

SHIRE OF MERREDIN



“Heart of the Wheatbelt”

MINUTES OF COUNCIL MEETING

21 MAY 2010

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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 21 May 2010 commencing at 1.00pm.

ATTENDANCE:

Councillors:	KA Hooper	Shire President
	RM Crees	Deputy Shire President
	D Crook	
	P Forbes	
	A Hooper	
	M Morris	
	J Townrow	
	W Wallace	
	M Young	
Staff:	G Powell	Chief Executive Officer
	J Garrett	Executive Manager of Engineering Services
	V Green	Executive Assistant to Chief Executive Officer
	D Morris	Executive Manager of Community Services
Apologies:	E Growden	Executive Manager of Finance and Administration
	J Mitchell	Executive Manager of Development Services

1.0 OFFICIAL OPENING

The Shire President declared the meeting open at 1.00pm.

Jim Garrett, Executive Manager of Engineering Services, and Debbie Morris, Executive Manager of Community Services, were in attendance.

2.0 PUBLIC QUESTION TIME

Nil.

30310 Moved Cr Wallace Seconded Cr Townrow
That Council adjourn the meeting at 1.01pm. **CARRIED 9/0**

30311 Moved Cr Townrow Seconded Cr Morris
That Council reconvene the meeting at 1.39pm. **CARRIED 9/0**

Jim Garrett, Executive Manager of Engineering Services, and Debbie Morris, Executive Manager of Community Services, were in attendance.

3.0 APOLOGIES AND LEAVE OF ABSENCE

Emma Growden, Executive Manager of Finance and Administration, and John Mitchell, Executive Manager of Development Services, tendered their apologies.

4.0 DISCLOSURE OF INTEREST

Nil.

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 20 April 2010.

Officer's Recommendation / Resolution**30312**

Moved Cr Townrow Seconded Cr Morris

That the minutes of the Ordinary Council Meeting held on 20 April 2010 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.

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

9.1 Western Australian Local Government Association's Great Eastern Country Zone Meeting held on 19 April 2010

Attachment 9.1A

Nil Recommendations to Council

9.2 Bush Fire Control Officers Meeting held on 22 April 2010**Attachment 9.2A****Committee Recommendation**9.2.1 Fire Break Order Notice Adoption

Moved R. Morton Seconded G. Crees

That the Fire Break Order as attached be adopted subject to the following amendment:

1. *'Point 3 to continue: "No internal parcels of land can be greater than 400ha without an internal firebreak"'*;
2. *'Point 4 to read: Remove all flammable matter'.*

CARRIED

Note: This Committee Recommendation and a copy of the Fire Break Order, as amended, is further referred to in Agenda Item 11.1 on Page 20.

Resolution**30313**

Moved Cr Townrow Seconded Cr Forbes

*That the above recommendation 9.2.1 regarding the Fire Break Order Notice Adoption lay on the table to allow for further legal advice to be obtained.***CARRIED 9/0**9.3 Wheatbelt East Regional Organisation of Councils Meeting held on 28 April 2010**Attachment 9.3A**

Nil Recommendations to Council

Officer's Recommendation / Resolution**30314**

Moved Cr Townrow Seconded Cr Wallace

*That Council receive the minutes of the Western Australian Local Government Association's Great Eastern Country Zone meeting, the Bush Fire Control Officers meeting and the Wheatbelt East Regional Organisation of Councils meeting.***CARRIED 9/0**

10.0 COMMUNITY SERVICES

10.1 AGED ACCOMMODATION STRATEGY IMPLEMENTATION

Reporting Department:	Community Services
Reporting Officer:	Debbie Morris – Executive Manager, Community Services
Legislation:	Local Government Act 1995
File Reference:	CS/10/Aged Accommodation
Disclosure of Interest:	Nil
Attachments:	Aged Accommodation Strategy

Background

At its April 2010 meeting Council adopted the Aged Accommodation Strategy (**Attachment 10.1A**) and recommended that a copy of the Strategy be provided to the Wheatbelt Development Commission, the Health Department of WA, adjoining Councils and relevant Regional Organisation of Councils' and requested staff to provide a further report on the implementation of the recommendations in the Strategy (**CMRef 30294**).

With the Strategy being distributed to the relevant organisations in early May 2010 it is hoped that the document can be used for regional planning.

Whilst the Strategy provides information and planning indicators for the study area as a whole, (Merredin, Narembeen, Yilgarn, Westonia, Mukinbudin, Nungarin, Trayning, Kellerberrin and Tammin) it provides demographics and statistics specific to each Local Government Authority (LGA), which will enable individual LGAs to analyse and assess their own locality.

The Aged Accommodation Strategy - Vision, Objectives and Strategies and Actions 2010 – 2015 outlined in pages 59 – 62 are exclusive to the Shire of Merredin and need to be analysed and prioritised accordingly. The 4 Objectives are:

1. *Creating Housing Choice*
2. *Meeting Residential Care Demands*
3. *Supporting Older People to Live in Their Own Home*
4. *Addressing Rural Disadvantages*

Comment

All three spheres of government have roles and responsibilities in meeting these objectives and it is Council's role to consider how it can deliver the best services for Merredin and the region.

Upon reviewing the Aged Accommodation Strategy, it appears evident that Council has a number of roles to play in ensuring that older people are catered for in Merredin and the region. Some Actions outlined in the Strategy require a proactive approach by Council with State and Federal Government Departments and Ministers. These Actions generally relate to provision of services and care.

The Seniors Survey conducted as part of the Strategy, resulted in respondents preferring to stay at home in their local area for the next 5 years as the first preference, although some would require services. However there were a percentage of respondents that stated they would consider moving – 15% within 12 months, 24% within 1-5 years and 52% within 6-10 years.

Establishing a mix of housing options to better suit the needs and preferences of older people should be considered an urgent priority.

Comment

It would seem that Council's main commitment with aged accommodation would be through improving the availability and choice in housing (Objective 1). This could be as a sole provider, partnership or attraction of an investor. With this in mind, Council needs to consider the housing accommodation options.

The Strategy provides a forecast of future housing accommodation preferences for the study area (outlined below), which are comparable to the Shire of Merredin.

0-12 months (2010)

74% - stay where they are now with no help

11% - stay where they are now with home support services

This means that 15% will consider moving within the next 12 months

Most common preference is to a smaller house and block (6%), followed by a unit within the community (4%), unit in a retirement village (2%), independent living unit with hostel/nursing home on site (1%) and hostel (1%).

Less than 1% would prefer a low cost rental unit, moving in with family and there was no interest in a lifestyle village.

1-5 years (2011-2015)

47% - stay where they are now with no help

29% - stay where they are now with home support services

This means that 24% will need to move in the 1-5 year period

Most common preference is to a hostel (5%), followed by a smaller house and block (5%), a unit within the community (4%), independent living unit with hostel/nursing home on site (3%), a unit in a retirement village (3%), nursing home (2%) and moving in with family (2%)

Less than 1% would prefer a low cost rental unit, moving in with family or a lifestyle village.

6-10 years (2016 – 2020)

14% - stay where they are now with no help

34% - stay where they are now with home support services

This means that 52% will need to move within the next 6 – 10 years

Most common preference is to an independent living unit with hostel/nursing home on site (11%), followed by a hostel (9%), a smaller house and block (9%), a unit in a retirement village (7%), nursing home (6%), move in with family (4%), a unit in a lifestyle village (3%), low cost unit (2%) and a unit within the community (1%).

