

# SHIRE OF MERREDIN



*“Heart of the Wheatbelt”*

**MINUTES OF COUNCIL MEETING**

**16 FEBRUARY 2010**

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**MINUTES**

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**Minutes of the Ordinary Meeting of the Shire of Merredin held in the Council Chambers, Corner King and Barrack Streets, Merredin on Tuesday 16 February 2010 commencing at 1.00pm.**

**ATTENDANCE:** Cr KA Hooper – Shire President  
Crs D Crook, P Forbes, A Hooper; M Morris; J Townrow; W Wallace; M Young

G Powell, Chief Executive Officer; V Green, Executive Assistant to Chief Executive Officer; J Mitchell, Executive Manager of Development Services and D Morris, Executive Manager of Community Services

Peter Arnold, Doug Geier, Lesley Geier and Audine McCrae of the Lions Club

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1.0 OFFICIAL OPENING

The Shire President declared the meeting open at 1.00pm.

Peter Arnold, Doug Geier, Lesley Geier and Audine McCrae and Debbie Morris, Executive Manager of Community Services, were in attendance.

Cr Young entered the meeting at 1.02pm.

2.0 PUBLIC QUESTION TIME

Doug Geier addressed Council on behalf of the Lions Club regarding operational procedures at the recycling depot. The main points of discussion were:

1. The use of a Shire loader twice monthly on weekends, with or without a driver;
2. Whether empty Shire trucks going to Perth are able to load and deliver recyclables for the Lions Club;
3. What grant funding is available for recyclables and to assist in the operation and development of the depot;
4. What items are being disposed of at the Landfill site;
5. Whether the Lions Club would be charged to dispose of waste at Landfill site following 1 July 2010; and
6. The zoning of recycling depot and whether the zoning allowed for further development of the depot to sort recyclables.

The Lions Club were advised that these questions would be taken on notice and answers would be provided from the Administration. It was further advised that a meeting would be arranged with relevant officers to discuss the matters raised.

**MINUTES**

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Peter Arnold, Doug Geier, Lesley Geier and Audine McCrae left the meeting at 1.17pm and did not return.

3.0 APOLOGIES AND LEAVE OF ABSENCE

Cr Cree has been granted Leave of Absence for the February 2010 Meeting (CMRef 30209).

4.0 DISCLOSURE OF INTEREST

Cr Young declared a Proximity Interest in Agenda Item 11.2.

Cr Morris declared an Impartiality Interest in Agenda Item 13.5.

5.0 PETITIONS AND PRESENTATIONS

5.1 Elizabeth Vlok, Community Perspectives

Elizabeth Vlok was scheduled to address Council in relation to the Aged Accommodation Strategy Seniors Survey Report Summary however was unable to attend the meeting due to illness. It was proposed that Elizabeth could address Council at a later meeting.

6.0 CONFIRMATION OF MINUTES

6.1 Previous Council Meeting

Confirmation of the minutes of the previous Council meeting held on 19 January 2010.

**Officer's Recommendation**

*That the minutes of the ordinary Council meeting held on 19 January 2010 be confirmed as a true and correct record of proceedings.*

**30240**

Moved Cr Morris

Sec Cr Young

*That the minutes of the ordinary Council meeting held on 19 January 2010 be confirmed as a true and correct record of proceedings.*

**CARRIED 8/0**

7.0 ANNOUNCEMENTS BY THE PERSON PRESIDING WITHOUT DISCUSSION

Nil

**MINUTES****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 Heritage Management Committee Meeting held on 28 January 2010  
**Attachment 9.1A**
- 9.2 Western Australian Local Government Association Great Eastern Country Zone Meeting held on 28 January 2010  
**Attachment 9.2A**
- 9.3 Wheatbelt East Regional Organisation of Councils Executive Meeting held on 3 February 2010  
**Attachment 9.3A**
- 9.4 Merredin Local Emergency Management Committee Meeting held on 10 February 2010  
**Attachment 9.4A**

**Officer's Recommendation**

*That Council receive the minutes of the Heritage Management Committee Meeting held on 28 January 2010, the Western Australian Local Government Association Great Eastern Country Zone Meeting held on 28 January 2010, the Wheatbelt East Regional Organisation of Councils Executive Meeting held on 3 February 2010 and the Merredin Local Emergency Management Committee Meeting held on 10 February 2010.*

