it would give a good quality image up to 10m wide, but includes the short projection lens for the smaller screen use, and an indoor blower to use indoors for venues such as the Theatre or MRC&LC (indoor playground).

Friends of Cummins Theatre (FOCT) have indicated their plans to purchase a projector for Cummins Theatre for the purpose of conducting cinema/movie type events. FOCT has agreed to offer \$5,000 (excluding GST) toward the purchase of this system. It is proposed to allocate up to \$8,300 of the available \$12,000 in funds from the Dry Season Assistance Scheme to go toward the rest of this purchase.

The system is wholly portable and therefore could be used at any venue within the Shire.

Discussions with the Department of Agriculture, who is responsible for the administration of this funding, have confirmed that the purchase of cinema equipment fits the criteria of the funding and may have more sustainable outcomes for the community than a one off event.

Statutory/Policy Implications

Nil.

Financial Implications

An \$8,300 allocation from the Dry Season Assistance Scheme funding. This would leave \$3,752 available for allocation to other events.

Officer's Recommendation

That Council set aside \$8,300 from the funding received via the Dry Season Assistance Scheme to go toward the cost of an 'Outdoor Movie System' from Smart Digital for use at multiple Shire venues.

Resolution**30569**

Moved Cr Townrow

Seconded Cr Forbes

That Council set aside up to \$8,300 from the funding received via the Dry Season Assistance Scheme to go toward the cost of an 'Outdoor Movie System' from Smart Digital for use at multiple Shire venues and the amount of \$3,752 to the Ladies Day Organising Committee for a women's health and well-being course.

CARRIED 6/1

11.0 DEVELOPMENT SERVICES

11.1 BURRACOPPIN SPORTS PAVILION, RESERVE 18745 WHITE ROAD – PUBLIC BUILDING – CONDITION REPORT

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Public Building Regulations 1992, Building Code of Australia 2010, Food Act 2008
File Reference:	R18745
Disclosure of Interest:	Nil
Attachments:	Report and Cost Estimates

Background

Inspections of the Burracoppin Sports Pavilion have been completed. The reports and cost estimates are contained in **Attachment 11.1A**.

Comment

The kitchen is considered substandard and should be renovated to meet the minimum standards of the Food Act 2008.

The remainder of the building requires a thorough clean and addressing of the issues relevant – e.g. trip hazards, burn hazards and compliance with the Public Building Regulations 1992. Fire extinguishers were serviced in March 2011.

There is no lease agreement with the Burracoppin group (incidentally a similar situation exists with the Muntadgin Hall).

A lease would have defined lessee and lessor obligations. If the occupant/lessor does not comply the Health Act 1911 places the obligation on the owner of the building i.e. Council.

Statutory/Policy Implications

Compliance with the Health (Public Building) Regulations 1992 is required. Council insures the building.

Financial Implications

The estimate is \$220,000.

Officer's Recommendation / Resolution

30570

Moved Cr Young

Seconded Cr Morris

That the issues regarding the standard of the Burracoppin Sports Pavilion be noted and referred to the Burracoppin Progress Association for comment prior to Council finalising its position on the matter.

CARRIED 7/0

11.2 LAND PURCHASE – ADVICE OF VALUATION RESERVES 28563 AND 36065

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Local Government Act 1995 – Section 3.59
File Reference:	R28563, R36065
Disclosure of Interest:	Nil
Attachments:	Valuation and Map

Background

In late November 2009 following a meeting with the Wheatbelt Regional Manager of the Department of Regional Development and Lands correspondence was sent requesting a valuation of the above two reserves.

Reserve 28563 contains the existing Merritville. Reserve 36065 has been the subject of Council discussions relating to extensions to Merritville Aged Accommodation.

A copy of the valuation and locality map are contained in **Attachment 11.2A**.

Comment

The cost to purchase Reserve 36065 is \$200,000.

There are other options for development including changing the purpose of the Reserves to Aged Accommodation and leasing the land. 28563 is vested with Council for parking.

Statutory/Policy Implications

As the land purchase is preparatory to entering a major undertaking a business plan must be prepared in accordance with Section 3.59 of the Act.

Financial Implications

No provision for the purchase of the land has been included within the forward plan of the Shire of Merredin.

Officer's Recommendation

- 1. That Council advise the Department of Regional Development and Lands that the offer to purchase Reserves 36065 and 28563 is declined at this time.*
- 2. That the Honourable Minister's approval be sought to change the vesting of Reserve 28563 (parking) to Aged Accommodation with power to lease.*

Resolution

30571 Moved Cr Townrow Seconded Cr Young
That the matter lay on the table until the April Meeting of Council.
CARRIED 7/0

REASON: To allow the Merrittville Committee Inc. to seek its own advice in relation to the matter.