Taking into consideration the above information, there is some urgency for Council to consider developing smaller blocks, dwellings and units within the general community, with a variety of tenure options, rather than for units in a retirement village setting. This does not however preclude other planning or actions from occurring simultaneously.

There is a range of Shire owned land options that Council could consider, which include Lot 10 and 11 South Avenue (Lutheran Church), Lot 368 Todd Street, Lots Carrington Way, Lot 159 King Street, Lot 507 MacDonald Street, Lot 207 Cummings Crescent, Lot 217 Carrington Way, Lot 208 Dobson and various lots in Eaton Way, Hawker Way and Duggan Way, as well as the unsold lots in the Carrington Way subdivision.

Lot 10 and 11 South Avenue, Merredin provides ample room for a number of units to be constructed, has all services connected or connections available and is zoned residential.

Tenure options would need to be considered. The Strategy outlines that the preferred options for dwellings/units within the general community are 30% renting and 29% buying.

Statutory/Policy Implications

Local Government Act 1995.

Financial Implications

There is capacity within the Shire to undertake the design drawings, however budget allocations would be required for the demolition of the current buildings and construction of new units.

Profits from the sale of Carrington Way subdivision that will be transferred to the Land Development Reserve have been earmarked for the Whitfield Way Stage 2 development.

Council would need to consider whether the units would be sold or rented and managed by the Shire.

Officer's Recommendation*That Council:*

1. *support Lot 10 and 11 South Avenue, Merredin as the preferred site for the development of aged accommodation units;*
2. *request staff to prepare a report detailing the financial arrangements and concept plans for an aged accommodation development on Lot 10 and 11 South Avenue, Merredin by August 2010 for Council consideration; and*
3. *progress other recommendations in the Aged Accommodation Strategy through the appropriate agencies.*

30315 Moved Cr Townrow Seconded Cr Young
That Council's Standing Orders be suspended to allow for open discussion on this Agenda Item 10.1.
CARRIED 9/0

30316 Moved Cr Townrow Seconded Cr Forbes
That Council's Standing Orders be reinstated.
CARRIED 9/0

Resolution

30317 Moved Cr Morris Seconded Cr A Hooper
That Council:

1. ***support Lot 10 and 11 South Avenue, Merredin as the preferred site for the development of accommodation units;***
2. ***request staff to prepare a report detailing the financial arrangements and concept plans for an accommodation development on Lot 10 and 11 South Avenue, Merredin by August 2010 for Council consideration; and***
3. ***progress other recommendations in the Aged Accommodation Strategy through the appropriate agencies.***

CARRIED 8/1

REASON: Council determined the South Avenue location was more suited to "all ages" accommodation rather than aged accommodation.

30318 Moved Cr Townrow Seconded Cr Morris
That Council commence discussions with the Merritville Committee on strategies for the future development of the Merritville site including the provision of appropriate housing outside of Department of Housing and Works eligibility criteria.
CARRIED 9/0

10.2 CUMMINS THEATRE HIRE DOCUMENT AND FEES AND CHARGES 2010/2011

Reporting Department:	Community Services
Reporting Officer:	Jane Bandurski – Cummins Theatre Manager
Legislation:	Local Government Act 1995
File Reference:	CP/19/5
Disclosure of Interest:	Nil
Attachments:	Circuit West Regional Venue Commercial Hire Fee Comparison, Cummins Theatre Conditions of Hire and Booking Information

Background

In the 2009/2010 Budget the hire fees and charges for Cummins Theatre were reviewed and aligned with the Merredin Regional Community and Leisure Centre (MRC&LC). These fees have not been implemented due to the closure of the venue for renovations. Prior to this the fees and charges for the venue had not been changed since 2006/2007.

CommentFees and Charges

It is suggested the fees and charges for Cummins Theatre and the MRC&LC are comparable, where they reflect the provision of a similar service. This has necessitated the introduction of a hire fee for the use of the kitchen at Cummins Theatre and a review of the hire structure for both venues.

Previous Cummins Theatre hire fees and charges have included a commercial, non-commercial and seminar level. They have also included a booking security deposit (included in the hire fee) and separate bonds.

At times the different rates have caused confusion for both staff and hirers. In order to simplify the booking fees and charges it is proposed that different levels of hire fees be abolished in 2010/2011. The tables below outline the proposed charges for 2010/2011 along with the comparative charges for previous years.

The proposed Hire Fees and Charges for Cummins Theatre in the following tables reflect current trends in regional WA performing arts venues while maintaining relevance to hire fees for local venues such as the MRC&LC. While the fees have increased significantly on previous reviews, this is in response to the rising overheads associated with the operation of the venue. The abolition of commercial, non-commercial and seminar hire rates is necessary to reflect the true operational costs of running Cummins Theatre.

Facility	2006-2009	2009-2010	Proposed
Tivoli Room (per day)	\$85.00	N/A	\$320.00
Tivoli Room (per half day)	N/A	N/A	\$160.00
Tivoli Room - Commercial (per hour)	N/A	\$37.00	N/A
Tivoli Room - Non-commercial (per hour)	N/A	\$26.00	N/A
Tivoli Room - Bond	\$35.00	\$250.00	\$500.00
Theatre (per day)	N/A	N/A	\$750.00
Theatre (per half day)	N/A	N/A	\$375.00
Theatre – Commercial (per day)	\$660.00	\$693.00	N/A
Theatre – Non-commercial (per day)	\$363.00	\$378.00	N/A
Theatre – Seminar (per day)	\$192.00	\$202.00	N/A
Booking Security Deposit – Commercial	\$275.00	\$347.00	N/A
Booking Security Deposit – Non-commercial	\$165.00	\$189.00	N/A
Booking Security Deposit - Seminar	\$82.00	\$101.00	N/A
Theatre - Bond	N/A	N/A	\$500.00
Theatre – Bond (Commercial)	\$150.00	\$500.00	N/A
Theatre – Bond (Non-commercial)	\$82.50	\$500.00	N/A
Theatre – Bond (Seminar)	\$55.00	\$500.00	N/A
Kitchen (per day)	N/A	N/A	\$120.00
Kitchen (per half day)	N/A	N/A	\$60.00
Casual hourly rate			\$30.00
Staff set up/clean up (per hour)	N/A	N/A	\$50.00
Staff Administration (per hour)	N/A	N/A	\$50.00

Proposed Fees and Charges

Venue Hire	Per Hour	Half Day	Full Day	Item
Tivoli Room	N/A	\$160.00	\$320.00	
Theatre – Public/Private Function	N/A	\$375.00	\$750.00	
Theatre – Casual Rehearsal (Stage only, no lights/sound)	\$30.00	N/A	N/A	
Kitchen	N/A	\$60.00	\$120.00	
Set up/Clean up	\$50.00	N/A	N/A	
Tea/coffee per head				\$1.50

Venue Hire	Per Hour	Half Day	Full Day	Item
Staff				
Front of House Manager (Minimum staffing requirement)	\$25.00			
Technical (minimum 4hr call-out)	Cost + 10%			
Bond				\$500.00
Box Office Charges				
Booking fee (per ticket handled)				\$2.20
Credit card commission (additional to booking fee)				5%
Postage of tickets (per transaction)				\$4.00
Website advertisement (per post)				\$30.00
Poster distribution and promotion	\$50.00			
Flyer distribution				\$130.00

Tivoli Room Hire includes use of the bar where an occasional liquor licence has been obtained. Kitchen Hire is additional to Venue Hire. Where all facilities are to be hired, all hire fees are applicable (including Theatre, Tivoli Room, and Kitchen).