**30241**

Moved Cr Townrow

Sec Cr Forbes

*That Council receive the minutes of the Heritage Management Committee Meeting held on 28 January 2010, the Western Australian Local Government Association Great Eastern Country Zone Meeting held on 28 January 2010, the Wheatbelt East Regional Organisation of Councils Executive Meeting held on 3 February 2010 and the Merredin Local Emergency Management Committee Meeting held on 10 February 2010.*

**CARRIED 8/0**

9.1 Merredin Heritage Management Committee8.1 Merredin Heritage Precinct Interpretation Plan

Moved P Masters                      Sec A Parker  
*That the Merredin Heritage Management Committee recommend to Council that Council adopt the Merredin Heritage Precinct Interpretation Plan – Attachment 8.1A.*

CARRIED 4/1

Moved Cr Morris                      Sec Cr A Hooper  
*That Council adopt the Merredin Heritage Precinct Interpretation Plan as shown in Attachment 8.1A of the Merredin Heritage Management Committee Minutes of 28 January 2010.*

**AMENDMENT**

**30242** Moved Cr Townrow                      Sec Cr Forbes  
*That the word “adopt” be replaced with the word “receive” and that the words “and that the matter be bought back to the March 2010 Council Meeting” be added after the word “2010”.*

**CARRIED 6/2**

**THE AMENDMENT THEN BECAME THE MOTION**

**30243** Moved Cr Townrow                      Sec Cr Forbes  
*That Council receive the Merredin Heritage Precinct Interpretation Plan as shown in Attachment 8.1A of the Merredin Heritage Management Committee Minutes of 28 January 2010 and that the matter be bought back to the March 2010 Council Meeting.*

**CARRIED 7/1**

**REASON:** Councillors wanted further time to assess the implications of the Merredin Heritage Precinct Interpretation Plan.

John Mitchell, Executive Manager of Development Services, entered the meeting at 1.34pm.

9.2 Western Australian Local Government Association Great Eastern Country Zone

Nil Recommendations to Council

9.3 Wheatbelt East Regional Organisation of Councils Executive

Nil Recommendations to Council

9.4 Merredin Local Emergency Management Committee

Nil Recommendations to Council



10.0 COMMUNITY SERVICES

Nil Recommendations to Council

Debbie Morris, Executive Manager of Community Services, left the meeting at 1.43pm.

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**11.0 DEVELOPMENT SERVICES**

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**11.1 RESTRICTIVE COVENANT – CARRINGTON WAY LOTS –  
DEFINITION OF UNDER MAIN ROOF CARPORT**

<b>Reporting Department:</b>	Development Services
<b>Reporting Officer:</b>	John Mitchell – Executive Manager, Development Services
<b>Legislation:</b>	Nil
<b>File Reference:</b>	LUP/5/1

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**Background**

An application to construct a residence on the lots within the Carrington Way development has been received.

It appears to be the intent of the owner to construct a skillion roofed carport adjacent to a preformed transportable. This has raised an interpretation issue with the intent of the words – “under the main roof”.

A copy of the restrictive covenant is contained in **Attachment 11.1A**.

**Statutory Implications**

The restrictive covenant applies to Lots 208 – 237 Carrington Way and McGinniss Way.

Council prepared a restrictive covenant which included the statement in clause 1.3 that “carports and garages are under the dwelling main roof”.

In addition clause 1.4 permits the establishment of 1 x 46m<sup>2</sup> outbuilding on each lot.

**Financial Implications**

There are no financial implications to the Shire of Merredin.

**Comment**

Within the building industry “under main roof” implies that the entire roof structure encompasses the dwelling and garaging area. A skillion attachment at the gutter or plate height is not, by definition, under the main roof.

The use of the 46m<sup>2</sup> outbuilding permitted to be constructed is not stated and the storage of caravans or vehicles would not be contrary to the intent of the restrictive covenant. However, clause 1.3 implies that carports/garages should be under the dwelling main roof and not attached.

**Officer's Recommendation**

*That for development of Lots 208 – 237 Carrington Way and McGinniss Way, Merredin the definition of “under main roof” in the restrictive covenant does not include a skillion carport or garage attached at the gutter or plate height level and that the roof must be continuous over the dwelling and car parking structure.*

John Mitchell, Executive Manager of Development Services, advised Council that further investigations revealed additional options were available to resolve this matter.

**30244**

Moved Cr Townrow

Sec Cr Morris

*That the matter of the definition of “under main roof” in the restrictive covenant be referred back to the Administration to seek legal advice on removing clause 1.3c of the restrictive covenant and take steps to do so if the legal advice supports Council's intent.*

**CARRIED 8/0**

**MINUTES**

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Cr Young declared a Proximity Interest in this Agenda Item 11.2 and left the room at 2.06pm.