11.3 LAND PURCHASE - UNALLOCATED CROWN LAND – DAVIES AND LEFROY STREETS, MERREDIN

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Local Government Act 1995
File Reference:	LUP/13/8 (New File – Davies & Lefroy Street)
Disclosure of Interest:	Nil
Attachments:	Correspondence and Map

Background

Correspondence has been received from the Department of Regional Development and Lands seeking guidance on proposed development within the Merredin town-site with a view to Council purchasing the lots for development purposes.

A copy of the correspondence and an aerial map are contained in **Attachment 11.3A**.

Previous advice to the Department was that the decision to develop was dependent on a final compilation of design overlays for residential development within the tow site.

Comment

Council considered a report at its September 2010 meeting and resolved (CMRef 30418):

“That the proposed development priority for the outline development plans is:

- 1. Whitfield Way Stage 2 – 12 lots;*
- 2. Cohn Street, Stage 2, 3 and 4 of Carrington Way development – 85 lots;*
- 3. Kitchener Road, Pool Street and Woolgar Avenue – 61 lots;*
- 4. northern residential area excluding Lots 1442 and 1443 – 463 lots;*
- 5. Caw Street – 16 lots;*
- 6. Davies Street and environs excluding the existing Reserve area - 33 lots existing;*
- 7. Old Goldfields Road rear of industrial area - 89 lots;*
- 8. Fifth Avenue area – 277 lots.”*

Council has placed the development of Davies and Lefroy Streets as a low priority.

Development of the 33 lots within the Davies Street precinct can occur through the Land-Corp or a private developer. An overlay plan must be submitted and approved by the Shire of Merredin prior to commencement of works.

Statutory/Policy Implications

Development of the land would require the preparation of a business plan pursuant to Section 3.59 of the Local Government Act 1995.

Financial Implications

Funding for the project has not been included within the long term financial planning projections.

Development costs are estimated at \$50,000 per block or \$1.7 million dollars.

Officer's Recommendation / Resolution**30572**

Moved Cr Townrow

Seconded Cr Morris

- 1. That the Department of Regional Development and Lands be advised that Council does not seek to be the developer of the unallocated crown land within Davies and Lefroy Streets, Merredin at this time.**
- 2. That the Shire of Merredin does not oppose development of the unallocated crown land within Davies and Lefroy Streets, Merredin by a third party.**

CARRIED 7/0

11.4 LOCAL LAWS – WASTE LOCAL LAW 2011 – FINAL ADOPTION

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Local Government Act 1995
File Reference:	LL/8/New File – Waste Local Law 2011
Disclosure of Interest:	Nil
Attachments:	Local Law

Background

The process of gaining Department of Environment approval commenced in June 2009 after Council resolved to consider a local law for the control of waste and waste collection.

In January 2010 Council resolved to make the local law – Waste Local Law 2011 which was subsequently submitted to the Department. A copy of the amended local law is contained in **Attachment 11.4A**.

Comment

It is a requirement of the Local Government Act that at a Council meeting the person presiding is to give notice to the meeting of the purpose and effect of any proposed local law including any amendment. The Local Government (Functions and General) Regulations 1996 Part 1A-Local Laws, prescribe the following:

“Notice of purpose and effect of proposed local law - s. 3.12(2)

For the purpose of section 3.12, the person presiding at a council meeting is to give notice of the purpose and effect of a local law by ensuring that -

(a) the purpose and effect of the proposed local law is included in the agenda for that meeting; and

(b) the minutes of the meeting of the council include the purpose and effect of the proposed local law.”

The intended Purpose and Effect of the Waste Local Law 2011 are:

Purpose: The purpose of this local law is to provide for the administration of waste services, the establishment, provision, use and control of receptacles for the deposit and collection of waste and related matters.

Effect: The effect of this local law is to control the collection and disposal of waste for the benefit of the community and protection of the environment.

Statutory/Policy Implications

No public submissions were received during the advertising period which occurred in 2009. The time delay has been caused by ongoing persistent review by the Department of Environment and Conservation who on two occasions withdrew support after providing the departmental conditional approval letters.

Section 3.12(5) of the Local Government Act 1995 requires that the local law now be advertised as adopted and published in the Government Gazette.

In addition copies of the local law are to be provided to the Minister for Local Government and the Minister for Environment.

Financial Implications

Gazettal costs are estimated at \$1,000.

The Shire President read aloud the Purpose and Effect of the proposed Local Law.

Officer's Recommendation / Resolution

30573 Moved Cr Townrow Seconded Cr Young

- 1. That the Shire of Merredin resolves to make the Local Law – Waste Local Law 2011 as presented in Attachment 11.4A, the purpose and effect of which is:**

Purpose: The purpose of this local law is to provide for the administration of waste services, the establishment, provision, use and control of receptacles for the deposit and collection of waste and related matters.