Theatre Hire includes basic FOH lights (generic wash) and in-house PA. Also includes access to dressing rooms, greenroom, and backstage ablutions.

All additional equipment hire is to be discontinued: chairs, tables, sets, props, crockery, cutlery, glassware etc is not to be removed from Cummins Theatre.

Cummins Theatre is a member of Circuit West – the network of WA regional theatres. Circuit West is designed to facilitate touring in regional WA, and as such affiliated venues aim to provide similar facilities and services across the state. The Theatre Manager has collected information regarding commercial hire fees for selected Circuit West venues (**Attachment 10.2A**). The proposed hire fees for Cummins Theatre reflect the current trends in other similarly equipped regional venues in WA.

It should be noted that Cummins Theatre will be required to increase its technical capacity through the purchase of lighting and audio equipment and the provision of technical staff, in order to meet the requirements of a regional venue suitable for touring performing arts products.

Equipment Hire

Until 2010, Cummins Theatre had provided an equipment hire service incorporating chairs, tables, glassware, crockery, cutlery, table centres and other assorted items. This resulted in damage to Cummins Theatre property and the minimal income generated was negated through breakages and staff time and resources expended through coordinating the hire service. It is proposed that all equipment hire be discontinued.

Hire Documents

A Cummins Theatre Conditions of Hire and Booking Information document relating to Hire has been developed (**Attachment 10.2B**).

This document has been designed to incorporate similar information to the MRC&LC, and other regional WA Performing Arts Venues where applicable, and include some additional charges that may be applicable to hirers. It includes a Venue Booking Form, Technical Specifications, Alcohol Permission Form and Evacuation Plans. The Evacuation Plans included in this document must be reviewed prior to the reopening of the refurbished venue.

It is particularly pertinent that technical requirements are obtained with sufficient time to source appropriate staff and equipment. Access to the flying system will be restricted to trained personnel and as such technical staff will be required for the majority of performances and events.

Cummins Theatre has also implemented a new ticketing system which will be utilised for all ticketed events held at the venue. It will be essential that all financial and promotional information relating to the event is received with sufficient time to organise ticketing and all marketing endeavours.

Statutory/Policy Implications

Nil.

Financial Implications

Electricity costs are due to rise by 25% in the coming financial year. The installation of air conditioning at Cummins Theatre will more than double electricity consumption for the venue and it may be anticipated that the consumption through use of stage lights will also increase.

Further to this consideration, the improved technical facilities will require trained technical staff to correctly operate the new systems, particularly with respect to the fly tower. Electrical and equipment maintenance programs will also need to be taken into consideration. Additional lighting and audio equipment may also need to be purchased and installed at Cummins Theatre following the electrical refurbishment of the venue. This may occur progressively and will necessitate a review of Hire Fees in the subsequent financial year.

It is essential that Hire Fees be increased to reflect the improved facilities and service provided by Cummins Theatre as a result of the renovation project.

Officer's Recommendation

Moved Cr Crees

Seconded Cr Morris

That Council adopt:

- 1. the Schedule of Fees and Charges for Cummins Theatre as outlined in this Agenda Item 10.2 for inclusion in the 2010/2011 Budget and advertise the Schedule of Fees and Charges for Cummins Theatre through the usual communication channels; and,***
- 2. the Cummins Theatre Conditions of Hire and Booking Information as presented in Attachment 10.2B.***

LOST 4/5

Resolution

30319

Moved Cr Townrow

Seconded Cr Crook

That the Schedule of Fees and Charges for Cummins Theatre and the Conditions of Hire and Booking Information be referred back to staff to consider the "community aspect" of the use of Cummins Theatre and recognise community use in the Schedule of Fees and Charges.

CARRIED 8/1

10.3 RURAL TOWNS LIQUID ASSETS PROJECT

Reporting Department:	Community Services
Reporting Officer:	Debbie Morris – Executive Manager, Community Services
Legislation:	Local Government Act 1995
File Reference:	ED/11/1
Disclosure of Interest:	Nil
Attachments:	Possible uses for Merredin's Salty Ground Water Report

Background

Merredin is situated in the valley floor of a relatively flat landscape. Rising groundwater is a problem and has been a focus of community activity since the mid 1980's. The depth of the groundwater varies throughout the townsite and until 2000 it had been rising at approximately 0.01 to 0.02m each year.

The Merredin Shire has been part of the Rural Towns Program (RTP) since 1997, which progressed into the Rural Towns – Liquid Assets (RT-LA) project in 2004.

In 2001, as part of the RTP, the Groundwater Pumping and Desalination Pilot Project occurred. The project pumped the salty groundwater from under the town centre 4km to the evaporation ponds where some water was directed into a desalination plant while the remaining water went into the ponds and evaporated leaving behind the salt. The objective was to test the feasibility of pumping water to lower the water table and to process the abstracted water for use for domestic purposes. The project was largely successful.

In 2004, the RT-LA project was aimed at integrating salinity, water logging and flooding control with the development of new water supplies in Wheatbelt towns and where possible finds ways of putting the excess water to commercial use. The RT-LA project was due to be completed in 2007.

The RT-LA project expanded the initial production bore network from 2 to 6 production bores and increased the pumping capacity from 173kL/day to around 596kL/day. For the majority of the time the water was pumped to the evaporation ponds and simply evaporated.

There was a period of time (November 2006 to July 2007) when the groundwater was used for upgrade of the Great Eastern Highway roadworks including construction (desalinated water) and dust suppression (untreated saline groundwater) operations. The groundwater was pumped from the production bores into a desalination plant (reverse osmosis), with the effluent being discharged into the evaporation ponds. Results of a cost analysis revealed a relatively high cost per kilolitre (\$33.17/kL) due to the significant set-up and development costs with the project.

As part of the RT-LA project a significant number of hydro-geologically related investigations were performed and reports developed, which were incorporated in the final *Water Management Plan for the Town of Merredin (Attachment No. 10.3A)*. This report was received by the Shire of Merredin in January 2010 as the completion of the RT-LA project by Mr Mark Pridham, Department of Agriculture and Food, Western Australia.

Another report the Shire commissioned in 2006 was prepared by Monash University Lecturer Nathan Hurst and Dr Lynne Shandley "*Possible uses for Merredin's salty ground water.*" (**Attachment 10.3B**) This report discusses ways to reduce the high, salty water table under Merredin whilst creating products of economic and social value to the town.

Comment

Staff have reviewed both the Water Management Plan and Nathan Hurst's report to provide Council with a summary of findings and information that will enable decisions to be made on future options for the groundwater.

The Water Management Plan proposed seven recommendations:

1. Identify leaks in sewerage system;
2. Implement stormwater harvesting management strategies;
3. Implement "Water Wise" and community education programs;
4. Continue pumping from production bores to the evaporation ponds at current rates;
5. Reinstall a desalination plant for captive projects around Merredin;
6. Continue revegetation works, focussing around vacant land within town and around evaporation ponds; and
7. Research suitable industries for abstracted groundwater for aquaculture, horticulture.

A number of these items (1, 2, 3, 4 and 6) will be considered and undertaken in day to day work by staff however items (5 and 7) require further investigation.