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11.2 **RESERVE 42082 – OVERLAY OF DEVELOPMENT – CONSENT OF COUNCIL SOUGHT**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell – Executive Manager,  
Development Services  
**Legislation:** Planning and Development Act 2005, Local  
Government Act 1995 – Sec3.59  
**File Reference:** LUP/13/R42082

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**Background**

At its January 2010 meeting Council resolved (**CMRef 30223** and **CMRef 30224** respectively):

*That the Administration:*

- 1. pursue as a priority the acquisition of Reserve 42082 for residential development and prepare an overlay of the development for Council consideration as a three stage project; and*
- 2. prepare a 5 year plan for the development of residential and industrial land in Merredin, promoting land identified in the Report.*

*That Council take steps to acquire freehold title to Reserve 44697.*

Two plans have been prepared by the Planning Consultant, Mr Bashall. An overlay removing the internal road (Cohn Street) is shown in **Attachment 11.2A**. **Attachment 11.2B** contains Cohn Street continuation.

**Statutory Implications**

Prior to actively pursuing the acquisition of the Reserve 42082 an overlay must be approved by Council to demonstrate a need for the land. A subdivisional overlay is valid for two years and Council must submit a subdivisional application to the Western Australian Planning Commission.

**Financial Implications**

For estimate purposes Council constructed Carrington Way lots for approximately \$50.00/m<sup>2</sup>. Upwards of 100 lots can be created within the Reserve.

This estimates the costs of construction at \$2.7 million for the entire development.

**Comment**

Council input to the design of the subdivision of Reserve 42082 is requested.

Council has also sought for the Administration to acquire Reserve 44697. Direction is requested please. Prior to preparing a submission to the Department to acquire the land an overlay must be prepared. Is the land to be subdivided purely into residential lots?

Once the information is provided an overlay of Reserve 44697 can be budgeted within the 2010/2011 Budget process and the process of acquisition commenced.

**Officer's Recommendation**

1. *That development of Reserve 44697 be limited to residential land of sizes ranging from 600m<sup>2</sup> to a size that supports the establishment of two dwellings on one lot.*
2. *That budget provision be made in the 2011/2012 Budget for the purchase of Reserve 44697.*
3. *That Council adopt the plan as shown in Attachment 11.2A for development of Reserve 42082 and that the project be planned for release over four stages.*

**30245**

Moved Cr Forbes

Sec Cr Townrow

*That Council adopt the plan as shown in Attachment 11.2A for development of Reserve 42082 and that the project be planned for release over four stages.*

**CARRIED 7/0**

**30246**

Moved Cr Townrow

Sec Cr Wallace

*That budget provision be made in the 2011/2012 Budget for the purchase of Reserve 44697 and that the Administration provide a residential subdivision development overlay to the March 2010 Council meeting.*

**CARRIED 7/0**

**REASON:**

Council wanted to vary the size of the lots within the development of Reserve 44697.

**MINUTES****11.3 WHITFIELD WAY STAGE TWO DEVELOPMENT –  
CONFIRMATION OF DESIGN AND PREPARATION**

**Reporting Department:** Development Services  
**Reporting Officer:** John Mitchell – Executive Manager,  
 Development Services  
**Legislation:** Local Government Act 1995  
**File Reference:** LUP/13

**Background**

At its October 2008 meeting Council resolved (**CMRef 29725**) to adopt plan 11.6B which incorporates all development within Council owned and freehold land. Council has also requested estimates of construction of the development.

At its November 2008 meeting Council resolved (**CMRef 29773**) to include the development of Whitfield Way Stage Two in the 2009/2010 Budget and that the Administration could commence planning of the development in March 2009.

The matter is presented to Council again as there appeared to be disagreement and/or confusion with the approved plans. A copy of the proposed subdivision appends in **Attachment 11.3A**.

**Statutory Implications**

The provisions of the Local Government Act 1995, section 3.59 and the Planning and Development Act 2005 are applicable.

The overlay must be submitted to the Western Australian Planning Commission for approval.