Effect: The effect of this local law is to control the collection and disposal of waste for the benefit of the community and protection of the environment.

- 2. That the adopted Local Law – Waste Local Law 2011 be advertised and gazetted in accordance with Clause 3.12(6) and (7) of the Local Government Act 1995.**
- 3. That the Minister for Environment and the Minister for Local Government be provided with copies of the adopted local law – Waste Local Law 2011.**

CARRIED 7/0

12.0 ENGINEERING SERVICES

Cr Hooper declared a Proximity Interest in this Agenda Item 12.1 and left the Council Chamber at 2.10pm. Cr Crees assumed the Chair.

12.1 2011/2012 FIVE YEAR ROAD PROGRAM

Reporting Department:	Engineering Services
Reporting Officer:	Jim Garrett – Executive Manager, Engineering Services
Legislation:	Local Government Act 1995
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	5 Year Road Program

Background

To assist Council in adopting the 2010/2011 road works program for budget purposes, a draft 5 year road program (**Attachment 12.1A**) is developed annually by the Executive Manager of Engineering Services.

Included in the five year road program are the proposed:

1. road works;
2. drainage works;
3. footpath works; and
4. road maintenance budget allocations.

Funding for the 2011/2012 road program comes from grants from the Regional Road Group (RRG) funding pool, Roads to Recovery (R2R2) and Council's own resources (OR).

Road that are funded from RRG grants are on a $\frac{2}{3}$ RRG and $\frac{1}{3}$ OR.

R2R2 road grants are fully funded by R2R2 but may be "topped up" with OR.

Comment

RRG road grant funds for the 2011/2012 financial year (as endorsed by the RRG at its February 2011 meeting) are:

Chandler Road	\$118,801
Robertson Road	\$160,585
Merredin-Narembeen Road	\$91,225

The Merredin-Naremben Road may be funding from the Main Roads WA program to upgrade roads affected by rail closures. Should this eventuate it is recommended that the funds be re-allocated to Chandler Road. It is expected that Robartson Road will be completed with the above funding.

The Totadgin Hall Road Intersection Black Spot funding application of \$214,937 is still awaiting approval.

Statutory/Policy Implications

Nil.

Financial Implications

The Program will be included in the 2011/2012 Draft Budget.

Officer's Recommendation / Resolution

- 30574** Moved Cr Townrow Seconded Cr Morris
That Council adopts the 2011/2012 Draft Five Year Road Program as presented in Attachment 12.1A for consideration in the 2011/2012 Budget.

CARRIED 6/0

Cr Hooper returned to the Meeting and assumed the Chair at 2.17pm.

13.0 FINANCE AND ADMINISTRATION

13.1 MONTHLY FINANCE REPORT

Reporting Department:	Finance and Administration
Reporting Officer:	Sharon Grayston – Acting Executive Manager, Finance and Administration
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 13.1A).

Statutory/Policy Implications

Local Government Act 1995 and Financial Management Regulations.

Financial Implications

As outlined in Attachment 13.1A.

Officer's Recommendation / Resolution

30575 Moved Cr Townrow Seconded Cr Crees

That Council receive the Monthly Finance Report for February 2011.

CARRIED 7/0

13.2 **LIST OF ACCOUNTS PAID**

Reporting Department:	Finance and Administration
Reporting Officer:	Sharon Grayston – Acting Executive Manager, Finance and Administration
Legislation:	Local Government Act 1995 and Financial Management Regulations
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	List of Accounts Paid

Background

The attached List of Accounts Paid (**Attachment 13.2A**) 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.

Officer's Recommendation / Resolution

- 30576** Moved Cr Young Seconded Cr Townrow
That Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$106,959.70 and amounts directly debited from Council's Municipal Fund Bank Account BSB066-518 Account Number 000-000-10 totalling \$247,203.99 and outstanding creditors totalling \$49,923.02.

CARRIED 7/0

13.3 POLICY MANUAL REVIEW – NEW POLICY - PARENTAL LEAVE

Reporting Department:	Finance and Administration
Reporting Officer:	Sharon Grayston – Acting Executive Manager, Finance and Administration
Legislation:	Nil
File Reference:	Council Policy Manual
Disclosure of Interest:	Nil
Attachments:	Policy

Background

The Government's new paid parental leave (PPL) scheme received Royal Assent on 14 July 2010. This scheme applies from 1 July 2011 and will provide eligible working parents with 18 weeks of "Parental Leave Pay" at the National Minimum Wage (currently \$570 per week before tax). The scheme is open to parents of children born or adopted after 1 January 2011.

Comment

The draft new Policy proposed is presented in **Attachment 13.3A** and outlines the Shire's and employee's responsibilities and entitlements in relation to paid and unpaid parental leave.