Nathan Hurst's report outlines a number of potential solutions to the saline groundwater problem and evaluates them according to cost, probability of success, outputs, economic feasibility, political feasibility (Page 29) and recommendations for the "next step" tests.

In summary the Water Management report provided a comprehensive range of hydro-geological data that can be used when assessing options for groundwater use, as well as extensive economic and technical data for the desalination project. The options proposed for the groundwater, other than the current pumping to evaporation ponds and the use of a desalination plant, were aquaculture and irrigation, however there was no supporting data or information to progress these projects.

Nathan Hurst's report presented a number of options, however it was suggested that a period of small-scale field testing in Merredin be conducted prior to full scale ventures.

Nathan proposes that Masters or PhD University students be approached (either funded or through scholarships) to undertake some research work on the efficiency/effectiveness of each project. This suggestion was endorsed by Council at its December 2006 meeting (**CMRef 28762**), however has not been progressed. Small scale algae trials were conducted in partnership with the Merredin Senior High School in 2009, but for various reasons, were not successful and will require further testing.

It appears from media articles that a number of inland towns that are trialling saline water initiatives either as a means of combating groundwater and salt issues and/or for economic development.

There is an urgent need for Merredin to take a lead role for the Central Wheatbelt. It is suggested that the Water Management Plan be referred to the Wheatbelt Development Commission for consideration at their forum being held in Merredin on 14 June 2010.

Statutory/Policy Implications

Nil.

Financial Implications

At this stage the cost to engage a University Masters or PhD student to undertake Merredin Groundwater as a research project is unknown. There is currently \$12,000.00 is allocated in the 2009/2010 Budget (Account E105090), however \$2,000.00 was expended on support for the Wheatbelt Drainage Alliance.

Officer's Recommendation / Resolution

30320 Moved Cr Townrow Seconded Cr Morris

That Council:

- 1. receive the Water Management Plan for the Town of Merredin as presented in Attachment 10.3A;***
- 2. make enquiries to an academic institution on the implementation of the Report including the need for further studies; and,***
- 3. refer the Rural Towns Liquid Assets projects for consideration under the Royalties for Regions Regional Projects program.***

CARRIED 9/0

Debbie Morris, Executive Manager of Community Services, left the meeting at 2.50pm.

11.0 DEVELOPMENT SERVICES

11.1 BUSHFIRE BREAK NOTICE – 2010 – ADOPTION OF NOTICE

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Bushfire Act 1954
File Reference:	Nil
Disclosure of Interest:	Nil
Attachments:	Bushfire Break Notice

Background

The existing Bushfire Break Notice has been determined deficient by Council's solicitors and has been redrafted by the Administration to address the deficiencies and provide a Notice that can be enforced.

The redrafted Notice is contained in **Attachment 11.1A**.

Comment

The previous Notice did not address issues which the solicitor considered important and has been reviewed by the firm.

Statutory/Policy Implications

The Bushfires Act 1954 requires the local government to adopt a Notice.

Financial Implications

Each year, to ensure compliance with the Act, the Notice is gazetted in the Government Gazette and in a newspaper circulating the region. These costs are approximately \$750.00 per annum.

Officer's Recommendation

That Council adopt the Bushfire Break Notice 2010 as presented in Attachment 11.1A.

Resolution

NOTE: Council determined to lay this matter on the table to allow for further legal advice to be obtained (refer **CMRef 30313** on Page 6 of these minutes).

11.2 LOCAL LAWS – STATUTORY REVIEW OF THE SHIRE OF MERREDIN’S LOCAL LAWS

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Local Government Act 1995
File Reference:	LE/8/9
Disclosure of Interest:	Nil
Attachments:	Nil

Background

Pursuant to Section 3.16 of the Western Australian Local Government Act 1995, a local government is required to periodically review its Local Laws. The review must be undertaken within 8 years from the time of the gazettal of the Local Law or acceptance of a report of a review of the Local Law. The aim of a review is to determine whether or not a local government considers that a Local Law should be retained unchanged, be repealed or be amended. In accordance with guidelines issued by the Western Australian Local Government Association the review process also has the following objectives:

1. the use of plain English in all Local Laws that they are easy to read and readily understandable to both the public and the members of Administration;
2. relevance to the needs of the Shire of Merredin;
3. compliance with the *Local Government Act 1995 (WA)* and other legislation;
4. deletion of legislative duplication;
5. avoidance of legislative inconsistency between other Local Laws, State and Federal legislation;
6. the creation of laws that are able to stand alone without the need to be cross-referenced.

Furthermore, all Local Laws are required to be consistent with the National Competition Policy and unless justified under the Public Benefit Test, should not contain provisions that restrict competition.

Comment

The majority of the Shire of Merredin’s Local Laws were gazetted on 7 October 2002 and consequently require review prior to 7 October 2010. These Local Laws are listed below and the title of the relevant Act they were made under:

Local Government Act 1995

1. Bee Keeping Local Law
2. Local Government Property Local Law
3. Activities in Thoroughfares and Public Places and Trading Local Law
4. Standing Orders Local Law
5. Fencing Local Law
6. Extractive Industries Local Law
7. Parking and Parking Facilities Local Law

Dog Act 1976

8. Dogs Local Law

Cemeteries Act 1986

9. Cemeteries Local Law

Bush Fires Act 1954

10. Bush Fire Brigades Local Law

It is important to note that Local Laws made under Acts other than the Local Government Act are also subject to review and the procedures outlined in the Local Government Act. This report proposes the commencement of the procedures described in the Act through the advertising of the Shire's intent to review all Local Laws and seeking comment from the general public relating to the same.

The Shire has reviewed its Health Local Laws in 2008 and 2009 and resolved to adopt a Health Amendment Local Law and Waste Local Law (**CMRef 30110** and **CMRef 30220**). The adoption of the Waste Local Law is awaiting the approval of the Director General of the Department of Environment and Conservation and the Health Amendment Local Law will be gazetted at the same time as the Waste Local Law.

The advertisement of the intention to review the Local Law is the first step in this process. No consultation has been undertaken at this stage, although it is likely that the Shire will need to pursue an amendment Local Law, to undertake at least minor alterations and changes of some of its Local Laws. A number of the Shire's Local Laws were adopted by reference to the already gazetted Local Laws of other local governments presumably to reduce gazettal and drafting costs. It is necessary that any proposed changes be cross referenced with the original Local Law and the Local Law adopted by reference, to ensure that the consolidated Local Law is correct.

Following the closure of submissions, the Administration will produce a report of the review of the Local Laws and submit it to Council. In the event that Council decides to repeal or amend any of the Local Laws, statewide public notice will again be given and copies of the report of the review and the draft amendment are to be made available.

Statutory Implications

The Shire of Merredin Local Laws gazetted on 7 October 2002 have not previously been reviewed. In undertaking a review of the Local Laws, Section 3.16 of the Local Government Act 1995 compels that a local government give statewide public notice and make copies of the Local Laws available to the public. Council must then consider any submissions made and other administrative issues to determine if the Local Law should be repealed, amended or remain unchanged.

If it is determined by Council that the Local Law should be amended a local government is required to again give statewide notice of the proposed Local Law. Submissions must be accepted for a period of six (6) weeks. Council must consider any submissions made before amending the Local Law.

Financial Implications

Direct costs associated with this report will be limited to advertisement fees to give statewide public notice. The preparation of any draft amendment will be undertaken via budgeted expenditure. Following the discussion period, and depending upon any submissions, further amendment, review and legal advice may be incurred. If a draft Amendment Local Law is required and its adoption has been finalised by Council, there will be fees (currently \$86.40 per page) for the Amendment Local Law gazettal.