**Financial Implications**

Based on estimates of construction costs of the Carrington Way subdivision, the following is provided:

<b>Proposed Works Program</b>	<b>Estimate of Costs</b>
Power costs (\$9,200.00 per block)	\$120,000.00
Water Costs (\$5,000.00 per block)	\$60,000.00
Headworks Component (\$10,000.00 per block)	\$120,000.00
Surveyor (estimate)	\$20,000.00
Engineer Costs	\$75,000.00
Contingencies	\$100,000.00
Land purchase costs or value	Zero – to be included within sale price calculations

**MINUTES**

<b>Proposed Works Program Cont...</b>	<b>Estimate of Costs Cont...</b>
Fencing	Incentive to be considered by Council
Road Construction	\$100,000.00
Geotechnical report	\$20,000.00
Planning Costs	\$5,000.00
<b>Totals</b>	<b>\$620,000.00</b>

Note:

1. Road systems will require the realignment of the existing Goldfields Road which is not on the correct alignment;
2. Does not allow for a drainage easement or for drainage of the Reserve to the north of the proposed development; and
3. Does not allow for bitumen roads through the development.

Subdivisional costs are estimated at \$620,000.00 or \$51,666.00 per block.

Based on the above information the preparation of a business plan is required. A business plan will be prepared and presented to the Council meeting.

There are limited funds to commence the project immediately. Does Council seek for the project to commence as planning is complete or budget for commencement in July 2010?

### **Comment**

Council endorsement of the subdivision plan is requested.

The issue of the provision of a bitumen road around Whitfield Way has also been raised. Does Council seek to include a bitumen road to the Stage One and Two developments?

Does Council seek to provide fences as an incentive to this project? The Shire of Merredin Fencing Local Law Schedule 3 requires a minimum of a cookies fence construction.

A land valuation will be obtained for the existing land to be included in the sale costs.

Does Council seek to auction the lots?

### **Officer's Recommendation**

1. *That the plan of the subdivision incorporating all construction within Lot 1335 Whitfield Way, Merredin and creating 12 separate lots be adopted as the approved plans of development for Whitfield Way Stage Two.*
2. *That the Whitfield Way Stage Two development include bitumen road systems to the existing subdivision (Stage One) and the new road to be created.*

3. *That each lot be fenced in accordance with the provisions of the Shire of Merredin Fencing Local Law Schedule 3.*
4. *That the Administration ensure the project, Whitfield Way Stage Two, is construction ready in July 2010 and that appropriate budget provision be made within the 2010/2011 Budget.*

Cr Young entered the meeting at 2.50pm.

Moved Cr Wallace

Sec Cr Townrow

1. *That the plan of the subdivision incorporating all construction within Lot 1335 Whitfield Way, Merredin and creating 12 separate lots be adopted as the approved plans of development for Whitfield Way Stage Two.*
2. *That the Whitfield Way Stage Two development include bitumen road systems to the existing subdivision (Stage One) and the new road to be created.*
3. *That each lot be fenced in accordance with the provisions of the Shire of Merredin Fencing Local Law Schedule 3.*
4. *That the Administration ensure the project, Whitfield Way Stage Two, is construction ready in July 2010 and that appropriate budget provision be made within the 2010/2011 Budget.*

**MOTION WITHDRAWN**

**REASON:** This Agenda Item will be considered at the March 2010 Council Meeting when the Administration has considered amended plans for the subdivision.

John Mitchell, Executive Manager of Development Services, left the meeting at 2.57pm.



12.0 ENGINEERING SERVICES

Nil Recommendations to Council

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**13.0 FINANCE AND ADMINISTRATION**

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**13.1 MONTHLY FINANCE REPORT**

**Reporting Department:** Finance and Administration  
**Reporting Officer:** Emma Growden – Executive Manager, Finance and Administration  
**Legislation:** Local Government Act 1995

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**Comment**

The Monthly Finance Report is attached for Council's information. (Attachment 13.1A).

**Officer's Recommendation**

*That Council receive the Monthly Finance Report for January 2010.*

**30247**

Moved Cr Morris

Sec Cr Crook

*That Council receive the Monthly Finance Report for January 2010.***CARRIED 8/0**

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**13.2 LIST OF ACCOUNTS PAID**

<b>Reporting Department:</b>	Finance and Administration
<b>Reporting Officer:</b>	Emma Growden – Executive Manager, Finance and Administration
<b>Legislation:</b>	Local Government Act 1995 and Financial Management Regulations

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**Background**

The attached List of Accounts Paid (**Attachment 13.2A**) during the month under Delegated Authority is provided for Council's information.