Subject to the terms of this policy, employees are entitled to unpaid maternity, paternity and adoption leave in connection with the birth or adoption of a child according to the provisions stated in the Local Government Industry Award 2010. These provisions apply to full time, part time and eligible casual employees, but do not apply to other casual employees.

Statutory/Policy Implications

This is a proposed new policy which meets the requirements of the *Local Government Industry Award 2010* and the National Employment Standards.

Financial Implications

Nil.

Officer's Recommendation / Resolution

30577 Moved Cr Young Seconded Cr Townrow
That Council endorse the draft Parental Leave Policy as presented in Attachment 13.3A.

CARRIED 7/0

13.4 CONSTITUTIONAL RECOGNITION OF LOCAL GOVERNMENT

Reporting Department:	Administration
Reporting Officer:	Greg Powell – Chief Executive Officer
Legislation:	Local Government Act 1995; Australian Constitution
File Reference:	G/09/01
Disclosure of Interest:	Nil
Attachments:	Correspondence

Background

Correspondence has been received from the Australian Local Government Association (ALGA) advising that Prime Minister Gillard has committed to holding a referendum on the constitutional recognition of local government, most likely as part of the 2013 Federal election process (**Attachment 13.4A**).

Comment

ALGA are seeking to establish the position of local governments Australia-wide and have indicated a draft resolution for adoption by Councils which will be used to form a combined declaration for presentation at the 2011 National General Assembly of Local Government on 22 June 2011.

Statutory/Policy Implications

Nil.

Financial Implications

Nil.

Officer's Recommendation / Resolution**30578**

Moved Cr Crees

Seconded Cr Townrow

That Council declares its support for the financial recognition of local government in the Australian Constitution so that the Federal Government has the power to fund local government directly and also for the inclusion of local government in any new Preamble to the Constitution should one be proposed, and calls on all political parties to support a referendum by 2013 to change the Constitution to achieve this recognition.

CARRIED 7/0

13.5 LOCAL GOVERNMENT COMPLIANCE AUDIT RETURN 2010

Reporting Department:	Administration
Reporting Officer:	Greg Powell – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	GR/17/19
Disclosure of Interest:	Nil
Attachments:	Compliance Audit

Background

The 2010 Local Government Compliance Audit Return for the Shire of Merredin is attached (**Attachment 13.5A**).

The Compliance Audit Return is to assist Councils monitor how their organisation is functioning. Council is required to note the areas of non-compliance and endorse appropriate remedial action.

Comment

The Return is required to be presented to Council for adoption before its submission to the Department of Local Government. The audit period is 1 January 2010 to 31 December 2010.

Statutory/Policy Implications

Regulations 14 and 15 of the Local Government (Audit) Regulations 1996 indicate the Local Government is to carry out a Compliance Audit for the period 1 January to 31 December in each year.

Officer's Recommendation / Resolution

- 30579** Moved Cr Townrow Seconded Cr Young
That Council adopt the 2010 Local Government Compliance Audit Return for the Shire of Merredin as presented in Attachment 13.5A and submit the certified copy to the Director General of the Department of Local Government.

CARRIED 7/0

13.6 REVIEW OF COUNCILLOR REPRESENTATION

Reporting Department:	Administration
Reporting Officer:	Greg Powell – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Discussion Paper

Background

At its January meeting, Council resolved (**CMRef 30539**):

“That Council undertake a review of Councillor Representation and the review finalised in order to fit in with the time constraints of the 2011 Local Government election process and to allow maximum time to promote and publicise the change.”

Comment

Subsequently, a Discussion Paper was prepared outlining the various options for representation. A copy of the paper is included in **Attachment 13.6A**. The options outlined in the paper are as follows:

1. maintain the current system of representation with 9 councillors and no wards.
2. reduce the number of councillors to 7 and no wards.

The review was widely advertised through local media.

At the time the agenda was prepared no written submissions have been received. At the Annual Electors Meeting, the matter was discussed with the opinion of the elector who raised the topic being that the status quo should remain. If submissions are received prior to the Council meeting they will be tabled.

Statutory/Policy Implications

Local Government Act 1995.

Financial Implications

Nil at this time but savings would be achieved if the number of Councillors is reduced.

Officer’s Recommendation

That Council determine its position on Councillor Representation based on the options outlined above.

Resolution

30580

Moved Cr Townrow

Seconded Cr Young

That Council's Representation remain unaltered at nine (9) elected members.

CARRIED 4/3

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 DECISION16.1 Evening Council Meetings - Trial

Moved Cr Morris

Seconded Cr Forbes

That the April Meeting of Council commence at 6.30pm to allow Council to consider whether it wishes to amend its procedure to permit meetings being held of an evening.

LOST 3/4

17.0 MATTERS BEHIND CLOSED DOORS

Nil.

18.0 CLOSURE

There being no further business the Shire President declared the meeting closed at 3.04pm.