Officer's Recommendation / Resolution

30321 Moved Cr Crees Seconded Cr Morris

That Council:

- 1. give statewide and local public notice of its intention to review the following Local Laws pursuant to the Local Government Act 1995 and the principles of National Competition Policy;***
Local Government Act 1995
 - 1. Bee Keeping Local Law***
 - 2. Local Government Property Local Law***
 - 3. Activities in Thoroughfares and Public Places and Trading Local Law***
 - 4. Standing Orders Local Law***
 - 5. Fencing Local Law***
 - 6. Extractive Industries Local Law***
 - 7. Parking and Parking Facilities Local Law******Dog Act 1976***
 - 8. Dogs Local Law***

Cemeteries Act 1986

9. Cemeteries Local Law

Bush Fires Act 1954

10. Bush Fire Brigades Local Law; and

- 2. make copies of the Notice and Local Laws available upon request from the Shire of Merredin Administration Centre.***

**CARRIED 9/0
ABSOLUTE MAJORITY**

11.3 **EXTENSION OF PLANNING APPLICATION PA18-05; EXTRACTION INDUSTRY – LOT 11 (FORMERLY AVON LOCATION 13340 AND 13349 KORBELKULLING ROAD, MERREDIN)**

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Extractive Industries Local Law 2002
File Reference:	P7162
Disclosure of Interest:	Nil
Attachments:	Extension Request and Map

Background

At its December 2005 meeting Council approved PA18-05, establishment of an extractive industry on Avon Location 13340 and 13349 (now Lot 11) Korbekulling Road (Korbel), Merredin (**CMRef 28253**). The licence, issued in January 2006, expires in January 2011.

The applicant is seeking an extension to the approval period as the final agreed datum has not been reached. The request for extension and a site map is contained in **Attachment 11.3A**.

Comment

The application covers Lot 11 owned by the applicant. Clause 6.1(a) of the Local Law generally requires the excavation for material to not encroach within 20 metres of a property boundary. The nature of this proposal may require Council to remove this requirement and incorporate a relevant written condition into any subsequent approval.

The following information is provided by the applicant:

1. Approval is sought for a period of five years, with the “sand pit” to be operated by Mr Peter Hooper of Merredin Freightlines;
2. Demand for the material and the differing grades of the sand will determine the stages it will be opened up;
3. The site will be taken down to adjacent ground level; there will effectively be no excavation of material below the adjacent ground level, thus removing the need for drainage;
4. Vehicles used in the operation will be a front end loader and truck; all vehicles are fitted with mufflers to reduce impact of noise;
5. No processing, other than screening of gross contaminants (sticks, stones etc) will occur on site;
6. The site cannot now be seen easily from the road;
7. Vehicular access will be along Korbekulling Road; internal access to the site will be via existing all-weather tracks;

8. Very little (<1%) topsoil and overburden exist on top of the sand deposit; any such material removed will be stored on site;
9. Areas of the proposed excavation site have previously been mined;
10. Minimal dust will be generated from the operation as the site is relatively screened by existing trees and shrubs;
11. The applicant owns all land around the site; therefore no other persons will be adversely impacted by dust or noise by the extractive industry operations;
12. No building infrastructure exists or is required on site; and
13. No trees are to be taken down or removed; only shrubs will be removed; the overall site is to be replanted with ~3000 oil mallees at the completion of extractive operations

Having inspected the site and discussed the application with the applicant it is apparent that the proposed extractive industry is on a relatively small scale and operated in effect on an "as needs" basis.

It is difficult to foresee any adverse impact, such as dust or noise pollution that the development would have on adjoining property owners. Notwithstanding this, there is support for the proposal from the adjoining property owners.

The proposal will ultimately result in an increase in the number of trees over the excavation area and enhance the floral environment generally.

Statutory/Policy Implications

It is an offence under the Planning and Development Act 2005 (as amended) for any person to use any land or any building or structure thereon contrary to or otherwise than in accordance with the provisions of the Scheme.

A person must not carry on an extractive industry unless the person is the holder of a valid and current licence issued in accordance with the Shire of Merredin Local Law No. 10 - Extractive Industries (Local Laws).

Financial Implications

Application fees of \$132.00 (minimum planning fees) and the annual extractive industry licence fees have been paid.

The extractive industry is current and licenced.

Officer's Recommendation / Resolution

30322

Moved Cr Young

Seconded Cr Townrow

That Council agree to an extension of PA18/05 with the existing conditions as listed below to expire on 30 January 2015:

- 1. Planning consent being valid for a period of five years from the date of approval;***

- 2. Extractive industry license being valid for a period of one year from the date of approval;**
- 3. An annual extractive industry license fee of \$300.00 including GST to be paid;**
- 4. Prior to the commencement of sand and gravel extraction operations a bond or bank guarantee for the sum of \$1,000.00 being lodged with the Shire of Merredin as security for applicant /operator compliance with rehabilitation commitments;**
- 5. Hours of operation of extractive industry operations are restricted to 7:00am to 6:00pm Monday to Friday and 8:00am to 5:00pm Saturday and Sunday and not at all on Public Holidays;**
- 6. All vehicles involved in extractive industry operations to access the property from the Hines Hill Road;**
- 7. All vehicles involved in extractive industry operations not permitted on Korbelkulling Road during school bus hours;**
- 8. The operator shall, at the direction of the Executive Manager of Engineering Services, undertake certain measures so as to minimise the impact of vehicles involved in extractive industry operations on Korbelkulling Road;**
- 9. The requirements of clause 6.1(a) of Shire of Merredin Local Law No. 10 - Extractive Industries not be imposed;**
- 10. Dust control and suppression measures to the satisfaction of the Chief Executive Officer;**
- 11. Extraction of material not to occur below RL259.0 as per surveyors plan – Drawing No. 1 dated December 2005 submitted on behalf of the applicant by Paul Kraft and Associates;**
- 12. Rehabilitation to involve the planting and nurturing of a minimum of 2000 oil mallees per hectare and to be completed within 12 months of the conclusion of operations; and**
- 13. All other relevant approvals be obtained from the required agencies.**

CARRIED 9/0

11.4 LOCATION 15629 BENNETT ROAD, HINES HILL PROPOSED SUBDIVISION

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Planning and Development Act 2005, Shire of Merredin Town Planning Scheme No. 1; Local Planning Scheme No. 6 (Advertised)
File Reference:	A9321
Disclosure of Interest:	Nil
Attachments:	Application and Plan

Background

An application to subdivide Lot 15629 Bennett Road, Hines Hill into three locations has been received from the Western Australian Planning Commission (WAPC). The application and plan is contained within **Attachment 11.4A**.

At its December 2008 meeting Council considered a request to establish a conservation lot from the landowner and resolved (**CMRef 29803**):

- 1. That the Western Australian Planning Commission be advised that the Shire of Merredin supports the creation of a conservation lot within Avon Location 15629 Neening Road, Hines Hill.*
- 2. That the Shire of Merredin does not support the subdivision of the remaining portions of Avon Location 15629 Neening Road, Hines Hill.*

This proposal is to establish three separate locations comprising components of viable farming land and land with salt encroachment.