**Statutory 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**

*That Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$146,955.17 and amounts directly debited from Council's Municipal Fund Bank Account BSB 066-518 Account Number 000-000-10 totalling \$256,870.72 and outstanding creditors totalling \$124,064.35.*

**30248**

Moved Cr Young                      Sec Cr Crook

*That Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$146,955.17 and amounts directly debited from Council's Municipal Fund Bank Account BSB 066-518 Account Number 000-000-10 totalling \$256,870.72 and outstanding creditors totalling \$124,064.35.*

**CARRIED 8/0**

**MINUTES**

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**13.3 FUNDING ALLOCATION REQUEST – PROFESSIONAL VALUATION SERVICES**

<b>Reporting Department:</b>	Finance and Administration
<b>Reporting Officer:</b>	Emma Growden – Executive Manager, Finance and Administration
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	CP/20

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**Background**

In line with the recent requirements for Councils to assess their sustainability came the realisation that many Councils do not have an accurate list of their assets or accurate valuations for these properties. This is an issue when preparing financial statements, preparing asset management plans and in ensuring that assets are appropriately insured.

AVP Valuers in conjunction with Local Government Insurance Services (LGIS) have prepared a quotation for the valuation of all Land, Building and Equipment for the Shire of Merredin. This quotation is prepared on a regional basis and totals \$22,150.00 plus travelling, accommodation and GST. Any additional items added to the revaluation schedule will be at a cost of \$300.00 per property. Records of any such valuations for the Shire of Merredin have not been able to be located, raising the conclusion that such re-valuation has not occurred in recent times.

Per discussion with Jodie Connell, LGIS, AVP Valuers services will be subsidised by a value of 40% by LGIS, payable directly to AVP Valuers. The Shire of Merredin also currently has a credit of \$10,202.00 in the LGIS Members Experience Account that we can apply to these valuation charges.

This would result in a net cost to Council of approximately \$3,100.00 plus travelling and accommodation costs.

**Statutory Implications**

An absolute majority of Council is required to determine expenditure not designated in the Budget.

**Financial Implications**

Acceptance of this quotation would require an additional budget allocation of approximately an additional \$8,000.00 from Account *E042304* (currently over budget by \$230.00).

**Officer's Recommendation**

*That Council accept the quotation from AVP Valuers for \$22,150.00 plus travelling, accommodation and GST, and commence the revaluation process for Councils Land, Buildings and Improvements, to be funded from Account E042304.*

ABSOLUTE MAJORITY REQUIRED

**30249**

Moved Cr Young

Sec Cr Wallace

*That Council accept the quotation from AVP Valuers for \$22,150.00 plus travelling, accommodation and GST, and commence the revaluation process for Councils Land, Buildings and Improvements, to be funded from Account E042304.*

**CARRIED 8/0  
ABSOLUTE MAJORITY**

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**13.4 HINES HILL PROGRESS ASSOCIATION 2009/2010 COUNCIL CONTRIBUTION**

<b>Reporting Department:</b>	Administration
<b>Reporting Officer:</b>	Greg Powell – Chief Executive Officer
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	RCS/4/36; Res11108

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**Background**

Council conducted a community forum in Hines Hill on 15 April 2009. A copy of the notes from that forum are included in **Attachment 13.4A**. At that forum members of the community indicated they were keen to develop a Progress Association, the idea of which was supported by Council. Since then the Hines Hill Progress Association (HHPA) have become Incorporated and conduct regular meetings and activities.

During the 2009/2010 Budget deliberations it is believed Council considered the allocation of \$4,000.00 to the HHPA, similar to the allocations made for both the Burracoppin and Muntadgin Progress Associations. This was advised verbally to the HHPA during their meetings in July 2009 and August 2009 (**Attachment 13.4B**), however the allocation has not been included in the 2009/2010 Budget.

The HHPA have written to Council requesting the funds, assistance in clearing some dead trees in the townsite and permission to undertake some works at the Hines Hill Pioneer Cemetery (**Attachment 13.4C**). The Administration has written a letter of support to the HHPA to undertake the works at the Cemetery as the Reserve is vested in the Shire of Merredin and the clearing of the trees has been forwarded to the Executive Manager of Engineering Services for his attention.

**Statutory Implications**

An absolute majority of Council is required if Council wishes to allocate these funds for the HHPA.

**Financial Implications**

There are funds available within the Heritage Budget at Account *E116120* for this project as the allocations made within this account are not expected to be fully expended.

**Comment**

In a short period of time the HHPA has achieved quite a lot and appear to be an active group interested in progressing the Hines Hill townsite and area.

**Officer's Recommendation**

*That Council allocate \$4,000.00 from Account E116120 to the Hines Hill Progress Association.*

ABSOLUTE MAJORITY REQUIRED

**30250**

Moved Cr Forbes

Sec Cr Morris

*That Council allocate \$4,000.00 from Account E116120 to the Hines Hill Progress Association.*

**CARRIED 8/0  
ABSOLUTE MAJORITY**

**MINUTES**

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Cr Morris declared an Impartiality Interest in this Agenda Item 13.5.

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13.5 **REVIEW OF MEMORANDUM OF UNDERSTANDING – MERREDIN COMMUNITY RESOURCE CENTRE**

**Reporting Department:** Administration  
**Reporting Officer:** Greg Powell – Chief Executive Officer  
**Legislation:** Local Government Act 1995  
**File Reference:** CM/9/1

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**Background**

At its December 2009 Meeting, Council resolved that this matter lay on the table for a period of two months to allow for further investigations (**CMRef 30205**). It would appear from the Minutes of the December Meeting that the major issue of contention was the retention by Council of 80% of surplus revenue.

During January 2010, the Chief Executive Officer was briefed by the Chair of the Merredin Resource Centre Management Committee (RCMC) and subsequently discussed Resource Centre operational procedures with Administration, Merredin Regional Community and Leisure Centre and Resource Centre staff.

**Comment**

The Chief Executive Officer has further reviewed the draft revised Memorandum of Understanding (MoU) and sought comment from the Chairman of the RCMC.

As can be seen from the revised draft MoU (**Attachment 13.5A**), it is proposed that Council retain 20% of all revenue received by the Resource Centre to offset administration costs associated with financial management, payroll and reporting of the Resource Centre's activities. It should be noted that Council bears responsibility for a portion of the employment costs as well as overheads associated with the premises.

The point of contention in the revised MoU is the "profit sharing" arrangements.

It is argued on behalf of the RCMC that:

*"Our grants must be acquitted against the reason they were given. We cannot acquit them to include a fee payable to the Shire. For this reason, all grant income would need to be exempt from any commission to the Shire. These would include, but not be limited to the following:*



1. *Wages, Infrastructure, Projects, Training, Advertising, Promotion.*
2. *The commissions we currently receive from clients such as ATO, Vet Affairs and Westnet would also be exempt.*
3. *It is our proposal that income covering operating costs such as phone, internet connection etc should also be exempt, and this money is payable to the Shire of Merredin. This is approximately \$2,000.*
4. *An amount of \$2,500 to cover the cost of stationery etc is also requested to be quarantined.”*

Analysis of revenue attributed to the Resource Centre is Council's accounts indicates that if the above proposal is agreed to approximately \$ 6600 would be the subject of any “commission” over a two and half year period. It could be argued that any commission would be so negligible as to not warrant collection.

It is also submitted by the Resource Centre:

*“It must also be kept in mind that any member of the Merredin Regional Community & Leisure Centre is entitled to a 20% discount on any services provided by the Resource Centre. This came about because people were questioning what benefits they received by being a member of the MRC&LC.*

*This arrangement was implemented by the Resource Centre as a show of recognition of the assistance provided to it by the Shire of Merredin. This also effectively reduces the amount of profit the Resource Centre can make on these transactions by 20%. The Shire makes \$50.00 per membership while the Resource Centre provides the discount on its services.*

*Our preference is to have an amount of money quarantined from Shire Commission to enable the Resource Centre to undertake projects to allow the Centre to generate an income. It is our proposal that we share the **profit** from these projects with the Shire of Merredin.*

*In summary, our total grant funding currently totals approximately \$40,000 for wages, and \$25,000 for Infrastructure, training etc. While our commissions from external contracts currently amount to about \$5,000. In total the cost of simply opening the doors to operate the Resource Centre is about \$75,000, most of which is covered by grants. Approximately \$10,000 per annum is required as a basis to fund projects to generate a profit.”*

There are some operational issues that have emerged during review of the MoU. They are:

#### Fees and Charges

Resource Centre fees and charges are included in Council's adopted Schedule. For ease of administration and to grant some autonomy and flexibility to the Resource Centre it is proposed that the fees and charges be deleted from Council's Schedule.

#### Financial Arrangements

Because of the current close links with Council policy and fees, there has been a close relationship and stewardship of the Resource Centre financial activities. If Council resolves to remove the fees and charges from its Schedule, it is proposed that a "bookkeeping service" be put in place that will purely process and report on transactions authorised by the Resource Centre. This will reduce the administrative burden and associated costs.