Comment

WAPC Development Control Policy 2.5 does not support the creation of additional lots within the general farming area without purpose. The application provides no reason other than fertile paddocks as the reason for the subdivision. This can be achieved without the need for subdivision.

The point raised of average lot sizes has not been confirmed by this officer, however the immediate lots surrounding Lot 15629 are of similar size to the existing lot.

The subdivision can create fragmentation of the surrounding land.

Previously the land was used for the disposal of tyres which has been advised to the owner as an environmental issue which has not been addressed. This disposal is an offence pursuant to the Shire of Merredin Town Planning Scheme No. 1. The area affected is within the new lot B – viable farming land.

The intent of this application has not been fully disclosed and therefore should not be supported. The proposal can be achieved without the need for boundary realignments.

There is no proposal to provide rehabilitation of the salt affected land or maintain a conservation lot as previously proposed.

Statutory/Policy Implications

The provisions of the WAPC Statement of Planning Policy 11 – Agricultural and Rural Land Use Planning (previously called Development Control Policy 2.5) are applicable.

The provisions of WAPC Development Control Policy 3.4 are not applicable as the policy relates to Homestead subdivision only from general farming land.

Financial Implications

Nil.

Officer's Recommendation / Resolution

30323

Moved Cr Forbes

Seconded Cr Crees

That the Western Australian Planning Commission be advised that the application to create three lots from Location 15629 Bennett Road, Hines Hill is not supported for the following reasons:

- 1. the proposal causes fragmentation of the surrounding general farming land;***
- 2. the proposal is inconsistent with the Shire of Merredin Town Planning Scheme No. 1 which seeks to protect the economic viability and preserve the areas character – the lots created are not economically viable; and***
- 3. approval would set an undesirable precedent for the future subdivision of surrounding lots.***

CARRIED 9/0

11.5 RESERVE 14641 - MUNTADGIN GOLF CLUB LAND AND BUILDINGS

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Land Administration Act 1997; Local Government Act 1995.
File Reference:	R14641
Disclosure of Interest:	Nil
Attachments:	Information and Plan

Background

The Committee of the Muntadgin Golf Club has contacted the Administration regarding the lease costs of the Club to the Water Corporation and to determine whether Council will assist with the required roof repairs to the clubrooms.

Attachment 11.5A contains background information and a locality plan of the Reserve.

Comment

In 2004 the Administration supported the annexation of the Reserve to address the proposed \$5,000.00 per annum lease fees proposed by the Water Corporation.

The matter was closed by the Administration in 2006 through advice to the Water Corporation that until the local community determine to formally approach Council on the acquisition that the matter be closed. This advice was apparently not conveyed to the Muntadgin Golf Club.

Prior to 2006 the matter was nearly resolved via an annexation and vesting to the Shire of Merredin however the matter lapsed.

Council direction is sought to determine whether the annexation and vesting to the Shire of Merredin should occur to alleviate the potential lease fees to the Muntadgin Golf Club.

Statutory/Policy Implications

If Council agrees to the vesting the Administration will seek the use to be determined as Golf Club and Rooms with an option to lease for a 20 year period.

Financial Implications

Nil known at this time.

Officer's Recommendation / Resolution

Moved Cr Young Seconded Cr Crees

That the Administration pursue the vesting of the portion of Reserve 14641 containing the Muntadgin Golf Club, rooms, access and fairways to the Shire of Merredin with the power to lease the site as a Golf Club with the view to leasing the land and buildings to the Muntadgin Golf Club.

LOST 2/7

Cr Crees and Cr Young requested that all votes be recorded.

FOR

Cr Crees
Cr Young

AGAINST

Cr Crook
Cr Forbes
Cr A Hooper
Cr K Hooper
Cr Morris
Cr Townrow
Cr Wallace

30324

Moved Cr Townrow Seconded Cr Morris

That the matter be referred back to Council at its June 2010 Meeting to allow for further information regarding the condition of the building being obtained and what Council's liability would be in accepting the vesting.

CARRIED 9/0

11.6 HOUSING REPAIRS – CURATORS DWELLING – LOT 684 BATES STREET, MERREDIN

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Building Code of Australia 2010; Health Act 1911 – 1979; Local Law No. 7 - Health
File Reference:	A325
Disclosure of Interest:	Nil
Attachments:	Nil

Background

The bathroom to the curators dwelling on the Recreation Ground, Lot 684 Bates Street, Merredin has collapsed and requires substantial improvement.

In 2008 the floor to the kitchen collapsed and was repaired and new floor finishes installed. In addition, a carport (\$3,500.00) was installed. Prior to this Council replaced the entire kitchen cupboard and bench system.

Comment

Whilst the repairs will render it liveable for a limited period of time the dwelling will continue to deteriorate quickly due to the age and closeness of the dwelling to the ground. Framed stumped buildings should maintain 300mm clearance from ground level and the ground beneath should be graded to prevent ponding of storm water under the building.

It is the opinion of the Building Surveyor and the Building Project Manager that the dwelling is at the end of its economic life and will require ongoing major repairs. In addition, the dwelling is asbestos clad which poses an increased health risk. The building is also not in keeping with the major component of the land being the Recreation Centre.

Council will need to consider whether it wishes to retain the dwelling and, if the building is to be replaced, whether Council wishes to retain a dwelling within the Recreation Grounds.

There has been no inclusion of a security dwelling within the Recreation Ground Master Plan.

It is understood that the current tenant is considering retirement in three years. There is no confirmation of this advice.

The dwelling could be maintained minimally until 2014 after the bathroom repairs are complete.

Statutory/Policy Implications

Rental properties are subject to the provisions of the Residential Tenancies Act which set minimum standards and rights and obligations.

The Local Law 7 - Health determines the minimum standard of existing houses and the Building Code of Australia 2010 determine the standards for new housing.

Financial Implications

Budgeted repairs within the 2010/2011 year for the bathroom are \$10,000.00

A replacement two bedroom curators dwelling similar to those constructed on Lot 77 Coronation Street, Merredin is estimated at \$220,000.00 plus GST.

Council receives an income of \$80.00 from the tenant.

Demolition and removal of the building is estimated at \$10,000.00 and will incur certification works from Worksafe as the dwellings major component is asbestos.

Officer's Recommendation

That the dwelling on Lot 684 Bates Street, Merredin and commonly called the Curators Dwelling be planned for demolition within the 2013/2014 Budget and that following the bathroom upgrade, repairs be limited to minimal maintenance.

Resolution**30325**

Moved Cr Morris

Seconded Cr Townrow

That the dwelling on Lot 684 Bates Street, Merredin and commonly called the Curators Dwelling be planned for demolition and that staff provide Council with options for a caretakers/curators residence on or near the Merredin Recreation Ground as soon as the information is to hand.

CARRIED 8/1**REASON:**

Council wanted to pursue the most economically viable option whilst preserving the amenity of the entrance to the Merredin Regional and Community Leisure Centre and ensuring the overall security of the site.

11.7 STATUTORY ANNUAL WASTE CHARGES – RECYCLING CHARGES - REQUEST TO NOT PAY

Reporting Department:	Development Services
Reporting Officer:	John Mitchell – Executive Manager, Development Services
Legislation:	Waste Avoidance and Resource Recovery Act 2007
File Reference:	A1908
Disclosure of Interest:	Nil
Attachments:	Correspondence Request

Background

Correspondence (**Attachment 11.7A**) has been received from a domestic resident requesting the recycling charge applied to residential properties to divert recyclable waste from the landfill be waived against their property.