#### Staff Reporting Structures

Some confusion is apparent in that the Resource Centre Manager reports to and takes direction from both Council staff and the RCMC. It is proposed that with the reduction of involvement by Council staff that the Resource Centre Manager reports to and takes direction from solely the RCMC.

The aspirations of the Resource Centre are outlined below. It is suggested that the initiatives outlined above will support those aspirations.

#### *"Future Shire – Resource Centre Partnership*

*As a Resource Centre, our aim is to operate out of an independent facility which we envisage to be much larger than the one we have at the MRC&LC. To do this we need to develop as an organisation.*

*We believe that that the Resource is a great asset to the Shire of Merredin, and we are keen to improve that relationship by becoming an integral part of the Community Development area by running events and developing volunteerism etc. The Resource Centre has the ability to access external funding that Local Government cannot.*

*If we can move into a larger facility it would also open up greater opportunities for both organisations. One suggestion could be that the Resource Centre take over the DPI vehicle licensing from the Shire, which would free up space at the Shire while providing a steady guaranteed income for the Resource Centre. It would also introduce a large number of people to the other services the Resource Centre can offer.*

*We are unaware of the current lease arrangements for the old Shire Offices, where we were previously a tenant, but if it were to become available, it would be our first preference as a new location. The current Government want Resource Centres and the Development Commissions to work closely together.*

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*The Wheatbelt Development Commission is currently a tenant in the same building.*

*Martin Morris*

*Chair – Merredin Community Resource Centre”*

Review

The draft document currently provides for a bi-annual review. As some of the changes proposed may impact on the operation of Resource Centre in both a positive and negative manner, it is proposed that the review period be reduced to annually with the first review to be undertaken in March 2011.

**Officer’s Recommendation**

*That Council adopt the draft Memorandum of Understanding as shown in Attachment 13.5A subject to clause 5 being amended to provide for an annual review of the Memorandum of Understanding, clause 6.2.2 being amended by the deletion of all words after the word “Centre” in the second line, the administrative arrangements outlined in the body of the report being endorsed and all fees and charges relating to the Resource Centre being removed from Council’s 2009/2010 Schedule of Fees and Charges.*

**ABSOLUTE MAJORITY REQUIRED**

Vanessa Green, Executive Assistant, left the meeting at 3.07pm.

Vanessa Green, Executive Assistant, entered the meeting at 3.12pm.

**30251**

Moved Cr Townrow

Sec Cr Young

*That Council adopt the draft Memorandum of Understanding as shown in Attachment 13.5A subject to clause 5 being amended to provide for an annual review of the Memorandum of Understanding, clause 6.1.3 being amended by replacing the word “provide” with “underwrite to a maximum of”, clause 6.2.2 being amended by the deletion of all words after the word “Centre” in the second line, the administrative arrangements outlined in the body of the report being endorsed and all fees and charges relating to the Resource Centre being removed from Council’s 2009/2010 Schedule of Fees and Charges.*

**CARRIED 8/0  
ABSOLUTE MAJORITY**

**MINUTES**

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**13.6 LOCAL GOVERNMENT STRUCTURAL REFORM**

<b>Reporting Department:</b>	Administration
<b>Reporting Officer:</b>	Greg Powell – Chief Executive Officer
<b>Legislation:</b>	Local Government Act 1995
<b>File Reference:</b>	GR/17/36

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**Background**

As a result of the Minister for Local Government's consideration of submissions made to him on Local Government Reform, the latest initiative by the Minister in progressing reform is to seek Councils consideration of Regional Transition Groups (RTG) or Regional Collaborative Groups (RCG). RTG's are applicable to this region. A copy of the Minister's letter, a draft of the proposed agreement and a flowchart outlining the process was previously circulated to Councillors and is attached. Also included in the attachment is a communiqué from the Western Australian Local Government Association (**Attachment 13.6A**).

Since the release of the documentation the proposal has been further amended by removing the "no opt out" clause to the extent that Councils can resolve not to continue towards amalgamation after finalising and consideration of the business case.

**Comment**

On receipt of the documents, the Chief Executive Officer contacted Chief Executive Officers of adjoining Councils seeking comment on whether their Councils would be likely to favour joining an RTG. The majority indicated it was unlikely and some said they would await the outcome of the forum held in Perth on 9 September 2010.

As reported in the press and through information circulated to Councillors, there was little appetite for the Minister's reform agenda in its current form. At the time this agenda item was prepared the Minister had not responded to the position adopted at the forum. It is difficult to provide a recommendation given that:

1. The Minister is yet to respond;
2. The position of other Councils is not known; and
3. Early adoption of a position or course of action could limit Council's options.

The Minister requires Council to advise its position on forming an RTG by 26 March 2010. It is suggested that no action be taken until Council's March 2010 Meeting as other issues may emerge in the intervening period.

**Officer's Recommendation**

*That the Minister of Local Government's letter of 2 February 2010 be noted and that the matter of Regional Transition Groups specifically and local government reform generally be deferred until Council's March 2010 Ordinary Meeting.*

**30252**

Moved Cr Wallace

Sec Cr Crook

*That the Minister of Local Government's letter of 2 February 2010 be noted and that the matter of Regional Transition Groups specifically and local government reform generally be deferred until Council's March 2010 Ordinary Meeting.*

**CARRIED 8/0**

**MINUTES**

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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 Airconditioning and Electrical Tenders for Cummins Theatre

It is proposed to call a Special Meeting of Council at a later date to address the issues associated with these two tenders.

**30253**

Moved Cr Townrow                      Sec Cr Young  
*That Council adjourn the meeting at 3.25pm.*

**CARRIED 8/0****30254**

Moved Cr Townrow                      Sec Cr Morris  
*That Council reconvene the meeting at 3.55pm.*

**CARRIED 8/0**16.2 Mr Gary Little – Development Subdivision

The Administration would investigate the status of this issue and Councillors would be advised through the weekly Information Bulletin.

16.3 Aged Accommodation Study

Councillors requested the Aged Accommodation Study be circulated through the Wheatbelt East Regional Organisation of Councils Executive and further to the Wheatbelt East Regional Organisation of Councils Council to discuss the regional implications of the benefits and recommendations of the Study.

**MINUTES**

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16.4 Update on Negotiations regarding the Merredin Medical Practice

Council was advised on the status of discussions between the Shire President, Chief Executive Officer and Dr Adeniyi regarding Council's financial assistance to the Merredin Medical Practice.

**30255**

Moved Cr Morris

Sec Cr Townrow

*That Mr Paul West, Central Wheatbelt Division of General Practice, and Mr Tim Free, Western Australian Country Health Service, be invited to address Council at either the proposed Special Council Meeting or the earliest possible opportunity.*

**CARRIED 8/0**

Cr Young left the meeting at 4.38pm.

16.5 Merredin Regional Community and Leisure Centre Liquor Licence

The Chief Executive Officer advised Council that Lavan Legal had been contacted regarding progressing the Tavern Licence application on behalf of the Shire. The quote provided from Lavan Legal was in the vicinity of \$20,000.00 to \$30,000.00. The matter would be brought to back to Council to confirm authorisation at the March 2010 meeting.

Cr Young entered the meeting at 4.43pm.

16.6 Council Committees, Meeting Day, Information Bulletin and Action Sheet

Council was advised that the number of Council Committees would be reduced resulting in a restructure of the Council Agenda and therefore the Meeting Day timeline. This would commence from the March 2010 meeting on a trial basis.

The Information Bulletin and Action Sheet which was provided with the Agenda were also being streamlined.

16.7 Country Local Government Funding

Council was advised that the local government allocation had been withdrawn for the 2009/2010 financial year however \$7.5 million was being provided for strategic, financial and asset management planning. In the 2010/2011 financial year funds were available under this program however to access these funds the local government is required to have strategic, financial and asset management plans in place.

**MINUTES**

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The Chief Executive Officer has contacted a consultancy firm to review and develop these plans for the Shire of Merredin. Discussions were continuing and further information would be provided to Council at its March 2010 meeting.

Cr Wallace left the meeting at 4.53 and did not return.

16.8 2010/2011 Budget

Council was advised that the Administration proposed to introduce 3-5 year budget forecasts in conjunction with the development of the 2010/2011 Budget. A budget development timetable would be distributed amongst Councillors and it is expected that workshops would commencing in the coming months. It is anticipated that the 2010/2011 Budget would be completed by June for adoption by Council at its July 2010 meeting.

16.9 Chief Executive Officer's Key Performance Indicators

Council advised the Chief Executive Officer that whilst there had been no formal Key Performance Indicators developed to date, the priority was in the review of the Strategic Plan / Plan for the Future, the development of long term planning, budget protocols and asset management plans for the Shire of Merredin.

17.0 MATTERS BEHIND CLOSED DOORS  
Nil

18.0 CLOSURE

There being no further business the Shire President declared the meeting closed at 5.13pm.