Two requests have been received from the public at the Counter and a further letter has been misplaced. All of the requests have a common source.

Comment

The waiving of a statutory fee, such as the annual charges for waste collection, sets a dangerous precedent. In addition there is no way for the Administration to independently verify any claim or misuse of the service provided - (this is side issue to the matter anyway).

Statutory/Policy Implications

The charges are set pursuant to the Waste Avoidance and Resource Recovery Act 2007 and apply to approximately 1174 rates notices.

Council's contract with Avon Waste is for the collection of 1174 bins per fortnight.

The Health Local Laws and shortly Waste Local Laws are the enforcement tools for the provision of the service.

Financial Implications

Council will still incur the costs for the service of \$133.50 per annum.

12.0 ENGINEERING SERVICES

12.1 PURCHASING POLICY AMENDMENT

Reporting Department:	Engineering Services
Reporting Officer:	Jim Garrett – Executive Manager, Engineering Services
Legislation:	Local Government Act 1995
File Reference:	Policy Manual – Policy 3.14
Disclosure of Interest:	Nil
Attachments:	Purchasing Policy 3.14

Background

With the Local Government (Functions and General) Regulations, a tender exemption applies to the Western Australian Local Government Association's (WALGA) Preferred Supplier Contracts (PSC). The WALGA PSC's have been found by staff to be a more efficient and effective process than going to public tender.

Councils Purchasing Policy No. 3.14 (**Attachment 12.1A**) states that any purchase over \$100,000.00 is required to go to public tender. Council's Purchasing Policy does not allow for staff to use the WALGA PSC's for purchases of \$100,000.00 or above.

Comment

To assist staff when using the WALGA PSC's for purchases of \$100,000.00 or above Council's Purchasing Policy 3.14 needs to recognise the WALGA PSC's for purchases of \$100,000.00 or above and include:

“Conduct a public tender process or when using WALGA Preferred Supplier Contracts obtain at least three written quotations containing price and a sufficient amount of information relating to the specification of goods and services being purchased. The written quotations are to include:

1. Specifications;
2. Any selection criteria that must be addressed;
3. Price;
4. Period of offer; and
5. Any other conditions.

Evaluation criteria is to be used to ensure that all the criteria are addressed. Therefore the selection may not be on price alone but base on value for money principles.

A record is to be kept of the quotations.

That the Chief Executive Officer and one Senior Manager be delegated authority to approve the order up to the budget allocation.”

In using the WALGA PSC’s six to eight weeks can be saved in the purchasing process.

Statutory/Policy Implications

An Absolute Majority of Council is required as is the update of Council’s Policy Manual.

Financial Implications

Nil.

Officer’s Recommendation / Resolution

30328

Moved Cr Morris

Seconded Cr Crees

That Council endorse the changes to Purchasing Policy Number 3.14 for purchases of \$100,000.00 or above to include:

“Conduct a public tender process or when using WALGA Preferred Supplier Contracts obtain at least three written quotations containing price and a sufficient amount of information relating to the specification of goods and services being purchased. The written quotations are to include:

- 1. Specifications;***
- 2. Any selection criteria that must be addressed;***
- 3. Price;***
- 4. Period of offer; and***
- 5. Any other conditions.***

Evaluation criteria is to be used to ensure that all the criteria are addressed. Therefore the selection may not be on price alone but base on value for money principles.

A record is to be kept of the quotations.

That the Chief Executive Officer and one Senior Manager be delegated authority to approve the order up to the budget allocation.”

**CARRIED 8/1
ABSOLUTE MAJORITY**

12.2 PLANT PURCHASE - 6 X 4 TIP TRUCK

Reporting Department:	Engineering Services
Reporting Officer:	Jim Garrett – Executive Manager, Engineering Services
Legislation:	Local Government Act 1995
File Reference:	PES/01/08
Disclosure of Interest:	Nil
Attachments:	Evaluation Matrix

Background

An allocation of \$125,000.00 was made in the 2009/2010 Budget for the changeover of one new 6 x 4 tip truck from the Plant Reserve.

Comment

The Executive Manager of Engineering Services sent out three Request for Quotations for the changeover of the 6 x 4 tip truck using the WALGA PSC on 22 March 2010.

The following suppliers were invited to quote:

1. Skipper Trucks
2. Major Motors
3. Hino W.A.
4. Truck Centre W.A.

SUPPLIER		PRICE
A	Skipper Trucks	\$ 110,400.00 excluding GST
B	Major Motors	\$ 130,339.00 excluding GST
C	Hino W.A.	\$ 100,899.00 excluding GST
D	Truck Centre W.A.	\$ 100,170.00 excluding GST

The quote received from Skipper Trucks of \$110,400.00 for a Fuso – FV 6 x 4 tip truck was found to be the best value for money following an evaluation of the quotes received by Graham Pritchard, Shire Mechanic, and Jim Garrett, Executive Manager of Engineering Services.

The evaluation matrix is attached (**Attachment 12.2A**).

Comment

All suppliers have indicated that the truck is in stock but delivery may take 12 to 14 weeks while waiting for the body builders to fit the tray.

Statutory/Policy Implications

An Absolute Majority of Council is required.

Financial Implications

An allocation of \$125,000.00 is in the 2009/2010 Plant Reserve Budget for the changeover of the 13 tonne Isuzu tip truck for one new 6 x 4 tip truck. If Council were to purchase the 6 x 4 tip truck from Skipper Motors for \$110,400.00 there would be a saving of \$15,000.00 in the Plant Reserve.

Officer's Recommendation / Resolution**30329**

Moved Cr Morris

Seconded Cr Crook

That Council:

- 1. endorse the actions of the Executive Manager of Engineering Services of utilising the Western Australian Local Government Association's Preferred Supplier Contracts instead of calling for tenders as required by Council Policy 3.14; and,***
- 2. purchase one new 6 x 4 tip truck from Skipper Trucks for \$110,400.00 excluding GST.***

**CARRIED 9/0
ABSOLUTE MAJORITY**

13.0 FINANCE AND ADMINISTRATION

13.1 MONTHLY FINANCE REPORT

Reporting Department:	Finance and Administration
Reporting Officer:	Emma Growden – Executive Manager, Finance and Administration
Legislation:	Local Government Act 1995
Disclosure of Interest:	Nil
Attachments:	Monthly Financial 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**30330**

Moved Cr Young

Seconded Cr Morris

That Council receive the Monthly Finance Report for April 2010.**CARRIED 9/0**

13.2 LIST OF ACCOUNTS PAID

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

- 30331** Moved Cr A Hooper Seconded Cr Young
That Council receive the schedule of accounts as listed, covering cheques as numbered and totalling \$94,119.20 and amounts directly debited from Council's Municipal Fund Bank Account BSB 066-518 Account Number 000-000-10 totalling \$615,674.86 and outstanding creditors totalling \$411,137.72.

CARRIED 9/0

Jim Garrett, Executive Manager of Engineering Services, left the meeting at 3.27pm.

13.3 ROYALTIES FOR REGIONS – FUTURE PROJECTS

Reporting Department:	Administration
Reporting Officer:	Greg Powell – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	GS/2/22
Disclosure of Interest:	Nil
Attachments:	Local Component Requirements

Background

The Country Local Government Fund (CLGF) was established under the Royalties for Regions Program to provide funding for approved infrastructure works for rehabilitation of existing local government infrastructure or new facilities. The initial allocation was expended in its entirety by each local government with future years being progressively reduced until 50% was at the discretion of individual local governments and the balance to be allocated to regional projects.

Comment

Because of the significant reduction in royalties received by the State Government because of the global financial crisis, funding for the 2009/2010 year was not forthcoming except for a minor allocation of \$35,000.00 per Council to undertake planning to underpin future projects. Funding for future years is dependent on the planning and business case work being completed. It is expected that 75% of the funding will be provided in 2010/2011 decreasing to 50% thereafter.

Local Component

A submission for Council's \$35,000.00 allocation has been submitted and it is expected that approval will be received prior to 30 June this year. It is conditional on all planning being completed by the end of the calendar year. The work 'dovetails' with that currently being undertaken by Morrison Low and as such will be dealt with during that process. Details of the State Government's requirements are included in **Attachment 13.3A**.

Regional Component

There was an expectation that the regional allocation would be managed by the respective ROC's and that projects would be determined and managed at that 'regional' level. Some Councils may have held the view that this pool could be equally or proportionally distributed back to each Council. It has recently become clear that is not the case.

The Development Commissions have been allocated funding to undertake a number of regional forums at the ROC level to discuss projects that have ROC significance but may have, in the case of Merredin and WEROC, Wheatbelt wide implications. A refocusing of the Wheatbelt Development Commission (WDC) sees it as focusing on infrastructure, transport, health and energy, to name some, as being its core business.

It is clear that the regional local government allocation will be directed towards large scale projects that may not have direct and immediate local benefit and the funding used to leverage funding from other State and Commonwealth government programs. Some of the projects could be seen not be a local government responsibility but would need to underpin future economic growth or remedy infrastructure and service delivery deficiencies.

Local Projects

Prior to undertaking the preparation of the Forward Capital Works Plans (FCWP) as required a precursor to funding approval, Council will need to determine which projects it wants to include in the FCWP. It is not known the quantum of funding expected in the future but for budgeting purposes it is suggested that \$750,000.00 be used for 2010/2011 and \$500,000.00 for subsequent years.

A list of possible projects has previously been developed by staff. Without classifying the project as required by the FCWP and in no particular order, they are listed below. Council should give some consideration to which projects it wishes to undertake and prioritise them.

1. Desalination plant
2. New library
3. CBD enhancement
4. Playground equipment
5. Shire entry statements
6. Cohn Creek restoration
7. Storage tanks at MRC&LC
8. Fourth Dam
9. Regional waste facility
10. Merritville extension
11. Shops – Mitchell/Bates St's
12. Pool relocation/upgrade
13. Staff housing
14. Synthetic surface at MRC&LC
15. Solar power – MRC&LC, Administration Centre and staff housing

The list is not exhaustive and no doubt other projects will come to mind.

Regional Projects

It would appear little work has been done on projects to utilise the regional component of the CLGF. In February 2009, the following list was included in the WEROC agenda but it is inconclusive whether a decision was reached.

1. Regional waste management
2. Weather radar
3. Land development (headworks)
4. Road upgrades
5. Crematorium
6. Tourism
7. Housing
8. Townscape improvements
9. Regional ecoparks
10. Regional doctors
11. Plant purchases
12. Sporting facilities
13. Solar technology
14. Regional airstrips

Again, there are no doubt other projects worthy of inclusion. It is suggested that a list of projects be developed for discussion at the WDC forum to be held in Merredin on 14 June 2010. Given the broader scope envisaged by the WDC i.e. size, area of benefit, statutory responsibility and cost, Council should give some consideration to other needs of the region generally including all infrastructure, both hard and soft. This could include grain on rail and other transport, water supply, power generation, health, education, industry development etc projects.

Statutory/Policy Implications

Nil.

Financial Implications

At this time, there are no financial implications but these may arise should Council wish to commit its own resources to a project. This will need to be considered in the context of the annual budget and the yet to be completed long term financial plan.

Cr Young left the meeting at 3.40pm.

Cr Young entered the meeting at 3.45pm.

Cr Morris left the meeting at 3.46pm.

Cr Morris entered the meeting at 3.48pm.

Officer's Recommendation / Resolution**30332** Moved Cr Crees Seconded Cr Young***That Council:***

- 1. prioritise a list of projects for inclusion in its Forward Capital Works Plan for Royalties for Regions funding by end of next week; and***
- 2. develop a list of projects of regional significance for discussion at the forthcoming Wheatbelt Development Commission forum.***

CARRIED 9/0

NOTE: Council were to advise the Chief Executive Officer of their top 5 local and regional priorities by the close of business on Friday 28 May 2010.

13.4 MERREDIN REGIONAL COMMUNITY AND LEISURE CENTRE FEES AND CHARGES 2010/2011

Reporting Department:	Finance and Administration
Reporting Officer:	Greg Powell – Chief Executive Officer
Legislation:	Local Government Act 1995
File Reference:	RCS/13/1
Disclosure of Interest:	Nil
Attachments:	Merredin Regional Community and Leisure Centre Facility Booking Form

Background

The annual review of the Fees and Charges for the MRC&LC has been completed with the intention for these being more aligned with Cummins Theatre.

The table on the following pages outlines the proposed charges for 2010/2011 along with the comparative charges for previous years.

The major changes are in the removal of non-commercial hire charges to two set hourly fees and the increases in the hire of the Function Room, Kitchen, Indoor Court Area and Oval.

Comment

It should be noted that included in the 1 Platinum and 10 Gold Sponsorship packages was the free and/or discounted use (from these Fees and Charges) of the MRC&LC for a period of 5 years from August 2007 meaning there is just over 2 years remaining on these Sponsorship packages.

Additionally, the majority of sporting clubs receive free and/or discounted use of the MRC&LC as part of their Memorandum of Understanding's.

The Facility Booking Form has been modified in formatting only and is provided for Council's information (**Attachment 13.4A**).

Statutory/Policy Implications

Nil.

Financial Implications

Costs for electricity, water and cleaning are all due to increase in the next financial year and a rise in the Fees and Charges is warranted.

Officer's Recommendation

That Council endorse the Schedule of Fees and Charges for the Merredin Regional Community and Leisure Centre as outlined in this Agenda Item 13.4 for inclusion in the 2010/2011 Budget and advertise the Schedule of Fees and Charges for the Merredin Regional Community and Leisure Centre through the usual communication channels.

Resolution**30333**

Moved Cr Young

Seconded Cr Townrow

That the Schedule of Fees and Charges for the Merredin Regional Community and Leisure Centre be referred back to staff to consider the "community aspect" of the use of the Merredin Regional Community and Leisure Centre and recognise community use in the Schedule of Fees and Charges.

CARRIED 9/0

14.0 MOTIONS OF WHICH PREVIOUS NOTICE HAS BEEN GIVEN

Nil.

15.0 QUESTIONS BY MEMBERS FOR WHICH DUE NOTICE HAS BEEN GIVEN

Nil.

16.0 URGENT BUSINESS APPROVED BY THE PERSON PRESIDING OR BY DECISION**16.1 Chamber Seating Arrangement**

Cr Young believed the current seating and furniture arrangement for Chamber was unsuitable and requested that it be revised.

Cr A Hooper and Cr Young left the meeting at 4.00pm and did not return.

17.0 MATTERS BEHIND CLOSED DOORS

Nil.

18.0 CLOSURE

There being no further business the Shire President declared the meeting closed at 4.05pm.